

Decision Notice & Finding of No Significant Impact
Close Trail 68
USDA Forest Service
Upper Lake Ranger District, Mendocino National Forest
Glenn County, California

Decision and Reasons for the Decision

Background

This decision concerns a travel management proposal to close and decommission OHV Trail 68 (system trail #85468). The need for closing this trail 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, we would close and decommission trail 85468 (Trail 68), which is isolated from other OHV routes, and dead-ends at private land.

Several factors influenced my decision:

- As compared to the two other alternatives, the proposed action better meets the need to resolve a long-standing problem of OHV trespass onto private land, and unauthorized OHV use on National Forest System lands [EA pg. 4].
 - The no-action alternative (#2) would do nothing to resolve or reduce the problem.
 - Alternative 3 might help somewhat as compared to the no-action alternative, because the departure points of existing unauthorized routes are all on the south end of the trail, which would be closed and decommissioned under alternative 3 [see map 4, EA pg. 11].
 - However, the decommissioned section itself will be vulnerable to unauthorized use, from the south end of the section of trail remaining open. This potential point of departure for unauthorized use is about 1.5 miles from road M6, whereas the point of departure under the proposed action would be directly from M6.
 - This would make it more difficult and costly to detect and abate unauthorized use under alternative 3 than under the proposed action. These factors would make alternative 3 inherently less effective than the proposed action in reducing the problems of private land trespass and unauthorized OHV use on National Forest System lands.

- The proposed action requires a lower level of capital investment as compared to alternative 3 - \$1350-\$2025 vs. \$11,750-\$12,250 [EA pg. 14]. This is a distinct advantage of the proposed action, because we don't have much in the way of capital investment funding in projected future budgets. Moreover, I would prefer to expend what little capital that may become available on projects that are better connected with the existing OHV trail system.
- Trail 68 provides a below-average quality of OHV recreation opportunity due to several factors - it is short (2.7 miles), it is unconnected to other routes that are legal for non-street-legal vehicles and drivers, and it does not provide any loop opportunities [EA pp. 4, 6]. Alternative 3 would form a loop, but would not significantly increase the length or establish connectivity with the rest of the OHV route system [EA pp. 10, 14].
- Although the proposed action removes 2.7 miles of OHV trail, this is only a small portion of the mileage of the existing system, and is offset by other concurrent Mendocino NF travel management proposals. Trail 68 comprises only about 1% of the Mendocino NF OHV trail system, and about 0.2% of all routes available to non-street-legal vehicles and drivers [EA pg. 17]. This loss is potentially¹ compensated by our other travel management proposals that would increase the amount of roads and trails open to non-street-legal vehicles and drivers by about 41.5 miles [EA pg. 18].
- Trail 68 is inconveniently located for maintenance and enforcement activities [EA pg. 15]. Closing it will free-up maintenance and enforcement resources for use on other more connected parts of the trail system that are of higher quality and more efficient to service.

Alternatives Considered

In addition to the selected alternative, I considered the no-action alternative and one other alternative (#3) in detail:

Alternative 1 – Proposed Action

Under this alternative Trail 68 would be closed to public motorized use and decommissioned.

Alternative 2 - No Action

Under the No Action alternative, we would continue to manage Trail 68 for OHV use. Current efforts to minimize private land trespass and unauthorized use on NFS lands would continue (e.g. signing, maps without private land road systems shown, enforcement).

¹ Most of these have not yet had decisions made, so there is no guarantee that all of the proposals will come to fruition. One proposal has been decided (Ivory Mill Saddle to Snow Mt. OHV Hunting Connectivity), which adds 17.3 miles.

Alternative 3 - Reconfigure Trail 68

Under this alternative Trail 68 would be altered to create a loop and decommission the south ~1.1 mile. The loop would be created by constructing about 1.3 miles of trail to the west of the existing trail.

Details of the alternatives are on pages 3, 9-12 of the EA. A comparison of the three alternatives can be found in the EA on pages [13-17].

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.

Two individuals expressed concern that this proposal would reduce OHV recreation opportunities. However there were not any obvious opportunities to address this concern through minor alterations to the proposal. So, I decided to scope the proposal without changes, and to deal with the issue in the environmental analysis.

The proposal was scoped in July 2007, without modification from its preliminary version. Three individuals and seven organizations provided scoping comments. In all, six distinct comments were identified, one of which raised a significant issue. As anticipated, the concern remained regarding loss of OHV recreation opportunity. Of the remaining five comments, none raised issues. Alternative 3 was developed to address this issue.

Notice of the draft environmental assessment's availability for 30 day review and comment period was published October 27, 2007. Two supportive comments were received. No comments were received from either of the individuals that raised the significant issue during scoping.

A more detailed account of public involvement is provided in the environmental assessment on pp. 6-9.

Finding of No Significant Impact

After considering the environmental effects described in the environmental assessment, I have determined that the proposed action 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

Neither public comments nor agency analysis has identified any potential impacts on public health or safety that would be caused by the proposed action.

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 have 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 closing and decommissioning a trail are reliably predictable from past experience with such projects.

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 is a stand-alone change in the designated OHV trail system. Such changes 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 18-21).

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

Heritage resources would not be affected by the proposed action. The existing trail has been previously surveyed, and the decommissioning activities will be confined to the originally cleared corridor [EA pg 20].

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 proposed action would not have any adverse effects on listed species, proposed species or critical habitat [EA pg 20].

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, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA [pg 20, 21).

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 pp 20, 21; 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 pp 20, 21]. 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 pg 21].

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/Thomas A. Contreras

12/14/07

THOMAS A. CONTRERAS

Date

Forest Supervisor

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