



UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
MT. BAKER-SNOQUALMIE NATIONAL FOREST
ORDER #06-05-23-18
COPPER LAKE AREA CLOSURE

Pursuant to 16 U.S.C. § 551 and 36 CFR § 261.50(a) & (b), and to provide for public safety, the following acts are prohibited within the Skykomish Ranger District of the Mt. Baker-Snoqualmie National Forest as described below and shown in Exhibit A. This Order is effective September 29, 2023, through December 31, 2023, unless rescinded sooner.

PROHIBITIONS:

1. **Entering into or being upon National Forest System Lands.** [36 CFR § 261.53(e)].

CLOSURE AREA:

National Forest System lands within T29N, R10E, Section 4, and the east half of T29N, R10E, Section 5, as shown in Exhibit A.

EXEMPTIONS:

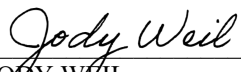
Pursuant to 36 CFR § 261.50(e), the following persons are exempt from this Order:

1. Any Federal, State, or local officer, or member of an organized rescue or fire-fighting force in the performance of an official duty.
2. Persons with Forest Service Permit No. FS-7700-48 (Permit for Use of Roads, Trails, or Areas Restricted by Regulation Order), specifically exempting them from this order.

These prohibitions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

Violations of this prohibition are punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than 6 months, or both (16 U.S.C. § 551; 18 U.S.C. §§ 3551, 3559, 3571, and 3581).

Executed in Everett, Washington this ___28th___ day of **September**, 2023.



JODY WEIL
Forest Supervisor
Mt. Baker-Snoqualmie National Forest



United States
Department of
Agriculture

Forest
Service

Mt. Baker-Snoqualmie National Forest

2930 Wetmore Ave
Suite 3A
Everett, WA 98201

September 28, 2023

MEMORANDUM

FROM: Forest Supervisor Jody L. Weil

TO: FILE

SUBJECT: COPPER LAKE AREA CLOSURE #06-05-23-18

FILE CODE: 1950/1010

ISSUE:

The intent of this memorandum is to describe the need for public use restrictions, as outlined in Forest Order #06-05-23-18. This action is categorically excluded from further analysis and documentation in an EIS or EA and does not require a decision memo (36 CFR § 220.6(d)(1)) under the National Environmental Policy Act (NEPA). This memorandum also serves as the Civil Right Impact Analysis.

BACKGROUND AND NEED:

The intent of this document is to identify and state the purpose and need for a temporary closure of the area around Copper Lake to provide for the health and safety of the public while allowing safe and efficient recovery of Helicopter N350WW, which landed and then sank in Copper Lake on September 8, 2023.

Recovery of helicopter N350WW will require several missions to Copper Lake to determine location and condition of the helicopter, as well as insertion of divers, aviation recovery experts, and pollution prevention and response. Safe landing areas at Copper Lake are very limited, and occupancy of a landing site by the public could reduce the margin of safety and the probability of success for the recovery and pollution prevention and response efforts. To mitigate this risk, a temporary closure will be established in the following areas located within Snohomish and King Counties, Washington:

National Forest System lands within T29N, R10E, Section 4, and the east half of T29N, R10E, Section 5, as shown in Exhibit A.

This Forest Order includes an exemption for persons with a Forest Permit for Use of Roads, Trails, or Areas restricted by Regulation or Order (Form FS-7700-48). Authorization under this exemption will be provided only if I or my delegate determine that the risk to personal health and safety is reasonable considering the circumstances of the request. We also may require appropriate personal protective equipment and other necessary safety measures. I hereby delegate the authority to sign Form FS-7700-48 granting an exemption to this Forest Order to all District Rangers of the Mt. Baker-Snoqualmie National Forest.

SCOPING AND PUBLIC OUTREACH:

Notices and press releases articulating these prohibitions have been posted on the Mt. Baker-Snoqualmie National Forest website and provided to local media outlets for distribution. Closure signage has been posted on the ground and in proximity to the affected areas. Supervisory staff of the Mt. Baker-Snoqualmie National Forest have discussed the closure with potentially interested and invested cooperating parties, including Washington State Department of Natural Resources, Washington State Department of Ecology, Washington Department of Fish and Wildlife, US Environmental Protection Agency, Snohomish County Public Utility District, City of Everett, WorldWind Helicopters, and Air Transport, the lead recovery contractor.

REASONS FOR CATEGORICALLY EXCLUDING THE ACTION:

Based on a review of the proposed order and consultation with District and Forest resource specialists, I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) under the National Environmental Policy Act. This action falls within the category identified in 36 C.F.R. § 220.6(d) (1) - prohibitions to provide short-term resource protection or to protect public health and safety - and does not require documentation in a decision memo, decision notice, or record of decision. I have determined that there are no extraordinary circumstances associated with this temporary closure, and it may be implemented immediately.

CIVIL RIGHTS IMPACT ANALYSIS:

I have determined that this closure will have no impacts on civil rights as it will apply to all individuals. No one group or person will be affected more than another group or person.

SUMMARY:

Based on my review, I have determined that this Forest Order is compliant with the Forest Order process and should be authorized.

JODY L. WEIL

Forest Supervisor

Mt. Baker-Snoqualmie National Forest

R. 10 E.

T. 30 N.

T. 30 N.

T. 29 N.

T. 29 N.

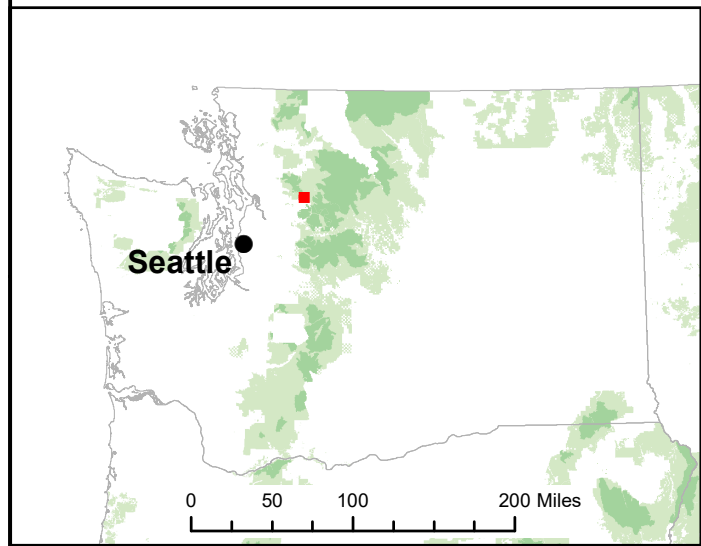
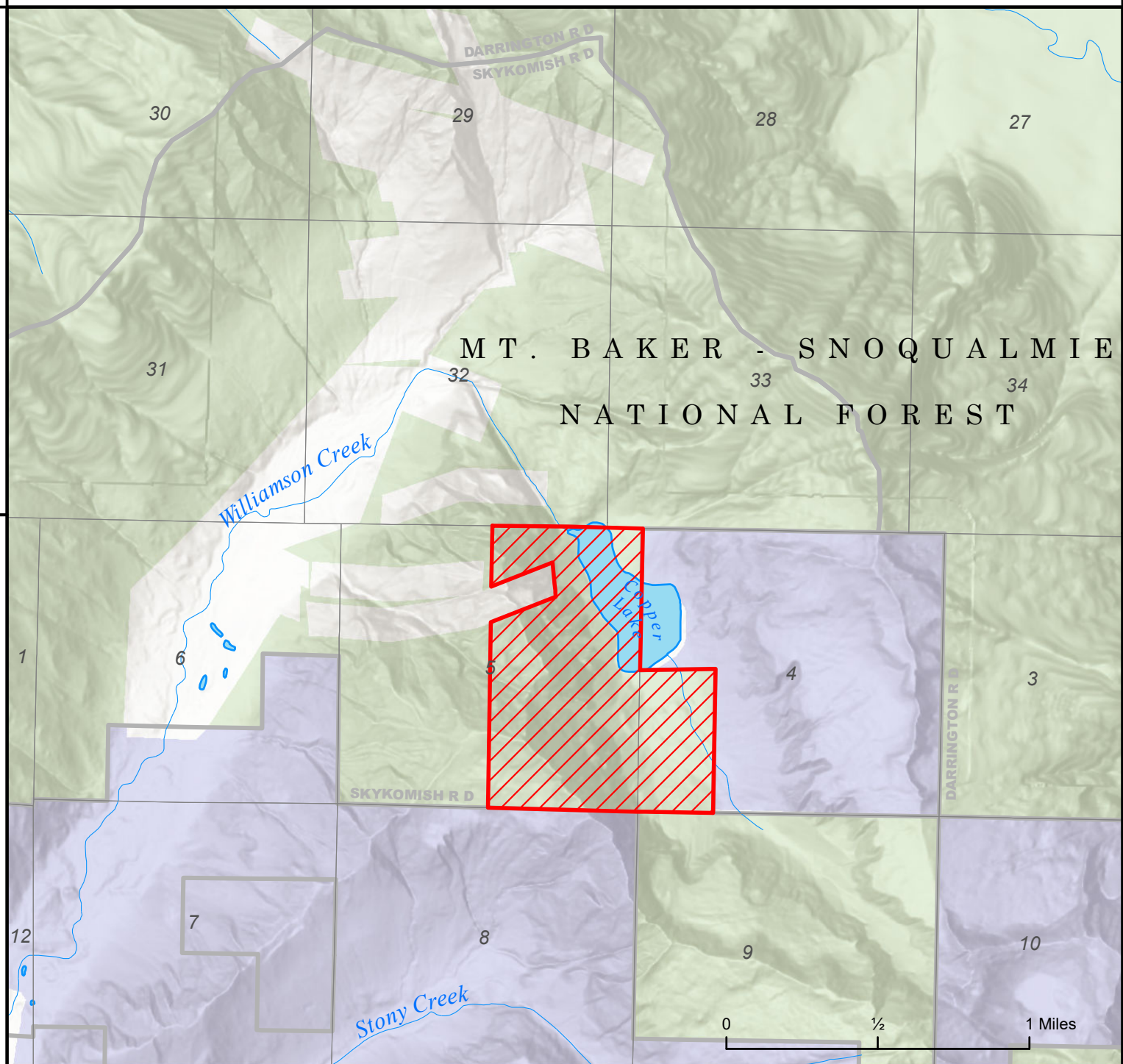


Exhibit A
Copper Lake Closure
Closure Number 06-05-23-18
Mt. Baker-Snoqualmie National Forest
Skykomish Ranger District

-  Area Closure
-  Ranger District Boundary
-  National Forest
-  State Public Lands



JH