**Decision Notice and Finding of No Significant Impact**

# Motorized Travel Management Environmental Assessment

**San Bernardino National Forest**
**USDA Forest Service, Pacific Southwest Region**
**San Bernardino and Riverside Counties, CA**

## 1.0 Decision and Rationale

Based on analysis contained in the January 2009 Environmental Assessment (EA) and supporting documentation found in the project record that addresses the anticipated environmental effects of travel management changes on the San Bernardino National Forest, I have selected Alternative 1, as described in detail in Chapter 2 of the environmental assessment except for the modifications listed below, for implementation. The January 2009 EA is available in the project record and on the project website at www.fs.fed.us/r5/sanbernardino/projects/ohv.shtml.

I am modifying Alternative 1 based on results of the environmental analysis and to incorporate selected aspects from Alternatives 3 and 4 in order to best meet the purpose and need described in section 3.0 below and in Chapter 1 of the EA and to respond to public comments. These selected modifications are:

1. Non-highway legal use on 3N14 (Coxey Road) will only be added between mile post 11.0 (the intersection with 4N16) and mile post 14.7 (Forest Boundary). Between mile post 5.5 (intersection with 3N16 and mile post 11.0 (intersection with 4N16), Coxey Road would remain designated for highway legal vehicle use only. This decision responds to transportation facility analysis in Chapter 3 of the EA which indicated it would be unsafe to add non-highway legal use between mileposts 5.5 and 11.0.
2. All sections of Maintenance Level 3 system roads analyzed for addition of non-highway legal vehicle use (i.e. mixed use) in the EA (see Table 48 of EA) will become Maintenance Level 2 roads, except for 3N14 (Coxey Road) between mileposts 5.5 and 11.0, and except for 2N01 (Broom Flats) between mileposts 6.0 and 6.3. The change in maintenance level on these sections of system roads will allow mixed use to be implemented with reduced risk to users and without any conflict with the California Motor Vehicle Code. Signing will be changed on these routes to modify driver expectations.
3. 5.6 miles of short spur routes to designated dispersed camping sites (yellow post sites) will be added to the transportation system and designated for highway-legal vehicle access. The yellow post sites affected are listed in the EA on p. 19. I am including this component of Alternative 3 in my decision because it is important to provide recreational access to these camping sites, and without this decision they would become closed for motorized access (EA p. 113). This action meets Need #2 identified in the Purpose and Need (see EA p. 5 and Section 3.0 below). No significant impacts were found by adding these routes to the system. In fact, the biological analysis found that since some of these sites currently have multiple routes leading to them, plants and animals will benefit by designating one route and keeping

motorized use on it (EA p. 45). Additionally, once these routes are designated, they can be maintained, thereby reducing soil and water impacts.

4. 1N39A between Highway 38 and Fish Creek (1.5 miles) will be decommissioned and 1N05A after the Aspen Grove trailhead (0.8 miles) will be decommissioned. I am including this component of Alternative 4 because these routes are currently receiving little, if any use, and it will result in long-term benefits for plants and animals (EA p. 46, 65). Decommissioning these routes will also improve the water quality for the Santa Ana River and its tributaries, which is a listed water body (EA p. 149).
5. Non-highway legal vehicle use will be added to 4S19 (Poppet Divide Road) as identified and analyzed in Alternative 1. However, implementation of this change will be deferred until the District Recreation Officer, Biologist, and Botanist find that vegetation along this route has sufficiently recovered from the 2005 Esperanza Fire. Mitigation measures (fencing, barriers, etc.) will be installed if necessary to prevent creation of unauthorized routes.
6. Forty-five miles of unauthorized routes will be restored instead of the 74 miles originally proposed and analyzed in the Draft EA. Twenty-nine miles of the unauthorized route restoration proposed in the Big Bear area is not being included in this decision because archaeological surveys and/or site records need to be completed in order to assess environmental impacts. The Forest intends to complete these surveys and records to include the restoration of these remaining 29 miles in a separate project decision as soon as possible, given budgetary and staffing constraints.

**With the modifications listed above, my decision to implement Alternative 1 will:**

1. Continue to prohibit cross-country motor vehicle traffic by the public off designated National Forest System roads and trails.
2. Restore 45.1 miles of unauthorized routes.
3. Add 8.4 miles of unauthorized routes for non-highway legal vehicles up to 50 inches wide.
4. Add 5.9 miles of unauthorized routes for highway legal vehicle use. 5.6 miles of this addition is for access to yellow post sites, described above.
5. Reclassify 50 miles of system roads for non-highway legal vehicle use (i.e. mixed use with highway legal vehicles). 26.1 miles of these roads have already been managed for mixed use since 1989 under temporary designations.
6. Reclassify 24.9 miles of system roads for highway legal vehicle use only (i.e. remove non-highway legal vehicle use).
7. Reclassify 50.6 miles of system roads to prohibit public access by highway legal vehicles.
8. Decommission 17.5 miles of system roads and 3.3 miles of system trails.
9. Construct 0.5 miles of new system trail for non-highway legal vehicle use. Of this construction, 0.2 miles will be for Forest Service administrative use only to provide a new link between the North Shore Work Center administrative site and 2N25, in conjunction with other actions that will decommission the current access from the Work Center.

When compared with the No Action Alternative (Alternative 2) and with Alternatives 3 and 4, as described below, the Selected Alternative best meets the purpose and need and has the lowest impact on the environment.

Alternative 2 would not meet the need for access to designated yellow post camping sites, the need for restoration of unauthorized routes, the need for reducing the transportation system, the need for improving safety on 1N34, 3N53, and 3N22, the need for reducing sound and other conflicts in the vicinity of Lake Arrowhead neighborhoods, or the need for cultural resource protection on 3W13.

While Alternative 3 does provide more mileage for highway legal and non-highway legal motorized recreation, it does not meet the need for reducing sound and other conflicts in the vicinity of Lake Arrowhead neighborhoods, the need for improving safety on 1N34 or 3N53, or the need for cultural resource protection on 3W13. Alternative 3 has less net benefit to plants and animals than the selected alternative (EA p. 45, 65, 74). Three historic properties would be left at risk to increased damage under Alternative 3 because 3W12 and 3W13 would not be rerouted south of 3N34 (EA p. 97). The selected alternative also provides better protection to soil and water resources than Alternative 3 (EA pp. 152-153). The segments of road system where non-highway legal access would be continued under Alternative 3, such as 3N10, 2N30 and 2N40, are isolated segments of the non-highway legal system for which there are no foreseeable connections to the rest of the non-highway legal system and thus provide little recreation benefit in relation to their difficulty to manage.

Two beneficial components of Alternative 4 have been incorporated into the selected alternative: the decommissioning of 1N39A and 1N05A. However, the other two components of Alternative 4 (maintaining status quo management of 2N90A and 4S19) do not meet the purpose and need as well as the selected alternative. The addition of non-highway legal use to 2N90A provides additional recreational opportunity and resource analysis indicated no significant impacts for this action and no compelling reason not to do so. The same is true for adding non-highway legal vehicle use to 4S19, with additional implementation measures described above in section 1.5.

## 2.0 Other Alternatives Considered

In addition to the selected alternative, three other alternatives were considered and are described below.

### 2.1 Alternative 2: No Action

This alternative provides a baseline for comparing the other alternatives. Under this alternative, the Forest would take no affirmative action (no change from current management or direction). The use of all unauthorized routes would continue to be illegal and no changes would be made to the current NFTS. The no action alternative is a proposal to 'do nothing' and maintain the 'status quo'. The Travel Management Rule would be implemented by publishing a Motor Vehicle Use Map (MVUM) reflecting the currently designated motorized travel system. No unauthorized routes would be restored. Temporary mixed use designations would not continue.

### 2.2 Alternative 3

Under Alternative 3, the Forest would:

1. Continue to prohibit cross-country motor vehicle traffic by the public off designated National Forest System roads and trails.
2. Restore 44.6 miles of unauthorized routes.

3. Add 8.2 miles of unauthorized routes for non-highway legal vehicles up to 50 inches wide.
4. Add 5.9 miles of unauthorized routes for highway legal vehicle use. 5.6 miles of this addition is for access to yellow post sites, described above.
5. Reclassify 55.3 miles of system roads for non-highway legal vehicle use (i.e. mixed use). 26.1 miles of these roads have already been managed for mixed use since 1989.
6. Reclassify 6.1 miles of system roads for highway legal vehicle use (i.e. remove mixed use).
7. Reclassify 41 miles of system roads to prohibit public access by highway legal vehicles.
8. Decommission 14.2 miles of system roads. No system trails would be decommissioned.
9. Construct 0.2 miles of new system trail for non-highway legal vehicle use.

**2.3 Alternative 4**

Under this Alternative, the Forest would:

1. Continue to prohibit cross-country motor vehicle traffic by the public off designated National Forest System roads and trails.
2. Restore 45.1 miles of unauthorized routes.
3. Add 8.4 miles of unauthorized routes for non-highway legal vehicles up to 50 inches wide.
4. Add 0.3 miles of unauthorized routes for highway legal vehicle use. 5.6 miles of this addition is for access to yellow post sites, described above.
5. Reclassify 51 miles of system roads for non-highway legal vehicle use (i.e. mixed use). 26.1 miles of these roads have already been managed for mixed use since 1989.
6. Reclassify 24.9 miles of system roads for highway legal vehicle use (i.e. remove mixed use).
7. Reclassify 50.6 miles of system roads to prohibit public access by highway legal vehicles.
8. Decommission 17.5 miles of system roads and 3.3 miles of system trails
9. Construct 0.5 miles of new system trail for non-highway legal vehicle use. Of this construction, 0.2 miles will be for Forest Service administrative use only to provide a new link between the North Shore Work Center administrative site and 2N25, in conjunction with other actions that will decommission the current access from the Work Center.

## 3.0 Purpose and Need

The San Bernardino National Forest undertook this travel management action in accordance with the 2005 Travel Management Rule (*Federal Register,* Vol. 70, No.216-Nov. 9, 2005, pages 68264 to 68291). Specific areas were identified in which there is a need for change. The following needs were identified for this proposal:

1. There is a need for a quality non-highway legal motorized recreation opportunity. Travel analysis has shown that some gaps exist in the non-highway legal vehicle network that could benefit from additional linkages and loop opportunities. The Forest Plan cites a need to create more easy-to-moderate day use trails and trail loops and linkages (LMP, Pt. 2, p. 35) and establishes a strategy of adding unclassified roads to the NFTS when site-specific roads analysis determines there is a public need (LMP, Pt. 2, TRANS1, p. 149). It is also Forest Plan strategy to develop motorized trails that address the needs of off-highway vehicle enthusiasts in conjunction with the designation of low-maintenance standard roads (LMP, Pt.2, TRANS1, p. 149) (i.e. allow for mixed use). Travel analysis has also shown that some current non-highway legal vehicle routes are unnecessary because they are short, isolated segments with no

linkage to the greater non-highway legal system and they have little or no potential of ever providing a linkage.

2. There is a need for access to designated yellow post dispersed camping sites that are currently accessed by roads that are not included in the National Forest Transportation System (NFTS). Motorized access to several yellow post sites will become prohibited if their access roads are not part of the NFTS.
3. There is a need for restoration of soils and vegetation damaged by off highway vehicle use in the Big Bear area. The Forest is obligated under a settlement agreement developed in the Southern California Conservation Strategy to address resource impacts caused by off highway vehicle use in the Big Bear Area.
4. There is a need for a reduced National Forest Transportation System on the San Bernardino National Forest. The current cost of maintenance and administration exceeds the average annual road maintenance budget. Travel analysis showed that some routes are not providing a public benefit. One of the Forest Plan strategies for transportation management is to decommission NFTS roads and trails that the Forest has determined to be unnecessary (LMP, Pt. 2, p. 149). Strategies also include removing public use while maintaining access for fire suppression and authorized permittees.
5. There is a need for improved vehicle safety on routes 1N34, 3N53 and 3N22. Storm runoff severely damaged the portion of 1N34 west of Day Canyon and the steep topography will not allow it to be reconstructed to safety standards for even high clearance vehicles. Route 3N53 parallels a railroad track and raises significant safety concerns of conflicts between trains and non-highway legal vehicles. Non-highway legal vehicle use on 3N53, as well as on the segment of 3N22 between Summit parking area and Highway 138, encourages users to cross Highway 138, thus creating a safety hazard on the highway.
6. There is a need for socially compatible non-highway legal vehicle use in the vicinity of Lake Arrowhead where sound levels and other user conflicts have become a problem. The Forest Plan notes that there are sound conflicts between national forest non-highway legal vehicle use and adjacent landowners in the Arrowhead Place and sets a program emphasis of improving the NFTS route system there (LMP, Pt. 2, pp. 46-47). Previous complaints from residential owners and comments during scoping for this project focused on needs for management changes on 3W12, 3W13, 2N95 and 2N96.
7. There is a need for protection of cultural resources on 3W13. Motorized travel is causing damage to an archaeological resource on 3W13.
8. There is a need for improved access by equestrian users to National Forest land in the Garner Valley Place. Improved public access is a desired condition for the Garner Valley Place in the Forest Plan (LMP, Pt. 2, p. 67).

## 4.0 Public Involvement

The interdisciplinary team relied on public involvement to identify significant issues and ensure that an adequate range of alternatives was considered. Public involvement is summarized below.

- The proposal was first listed in the San Bernardino National Forest Schedule of Proposed Actions on October 1, 2006. A scoping letter dated January 30, 2007 was sent to approximately 900 individuals, permit holder organizations, agencies and Tribes who have shown an interest in the San Bernardino National Forest route inventory or land management actions. The letter requested comments on the proposed action be made between January 30 and February 23, 2007. The comment period was extended on February 22, 2007, by 15 days to March 9, 2007. Comments were also accepted after the end of the comment period. During the scoping phase, 185 written letters and emails and 8 verbal comments were received.
- A detailed description of the proposed action and maps were posted on the San Bernardino National Forest website on February 6, 2007 at www.fs.fed.us/r5/sanbernardino/projects/ohv.shtml.
- Four open house meetings were held for the public to learn more about the project and see detailed maps of the proposed routes. Meetings were held in San Bernardino (February 15, 2007), Hesperia (February 20), Idyllwild (February 21) and Running Springs (February 22). The public house meetings were announced in the scoping letter and 89 people attended the meetings.
- A review copy of the EA was released for a 30 day comment period beginning October 14 and ending November 13, 2008. A legal notice was published in the San Bernardino *Sun* on October 14, 2008 and notification letters were mailed to approximately 1,000 persons and organizations on the project mailing list, including those who attended the open house meetings and those who submitted scoping comments. An electronic notification message was also sent to the travel management listserve at FS-ROUTE-DESIGNATION@newsbox.usda.gov. During the 30 day comment period on the Draft EA, 21 comment letters were submitted. The San Bernardino NF response to these Draft EA comments is included in the project record and is available on the project website at www.fs.fed.us/r5/sanbernardino/projects/ohv.shtml.

## 5.0 Finding of No Significant Impact

After considering the environmental impacts described in the environmental assessment and supporting documentation found in the project file, I have determined that the selected alternative will not have a significant effect on the quality of the human environment considering the context and intensity of impacts. Therefore, an environmental impact statement will not be prepared.

**Context:** The project is a site-specific action on the San Bernardino National Forest with no regional impacts.

**Intensity:** The following is a summary of the project analysis for significance, as defined by NEPA (40 CFR 1508.27).

**5.1 Beneficial and adverse impacts of the selected alternative.** Both beneficial and adverse effects have been taken into consideration and displayed in the environmental assessment. Beneficial effects have not been used to offset or compensate for potential adverse effects. Singularly and collectively, resources affected by the selected alternative are not expected to experience significant impacts.

**5.2 The degree to which the selected alternative affects public health or safety.** Public health and safety would not be adversely affected by the selected alternative.

**5.3 Unique characteristics of the geographic area.** There will be no significant effects on unique characteristics of the area, such as historic resources, park lands, prime farmlands, wetlands, and wild and scenic rivers. The Cultural Resource report found no significant effects to historic resources (EA pp 94-98). The Silverwood Lake State Recreation Area is adjacent to the project area; however, the project found no significant effect to these park lands and the Park Superintendent stated that the proposed action did not cause any conflicts with the park when he was contacted for scoping. No prime farmlands are present in close proximity to the project area. The Soil and Water report found no significant effect to wetlands (EA pp. 125-154). The Recreation report found no significant effects to wild and scenic rivers (EA pp. 116-117).

**5.4 The degree to which the effects on the human environment are likely to be highly controversial.** The effects on the quality of the human environment are not likely to be highly controversial. There is no known scientific controversy over the impacts of the project.

**5.5 The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** Both the Forest Service in general and the San Bernardino NF in particular have extensive experience managing land for off-highway vehicle use. The effects analysis shows that the effects of the selected alternative are not uncertain and do not involve unique or unknown risks. As described in the EA, Forest Plan standards and other project-specific design criteria will be followed throughout project implementation and are designed to mitigate potential impacts to biological resources, heritage resources, public safety and security, soil and water resources, and air quality.

**5.6 The degree to which the action may establish precedent for future actions with significant effects or represent a decision in principle about a future consideration.** This decision does not set a precedent for future decisions. Any future decision relating to travel management on the San Bernardino NF would consider all relevant information available at the time. Specifically, the decision to implement the selected alternative does not preclude other routes from being added to the transportation system in the future – the decision to add any such routes would depend on site-specific analysis.

**5.7 Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The cumulative impacts are not significant. See the cumulative impact discussion for each resource in Chapter 3 of the EA.

**5.8 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 historic resources.** The selected alternative will have no significant impact on districts, sites, highways,

structures, or objects listed in or eligible for listing in the National Register of Historic Places. The selected alternative will also not cause loss or destruction of significant scientific, cultural, or historic resources. (EA pp. 94-99).

**5.9 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 biological assessment and biological evaluation for this project concluded that the selected alternative will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.

**5.10 Whether the action threatens a violation of federal, state, or local law, or other requirements imposed for the protection of the environment.** Implementation of the selected alternative does not threaten a violation of federal, state, or local law, or other requirements imposed for the protection of the environment.

## 6.0 Findings Required by Other Laws and Regulations

My decision is consistent with the National Forest Management Act, the Endangered Species Act, the National Historic Preservation Act, the Clean Water Act, and with the San Bernardino National Forest Land Management Plan (LMP). The project was designed in conformance with and incorporates LMP standards, tactics and strategies.

## 7.0 Administrative Review or Appeal Opportunities

My decision is subject to appeal pursuant to 36 CFR 215. To initiate an appeal, a written notice of appeal must be postmarked within 45 days of the publication date of the legal notice of this decision in the San Bernardino *Sun*. Attachments received after the 45 day appeal period will not be considered. The publication date in the *Sun* is the exclusive means for calculating the time to file an appeal. Notices of appeal must meet the specific content requirements of 36 CFR 215.14. Persons who wish to appeal must meet the requirements of 36 CFR 215.13.

Copies of the notice of appeal must be filed with Regional Forester, Attn: Appeals, USDA Forest Service, Pacific Southwest Region, 1323 Club Drive, Vallejo, CA 94592. Appeals may be submitted in person at the address above during normal business hours of 7:30 a.m. to 4:00 p.m., Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf) or Word (.doc) to appeals-pacificsouthwest-regional-office@fs.fed.us. Also send a copy of the notice of appeal to Richard Thornburgh, NEPA Coordinator, San Bernardino National Forest, 602 S. Tippecanoe Ave., San Bernardino CA 92408, or electronically to appeals-pacificsouthwest-san-bernardino@fs.fed.us.

If no appeals are filed within the 45 day appeal period, implementation of the decision may occur on, but not before, five business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

**Contact:** For further information, contact Richard Thornburgh, NEPA Coordinator, San Bernardino National Forest, 602 S. Tippecanoe Ave., San Bernardino CA 92408, (909) 382-2642.

Jeanne Wade Evans

**JEANNE WADE EVANS**
**Forest Supervisor**
**San Bernardino National Forest**

2/6/09

**Date**

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