

# Environmental Assessment

## Close OHV Trail 68

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

### Chapter 1 - Purpose and Need/Proposed Action

#### *Introduction*

This document analyzes a travel management proposal to close and decommission a Mendocino NF OHV trail that is contributing to OHV trespass onto private land, and unauthorized OHV use on National Forest lands.

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 295<sup>1</sup>]. 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 improve the existing system. During 2006, Mendocino National Forest employees 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 Forest Service is proposing to close and decommission trail 85468 (Trail 68), which dead-ends at private land (refer to Map 1, pg 2, and Map 2, pg 3). The trail is about 2.7 miles long. The trail would be blocked to traffic on each end. Prior to closure, drainage features would be maintained or enhanced as needed to assure proper drainage after closure. The trail should recover on its own without further intervention besides preventing vehicle use.

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

**MAP 1 - VICINITY**

## MAP 2 PROPOSAL

The seven other travel management proposals are being concurrently analysed in other environmental documents as separate proposed actions<sup>2</sup>. 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. However, we will consider any overlapping environmental effects to assure that no cumulatively significant effects are overlooked.

### ***Purpose and Need***

This proposal responds to a long-standing problem of OHV trespass onto private land, and unauthorized OHV use on National Forest lands. The trespass and unauthorized use originates in part from trail 68. Several characteristics of the trail contribute to the problem.

This trail is not connected to any other routes that are legal for use by non-highway-legal vehicles or drivers. It is connected to a low-clearance road (M6) at its north end, and terminates at private land on its south end. It does not form any loops with other OHV routes that are open to the public<sup>3</sup>. These characteristics of the trail have had the effect of encouraging both trespass onto private land and unauthorized vehicle use on National Forest land.

The private land trespass has been reported to the Forest Service for many years. The unauthorized use on National Forest lands is evident on aerial photos, and has been observed, in part, on the ground by MNF personnel. Map 3 (pg 5) shows the extent of user-created trails that are connected to Trail 68. Current mileage on National Forest lands is about 11.5 miles, and we observed recent growth in mileage between 1998 and 2003 aerial photo sets.

Other, less drastic prevention measures have not been effective in controlling the problem. Tactics such as barricading and signing the trail terminus and not showing private roads on the OHV trail map have been tried without much success.

Some of the characteristics that contribute to the trespass and unauthorized use also make the trail less desirable from an OHV recreation standpoint:

- Its lack of connectivity to other roads and trails that are open to non-highway-legal vehicles makes it inconvenient for those to use it.
- Its short length and lack of loop opportunities reduce the quality and quantity of experience for those non-highway legal vehicle users that do go to the trouble of getting there.

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<sup>2</sup> Hull Mt to Bald Mt OHV Hunting Connectivity, Ivory Mill Saddle to Snow Mt OHV Hunting Connectivity, Wolf-Trough-Letts OHV Riding Connectivity, Upper Deer Valley OHV Riding Connectivity, Long Ridge OHV Corridor Connector, Motorized Access for Dispersed Camping, Close OHV Trail 68, and Commander Tract Motorized Access.

<sup>3</sup> However, it is connected to many user-created trails and closed roads on both National Forest and private lands.

## MAP 3 - USER-CREATED ROUTES

Because trail 68 is disconnected from the local designated OHV trail network, it is also more difficult and costly to manage. It is out of the way for maintenance equipment, resource monitoring and law enforcement.

This proposal implements the following Forest Plan direction:

- It implements the following Forest-wide Standard & Guide:
  - Recreation #4 – Coordinate OHV planning and management with Federal, State, and local agencies, adjacent landowners, and other interested individuals and organizations. [Forest Plan, p. IV- 29]

In addition to meeting the needs noted above, the travel management rule establishes criteria<sup>4</sup> for the designation of roads, trails and areas for wheeled, motorized vehicle use. Those criteria apply to travel management proposals such as this one, but in a reverse sense. That is, an existing system trail that does not meet designation criteria would be a good candidate for removal from the trail system.

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 criteria<sup>5</sup> in the rule.

### ***Decision Framework***

The responsibility for adding or removing trails from a National Forest's trail system is delegated to the Forest Supervisor level [FSM 2353.04(g)]. The proposed action would be within the authority of the Forest Supervisor, who will therefore be the Responsible Official for this decision. The decision will be to either implement the proposed action or other alternative that meets the purpose and need, or to take no action at this time.

In making his decision, the Forest Supervisor 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**

In July 2004 the Forest Service Chief announced the Forest Service decision to develop a strategy for OHV management (designated trails and route system). Concurrently, FS Pacific Southwest Region (Region 5) announced a Memorandum of Intent with the State of California OHV Commission to work together to implement the national direction and conduct trail inventories on all

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<sup>4</sup> 36 CFR §212.55 – excerpt of text is provided in Appendix C.

<sup>5</sup> 36 CFR §212.55(a)

Region 5 national forests. 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 did an Internet web posting. 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.

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 proposed action development process – 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.

Their input, 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 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.

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, the Forest Supervisor 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](mailto: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.

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<sup>6</sup>:

- I / we support closing trail 85468 (8 respondents).
- The USFS document incorrectly states that trail 85468 dead ends at the private property...(2 respondents).
- The MNF should not arbitrarily reject popular historic OHV routes simply because segments of it end or transect private property (1 respondent).
- We were disappointed that the FS is not considering additional route and road closures. The proposed action fails to address continuing impacts associated with certain routes in the current transportation system (6 respondents).
- Gating of roads at private property, and better signing are alternate methods of avoiding trespass problems by trail users (1 respondent).

### **Significant Issues**

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

**Loss of OHV Recreation Opportunity** – The respondents’ concern extends beyond just the loss of Trail 68. They have been using the network of user-created trails that extend southward and tie in with the MNF road system in the Bumphead Glade / Thistle Glenn vicinity. One of the respondents characterized the network as an OHV connecting corridor on the east side of Lake Pillsbury. However, the user-created network is not part of the MNF motorized route systems. All use has been in violation of closure order, and in noncompliance with Forest Plan direction. Therefore we do not consider such use to be a recreation opportunity that is supported by the Forest Plan. We have selected two indicators of changes in OHV recreation opportunities that are supported by the Forest Plan.

**Indicator 1: Change in local OHV route mileage** – The effects related to this issue will be estimated in terms of net mileage change of *MNF system* trails and roads that are open to non-highway-legal vehicles, and are directly associated with Trail 68.

**Indicator 2: Change in aggregate OHV route mileage** – The effects related to this issue will also be estimated in terms of net aggregate mileage change of *MNF system* trails and roads that are open to non-highway-legal vehicles, as a result of the eight travel management proposals being considered under the current route designation process (refer to footnote 2 for list of proposals).

### **Pre-Decision Review & Comment Period**

Notice of opportunity to comment, pursuant to 36 CFR Part 215, was published in Grindstone Ranger District’s newspaper of record, Chico

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<sup>6</sup> A comment raises an issue if it concerns a point of disagreement, debate or dispute about the environmental effects of the proposed action



Enterprise Record, on 27 October 2007. 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](mailto: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 supportive comments were received. No comments were received from either of the individuals that raised the significant issue during scoping. Details regarding notification and responses are documented in Appendix Z.

## **Chapter 2 - Alternatives, Including the Proposed Action**

### ***Alternatives not Considered in Detail***

One option would be to adopt all or part of the non-system trail network south of Trail 68 into the MNF motorized trail system. In order for this option to be exercised, we would need to either obtain rights of way across private ownerships, or construct new trail to bypass them. A glance at map 3 shows that the north-south connectivity is dependent on crossing private lands at several points. We did not develop and analyse such an option in detail for a number of reasons:

- It would likely aggravate rather than improve the problem of trespass onto private land.
- Private landowners are unlikely to grant rights of way, which would force either bypass trail construction or condemnation process, neither of which is inexpensive.
- The user-created network would likely need substantial, expensive rework to eliminate or mitigate erosion / maintenance problems that are typical of user-created routes.
- Under current and projected budgets, there is no spare capacity either to fund the up-front costs noted above, or to absorb this network of trails into the MNF OHV trail maintenance program.

These factors make such an option weak or counterproductive in addressing many elements of the purpose and need. Although the option would address the significant issue well, it is too far off the mark in meeting the purpose and need.

## ***Alternatives Considered in Detail***

### **Alternative 1 – (Proposed Action) Close Trail 68**

Under this alternative Trail 68 would be closed to public motorized use and decommissioned. The trail's existing waterbars would be improved to ensure proper drainage. Additional waterbars would be added as needed, and berms opened to ensure against concentrated runoff and erosion during the vegetative recovery period.

The junction with M6 would be blocked to traffic, and naturalized / disguised as much as is practical to avoid attracting unauthorized use. This would involve re-contouring the trail bed, scattering slash and/or mulching within sight of M6 (about 500 feet). Some monitoring and repair of this area will be necessary to deal with the incidental breaches that typically occur after a trail has been closed.

The work involved to decommission would be 50 – 75% above what a typical maintenance entry would require. Average annual maintenance costs run about \$1,000 per mile, so the up-front cost of decommissioning would be \$500 to \$750 per mile x 2.7 miles = \$1,350 to \$2,025.

Maintenance savings would eventually average about \$2,700 per year. Initially there will likely be some residual maintenance work to deal with breaches of the closure.

### **Alternative 2 – No Action**

Under the No Action alternative Trail 68 would remain open. 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). Maintenance would continue, so there would be no savings or costs associated with this alternative.

### **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 (see Map 4, pg 11).

Decommissioning activities on the south end would be the same as described for the proposed action. Closure and disguising would be done at the point where the new loop section joins the existing trail. Up-front cost would be about \$500 to \$750 per mile x 1.1 miles = \$550 to \$825.

The new loop section would be designed, constructed, and maintained in accordance with standards in the Trails Handbook, FSH 2309.18. Survey for heritage resources and sensitive plant occurrences<sup>7</sup> would be conducted

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<sup>7</sup> The tentative route crosses potential habitat for *Harmonia stebbinsii* and *Hesperolinon drymariodes*.

concurrently with pre-construction brushing and layout (survey is impractical at this time, due to the tentative trail alignment being through dense chaparral). Trail alignment would be adjusted to avoid any heritage resources or sensitive plant occurrences that are detected. This would occur prior to ground-disturbing activities, to minimize risk of affecting these resources. Estimated cost of design, layout and construction is about \$11,200, based on average costs in areas with similar site conditions.

**MAP 4 – ALTERNATIVE 3**

## Comparison of Alternatives

Table 1 compares how well the alternatives respond to the significant issues, the purpose and need, and environmental effects relating to the significance factors of pertinence to the alternatives.

<b>Table 1 – Comparison of Alternatives</b>			
<b>Item</b>	<b>Alternative 1 Close Trail 68</b>	<b>Alternative 2 No Action</b>	<b>Alternative 3 Reconfigure Trail 68</b>
<b>Significant Issue – Loss of OHV Recreation Opportunities</b>			
Change in local OHV trail mileage	-2.7	0	+0.2
Change in aggregate OHV trail mileage	+38.8	+41.5	+41.7
<b>36 CFR §212.55 Criteria for designation of roads, trails, and areas<sup>8</sup>.</b>			
(a) General criteria	See MNF decision criteria below.		
(b) Specific trail and area criteria	1) Would contribute to lowering soil, watershed and vegetation impacts associated with Trail 68 and associated user-created trails. 2) Harassment of wildlife or disruption of wildlife habitat are not known to be a problem that needs to be resolved.	1) Trail 68 is difficult to maintain in certain steep sections for minimal erosion and sediment delivery; it also contributes indirectly to the erosion and sedimentation associated with the user-created trail network 2) Harassment of wildlife or disruption of wildlife habitat are	1) Would contribute to lowering soil, watershed and vegetation impacts associated with user-created trails accessed from the south end of Trail 68. However, we anticipate the effectiveness of the south-end closure to be lower than under the proposed action. This is

<sup>8</sup> See Appendix C for full text of §212.55, and other related excerpts.

<b>Table 1 – Comparison of Alternatives</b>			
<b>Item</b>	<b>Alternative 1 Close Trail 68</b>	<b>Alternative 2 No Action</b>	<b>Alternative 3 Reconfigure Trail 68</b>
	<p>3) Would not create any conflicts between motor vehicle use and other recreational uses.</p> <p>4) Would not create any conflicts among different classes of motor vehicle uses.</p> <p>5) Not applicable – the area affected is sparsely populated.</p>	<p>not known to be a problem with trail 68. Although the southern portion of the route is just inside key winter deer range, the deer primarily utilize the glades and oak woodlands &amp; savannah habitats to the east.</p> <p>3) Conflicts between motor vehicle use and other recreational uses are not a current problem.</p> <p>4) Conflicts among different classes of motor vehicle uses are not a current problem.</p> <p>5) Not applicable – the area affected is sparsely populated.</p>	<p>due to the closure point being more difficult to monitor and enforce.</p> <p>2) Harassment of wildlife or disruption of wildlife habitat are not known to be a problem with the retained portion of the existing route – it is outside of the key winter deer range. The proposed new loop section is also outside of the key winter deer range.</p> <p>3) Would not create any conflicts between motor vehicle use and other recreational uses.</p> <p>4) Would not create any conflicts among different classes of motor vehicle uses.</p> <p>5) Not applicable – the area affected is sparsely populated.</p>
(c) Specific road criteria	Not Applicable.		
(d) Rights of access	<p>1) Not Applicable - There are no valid existing rights to affect.</p> <p>2) Not Applicable - None of the local private landowners have current authorization, and none have requested authorization to access their land via this route.</p>		
(e) Wilderness & primitive areas	Would not establish a motorized trail in a wilderness.	Trail 68 is not in a wilderness.	The new section of trail would be outside of the new wilderness

<b>Table 1 – Comparison of Alternatives</b>			
<b>Item</b>	<b>Alternative 1 Close Trail 68</b>	<b>Alternative 2 No Action</b>	<b>Alternative 3 Reconfigure Trail 68</b>
<b>Mendocino National Forest Decision Criteria</b>			
1) Operational Affordability	Would reduce average annual OHV trail maintenance workload by about \$2,700.	Would not change the average annual OHV trail maintenance workload.	
2) Low Capital Investment	The closure / decommission strategy would cost about \$1,350 to \$2,025 more than average annual maintenance cost.	None required	Construction of the 1.3 miles of new loop trail would cost about \$11,200. Closure and decommissioning of the south 1.1 miles would cost about \$550 to \$825 more than average annual maintenance cost. Total cost would be about \$11,750 to \$12,025.
3) Balanced Recreation Opportunities	Direct change would be a reduction in OHV recreation opportunity of 2.1 miles. Cumulative change, considering concurrent travel management proposals, would be a net increase in OHV recreation opportunity of 38.8 miles.	No change.	Direct change would be a negligible net increase of in OHV recreation opportunity of 0.2 miles. Cumulative change, considering concurrent travel management proposals, would be a net increase in OHV recreation opportunity of 41.7 miles.
4) Quality Motorized Recreation Opportunities	Would eliminate 2.7 miles of dead-head, disconnected trail from the system.	Would retain existing dead-head, disconnected trail in the system, but no OHV trail mileage would be lost.	Would retain existing OHV trail mileage & convert a dead-head route to a partial loop. Trail would still be disconnected from system OHV trails and mixed-use roads.

<b>Table 1 – Comparison of Alternatives</b>			
<b>Item</b>	<b>Alternative 1 Close Trail 68</b>	<b>Alternative 2 No Action</b>	<b>Alternative 3 Reconfigure Trail 68</b>
5) Compensatory Tradeoffs	Would not compensate for local loss of mileage/opportunities. Other route designation proposals currently under consideration would increase net aggregate route mileage available to non-highway-legal vehicles by about 41.5 miles for a net gain of 38.8 miles.	Not Applicable.	Would add back into the system about the same local OHV mileage as it would eliminate. Other route designation proposals currently under consideration would increase net aggregate route mileage available to non-highway-legal vehicles by about 41.5 miles.
6) Cost Efficiency	Would eliminate an inconveniently located component of the motorized trail system to maintain & monitor.	Trail 68 would continue to be an inconveniently located component of the motorized trail system to maintain & monitor.	
7) Forest Plan Compliance	No amendment required. Complies with all applicable resource protection standards (details in Appendix L).	Not Applicable	No amendment required. Complies with all applicable resource protection standards (details in Appendix L).
<b>Environmental effects related to significance factors [40 CFR §1508.27]</b>			
Unique Characteristics of the Geographic Area	Snow Mountain Wilderness addition is immediately to the east of Trail 68. However, Trail 68 is not in conflict with the establishing legislation, and the presence of the wilderness is not part of the need for closing the trail.	Trail 68 is not in conflict with the establishing legislation. Also, aerial photos do not indicate Trail 68 is contributing to proliferation of user-created trails in that direction.	Trail 68 is not in conflict with the establishing legislation, nor would be the reconfiguration. Also, aerial photos do not indicate Trail 68 is contributing to proliferation of user-created trails in that direction.
Heritage	Heritage resources would not be	Heritage resources would not be	Heritage resources would not be



<b>Table 1 – Comparison of Alternatives</b>			
<b>Item</b>	<b>Alternative 1 Close Trail 68</b>	<b>Alternative 2 No Action</b>	<b>Alternative 3 Reconfigure Trail 68</b>
Resources	affected. The trail has been previously surveyed, and the decommissioning activities will be confined to the originally cleared corridor.	affected. The trail has been previously surveyed and cleared in order to be included in the trail system.	affected. The trail section to be decommissioned has been previously surveyed, and the decommissioning activities will be confined to the originally cleared corridor. The new route cannot be surveyed due to dense vegetation, but surveying concurrent with the clearing/layout phase will assure that any properties will be avoided prior to ground-disturbing activities.
Threatened, Endangered, Proposed Species	No listed species, proposed species or critical habitat are currently being adversely affected.		No listed species, proposed species or critical habitat are being affected by the retained existing route. None would be adversely affected by the new route.
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.	Would comply with NFMA through compliance with Forest Plan management direction, and with requirements for maintaining species viability.

## Chapter 3 - Environmental Consequences

### *Effects Relative to Significant Issues*

#### **Loss of OHV Recreation Opportunity**

We are using two indicators of changes in OHV recreation opportunity.

##### ***Indicator 1: Change in local OHV route mileage***

This indicator is based upon net mileage change of *MNF system* trails and roads that are open to non-highway-legal vehicles, and are directly associated with Trail 68. In this case, the local mileage is limited to Trail 68 itself (2.7 miles), since it is isolated and unconnected to other OHV trails or mixed use roads. Changes are displayed in Table 2.

<b>Alternative</b>	<b>Miles of Trail Open to Non-Highway-Legal Vehicles</b>		
	<b>Removed</b>	<b>Added</b>	<b>Net Remaining</b>
1) Close Trail 68	2.7	0.0	0.0
2) No Action	0.0	0.0	2.7
3) Reconfigure Tr 68	1.1	1.3	2.9

The proposed action clearly has the greatest impact on local OHV recreation opportunity. In the context of Forest-wide OHV recreation opportunities, the lost trail mileage amounts to just under 1% of the MNF OHV trail system<sup>9</sup>, and about 0.2% of all routes open to non-highway-legal vehicles<sup>10</sup>.

Alternative 3 responds well to this issue, retaining the current net mileage and adding a smidgeon. This alternative also adds some to the quality of the opportunity by creating a partial loop.

##### ***Indicator 2: Change in aggregate OHV route mileage***

This indicator is based on net aggregate mileage change of *MNF system* trails and roads that are open to non-highway-legal vehicles, as a result of the eight travel management proposals being considered under the current route designation process. Changes are displayed in Table 3.

<sup>9</sup> There are about 252 miles of OHV trail in the current trail system.

<sup>10</sup> There are over 1,000 miles of mixed use roads in the current road system.

<b>Table 3 – Changes in route mileage open to non-hwy-legal vehicles</b>			
<b>Alternative</b>	<b>Mileage Changes</b>		
	<b>Local</b>	<b>Other Proposals<sup>11</sup></b>	<b>Net Aggregate</b>
1) Close Trail 68	-2.7	+1.3 OHV trail	+38.8
2) No Action	0.0	+40.2 mixed use rd	+41.5
3) Reconfigure Tr 68	+0.2	+41.5 overall	+41.7

Net aggregate change in mileage is positive for all alternatives. In the context of Forest-wide OHV recreation opportunities, the gains range from 3.0% to 3.2% of all routes open to non-highway-legal vehicles.

### ***Effects Relative to Significance Factors***

This subsection addresses environmental effects of the action alternatives related to the NEPA significance factors [40 CFR §1508.27].

#### **Unique characteristics of the geographic area**

The land to the east of the trail is a wilderness area established as an addition to Snow Mountain Wilderness by wilderness legislation in 2006 (2006 Act). The 2006 Act<sup>12</sup> 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 both the no-action alternative and alternative 3 would be compliant with the Act. Moreover, aerial photos indicate that user-created trails originating from Trail 68 all extend to the southwest, with none that enter the new wilderness. Therefore there appears to be low risk of indirect effects related to user-created trails under either of these alternatives.

The proposed action would reduce such risk further. However, this factor was not part of the purpose and need for the proposed action, and is not necessary to achieve conformance with the 2006 Act.

<sup>11</sup> Hull Mt to Bald Mt OHV Hunting Connectivity – 7.9 mi mixed-use road; Ivory Mill Saddle to Snow Mt OHV Hunting Connectivity – 17.3 mi mixed-use road; Upper Deer Valley OHV Recreation Connectivity – 1.3 mi OHV trail; and Commander Tract Motorized Access – 15.0 mi mixed-use road.

<sup>12</sup> HR233 – Northern California Coastal Wild Heritage Wilderness Act of 2006, Sec. 4(l)(2).

**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<sup>13</sup>. The existing trail has been previously surveyed, and the decommissioning activities will be confined to the originally cleared corridor.

The decommissioning aspect of alternative 3 would not affect heritage resources, for the same reason. The new loop section could not be inventoried for at-risk historic properties due to dense vegetation. However, surveying concurrently with pre-construction brushing and layout will ensure that the ultimate alignment avoids any properties that may be present. Deferring of the inventory until after the designation of the route would be in accordance with the *Programmatic Agreement Regarding the Process for Compliance with Section 106 of the National Historic Preservation Act for Designating Motor Vehicle Routes and Managing Motorized Recreation on the National Forests in California*.

**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<sup>14</sup> determined that neither the proposed action nor alternative 3 would have any adverse effects on listed species, proposed species or critical habitat. This determination was based on there being no habitat affected by either alternative. 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 (NFMA)* – 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 proposed action and alternative 3<sup>15</sup> regarding compliance with that direction. The team concluded that both action alternatives are compliant with applicable

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<sup>13</sup> Mendocino National Forest Project Approval, Case # MNF-11-2008

<sup>14</sup> FOREST-WIDE MINOR PROJECT EFFECT DOCUMENTATION FORM, 11 September 2007.

<sup>15</sup> The no action alternative, by definition, cannot violate Forest Plan direction, because the MNF Forest Plan does not compel any action.

management direction. Details of the review and conclusions are 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 evaluation determined that the proposed action would have no effect on FS sensitive species, because there would be no impacts on any habitat. As for alternative 3, the decommissioning element would not have impacts on any habitat. The new loop section would avoid impacts to sensitive plants<sup>16</sup> by surveying concurrently with pre-construction brushing and layout, and avoiding any occurrences that are discovered. A compliance review for survey & manage species determined that there would be no effect on any of these because the proposed action and alternative 3 are not within suitable habitat.

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<sup>17</sup>.

Compliance with the National Historic Preservation Act is documented above under the Heritage Resources subheading [pg 12]. Neither public comments nor agency analysis have identified any other environmental protection requirements that apply to the proposed action.

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<sup>16</sup> Only potential habitat for sensitive plants is affected by the new loop section; no other known occurrences or potential habitat for sensitive species is affected.

<sup>17</sup> Hydrologic Analysis – Close OHV Trail 68, 3 December 2007.

## Chapter 4 - Agencies and Persons Consulted

Person or Agency	City of Residence or Office Location
US Fish and Wildlife Service	Red Bluff
North Coast Water Quality Control Board	Santa Rosa

## List of Appendices

Designation	Subject Matter
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Appendix L	Forest Plan compliance
Appendix D	MNF decision criteria
Appendix Z	Consideration of comments on the proposed action, pursuant to 36 CFR §215.6(b)