

Crandall OHV Restroom (34287) Decision Notice and Finding of No Significant Impact

Stanislaus National Forest
Mi-Wok Ranger District
Tuolumne County, California

Decision and Reasons for the Decision

The Forest Service prepared an Environmental Assessment (EA) for the Crandall OHV Restroom project in compliance with the National Environmental Policy Act (NEPA) and other relevant laws and regulations. The EA discloses the direct, indirect and cumulative environmental impacts that would result from the alternatives. Additional documentation, including more detailed analyses of project-area resources, may be found in the project record located at the Mi-Wok Ranger District Office in Mi Wuk Village, CA.

The EA (p. 1) explains the Purpose and Need for Action. In short, the purpose of this project is to provide the visitors to the Deer Creek/Crandall Peak area with a restroom facility to prevent deposition of human waste and toilet paper throughout this popular OHV day use parking and camping site. In order to meet the Purpose and Need, Alternative 1 (Proposed Action) includes the following items:

1. Install pre-fabricated concrete vault restroom structure excavating a 15 feet long, 7 feet wide by 5 feet deep hole, placing concrete vault and restroom structure with crane, and backfill and compact excavated soil around installed structure.
2. Install ten 8 inch wide by 42 inch long pressure treated barrier posts about 24 inches into ground between the restroom and 17EV238 (Crandall OHV access road).
3. Grade (level) and harden pathway from roadway to restroom structure and around structure. Tread hardening would include compacted crushed rock aggregate and would meet all accessibility requirements.

Alternative 1 (Proposed Action) responds to the goals and objectives outlined in the Stanislaus National Forest Land and Resource Management Plan (Forest Plan)¹.

This document contains a Decision Notice and Finding of No Significant Impact (FONSI). The Decision Notice identifies the decision and the rationale for selecting or modifying an alternative from the EA. The FONSI shows that the decision does not cause significant impacts on the human environment and explains why an environmental impact statement is not necessary.

Decision

Based upon my review of Alternative 1 (Proposed Action), the analysis in the EA, and the information contained in the planning record and input from interested parties, I decided to implement Alternative 1 (Proposed Action) as described in the EA (p. 3-5).

My decision authorizes the following ground disturbing activities: traffic control barriers (e.g., posts); excavation for vault (tank) placement underground; backfilling and compaction of excavated soil around structure; grading of site and placement of rock aggregate for accessibility from road to restroom; placement of erosion control material (e.g., weed free straw) on any remaining bare ground associated with the project; signing (e.g., fiberglass marker posts, wood posts, steel channel posts);

¹ USDA 2010. Forest Plan Direction. April 2010. Forest Service, Stanislaus National Forest, Sonora, CA.

and, utilization of both hand tools (e.g., shovels, rakes, posthole auger) and mechanical equipment (e.g., backhoe, dozer, truck and crane) for completion of project activities.

Force account (Forest Service) and/or contract labor would complete the proposed work during the 2013 field season. The project is funded in cooperation with the California State Parks Off Highway Motor Vehicle Recreation Division Cooperative Agreement (Grant) Program.

Reasons for the Decision

I made my decision to implement Alternative 1 (Proposed Action), because:

1. It will provide restroom facilities needed to alleviate the existing problem of accumulating human waste and toilet paper in an area of concentrated public use.
2. It will increase visitor satisfaction by providing a more sanitary recreation experience; and,
3. It will improve public health and safety at the site.

Public Involvement

The Forest Service first listed the Crandall OHV Restroom project in the January 2011 issue of the Stanislaus National Forest Schedule of Proposed Actions (SOPA). The Forest distributes the SOPA to about 160 parties and it is available on the internet [<http://www.fs.fed.us/sopa/forest-level.php?110516>].

On August 15, 2012 the Forest sent a scoping package to 29 different individuals, organizations, and agencies interested in this project. The letter requested comments on the Proposed Action between August 15, 2012 and September 17, 2012. Three interested parties submitted letters supporting the project.

A legal notice announcing the 30-day Opportunity to Comment on the EA appeared in the Union Democrat on February 13, 2013. The Forest mailed copies of the EA to those parties who previously expressed interest in the project. The 30-day comment period ended on March 15, 2013. During the comment period, two interested parties submitted letters supporting the project.

After considering public comments, the EA, BEs, and other specialist reports, I believe that the project record reflects a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.

Finding of No Significant Impact

After considering the environmental effects described in the EA (p. 5-9), I 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); therefore, an environmental impact statement will not be prepared. I incorporate, by reference, the EA and project record, in making this determination. I base this finding on the following.

Context

This is a site-specific project that by itself does not have international, national, regional, or statewide importance. Project activities will occur on less than 0.25 acres of National Forest near Crandall Peak (NE ¼ Section 32 T4N R17E MDBM). The project area is extensively used for OHV day use parking and camping. Use of the project area for recreation is expected to continue and potentially increase over time.

Intensity

I considered the following ten elements of impact intensity (40 CFR 1508.27b) in assessing the potential significance of project effects.

1. Impacts that may be both beneficial and adverse.

My finding of no significant environmental effects is not biased by the beneficial effects of the action. All practical means to avoid or minimize environmental harm have been adopted (EA p. 3-5). Biological Evaluations (BE), Biological Assessments (BA) and specialist reports prepared for this project are available in the project record, and unless otherwise noted are available upon request. Those documents provide the basis for the following determinations.

- a. No heritage resources of interest are located within the area of potential effect (Cultural Resource Management Report p. 1; EA p. 6).
- b. Alternative 1 (Proposed Action) will not affect any Sensitive Plant species (Sensitive Plant BE p. 3; EA p. 7).
- c. Alternative 1 (Proposed Action) may affect individual Forest Service sensitive terrestrial wildlife, but is not likely to contribute to the need for Federal listing or result in loss of viability for those species (Terrestrial Wildlife BA/BE p. 3-5; EA p. 7). This project poses no aquatic wildlife concerns (Aquatics Input p. 2; EA p. 6).
- d. Alternative 1 (Proposed Action) would not affect migratory birds and there would be no change to Management Indicator Species (MIS) habitat (MIS and MBTA Report p. 1; EA p. 6).
- e. Implementing design elements and Best Management Practices (BMPs) identified in the EA (p. 4-5) ensures that water and soil quality objectives are met (EA p. 6).
- f. Implementing design elements identified in the EA (p. 5) minimizes the risk of introducing or spreading invasive plants (Invasive Plant Risk Assessment p. 3; EA p. 7).

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

Alternative 1 (Proposed Action) will improve public health and safety by reducing the amount of improperly disposed human waste and toilet paper (EA p. 7).

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

This project does not contain nor would it adversely affect any parklands, prime farmlands, wild and scenic rivers, ecologically critical areas, or wetlands (EA p. 8).

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Alternative 1 (Proposed Action) is consistent with all laws, regulations and policy including the Forest Plan as amended. In addition, the public raised no issues indicating that the degree to which this project may affect the human environment is likely to be highly controversial (EA p. 8).

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

The Stanislaus National Forest has considerable experience implementing these types of activities (EA p. 8). The effects analysis (EA p. 5-9) shows the effects are not uncertain, and do not involve unique or unknown risk.

6. 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.

Alternative 1 (Proposed Action) is not likely to establish a precedent for future actions with significant effects because it conforms to all existing Forest Plan direction and is applicable only to this project (EA p. 8).

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

The cumulative impacts are not significant (EA p. 8).

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 historical resources.

Alternative 1 (Proposed Action) will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, or on any other cultural or historical resources because mitigations have been incorporated to protect these features sufficiently, as determined by the district archeologist (Cultural Resource Management Report p. 1; EA p. 8).

There are no scientific research sites that may be affected by Alternative 1 (Proposed Action), nor is there any indication that this project would affect any scientific resource (EA p. 8).

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.

Alternative 1 (Proposed 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 (EA p. 8-9). There are no known federally threatened or endangered plants on the Stanislaus National Forest (Sensitive Plant BE p. 1) and the project poses no aquatic wildlife concerns (Aquatics Input p. 2; EA p. 6). Alternative 1 (Proposed Action) may affect individuals, but is not likely to contribute to the need for Federal listing or result in loss of viability for the Pacific fisher in the planning area (Terrestrial Wildlife BA/BE p. 4; EA p. 9).

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

Alternative 1 (Proposed Action) will not violate applicable laws and regulations for the protection of the environment (EA p. 9).

Findings Required by Other Laws and Regulations

This decision to implement Alternative 1 (Proposed Action) is consistent with the long term goals and objectives of the Forest Plan (USDA 2010, p. 5-16). The project conforms to the Forest Plan by incorporating appropriate standards, guidelines and desired conditions (EA p. 3-5). This action is consistent with the National Historic Preservation Act and all other applicable laws and regulations (see Finding of No Significant Impact).

Implementation Date

Implementation of the decision may begin immediately following the publication date of the legal notice of this decision in the Union Democrat, the newspaper of record [36 CFR 215.9(c)].

Administrative Review or Appeal Opportunities

Since only supportive comments were received during the 30-day comment period (36 CFR 215.6), this decision is not subject to appeal (36 CFR 215.12).

Contact Person

For additional information concerning this decision contact: Chuck James; District Recreation Specialist; Mi-Wuk Ranger District; 24695 Highway 108, Mi Wuk Village, CA 95346; (209) 586-3234 ext. 635; or cjames01@fs.fed.us.

Signature and Date



March 19, 2013

Date

CHRISTINA M. WELCH

Acting Forest Supervisor
Stanislaus National Forest

for

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