

Decision Notice & Finding of No Significant Impact
Ivory Mill Saddle to Snow Mt. OHV Hunting
Connectivity
USDA Forest Service
Grindstone Ranger District, Mendocino National Forest
Glenn County, California

Decision and Reasons for the Decision

Background

This decision concerns a travel management proposal to improve route connectivity for non-highway-legal vehicles and drivers in the area along road M3 between Ivory Mill Saddle and West Crockett Trailhead, near Snow Mountain. The need for improved connectivity was identified through collaboration with interested members of the public during 2006. The environmental assessment (EA) documents the analysis of the proposed action to meet this need.

Decision

Based upon my review of the alternatives, I have decided to implement Alternative 1, the proposed action. Under the proposed action, this segment of M3 would be managed for high-clearance rather than low-clearance vehicles, and would be designated for mixed-use. A mixed-use designation would allow non-highway-legal vehicles to use this segment of road M3, whereas currently only highway-legal vehicles are allowed. The change in management would occur on the segment of M3 between Ivory Mill Saddle and near the West Crockett Trailhead, about 17.5 miles in length (see EA, pp. 7 - 9, for a more complete description).

Several factors influenced my decision:

- As compared to the no-action alternative the proposed action better meets the need for improved OHV connectivity in this area [EA pg. 11]. The need was identified through public involvement [EA pp. 3, 5].
- Managing for high-clearance vehicles is a more appropriate strategy for this segment of road, considering the current and projected types and levels of uses envisioned by the Forest Plan [EA pg. 10, 11, 12]. Although there will be some inconvenience imposed on users of low-clearance vehicles, I believe that on balance the public will be better served by implementing the proposed action.
- The proposed action contributes to improving motorized recreation opportunities [EA pg. 11] without increasing maintenance workload or incurring capital investment costs [EA pg. 11]. Maintenance costs would

actually decline under the proposed action, which would contribute to improving the overall affordability of the MNF road system [EA pg. 11, 12].

Alternatives Considered

In addition to the selected alternative, I considered only the no-action alternative in detail. We did not fully develop any action alternatives because there were no significant issues to address. A comparison of the two alternatives can be found in the EA on pages [10-13].

Alternative 1 – Proposed Action

We would begin managing this segment of M3 for high clearance vehicles starting with the next scheduled maintenance. This would initiate a transition period of three to four years in which road conditions become progressively rougher and more typical of a high-clearance road. We would monitor road conditions to determine when they become suitable for the road to be designated for mixed-use. Prior to designation for mixed-use, a qualified road engineer will assess the actual road condition and determine that high-clearance vehicle conditions have developed sufficiently to allow mixed use. Non-highway-vehicles would be allowed *after* the designation of the road for mixed-use (EA, pp. 7-9, for a more complete description)

Alternative 2 - No Action

Under the No Action alternative, we would continue to manage this segment of M3 for low-clearance-vehicles, and non-highway-legal vehicle use would continue to be prohibited.

Public Involvement

The proposed action was developed collaboratively with interested members of the public during 2006. A preliminary proposal was made available for public comment in November 2006, to assist with identifying any need to modify the proposal prior to scoping. No need for modification was identified.

The proposal was scoped in July 2007, without modification from its preliminary version. Two individuals and six groups submitted scoping comments. In all, two distinct comments were identified, neither of which raised an issue.

Notice of the draft environmental assessment's availability for 30 day review and comment period was published October 11, 2007. Two supportive comments were received.

A more detailed account of public involvement is provided in the environmental assessment on pp. 4-6.

Finding of No Significant Impact

After considering the environmental effects described in the environmental assessment, I have determined that these actions will not have a significant

effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

Beneficial and adverse impacts

My finding of no significant environmental effects is not biased by the beneficial effects of the action.

The degree to which the proposed action affects public health or safety

There will be no significant effects on public health and safety. The proposed action would involve a minor degree of risk of injury for OHV riders from collisions with passenger vehicles. Based upon accident records, the increased risk from this source is small compared to risk from other sources, such as single vehicle or OHV vs. OHV accidents [EA pp. 13, 14]. Most of the risk of OHV riding is inherent to the challenging nature of the sport. In this context, I consider the expected low incidence of injuries of OHV riders to not constitute a significant public safety impact.

Unique characteristics of the geographic area

Neither public comments nor agency analysis has identified any unique characteristics that would be impacted by the proposed action.

The degree to which the effects on the human environment are likely to be highly controversial

Neither public comments nor agency analysis identified any scientific controversy regarding the nature or magnitude of the effects disclosed in the environmental assessment.

The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks

The environmental effects of the proposed action that are disclosed in the environmental assessment are well understood and do not involve any unique risks. The effects related to changing the road management objective (from low-clearance to high-clearance) are reliably predictable from long experience managing roads at both levels.

The proposed action would also eventually allow mixed use on a section of road on which it has not been allowed. However, experience with mixed use on other roads lends reasonable confidence to our estimation of effects regarding human health and safety.

The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration

The proposed action is self-contained – it does not commit the agency to any subsequent actions. It relies on changes in road management and on administrative designations of allowable vehicle class / driver qualification on existing roads. Such designations do not commit the FS beyond the next needed change, as determined by the responsible official.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts

The cumulative impacts are not significant (EA pp. 14, 15).

The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historical resources

The action will have no adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because The proposed action is an exempt undertaking (Stipulation III(E)) under terms of the *First Amended Regional Programmatic Agreement Among the U.S.D.A. Forest Service, Pacific Southwest Region, California State Historic Preservation Officer, and Advisory Council on Historic Preservation Regarding the Process for Compliance with Section 106 of the National Historic Preservation Act for Undertakings on the National Forests of the Pacific Southwest Region* (2001) [EA pg. 14].

The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973

The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. This determination was based on there being no substantive change in the type of use on a road that already exists [EA Pg. 14].

Whether the action threatens a violation of Federal, State, or local law or other requirements imposed for the protection of the environment

The action will not violate Federal, State, or local laws or requirements for the protection of the environment. Compliance with applicable laws and regulations was considered, and disclosed in the EA (pg 15).

The interdisciplinary team reviewed the proposed action for consistency with Mendocino NF Forest Plan. The team concluded that it is compliant with applicable management direction [EA, pg 15; Appendix L]. I have reviewed and concur with the team's conclusions, and find that the proposal is consistent with the Forest Plan.

Findings Required by Other Laws and Regulations

National Forest Management Act (NFMA) – The proposed action also complies with NFMA management direction regarding species viability, as provided in FSM 2670.32 [EA pg. 14, 15]. The proposed action would not impact the viability of federally listed threatened, endangered or proposed species, Forest Service sensitive species, or Northwest Forest Plan survey and manage species. Based on the information in the EA and supporting biological analysis documents, I find that the proposal is compliant with the NFMA's species viability requirement.

I also find that the proposed action complies with the Clean Water Act and the National Historic Preservation Act [EA pp 14, 15].

In accordance with Forest Service policy regarding travel management decisions [FSM 7710.3(1), 7712.13c], I have determined that MNF Forest-Scale Roads Analysis (2003), as supplemented by project-specific analysis [EA pp 10-13], is adequate to inform my decision in this matter. This determination is based on the following considerations:

- Forest-scale roads analysis¹ identified the affected section of M3 as a key route [Table 1 in Appendix A, pg A2- 5]. Therefore, further needs analysis at the project scale was not necessary to determine the need to keep the section in the MNF road system and open to the public.
- Section 2.1 of the forest-scale roads analysis provided sufficient information to inform my decision from the standpoint of all of the road management issues identified therein except for one: access. Although not all of the information in the forest scale roads analysis is pertinent to this decision, the EA cites that which is [EA pp 8, 11].
- Project level analysis was needed to supplement the forest-scale analysis regarding access [Section 2.1.2]. We evaluated access needs under the MNF Forest Plan to determine the appropriateness of managing for high-clearance rather than low-clearance vehicles on this section of M3 [EA pp 10, 11, 12].

¹ Mendocino NF Forest-Scale Roads Analysis Report, 2003.

Administrative Review or Appeal Opportunities

I have determined that the only comment submitted during the comment period is supportive of the proposed action, and that there were no other expressions of interest. Therefore my decision is not subject to appeal [36 CFR §215.12(e)(1)].

Implementation Date

Pursuant to 36 CFR §215.9(c)(1), implementation of this proposal may occur immediately after publication of notice of this decision in the Chico Enterprise Record.

Contact

For additional information concerning this decision or the Forest Service appeal process, please contact our Forest Planner, Mike Van Dame:

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s/Eduardo Olmedo

11/30/07

EDUARDO OLMEDO

Date

District Ranger

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