

Environmental Assessment

Hull Mt. to Bald Mt OHV Hunting Connectivity

USDA Forest Service, Pacific Southwest Region
Upper Lake Ranger District, Mendocino National Forest
Lake / Mendocino Counties, California

Chapter 1 - Purpose and Need / Proposed Action

Introduction

This document analyzes a proposal to improve route connectivity for non-street-legal vehicles and drivers in the area between Bald Mountain and Hull Mountain along forest road M1.

This proposal is one of eight travel management proposals that were developed at public workshops during 2006 (refer to *Public Involvement* section below). The proposals are being made pursuant to recent changes in travel management and other regulations [36 CFR Parts 212, 261, and 295¹]. The changes require all national forests to restrict motorized use to designated roads, trails, or areas.

For national forests, such as MNF, that have already restricted motorized use to such designated route systems, the regulations allow two options: a) provide public notice that the existing designated system will remain unchanged; or b) work with the public to make needed changes to the existing system. During 2006, Mendocino National Forest worked with stakeholders to examine whether there were affordable improvements that could be made to the existing motorized route system. This proposal is a product that process.

Proposed Action

The Mendocino National Forest (MNF) is proposing to allow mixed-use on a segment of forest road M1 from its junction with M61 near Bald Mountain to its junction with OHV trail #69 near the top of Hull Mountain (see vicinity map, page 2). Total length of the segment is about 7.9 miles.

A mixed use designation would allow use by both street-legal and non-street-legal vehicles and drivers. This would improve connectivity for non-street-legal vehicles and drivers by making it legal for them to travel on M1 between the several existing mixed-use roads that connect with M1 in this area. A more detailed description of the proposed action is provided beginning on page 8.

¹ Refer to Federal Register / Vol. 70, No. 216 / Wednesday, November 9, 2005 / Rules and Regulations / pp. 68287 – 68291.

INSERT VICINITY MAP 1

As noted earlier, this proposal is one of eight travel management proposals. Two of the seven other travel management proposals are being concurrently analysed in other environmental documents as separate proposed actions². We are considering each of these proposals separately, on its own merits, because none of them depend on any of the others for its justification. The other five proposals³ were decided upon in late November and early December 2007. However, we have considered any overlapping environmental effects to assure that no cumulatively significant effects are overlooked.

Purpose and Need

During public involvement, some hunters expressed a desire to increase connectivity for all-terrain vehicle (ATV) travel (ATVs are non-street-legal vehicles). More specifically, the desire is for improved connectivity between mixed-use roads and and/or OHV trails that are currently connected only by roads that are not currently legal for use by ATVs. The map on pg. 4 displays the current level of OHV connectivity in the area.

Currently, hunters that use ATVs cannot legally use the segment of M1 from M61 to Trail 69 to drive between the mixed-use roads that connect to it. This situation imposes the inconvenience of having to transport their ATVs between the mixed-use roads with a street-legal vehicle, in order to comply with traffic law. Our proposal would improve connectivity and convenience for riders of ATVs (and other non-street-legal vehicles) within and between popular deer hunting areas in this vicinity.

This proposal implements the following Forest Plan direction:

- It contributes to the following Forest Goal:
 - Recreation – Provide a full range of developed and dispersed recreation opportunities at levels meeting projected demand and within the physical limits and resource capabilities of the Forest [Forest Plan, p. IV- 3].
- It contributes to the following Desired Condition:
 - Recreation – ...Off-highway-vehicle use will be on designated routes with the major concentration of use in the southern portions of the Forest... [Forest Plan, p. IV- 6]

Another need is to conform to the travel management rule. The rule establishes criteria⁴ for the designation of roads, trails and areas for wheeled, motorized vehicle use. Those criteria apply to travel management proposals such as this one.

² Upper Deer Valley Road OHV Riding Connectivity and Commander Tract Motorized Access.

³ Ivory Mill Saddle to Snow Mt OHV Hunting Connectivity, Wolf-Trough-Letts OHV Riding Connectivity, Long Ridge OHV Corridor Connector, Motorized Access for Dispersed Camping, and Close OHV Trail 68.

⁴ 36 CFR §212.55 – excerpt of text is provided in Appendix C

INSERT EXISTING CONNECTIVITY MAP

Several local decision criteria have also been established for travel management decisions under the motorized route designation process on MNF (refer to Appendix D for details). Any proposal should be responsive to these decision criteria. We developed the criteria in collaboration with interested stakeholders, and the Forest Supervisor and District Rangers approved them. Although these MNF criteria were developed prior to issuance of the travel management rule, they correspond roughly with the general criteria⁵ in the rule.

Decision Framework

The proposed action would be within the authority of the Upper Lake / Covelo District Ranger, who will therefore be the Responsible Official for this decision. The scope of the decision will be limited to whether to implement the proposed action or another alternative that meets the purpose and need, or to take no action at this time.

In making his decision, the District Ranger will consider the environmental effects of each alternative, and also how well each alternative achieves the purpose and need for action.

Public Involvement and Issue Identification

Public Involvement

On August 11, 2003, the Pacific Southwest Region of the Forest Service entered into a Memorandum of Intent (MOI) with the California Off-Highway Motor Vehicle Recreation Commission, and the Off-Highway Motor Vehicle Recreation Division of the California Department of Parks and Recreation. That MOI set in motion a region-wide effort to “Designate OHV roads, trails, and any specifically defined open areas for motorized vehicles on maps of the 19 National Forests in California by 2007.” In July 2004 the Forest Service Chief announced the Forest Service decision to develop a strategy for OHV management (this was the initiation of the rulemaking process for the Travel Management Rule). The MNF sent copies of the news releases regarding these two announcements to local media, congressional staffers and county officials.

The MNF team developed a strategic public involvement plan. To announce the beginning of the route designation process and provide information about upcoming public meetings, they sent a target-audience letter, issued news releases, and posted the information to our web site. Three public meetings were held in March and April 2005, in Willows, Ukiah, and Red Bluff.

During the remainder of 2005, public involvement centered on validating our route inventory. The public was asked to provide information regarding motorized routes that may have been missed by the inventory.

⁵ 36 CFR §212.55(a)

In 2006 we turned to the task of developing a proposed action in collaboration with the interested public. We asked for a few volunteers to help us determine how best to include people that would be interested or affected by motorized route designation.

Two rounds of public workshops were held during the process for developing the proposed action – one in late February and March, and one in mid-June. Each round had one workshop each in Willows and Ukiah. The workshops were announced in advance through news releases, mailings, and web posting. Workshop materials were also posted on the web for those who could not attend.

Input from those workshops, along with that which we received by mail or personal contact, was used to identify needs and possible actions for improving the existing Mendocino NF designated motorized route system. Those were presented at a third round of public workshops, in November, prior to finalizing a set of proposed actions for scoping. The main objective of these workshops was to get stakeholder input regarding a set of proposals that we had identified as tentative proposed actions that were ripe for decision at this time.

Several of the tentative proposals were similar to this one, in terms of improving OHV connectivity by allowing mixed use on roads that are currently open only to highway legal vehicles. Two of these were dropped from further consideration because they were in the north end of the Forest, which would have conflicted with Forest Plan desired conditions^{6 7}. This proposal is one of five located on the south end of the Forest that were carried forward into environmental analysis.

This proposal generated some concern at the Ukiah workshop, among some equestrian hunters/visitors of the proposal area. They were concerned that the proposed mixed-use on M1 would worsen existing illegal ATV use in the Mendenhall and game refuge areas. However there were not any obvious opportunities to address this concern through minor alterations to the proposal. So, the District Ranger decided to scope the proposal without changes, and deal with the issue in the environmental analysis.

Scoping letters, including project description and maps, were sent out via regular mail (97 addressees), email (115 addressees), and to the listserve FS-ROUTE-DESIGNATION@newsbox.usda.gov. The list of addressees was compiled from public workshop sign-up sheets, and other expressions of interest received since the route designation process began in late 2004. The same scoping materials were posted to the MNF web page. Notice was published in Ukiah Daily Journal. All scoping materials requested that comments be submitted by 3 Aug 2007.

⁶ Recreation – ...Off-highway-vehicle use will be on designated routes with the major concentration of use in the southern portions of the Forest... [Forest Plan, p. IV- 6]

⁷ *Developing Proposed Action(s)*, 17 January 2007.

Four individuals and seven groups submitted scoping comments. In all, six distinct comments were identified, one of which raised a significant issue. As anticipated, the concern remained regarding possible increases in illegal OHV use. Of the remaining five comments, none raised issues⁸.

Significant Issues

One significant issue was identified. Alternative 3 was developed to address this issue.

- **Potential Increased Illegal OHV Use** – There is concern that this proposal would increase existing illegal OHV use in the adjacent Mendenhall area (now Yuki Wilderness) and Game Refuge. Equestrian users of these areas report that they have seen a trend of increasing illegal OHV use by hunters over the last decade. They are frustrated that MNF employees have not been able to curb the use, and fear that allowing OHV use on M1 would only make the problem worse.
 - **Indicator: Miles of Nearby OHV Routes** – The effects related to this issue will be estimated in terms of the miles of roads and trails that are 1) connected to this section of M1, 2) open to non-highway-legal vehicles / drivers, and 3) within 1/8 mile of Yuki Wilderness or the state game refuge.

Pre-Decision Review & Comment Period

Notice of opportunity to comment, pursuant to 36 CFR Part 215, was published in Upper Lake Ranger District's newspaper of record, Ukiah Daily Journal, on 26 June 2008. The notice, draft EA and FONSI, final Appendices C & D, and draft Appendix L were sent to those that either provided scoping comments or specifically requested the draft documents. A copy of the notice was sent to those who had expressed any general interest in the route designation process, and to listserve FS-ROUTE-DESIGNATION@newsbox.usda.gov. The draft documents were also posted to the MNF route designation web page. News releases were issued to local and regional newspapers, radio, and television stations.

Two individuals and one organization provided comments. None of these respondents had provided scoping comments. No comments were received from the individuals that raised the significant issue during scoping. Two of the commenters were supportive of the proposed action. The other commenter shared the concern about potential increased illegal OHV use, and expressed disagreement with certain aspects of the environmental analysis. Details regarding notification and consideration of comments are documented in Appendix Z.

⁸ A comment raises an issue if it concerns a point of disagreement, debate or dispute about the environmental effects of the proposed action

Chapter 2 - Alternatives, Including the Proposed Action

Alternatives not Considered in Detail

During the process to develop the proposed action, other options were considered for meeting the connectivity need in this general area. Initially the public identified the following candidates for a switch to mixed use:

- The section of M1 that is included in the proposed action;
- M61; and
- A section of M6 between its junctions with M1 near Cabbage Patch and M61.

The Forest Leadership Team selected the first option to put forth as the proposed action. The other two options were dropped from consideration because of their status as key routes that are needed for low-clearance vehicle connectivity between ranger districts. The M61 option was subsequently brought back for more detailed consideration in this analysis (as Alternative 3), because it would partially meet the purpose and need while addressing the significant issue. The M6 option was not analysed in detail, for two main reasons: 1) it would essentially duplicate Alternative 3 in its achievement of purpose and need and responsiveness to the significant issue, and 2) it would be less feasible to implement than Alternative 3. So, a detailed analysis would not serve to *sharply define the issues and provide for a clear basis of choice among options*⁹

Two other options would be variations on the proposed action and Alternative 3. In each case equipment would be used to immediately rough-up the running surface, and other necessary safety mitigation measures would be implemented immediately, so that mixed-use could be allowed sooner. These options were not analysed in detail, because their effects would be essentially the same as those of the proposed action and Alternative 3, respectively, except for the timing of implementation and level of capital investment.

We also briefly considered an option that would close M1 and other open roads in the area. Although this would be responsive to the issue, it would run counter to the purpose and need. Consequently it is not a reasonable alternative deserving of detailed consideration.

Alternatives Considered in Detail

We considered three alternatives in detail:

- Alternative 1 is the proposed action;
- Alternative 2 is the no-action alternative that is required by the regulations to be considered in detail in all cases;

⁹ Paraphrased from NEPA regulations at 40 CFR §1502.14.

- Alternative 3, which responds to the significant issue that was raised during scoping, and which partially achieves the purpose and need.

Alternative 1 – (Proposed Action) Manage M1 for Mixed Use Between M61 and OHV Trail 69

Under this alternative, the Forest Service would change the vehicle class allowed on this segment of forest road M1 from “highway legal only” to mixed use. The segment runs from M1 junction with M61 near Bald Mountain to its junction with OHV Trail 69 near Hull Mountain, about 7.9 miles (see Proposed Action map, pg 10).

Connectivity for non-highway-legal vehicles and drivers would be improved along this segment of M1. The map on pg 11 shows the existing mixed-use roads that would be interconnected if M1 were managed for mixed use. There would also be connectivity between this area and the Pillsbury Basin OHV network to the south.

Prior to designation for mixed-use, we would implement mitigation measures identified in the engineer’s mixed-use analysis¹⁰:

- Install entrance signing to alert drivers to the presence of mixed-use.
- Roughen road surface to reduce potential speeds. Most of the road surface has already become considerably roughened because of prolonged maintenance intervals. Roughening on the remainder would be accomplished primarily through a switch from grading to constructing water bars and dips for road surface drainage.

Unless special funds become available, this would be accomplished within the regular road maintenance program, over a period of two to three years. Therefore, actual designation of the road for mixed use would not occur until about 2011 or 2012. After designation, applicable provisions of the California Vehicle Code would be enforced as they are on other MNF mixed-use roads.

¹⁰ *Hull Mtn. to Bald Mtn. OHV Connectivity – Analysis of Forest Road M1 for Motorized Mixed Use Designation*; 22 January 2008.

INSERT PA MAP

INSERT PA CONNECTIVITY MAP

Alternative 2 – No Action

Under the No Action alternative, this section of M1 would not be designated for mixed use. Existing OHV connectivity is shown on the map on pg 4.

Alternative 3 – Manage M61 for Mixed Use

This alternative was developed to address the single significant issue that was raised during scoping: *Potential Increased Illegal OHV Use*. Under this alternative, the Forest Service would change the vehicle class allowed on forest road M61 from “highway legal only” to mixed use, and leave M1 closed to OHV use. M61 is about 9.1 miles long (see Alternative 3 map, pg 13).

Connectivity for non-highway-legal vehicles and drivers would be improved within a different but overlapping area than under the proposed action. The map on pg 14 shows the existing mixed-use roads that would be interconnected if M61 were managed for mixed use. One of the two larger networks connected by M1 would be connected by M61 to networks to the north. The other of the two would be left unconnected to other networks. There would be no legal OHV connectivity between the roads connected by M61 and the Pillsbury Basin OHV network to the south.

Prior to designation for mixed-use, we would implement mitigation measures similar to those identified in the engineer’s mixed-use analysis for the proposed action:

- Install entrance signing to alert drivers to the presence of mixed-use.
- Roughen road surface to reduce potential speeds. M61 has many sections on which potential speeds exceed 25 mph. Roughening of these would be accomplished primarily through a switch from grading to constructing water bars and dips for road surface drainage. Unless special funds become available, this would need to be accomplished within the regular road maintenance program, over a period of five to eight years.

It would take substantially longer for condition on M61 to become suitable for mixed-use designation than it would for M1. After designation, applicable provisions of the California Vehicle Code would be enforced as they are on other MNF mixed-use roads.

INSERT ALT 3 MAP

INSERT ALT 3 CONNECTIVITY MAP

Comparison of Alternatives

Table 1 compares the alternatives in terms of accomplishment of the purpose and need and environmental effects. Accomplishment of the purpose and need is covered under the headings *36 CFR §212.55 Criteria for designation of roads, trails, and areas*, and *Mendocino National Forest Decision Criteria*. Environmental effects are covered under the headings *Environmental effects related to significant issues* and *Environmental effects related to significance factors*. Detailed discussions of environmental effects are in Chapter 3.

Table1 – Comparison of Alternatives			
Item	Alternative 1 M1 Mixed Use	Alternative 2 No Action	Alternative 3 M61 Mixed Use
36 CFR §212.55 Criteria for designation of roads, trails, and areas¹¹.			
(a) General criteria	See MNF decision criteria.		
(b) Specific trail and area criteria	Not Applicable – the proposed action is a road proposal, and it includes no trail or area elements.		
(c) Specific road criteria	1) The volume, composition & distribution of traffic on M1 would be altered from the no-action alternative by the addition of OHV traffic; speed would decline as water-barring and longer maintenance intervals result in a rougher driving surface. The roughening of the surface	1) The volume, composition & distribution of traffic would remain a mix of high and low clearance vehicles on both M1 and M61, with M61 having a higher absolute and relative amount of low-clearance traffic; occasional log truck traffic would occur; potential speeds would remain the same – 20 to	1) The volume, composition & distribution of traffic on M61 would be altered from the no-action alternative by the addition of OHV traffic; speed would decline as water-barring and longer maintenance intervals result in a rougher driving surface. The roughening of the surface

¹¹ See Appendix C for full text of §212.55.

Table1 – Comparison of Alternatives			
Item	Alternative 1 M1 Mixed Use	Alternative 2 No Action	Alternative 3 M61 Mixed Use
	<p>would inconvenience some drivers, although this segment is not used much by low clearance vehicles. Log haul turn-around times would be lengthened due to lower speeds. Managing M1 for high-clearance vehicles would be more appropriate for the type and amount of traffic associated with Forest Plan management direction. The road was originally designed for much higher log truck traffic, which has since been drastically reduced (due to reallocation of a majority of forested lands from timber production to late successional and riparian reserves).</p> <p>2) The rougher road surface may discourage or displace some current trailer users from using the area. Alternative areas of the MNF are available</p>	<p>30 mph on some sections of M1, and 25 to 40 mph on many sections of M61.</p> <p>2) Road geometry would remain unchanged, assuming maintenance funding remains constant.</p>	<p>would inconvenience and discourage drivers of low-clearance vehicles from using this lone, low-clearance, north-south connector between Upper Lake and Covelo Ranger Districts¹². Log haul turn-around times would be lengthened due to lower speeds. Managing M61 for high-clearance vehicles is not as appropriate as for M1. It would be appropriate for the type and amount of traffic associated with Forest Plan harvest levels, for the same reasons as discussed for M1. However, as noted above, M61 is also a key route that is important to the visiting public's enjoyment of the MNF.</p> <p>2) The rougher road surface may discourage or displace some current trailer users from using the area. Alternative</p>

¹² M61 was determined to be a key route in the Forest-scale Roads Analysis, providing east-west connectivity between Grindstone and Covelo Ranger Districts also [*MNF Forest-scale Roads Analysis Report*, 2003].

Table1 – Comparison of Alternatives			
Item	Alternative 1 M1 Mixed Use	Alternative 2 No Action	Alternative 3 M61 Mixed Use
	to provide similar opportunities. Management for mixed-use would not conflict with the log hauling needs associated with the Forest Plan level of timber harvest from the area.		areas of the MNF are available to provide similar opportunities. Management for mixed-use would not conflict with the log hauling needs associated with the Forest Plan level of timber harvest from the area.
(d) Rights of access	N/A - the proposed action would not affect any rights of access.		
(e) Wilderness & primitive areas	N/A - the proposed action would not establish any motor vehicle routes in wilderness or primitive areas.		
Mendocino National Forest Decision Criteria			
1) Operational Affordability	Managing M1 for mixed-use would include maintaining it for high-clearance rather than low-clearance vehicles. This would result in reduced maintenance workload, and contribute to improved affordability of the MNF road system. Average annual savings in routine maintenance workload are estimated to range from \$530 - \$630 ¹³ .	There would be no change in maintenance workload.	Managing M61 for mixed-use would include maintaining it for high-clearance rather than low-clearance vehicles. This would result in reduced maintenance workload, and contribute to improved affordability of the MNF road system. Average annual savings in routine maintenance workload are estimated to range from \$610 - \$725.

¹³ This savings should be considered as a 'right-sizing' of the workload to the road maintenance funding level rather than as creating a surplus of funding [cost savings calculations based on information from Forest-Scale Roads Analysis Report, Appendix 3.1, Table A3.1- 9].

Table1 – Comparison of Alternatives			
Item	Alternative 1 M1 Mixed Use	Alternative 2 No Action	Alternative 3 M61 Mixed Use
2) Low Capital Investment	Capital investment would be about \$6,000 for signing.	None required.	Capital investment would be about \$6,000 for signing.
3) Balanced Recreation Opportunities	Would increase connectivity and convenience for hunters who use OHVs to travel between camp and hunting areas accessed by mixed-use roads connected to M1. Would inconvenience people who use low-clearance vehicles to access recreation opportunities in the area accessed by this segment of M1. Would increase the frequency that solitude would be intruded by vehicle sounds within Yuki Wilderness nearby road M1.	Would continue existing levels and types of motorized recreation opportunity within the area served by this segment of M1 and M61.	Would increase connectivity and convenience for hunters who use OHVs to travel between camp and hunting areas accessed by mixed-use roads connected to M61. Would inconvenience people who use low-clearance vehicles to access recreation opportunities in the area accessed by M61.
4) Quality Motorized Recreation Opportunities	As noted above, quality of opportunity along this segment of M1 would increase for OHV-based recreation, and decrease for low-clearance-vehicle based recreation. The connectivity provided under this alternative would be moderately better than under Alternative 3, both within the proposal area, and between the proposal area and the	No change.	As noted above, quality of opportunity along M61 would increase for OHV-based recreation, and decrease for low-clearance-vehicle based recreation.

Table1 – Comparison of Alternatives			
Item	Alternative 1 M1 Mixed Use	Alternative 2 No Action	Alternative 3 M61 Mixed Use
	Pillsbury Basin OHV route network.		
5) Compensatory Tradeoffs	The proposed action is nearby the trail 68 closure, which decision was recently made. It would add 7.9 miles to the existing route mileage that is authorized for OHV use, and could be considered directly compensatory to the loss of the 2.7 miles that trail 68 formerly provided.	Would not alter the net mileage of routes authorized for OHV use.	Although Alternative 3 is not so closely associated with the trail 68 closure as is the proposed action, it would add 9.1 miles to the existing route mileage that is authorized for OHV use. It could be considered broadly compensatory in that limited sense.
6) Cost Efficiency	Would not have any effect on cost efficiency other than the affordability effects noted above.		
7) Forest Plan Compliance	No amendment required for any of the alternatives. The action alternatives comply with all applicable resource protection standards (details in Appendix L).		
Environmental effects related to significant issues			
Illegal OHV Use	Increase of 7.9 miles of road open to OHV nearby Yuki Wilderness; no change for the state game refuge. The increased open road associated with Yuki does not reliably predict either an increase or decrease in illegal cross-country OHV use. Either way, the magnitude of any change would be obscured by the effects of other more	No change in the miles of nearby OHV routes for either Yuki Wilderness or the state game refuge.	

Table1 – Comparison of Alternatives			
Item	Alternative 1 M1 Mixed Use	Alternative 2 No Action	Alternative 3 M61 Mixed Use
	influential factors.		
Environmental effects related to significance factors			
Public Health & Safety	OHV riders on M1 would have a risk of injury-producing collision with passenger vehicles. The risk is relatively low compared to their other risk factors, such as single-vehicle or OHV vs. OHV accidents.	OHV riders' risk of injury accidents on M1 or M61 would remain tied to the level of illegal use. Although it would likely be lower than the action alternatives, it would also likely grow in step with the general increase in ATV use on MNF.	OHV riders on M61 would have a risk of injury-producing collision with passenger vehicles. The risk is relatively low compared to their other risk factors, such as single-vehicle or OHV vs OHV accidents.
Heritage Resources	No heritage resources would be affected.		
Threatened, Endangered, Proposed Species	No listed species, proposed species or critical habitat would be adversely affected.		
Other Env. Laws & Requirements	Would comply with NFMA through compliance with Forest Plan management direction, and with requirements for maintaining species viability.	None are applicable to taking no action.	Same as proposed action.

Chapter 3 - Environmental Consequences

Effects Relative to Significant Issues

This subsection discusses how the proposed action and alternatives are likely to affect the environment with respect to the significant issue.

Potential Increased Illegal OHV Use

Although hard numbers are not available, Upper Lake Ranger District personnel agree in general with public comments that the Mendenhall area has been experiencing increased illegal OHV use. Also, our analysis of the indicator for this issue determined that opening M1 to mixed use would result in increased nearby, legal OHV traffic for the southern Yuki Wilderness. However, we disagree regarding the likelihood that this increased legal traffic would result in measurably worse illegal, cross-country OHV use.

First, let us look at the values we calculated for the indicator for this issue: *Miles of Nearby OHV Routes*. Recall that this includes roads and trails that are: 1) connected to this section of M1, 2) open to non-highway-legal vehicles / drivers, and 3) within 1/8 mile of Yuki Wilderness or the state game refuge. The results are displayed below in Table 2.

Alternative	Area		
	Game Refuge	Yuki Wilderness	Combined
Proposed Action	23.6	13.6	37.2
No Action		5.7	29.3
Alternative 3			

We can conclude the following from the values in Table 2:

- There is no difference between the action alternatives and no action, in relation to the state game refuge. The only differences are in relation to the Yuki Wilderness. Therefore we conclude that there are no effects related to this issue that would impact the state game refuge. Accordingly, the potential effects discussed below relate only to the Yuki Wilderness.
- Alternative 3 is no different than no action, in relation to the Yuki Wilderness. Therefore we conclude that Alternative 3 would have no effects related to this issue that would impact the Yuki Wilderness.

Accordingly, the potential effects on Yuki Wilderness that are discussed below are limited to a comparison of the proposed action with the no action alternative.

- The proposed action would result in a 7.9 mile increase in routes nearby Yuki Wilderness that are open to OHV, as compared to the no-action alternative.

Having established that there is a difference in indicator values between the proposed action and no action, we need to determine how important the difference is. To do so, we examined the strength of this indicator in predicting an increase in illegal OHV use.

We assessed the relationship between illegal cross-country use and restriction status of National Forest System (NFS) routes (i.e. open vs. closed to OHV use). Using information from a recent inventory of user-created routes, we determined the degree to which the following two factors are related to open vs. closed NFS routes in the vicinity of the proposed action:

- Factor 1 – the number of miles of user-created routes that connect to the NFS routes.
- Factor 2 – the number of points from which user-created routes depart from NFS routes.

The results are displayed in Table 3, below.

Table 3 – Relationships Between User-created Routes & NFS Route Restrictions¹⁴					
NFS Routes		User Created Routes			
		Aggregate Length		Points of Departure from NFS Routes	
Restriction Category	Aggregate Miles	Gross Mileage	Miles per Mile of NFS Route	Gross Tally	Dep Pts per Mile of NFS Route
Open to OHV	40.39	11.27	0.28	48	1.19
Closed to OHV	20.84	13.06	0.63	35	1.68

Note that there is no clear relationship between restrictions on NFS routes and the degree of associated illegal cross-country use. Both open and closed routes have multiple departure points and several miles of user-created routes associated with them. If we look at the rates of each factor per mile of NFS

¹⁴ *User-Created Route Statistics*, 21 May 2008.

route, we see conflicting indications: 1) the miles of user-created route per mile of NFS route is higher for closed than for open routes; 2) the number of departure points per mile of NFS route is just the opposite - higher for open than for closed routes. This indicates a weak relationship between illegal cross-country use and the restriction status of an NFS route. That is, we cannot reliably predict whether opening a road to OHV would, by itself, result in an increase or a decrease in illegal cross-country OHV use.

These findings are consistent with the experience and observations of FS OHV managers and law enforcement officers. They note that illegal riders ignore route restrictions, and use closed routes to the same degree as open routes. Instead, we believe that the following are the principle factors contributing to the existing illegal, cross-country use:

- The open nature of the landscape. Large areas without dense vegetation are tempting and accommodating to cross-country travel;
- Inadequate preventive Forest Service presence – declining numbers of personnel, and limited law enforcement personnel are inadequate to deter would-be violators without neglecting other areas¹⁵;
- Increased general ownership of all-terrain vehicles (ATVs), the principal vehicle used by offenders in this area. The ongoing growth in ownership tends to maintain a level of riders that are new and unfamiliar with regulatory restrictions or riding ethics¹⁶. It also increases the overall population of riders, and consequently, the number of illegal riders.

Allowing mixed use on M1 would increase the number of legal riders using M1. However it would likely not increase the number of illegal riders using the area – they are already there. And, it is the number of illegal riders using the area that is most directly related to illegal cross-country use adjacent to M1. So, we cannot support an assertion that increasing the legal ridership on M1 would result in an increase in illegal cross-country use.

To summarize, the effect of allowing mixed use on M1 on cross-country use would be inconsequential in comparison to the effects of the local landscape, FS presence, and general trends in ATV ownership. None of these factors are altered by either of the action alternatives. Therefore, the differences between the values of the indicator for the alternatives should be viewed as more apparent than real. Trends in the amount of illegal cross-country OHV use would continue to operate virtually independently of whether or not either M1 or M61 are managed for mixed use.

¹⁵ However, MNF law enforcement staffing will be increasing in 2009, which is expected to result in improved enforcement and prevention effectiveness generally [Appendix E, pg 6]. This may reduce violations in the project area, but any improvement would be independent of the mixed-use status of M1.

¹⁶ However, the number of willful violators is generally low (~3% – 5%) [Appendix E, pg 7]. Most of the remaining 95% - 97% of violators are merely ignorant of the regulations. That group becomes generally compliant within 1 – 3 years as they become aware of what is and is not allowed under the regulations [Appendix E, pg 6].

Effects Relative to Significance Factors

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

Mixed use analysis indicates that the surface conditions of both M1 and M61 must become rougher, to slow potential traffic speed, before being suitable for mixed use designation. Once that condition develops, designation for mixed use would not constitute a significant public safety risk, based on the factors discussed in the paragraphs below. It would take longer or more investment for M61 to become suitable for designation than it would for M1, but they both would eventually reach that condition.

Accidents between passenger vehicles and OHVs are a public safety risk factor that is associated mixed use roads. The risk is virtually all directed to the OHV rider, as they have less protection and capacity to inflict injury on folks in a passenger vehicle.

A review of accident statistics on MNF mixed-use roads for the 5 years between 2001 and 2006 indicates that of 40 motor vehicle accidents reported, 6 were between an OHV and a passenger vehicle. For the same period there were 26 single OHV and 6 OHV vs. OHV type accidents on these roads. Also, many more OHV related accidents (125) occurred on the OHV trail system rather than on mixed use roads during that period.

Considering these factors, it appears that OHV riders have more risk of calamity by themselves or on account of their cohorts than an encounter with a passenger vehicle. Once M1 or M61 become rough enough to reduce potential speeds below 25 mph, mixed use of the road is expected to present little added safety risk to riders of OHVs or other vehicles.

When combined with existing health and safety risk factors associated with these roads (e.g. no reported accidents 2001 through 2006), the cumulative risk level would still be low.

Unique characteristics of the geographic area

This section of M1 is adjacent to the Yuki Wilderness and the game refuge. The proposed action would allow OHV use on this section, whereas it is not currently allowed. Both the no-action alternative and Alternative 3 would continue to prohibit OHV use on this section of M1.

Allowing OHV use on M1 would increase the frequency that vehicle sounds intrude into the Yuki Wilderness. However it would not increase the intensity or distance that sounds would intrude. This is because the legal sound limits for OHVs are similar to those for highway-legal vehicles. The increased frequency would tend to diminish the degree of solitude a person would experience near M1. The actual number of wilderness visitors that would be

affected would be low – wilderness use comprises only about 1% of overall visitor use on the MNF¹⁷, a small fraction of which visit the Yuki, and a smaller fraction of which would hang-out near M1.

The legislation¹⁸ establishing the Yuki Wilderness specifically states that the fact that nonwilderness activities or uses can be seen or heard from areas within wilderness areas designated by the Act does not preclude the conduct of those activities or uses outside the wilderness boundary. In this respect the proposed action would be compliant with the Act. No action and Alternative 3 would not change authorized motor vehicle use adjacent to the Yuki Wilderness.

Recall the discussion regarding the effects on illegal cross-country riding (pp 21, 23). There is not likely to be any measurable change in cross-country riding in Yuki Wilderness that is attributable to allowing or not allowing mixed use on M1.

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

Both the proposed action and Alternative 3 would be 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) and can be implemented without further review or consultation. The exemption category is IIC. - activities that do not involve ground or surface disturbance.

Neither public comments nor agency analysis have identified any potential for the action alternatives to cause a loss or destruction of significant scientific, cultural, or historical resources.

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 assessment¹⁹ determined that the proposed action would have no effect on listed species, proposed species or critical habitat. This

¹⁷ *Proposed Wilderness Area Assessment*, 23 May 2005

¹⁸ HR233 – Northern California Coastal Wild Heritage Wilderness Act of 2006, Sec. 4(l)(2).

¹⁹ *FOREST-WIDE MINOR PROJECT EFFECT DOCUMENTATION FORM*, 25 September 2008.

determination was based on there being no substantive change in the type of use on a road that already exists. That is, even though mixed use would be a change in the class of vehicles allowed, the biological effects of the use by non-highway-legal vehicles are indistinguishable from those of the existing use by highway-legal vehicles. As the proposed action would have no biological effects to add to other existing or foreseeable biological effects, there are no cumulative effects to consider in determining significance.

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

National Forest Management Act – The Mendocino NF Forest Plan established the management direction with which management actions must comply to ensure conformance with the NFMA. The interdisciplinary team identified applicable Forest Plan direction, and evaluated the effects of the action alternatives²⁰ regarding compliance with that direction. The team concluded that both action alternatives were compliant with applicable management direction. Details of the review and conclusions are documented in Appendix L.

The Forest Service Manual provides additional NFMA management direction, regarding species viability. FSM 2670.32 directs that we avoid or minimize impacts to species whose viability has been identified as a concern. This would include federally listed threatened or endangered species, FS sensitive species, and, for Northwest Forest Plan forests such as the MNF, survey & manage species. Effects on threatened and endangered species and critical habitat are noted under that subsection above. The biological evaluation²¹ determined that there would be no effect on FS sensitive species, because there would be no substantive change in the type of use of an existing facility. A compliance review for survey & manage species determined that there would be no effect on any of these because the proposal would not affect suitable habitat. Based on this information, the proposal complies with the NFMA's species viability requirement.

Compliance with the Clean Water Act is achieved through compliance with applicable watershed / water quality standards of the Forest Plan, as documented in Appendix L and the hydrology report. The basis for compliance is the reduced sediment production resulting from a) a reduced width of traveled/disturbed road surface, and b) more positive runoff dispersal achieved by water bars and dips as compared to grading. There would not be enough increased OHV impact to counteract these sediment-reducing

²⁰ The no action alternative, by definition, cannot violate Forest Plan direction, because a Forest Plan does not compel any action.

²¹ FOREST-WIDE MINOR PROJECT EFFECT DOCUMENTATION FORM, 25 September 2008.

factors^{22 23}. The determinations in these documents were based on analysis of direct, indirect and cumulative effects.

Compliance with the National Historic Preservation Act is documented above under the historical / cultural resource subheading [pg 26]. Neither public comments nor agency analysis have identified any other environmental protection requirements that apply to the proposed action.

Chapter 4 - Agencies and Persons Consulted

Person or Agency	City of Office Location
US Fish and Wildlife Service	Sacramento, CA
North Coast Water Quality Control Board	Santa Rosa, CA
Central Valley Water Quality Control Board	Rancho Cordova, Ca
Allen, Leo	
Baker, Kimberly; Environmental Protection Information Center	
Beck, Damon	
Davis, Terry; Sierra Club, Mother Lode Chapter	
Dietz, Matthew; The Wilderness Society	
Ellis, Ben	
Frentzen, Clark	
Kassar, Chris; Center for Biological Diversity	
Knispel, Bill; Back Country Horsemen of California	
Schambach, Karen; Center For Sierra Nevada Conservation	
Schoradt, Brent; California Wilderness Coalition	
Van Velsor, Stan; The Wilderness Society	
Yows, Dennis	

²² *Hydrologic Analysis - OHV Connectivity Travel Management Proposals*, 26 November 2007.

²³ *Supplemental Hydrology Report – Hull Mt. to Bald Mt OHV Hunting Connectivity*, 23 September 2008.

List of Appendices

Designation	Subject Matter
Appendix C	Excerpt from 36 CFR §212
Appendix D	MNF route designation decision criteria
Appendix E	Law Enforcement
Appendix L	Forest Plan compliance
Appendix Z	Consideration of comments on the proposed action, pursuant to 36 CFR §215.6(b)