

Miller, Karen G -FS

From: Miller, Karen G -FS
Sent: Monday, October 31, 2016 2:32 PM
To: Miller, Karen G -FS
Subject: FW: OSV Routes
Attachments: Information from GSNM Plan.docx; CE for 21S61A & 21S79A.pdf

From: Rios, Marcos D -FS
Sent: Wednesday, May 25, 2016 12:10 PM
To: Miller, Karen G -FS <kgmiller@fs.fed.us>
Cc: Ray, Steven R -FS <rray@fs.fed.us>; LaPrice, Eric G -FS <elaprice@fs.fed.us>
Subject: OSV Routes

Hi Karen,

Background Information about this CE.

There were two CE that were put together to address these roads.

The first CE address 21S61A and 21S79A and also an OSV route to the East of Quaking Aspen CG. After discussing the proposed OSV route, the CE was dropped.

Chris Sanders consulted the CE checklist with the different resources during the first CE process, but there were no specialist reports put together. A second CE was put together to only address the roads on the west and dropping the east OSV route. By default, the same CE checklist was carried forward to the second CE and sent to Eric.

These roads 21S61A and 21A79A were in storage Maintenance Level 1, meaning they do not show in the MVUM but they are part of the Road system. We are not opening/constructing new roads. These roads are only to allow OSV use and would not show in the MVUM because the MVUM does not govern OSV.

Attached is information from GSNM Plan, MVUM, and CFRs.



Marcos D. Rios Rodriguez
Transportation Engineer
Forest INFRA Coordinator (roads)

Forest Service
Sequoia National Forest

p: 559-784-1500 x1141

f: 559-783-1654

mdrios@fs.fed.us

1839 S. Newcomb St.

Porterville, CA 93257

www.fs.fed.us



Caring for the land and serving people

From the GSNM Plan

- 1. Road Maintenance Level 1:** These are roads that have been placed in storage between intermittent uses. The period of storage must exceed 1 year. Basic custodial maintenance is performed to prevent damage to adjacent resources and to perpetuate the road for future resource management needs. Emphasis is normally given to maintaining drainage facilities and runoff patterns. Planned road deterioration may occur at this level. Appropriate traffic management strategies are “prohibit” and “eliminate” all traffic. Roads receiving level 1 maintenance may be of any type, class, or construction standard and may be managed at any other maintenance level during the time they are open for traffic. However, while being maintained at level 1, they are closed to vehicular traffic, but may be available and suitable for nonmotorized uses. These roads are not shown on motor vehicle use maps (USDA Forest Service, FSH 7709.59, 62.32).

Wheeled off-highway vehicles (OHVs) (including mountain bikes); winter snow dispersed recreation	For Alternatives B, D, E, F: Motorize vehicles are allowed on designated roads only, per the Motor Vehicle Use Map (MVUM). Non-motorized mechanized vehicles (mountain bikes) are allowed only on designated roads and trails. Motorized over snow vehicle are allowed on designated roads only
--	--

From the CFRs

§ 212.56 Identification of designated roads, trails, and areas.

Designated roads, trails, and areas shall be identified on a motor vehicle use map. Motor vehicle use maps shall be made available to the public at the headquarters of corresponding administrative units and Ranger Districts of the National Forest System and, as soon as practicable, on the website of corresponding administrative units and Ranger Districts. The motor vehicle use maps shall specify the classes of vehicles and, if appropriate, the times of year for which use is designated.

§ 212.57 Monitoring of effects of motor vehicle use on designated roads and trails and in designated areas.

For each administrative unit of the National Forest System, the responsible official shall monitor the effects of motor vehicle use on designated roads and trails and in designated areas under the jurisdiction of that responsible official, consistent with the applicable land management plan, as appropriate and feasible.

From the MVUM

PROHIBITIONS

It is prohibited to possess or operate a motor vehicle on National Forest System lands in the Sequoia National Forest and the Giant Sequoia National Monument other than in accordance with these designations (36 CFR 261.13).

Violations of 36 CFR 261.13 are subject to a fine of up to \$5,000 or imprisonment for up to 6 months or both (18 U.S.C. 3571(e)). This prohibition applies regardless of the presence or absence of signs.

This map does not display nonmotorized uses, over-snow uses, or other facilities and attractions in the Sequoia National Forest and Giant Sequoia National Monument. Obtain a forest visitor map for more complete information.

Subpart C—Use by Over-Snow Vehicles

AUTHORITY: 7 U.S.C. 1011(f), 16 U.S.C. 551, E.O. 11644, 11989 (42 FR 26959).

SOURCE: 70 FR 68290, Nov. 9, 2005, unless otherwise noted.

§ 212.80 Purpose, scope, and definitions.

The purpose of this subpart is to provide for regulation of use by over-snow vehicles on National Forest System roads and National Forest System trails and in areas on National Forest System lands. For definitions of terms used in this subpart, refer to §212.1 in subpart A of this part.

§ 212.81 Use by over-snow vehicles.

(a) *General.* Use by over-snow vehicles on National Forest System roads and National Forest System trails and in areas on National Forest System lands may be allowed, restricted, or prohibited.

(b) *Exemptions from restrictions and prohibitions.* The following uses are exempted from restrictions and prohibitions on use by over-snow vehicles:

(1) Limited administrative use by the Forest Service;

(2) Use of any fire, military, emergency, or law enforcement vehicle for emergency purposes;

(3) Authorized use of any combat or combat support vehicle for national defense purposes;

(4) Law enforcement response to violations of law, including pursuit; and

(5) Use by over-snow vehicles that is specifically authorized under a written authorization issued under Federal law or regulations.

(c) *Establishment of restrictions and prohibitions.* If the responsible official proposes restrictions or prohibitions on use by over-snow vehicles under this subpart, the requirements governing designation of National Forest System roads, National Forest System trails, and areas on National Forest System lands in §§212.52, 212.53, 212.54, 212.55, 212.56, and 212.57 shall apply to establishment of those restrictions or prohibitions. In establishing restrictions or prohibitions on use by over-snow vehicles, the responsible official shall recognize the provisions concerning rights of access in sections 811(b) and 1110(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3121(b) and 3170(a), respectively).

NEPA COMPLIANCE CHECKLIST
internal use only

**Sequoia National Forest
 Western Divide Ranger District**

Name of Project: WDRD Transportation System Administrative Corrections.

Purpose and Need.

There is a need to have the information in the INFRA database corrected to match the reality of the current road management objectives on the ground for roads 21S61A and 21S79A.

- 21S61A is currently described in INFRA as a maintenance level 1 road, meaning it is not available for motor vehicle use. There is a segment of Summit Trail 31E14 that overlaps this road. Historically and currently, forest visitors have been using this road on Over Snow Vehicles (OSVs), for several years. Also, there is a need to include approximately 300 feet of road currently not in INFRA database. This segment of road has been previously been surveyed by Engineering Staff documenting its existence, but the segment did not get updated in the system. (see map).
- 21S79A is currently described in INFRA as a maintenance level 1 road, meaning it is not available for motor vehicle use. Historically and currently, forest visitors have been using this road on Over Snow Vehicles (OSVs), for several years.

Decision

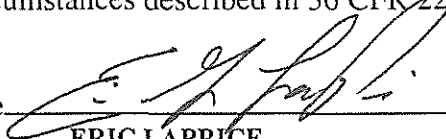
- 21S61A Change the maintenance level from ML 1 to ML2, allowing OSVs only with a season of use of November 15 – April 15. The following condition would apply: enough snow is present to prevent road damage. Add the road segment approximately 300 feet of road in INFRA database to match on the ground conditions.
- 21S79A Change the maintenance level from ML 1 to ML2, allowing OSVs only with a season of use of November 15 – April 15. The following condition would apply: enough snow is present to prevent road damage.

Purpose of Checklist: For projects categorically excluded under NEPA that do not require a decision memo, this checklist documents that there are no extraordinary circumstances related to the proposed action that warrant further analysis and documentation in an environmental assessment or environmental impact statement.

Applicable Categorical Exclusions for Projects Not Requiring a Decision Memo	
For full description of each category and examples refer to FSH 1909.15, Chapter 30.	
31.11 Categories Established by the Secretary 7 CRF 2b.3(a)	31.12 Categories Established by the Chief 36 CFR 220.6(d)
(1) Policy admin. development/planning	(1) Prohibit for resource protection
(2) Activities related to funding/money	X (2) Admin procedures, processes, instructions
(3) Inventories, research activities, studies	(3) Repair/maintain Admin. Sites
(4) Educational and information activities	(4) Repair/maintain roads, trails, landlines
(5) Law enforcement and investigation	(5) Repair/maintain Rec. Sites/Facilities
(6) Advisory or consultative activities	(6) Acquisition of land or interest in land.
(7) Trade representation/market develop	(7) Sale or exchange of land with same land use
	(8) Approve/modify/continue less than 1 year Special Use Permit
	(9) New Permit for existing ski area for administrative changes only
	(10) Amend/Replace existing Special Use Permit for administrative changes only
31.4 Statutory NEPA Exception	
16 USC 6236 – Organization Camp Special Use Authorization	

Determination of Extraordinary Circumstances for the Proposal 36 CFR 220.6(a)				
Resource Conditions 36 CFR 220.6(b)	Resource Condition Present?		For Resource Conditions that are Present, the following Findings are made:	Reference material used to support finding of no extraordinary circumstance
	Yes	No		
Proposed, Threatened, or Endangered Terrestrial Wildlife Species or Their Designated or Proposed Critical habitat, or FS sensitive wildlife species		X	No P, T, E or S wildlife species or critical habitats will be <u>adversely</u> affected by this proposal. No extraordinary circumstances exist for this resource condition.	NA
Proposed, Threatened, or Endangered Aquatic Species or Their Designated or Proposed Critical habitat, or FS sensitive aquatic species .		X	No P, T, E or S Fish, Amphibians or Macroinvertebrates or critical habitats will be <u>adversely</u> affected by this proposal. No extraordinary circumstances exist for this resource condition.	NA
Proposed, Threatened, or Endangered Plant Species or Their Designated or Proposed Critical habitat, or FS sensitive plant species		X	No P, T, E or S plant species will be <u>adversely affected</u> by this action. No extraordinary circumstances exist for this resource condition.	NA
Floodplains, wetlands or municipal watersheds		X	No floodplains, wetlands or municipal watersheds will be <u>adversely</u> affected by this action. No extraordinary circumstances exist for this resource condition.	NA
Congressionally designated wilderness, wilderness study areas, or National Recreation Areas		X	No Congressionally designated areas will be <u>adversely</u> affected by this action. No extraordinary circumstances exist for this resource condition.	NA
Inventoried Roadless Areas		X	IRAs will not be <u>adversely</u> affected by this action. No extraordinary circumstances exist for this resource condition.	NA
Research Natural Areas		X	RNAs will not be <u>adversely</u> affected by this action.OHV use not allowed in wilderness/no routes exist No extraordinary circumstances exist for this resource condition.	NA
American Indians and Alaska Native religious or cultural sites		X	Implementation of the Proposed Action would not <u>adversely</u> affect American Indian religious or cultural sites. No extraordinary circumstances exist for this resource condition.	NA
Archaeological sites, or historic properties or areas		X	No archeological sites or sites eligible for National Historic Register listing will be <u>adversely</u> affected by this proposal. No extraordinary circumstances exist for this resource condition.	NA

I have considered the above listed resource conditions and determined there are no extraordinary circumstances related to the proposed action that warrant further analysis and documentation in an EA or EIS. None of the extraordinary circumstances described in 36 CFR 220.6 (b) exist.

Signature 
 ERIC LAPRICE
 District Ranger

Date 2/5/16

