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## PACIFIC WEST REGIONAL OFFICE Memorandum

L7617 (PWRO-PP)

SEP 23 2010

Memorandum

To: Superintendent, Whiskeytown National Recreation Area

From: Regional Director, Pacific West Region

Subject: Environmental Compliance for Installation of Gates at Nine Locations  
and Barriers to Close Selected Spur Roads

The finalized *Finding of No Significant Impact* for installing gates and barriers to enhance park security and restore resources is approved. To complete this particular compliance effort, the park should provide for announcement of the decision to all persons or groups that received or commented on the supporting environmental assessment.

  
Christine S. Lelmertz

Attachment



## **FINDING OF NO SIGNIFICANT IMPACT**

### **Manage Access to Enhance Security and Protect Park Resources**

#### **WHISKEYTOWN UNIT – WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA SHASTA COUNTY, CALIFORNIA**

The Department of Interior, National Park Service (NPS), has prepared this Finding of No Significant Impact (FONSI) for the activities associated with the protection of park resources and enhancement of park security within Whiskeytown National Recreation Area. This FONSI is a statement of the decision made, other alternatives considered, public involvement in the decision-making process, the basis for the decision, the Environmentally Preferred Alternative, and measures to minimize environmental harm.

#### **Background**

National Park Service Rangers and Shasta County Sheriff's Department determined extensive marijuana cultivation was occurring in the lower elevation hills of Whiskeytown National Recreation Area in the fall of 2001. Local, State and Federal law enforcement agencies conducted surveillance and eventually raided the marijuana cultivation sites recovering thousands of marijuana plants, several guns, ammunition, multiple 25 pound bags of fertilizers and herbicides, thousands of feet of irrigation hose, hundreds of pounds of trash, clothing, and camping equipment and food used to support the illegal growing activities. The marijuana cultivation and associated illegal camping included poaching activities, threats to individual park visitors, and provided wildlife with a source of human garbage to feed upon.

Drug Trafficking Organizations from Mexico are the primary cultivators of these marijuana sites. The National Park Service is trying to reduce the opportunities available to use Whiskeytown National Recreation Area as a cultivation site for production of illegal drugs. The park's strategy is to detect and destroy marijuana sites once they are found. At the same time, where possible, the park is trying to block administrative roads not currently part of the recreational road system that provide opportunities for DTO to use as supply routes and entry points.

Access to these illegal marijuana grow sites is gained primarily along the park's established road system, fuelbreaks, and ridges. State Highway 299 West serves as a main/feeder route to numerous sites along its corridor. Backcountry access roads, utility access roads, service roads, and abandoned mining and logging roads are also utilized to access illegal marijuana cultivation sites. A few of the backcountry roads are drivable, but the rest are not. These administrative and abandoned roads are not considered part of the road system that is maintained for public recreational purposes. The Superintendent's Compendium identifies which roads are open to the public. There exists over 300 miles of abandoned logging roads and skid roads within the boundary of Whiskeytown National Recreation Area. These roads are not open to the public, and most are inaccessible by vehicles because they are overgrown and heavily eroded. Since 2001, marijuana cultivation sites have been found throughout all quadrants of the park. Nearly all of these activities occur in remote areas of the park where visitors seldom travel.

Because these roads are not used daily by official staff or utility companies servicing their facilities within the park, some of the non-gated administrative roads are used as drop-off and pick-up points for illegal marijuana activities during the cultivation season (April-October). Since 2001, National Park Service Rangers have either witnessed individuals or arrested people on these remote roads that have been linked to marijuana activity.

In 2005, the park began installing gates to restrict vehicle access on additional utility roads and placing boulders to block abandoned logging and mining roads. These closed service roads, however, are still open park land for visitors to use and enjoy for legitimate recreational activities such as hiking, mountain biking, horseback riding, and wildlife viewing. The closed roads, however, are seldom used by park visitors and typically only used by utility companies and park employees. No public vehicular access on roads currently used by the public for the purposes of recreational activity will be affected by the proposed activities in this EA. Hiking and biking would continue to be permitted under all alternatives.

### **Purpose and Need**

As was detailed in the Environmental Assessment, the purpose of the selected action is to:

- Protect park resources by reducing the impacts of illegal marijuana growing, dumping of trash, and illegal off-road vehicle use in both administrative and backcountry areas accessible to vehicle traffic that are not part of the established road network in Whiskeytown; and
- Manage access to administrative and remote abandoned logging and mining roads and trails by installing gates and barriers to minimize the transportation of large quantities of fertilizers, irrigation equipment and other materials and supplies marijuana growers use to conduct their illegal activities.

Individuals associated with marijuana cultivation have been observed, detained, and arrested in Whiskeytown on remote backcountry roads as well as along main roads, such as State Highway 299 West, Whiskey Creek, and Crystal Creek Roads. Since marijuana cultivation requires the transportation of large quantities of fertilizers, irrigation equipment, etc., growers seek out existing road and trail ways to facilitate their movement of materials.

Marijuana cultivation is having a severe impact on Park resources. Four black bears have been found killed near the marijuana sites and their deaths have been attributed to the marijuana activities in those areas. High powered rifles and associated ammunition have been found in the illegal marijuana sites. The growers that have been arrested often have criminal records and are associated with the Drug Trafficking Organizations (DTO) from Central Mexico and have been armed with semi-automatic handguns. These men are a threat to park staff, the public, and are causing serious damage to the park's natural resources.

Since gates were installed on ten administrative roads in 2004, dumping ceased in those areas, and a significant reduction was seen in illegal camping. There has also been a marked reduction in new marijuana sites along established roads where gates have been installed, although

marijuana cultivation continues throughout the park at new locations. The National Park Service believes the presence of gates to secure parklands is the first line of defense along service roads, followed by strategic ranger patrols and surveillance. Gates make access more difficult to individuals hauling materials and supplies to marijuana sites in the upper watersheds.

Additionally, individuals not involved with marijuana cultivation are using these same administrative roads for dumping hazardous waste, trash, appliances, and landscape cuttings. The abandoned logging and mining roads that are visible from primary and secondary roads throughout the park also attract individuals operating off road vehicles. Though most of these roads terminate within a few meters, the repeated vehicle traffic prevents these scars from re-vegetating and furthers erosion issues. Because of the density of logging and mining that occurred in the area, these abandoned roads detract from the scenic quality of the Park.

### **Selected Action and Alternatives**

Three alternatives were identified for evaluation in the EA. One alternative proposed opening gates during the day and closing them at night but was eliminated from full evaluation in the EA because it did not reasonably achieve the project objectives and reduce potential adverse effects. The two remaining alternatives are the No Action and the Proposed Action, which is the selected alternative. The National Park Service will implement Alternative B, the Proposed Action Alternative that was fully evaluated in the EA and made available for public and interagency review. All public and agency comments have been addressed. There are no changes incorporated herein due to public comment or other agency consults. Mitigation measures to reduce or eliminate environmental effects are summarized in the discussion for each topic included in this decision document.

A description of the Selected Alternative is as follows:

#### **Selected Alternative – Alternative B**

The Selected Action includes numerous activities, including, but not limited to, the installation of gates and blocking access of abandoned logging and mining roads and skid trails. These barriers are intended to reduce ease of access for individuals involved in illegal activities such as marijuana cultivation, dumping of appliances, trash, hazardous waste and landscape cuttings, and unauthorized off-road vehicle use, and to improve the visitor experience by removing non-natural features from the landscape. All of the proposed actions will occur on NPS lands, even though many of the individuals engaged in illegal activities often utilize Whiskeytown routes to access areas outside the park where these activities occur.

#### **Installation of gates**

There are ten gates in nine locations that would be installed as proposed to prevent any vehicular access on park administrative roads and other locations identified as needed to complete the park security needs of Whiskeytown National Recreation Area's front and backcountry. While managers and park staff would have the option to keep the gates unlocked and open, the gates, in this alternative, would typically be closed, although a few would be kept open in the summer to allow for recreation along Clear Creek. Typically, visitors would find a locked gate to restrict

vehicle access, but the area beyond would still be open for hikers, bicyclists, and equestrians. At this time, there are no plans to install additional gates in the future, although there may be replacement of other gates currently used for access to utility infrastructure. Additional compliance will be completed as necessary in the future if needed to address gate replacement.

Two of the proposed gate locations (Numbers 7 and 9 in the following list) provide access to fishing spots along Clear Creek via short roads and will be kept open during peak summer periods, similar to the gates that we open and close seasonally on other roads throughout the park. This annual practice has always been well-accepted and will be continued with this project.

The closure of roads will have no effect on park responses to wildfires, search and rescues or other emergency incidents. The roads where gates would be installed are administrative roads accessible to park employees and emergency response personnel.

Descriptions of the gate installation sites are detailed below.

1. **Oak Bottom Effluent Spray Field:** This is a dirt road leading off the north side of State Highway 299 West, just east of Oak Bottom and Grizzly Gulch. The road leads to the Oak Bottom Effluent Spray Field where treated waste water is pumped from the Grizzly Gulch Water Treatment Plant and sprayed across a fenced field. The access road is just under ½ mile in length from Highway 299 to the spray field. The proposed gate would be located 100 feet in from State Highway 299.
2. **Carr Power House, Employee Housing Area:** A service road exists on the right side of South Shore Drive, ¼ mile past the Clear Creek Bridge near the Carr Power House, provides access to two park residences and a Western Area Power Authority (WAPA) access road. It is proposed to install a gate at the beginning of the service road immediately off South Shore Drive at the bottom of the hill.
3. **Coggins Flat Mill Site, North and South Entrances:** Along the east side of Trinity Mountain Road, a large open flat area known as Coggins Flat has two entrances. This area used to be a private logging mill prior to the park's creation in 1965. The site was initially disturbed when the area was dredged and hydraulically-mined along Clear Creek in search of gold during the late 1800's. The dredge tailings were leveled to make way for the mill site in the 1940-1950s. It is proposed to gate both entrances and create a small parking area in the main flat area at the newly installed northern gate.
4. **Crystal Creek Quarry Road/ Church Point:** One gate will be installed on an old logging road that leads off Crystal Creek Road into the drainage and extends just over 100 yards distance. The road is located immediately down hill from the Crystal Creek tailing pile. There is also an abandoned logging road less than 100 yards uphill from the Crystal Creek tailing/quarry site. It is proposed to install boulders to block access at this location due to safety concerns.
5. **Peltier Campground, NEED Camp Fire Access Road:** This project proposes moving the gate from its present location up to the shoulder of Peltier Road. Currently, a short 100 yard



road extends off Peltier Road to the gate. This is the NEED Camp fire escape road for emergency vehicle use.

**6. Funderberg Flats:** Funderberg Flats is used by CalTrans and the National Park Service to store landslide material collected from State Highway 299 West. There exists a short loop road that leads down to the Oak Bottom Water Ditch Trail and returns back up hill to the spoils area. This road was used to service a water in-take system for nearby park residences. The system has been relocated and this access road is no longer used by the park. It is proposed to block this short service road with a gate.

**7. Clear Creek Access Road West of Carr Power House at Slate Gulch:** This is a short dirt road that comes off State Highway 299 on its south side and leads down to an alluvial flat adjacent to Clear Creek. It was used as a driveway to an old homestead. It is proposed to install a gate on the road that would be opened seasonally for fishermen and swimmers. The potential for dumping will still exist, but it is important to provide access to Clear Creek before it flows into the lake. This road is not used to access marijuana-growing areas.

**8. Oak Bottom Utility Road (Water tank and recycling center):** This is a short, steep, 200-yard road that passes through the concessionaire's recycling and bear proof garbage area and on to the Oak Bottom water storage tank. The garbage and recycling center, operated by the contracted concessionaire, needs to be secured from public access. For public health reasons and to prevent vandalism to the water storage facility, a gate is proposed at the bottom of the road near the main access road to the Oak Bottom Marina.

**9. Short Road East of Staging Area Entrance off Trinity Mountain Road:** This is a short road that runs down to Clear Creek off of Trinity Mountain Road just before the entrance to the staging area that Whiskeytown will be constructing in 2010. It is also an access road to PG&E distribution lines and poles that has historically been used to dump exotic vegetation cuttings as well. The area can be easily accessed on foot with a short walk after parking at the staging area across the creek from this location.

### **Block Access to Abandoned Logging and Mining Roads**

Throughout Whiskeytown National Recreation Area, there are numerous old, abandoned logging roads and skid trails that the public periodically attempt to drive their four wheel drive vehicles on. This is an illegal activity and violators are cited for driving off-road and destruction of natural, cultural, and archeological resources. These sites also have documented cases of illegal dumping. Since these abandoned roads are numerous and distributed throughout the park, it is difficult to prevent further resource damage through enforcement or education.

The vast majority of these roads or skid trails do not extend beyond 150 feet before vegetation, gullies, and topography prevents further progress. These short sections of roads will be closed by placing large rock boulders at the ingress from the legal roadway.

As discussed in the EA, a combination of blocking and closing roads may occur at approximately 50 locations throughout the park.

### **Road Removal**

In addition to the placement of boulders, short sections (approximately 150 feet or less) of the abandoned roads may be removed and restored. In time, the barriers may be removed when trees or chaparral are sufficiently tall enough to prevent automobile access onto the abandoned roads. This type of park resource protection will typically be done annually. Heavy equipment may also be used to remove road segments or place boulders in specific locations to stop vehicles from continuing to disturb park resources.

The areas where these illegal activities occur most often are along the main recreational roads such as Mule Town Road, Paige Bar Road, Peltier Valley Road, Brandy Creek Falls Road, Kennedy Memorial, Shasta Bally Road, Mill Creek Road, South Shore Drive, Crystal Creek Road, Whiskey Creek Road, Pioneer Drive, and State Highway 299. The main roads will not be closed, only the areas where the public would have access to abandoned roads that are not a part of the park road network.

It is expected that not more than 20 road segments may be removed as part of this project. If/when roads are removed, the process will involve excavating fill material and placing it back in the cut bank. At hydrologic crossings, all fill material will be removed and placed in the cut bank. The disturbed area will then be mulched with native vegetation removed in the course of taking out the road. The park may choose to replant in the disturbed area with native vegetation, which will be determined on a case-by-case basis.

Soil and rock disturbed during removal of road segments would be susceptible to some erosion, but best management practices (BMP's) will be used to reduce soil loss. Road removal for barrier closure will require heavy equipment such as excavators, dozers, and front loaders. To avoid introduction of exotic plant species, native material would be used to control soil erosion and to cover all disturbed soil. Exotic plants will be treated prior to any disturbance to decrease their seedbed. Equipment and tools will be cleaned before use in the area and after use in the known areas of infestation. Monitoring and follow-up treatment will be conducted following project completion.

### **The Environmentally-Preferred Alternative**

As described in the Environmental Assessment, the Environmentally-Preferred Alternative is the alternative that would:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
2. Ensure for all Americans, safe, healthful, productive and aesthetically and culturally pleasing surroundings;
3. Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences;
4. Preserve important historic, cultural and natural aspects of our natural heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice;
5. Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities; and



6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

The National Park Service has determined that Alternative B (the selected action) is the Environmentally Preferred Alternative. Based upon the above six criteria, Alternative B achieves the greatest degree of environmentally preferred benefits.

- Criteria 1 is achieved in both Alternatives. However, Alternative B provides for the greater magnitude because increased security will be delivered by installing locked gates on road systems that the illegal marijuana cultivators are using to service their planting sites. Placing rock barriers at and/or removing portions of abandoned roads will also serve to protect resources by deterring illegal activities such as off-road vehicle use and dumping. Under Alternative B, parklands will be better protected for future generations.
- Criteria 2 is achieved in equal magnitude by both alternatives. Alternative B provides for a greater magnitude because the gate's purpose is to reduce the opportunities for illegal marijuana cultivators to use the park for raising their product
- Criteria 3 is achieved by both Alternatives. However, Alternative B achieves this criteria in greater magnitude because the gate's purpose is to reduce the opportunities for illegal marijuana cultivation.
- Criteria 4 is achieved by both alternatives. Alternative B provides for a greater magnitude because the gates will prevent vehicles from impacting archeological sites and minimize erosion.
- Criteria 5 is achieved equally by both alternatives. Alternative B provides for a greater magnitude because the gates will maintain the high standard of living through natural experiences found by those who take the time to enjoy the natural beauty of the park's backcountry.
- Criteria 6 is not applicable to either alternative

### **Basis for Decision**

When compared to the No Action Alternative, the Selected Action will provide a net environmental benefit and will meet the purpose and need of the project. The Selected Action is consistent with the management direction and mission framework described in the NPS Management Policies (2006) and the Whiskeytown Unit General Management Plan (1999). Specifically, the Selected Action would aid in reducing access for individuals involved in illegal activities such as marijuana cultivation, dumping of appliances, trash, hazardous waste and landscape cuttings, and unauthorized off-road vehicle use, as well as improve the visitor experience by removing non-natural features from the landscape.

It has been determined that the Selected Alternative best accomplishes the objectives of the park's General Management Plan and NPS Management Policies and meets the goals of the project.

- To reduce access to marijuana growers hauling materials and supplies along administrative roads and abandoned logging and mining roads within Whiskeytown.

- To reduce illegal camping, dumping of trash, hazardous waste, appliances and landscape cuttings.
- To remove portions of roads used during logging and mining activities but long since abandoned and eliminate illegal vehicle access into these areas.
- To protect the natural and cultural resources of Whiskeytown by reducing impacts from illegal activities, especially marijuana-growing, in the park.

### **Why the Selected Action Will Not Have a Significant Effect on the Human Environment**

After analyzing the ten criteria as set forth by 40 CFR 1508.27, it was determined that the Selected Alternative will not have a significant adverse effect on the human environment. In particular, all foreseeable environmental consequences, whether taken individually or as a whole, do not reach the level of significance. Most of the adverse impacts are temporary and occur during construction. Potential impacts related to physical resources, biological resources, cultural resources, visual resources, park operations, and visitor use and safety were considered in the environmental assessment. As documented in the environmental assessment, the National Park Service has determined that the Selected Alternative can be implemented with no significant adverse effects. Below is a summary of potential impacts that may result from implementation of the Selected Alternative and mitigation measures that will be used.

#### Geology and Soils

Closed gates would reduce marijuana cultivation, resulting in reduced soil disturbance on roads and reduced soil erosion associated with marijuana cultivation. These impacts are considered, beneficial, long-term and major.

The installation of gates will reduce marijuana cultivation and the use of associated chemicals, such as pesticides and fertilizers, which will minimize the potential for soil contamination from these products. Then impacts would be beneficial, long-term and minor.

There are also impacts from two-foot diameter holes dug into the soil to set the posts of the gate. This action is considered adverse, short-term, and negligible in effect.

Removal of road segments (derelict logging and mining roads) that spur from transportation corridors may increase soil erosion and sedimentation from these sites during the first winter rains. For the first year there will be an adverse, short-term, minor effect due to increased soil erosion and sedimentation from the sites. After the first year, there will be beneficial, long-term, minor effects due to reduced soil erosion and sediment release caused by repeated impacts from unauthorized off-road vehicle use and lack of road erosion control devices.

#### *Mitigation Measures*

Road segment removal work will be conducted during the late spring and summer and fall months so soil disturbance is not occurring during the rainy season and mulch disturbed soils prior to winter rains. Best Management Practices (BMP's) will be implemented under the direction of the park Geologist during road segment removal to reduce erosion of soil.

#### Water Resources

Potential impacts to the hydrology of the streams, springs and seeps would likely include restoring the natural levels of these water sources that have been tapped by the marijuana growers in years past. By restoring full flow in these waterways, the stream system's water quantity could be restored. The action of restricting access to marijuana growers will have a beneficial, long-term, minor effect to water quantity by removing water diversions and allowing springs, seeps, and streams to flow naturally, increasing water quantity.

Impacts to water quality will be directly related to the reduction of human fecal matter in drainages near the encampments of marijuana workers if gates become a deterrent. Reduced production of marijuana will also decrease the amount of pesticides and fertilizers used to grow the plants, improving water quality in the impacted watersheds. The action of restricting access to marijuana growers will have a beneficial, long-term, minor effect to water quality by reducing the amount of sediment fertilizers, pesticides, and human fecal material delivered to streams in areas of marijuana cultivation.

The action of removal of road segments will reduce erosion and delivery of sediment to streams and have an adverse, short-term, minor impact after the first winter rains mobilize disturbed soils. After the first year's storms, the actions of road segment removal will have a beneficial, long-term, minor impact.

#### *Mitigation Measures*

In order to minimize potential adverse impacts to the water quality of park streams, the park will implement BMP's for erosion control, such as silt fences, straw mulch and native seeds for revegetation in areas where ground disturbance has occurred. The park Geologist will be responsible for assuring that the BMP's are adhered to.

#### Vegetation

Potential impacts to native vegetation could occur as a result of continued marijuana growing, although installed gates will deter the use of administrative roadways by marijuana growers and limit the clearing of native vegetation to establish grow sites within Whiskeytown. Placement of boulders and restoration of some abandoned roadways will also deter their use in illegal activities related to marijuana and off-road vehicle use. These deterrents will prevent vehicles from repeatedly trampling vegetation and allow areas to revegetate. The impacts would be minor, long-term and beneficial as park resources would have an opportunity to be restored in areas where gates are installed and abandoned roads are blocked.

#### *Mitigation Measures*

Potential impacts to resources from implementing the action alternative may be mitigated by performing all ground disturbing activities during the dry season (May through October) and implementing Best Management Practices for erosion control, such as silt fences, straw mulch and use of native seeds for revegetation in areas where ground disturbance has occurred. The park Ecologist will be responsible for assuring that BMP's are followed.

#### Wildlife

Wildlife would benefit from the installation of gates on administrative roads, as well as the installation of barriers on abandoned roadways. These activities would reduce the ease of access for individuals wishing to engage in illegal activities. These actions would prevent habitat destruction and illegal hunting and lessen human disturbance and provide long-term, minor to moderate, beneficial impacts.

#### *Mitigation Measures*

It is not anticipated that implementation of any action called for in this document would require mitigation of impacts to wildlife resources. If needed, however, the park Wildlife Biologist will be responsible for assuring BMP's are followed.

#### Special Status Fish and Wildlife Species

Rare, threatened and endangered species, and sensitive species would benefit from the installation of gates on administrative roads, as well as the installation of barriers on abandoned roadways. These activities would reduce the ease of access for individuals wishing to engage in illegal activities. These actions would prevent habitat destruction and provide long-term, minor to moderate, beneficial impacts.

#### *Mitigation Measures*

It is not anticipated that implementation of any action called for in this document would require mitigation of impacts to rare, threatened and endangered, or sensitive species. If needed, however, the park Wildlife Biologist will be responsible for assuring BMP's are followed.

#### Visual Resources

Effects of barriers to prevent further impacts to abandoned roadways, and the restoration of certain abandoned roadways visible from the parks existing road network, would be long-term, minor and beneficial overall. Preventing off-road vehicle traffic impacts and restoration will allow these areas to revegetate and be less visible to visitors and those wishing to use these features for illegal activities. There could be a short-term, negligible adverse effect from large boulders placed to prevent access to the abandoned roadways. These boulders would eventually be removed once an area revegetated. Mitigation measures would be used to reduce the visual impacts from these boulders, however.

The placement of gates on administrative roadways may have a negligible, long-term adverse impact on visual resources. The gates will be in contrast to the natural setting. However, mitigation measures will minimize the visual impact of these gates.

#### *Mitigation Measures*

Rock barriers placed under the action alternative will be no larger than necessary to impede vehicle traffic, and will be of a chemical composition consistent with the geology of the Park. Boulders should be chosen that blend into the landscape, and are not a visually obtrusive. Gates placed under the action alternative will be painted brown in color, to blend into the surroundings. Reflectors used to ensure gates are visible to motor vehicle operators at night will be of a type that is inconspicuous in daylight. The park Roads and Trails Foreman will be responsible for assuring that these measures are taken.

#### Cultural Resources



There are not expected to be any impacts to cultural resources as a result of the work proposed in this project, as all of the areas where gates have been proposed have been surveyed for archeological resources. There are no known archeological sites or other culturally significant resources in these areas. The proposed six rock barriers and one abandoned road removal listed in this EA are all in areas that have been previously surveyed for archeological resources. Any additional rock placements or road removals undertaken that are outside of previously surveyed areas will require surveys and §106 review prior to any ground disturbance.

The abandoned roads targeted for restoration are primarily associated with logging operations conducted prior to the creation of the Park in 1965. While it is possible that some of these roads may be more than fifty years old, they are not considered culturally significant landscape features. These roads generally have no destination, are poorly designed, and are negatively impacting the overall park landscape.

#### *Mitigation Measures*

No work will be done until the proposed locations have been surveyed for cultural resources. Known sites will be avoided by moving the locations of proposed work, or mitigating if possible.

All Section 106 of National Historic Preservation Act requirements will be completed prior to any gate installation, barrier placement, or road removal with the potential to affect cultural resources.

All work will stop if any new archeological resources are discovered during the project work. Overall, no impacts are expected, as all sites will be protected or mitigated. The park Cultural Resources Program Manager will be responsible for assuring that these measures are taken.

#### Park Operations

With gates and barriers in place, law enforcement rangers hope to deter illegal activity from marijuana cultivators, individuals dumping illegally in the park, and unauthorized off-road vehicle operators on abandoned roadways. Displacement of these activities may provide negligible to minor, long term, beneficial impacts to the law enforcement staff as they will be able to focus on other locations and types of illegal activities.

With the selected alternative, Maintenance workers should have a reduced amount of trash removal since the gates, barriers and restoration projects on abandoned roads will prevent illegal dumping on roads currently open as is presently occurring. Maintenance workers should be able to work in a safer environment since the gates will serve as a deterrent to the DTO's cultivating marijuana in Whiskeytown.

#### *Mitigation Measures*

Gated roads will be closed to vehicle traffic, including administrative traffic, when not in use. Construction activities will be planned when weather conditions will not result in resource impacts. The park Roads and Trails Foreman will be responsible for assuring that these measures are taken.

#### Visitor Use and Safety

The park will be safer with benefits to both the public and park staff once the gates are installed. Some conflicts may occur for the hiker, equestrian, bicyclists and driver of a motorized vehicle when coming upon a gated road. The gated roads will have a negligible impact since all are used nearly exclusively by utility service trucks, park personnel, and illegal service providers to the marijuana plantations.

This will be a long-term impact and may have major implications to the marijuana plantations growers, forcing them to go elsewhere or use more open areas for drop-offs of supplies and equipment.



### *Mitigation Measures*

Education to park visitors about the marijuana plantations and public safety will increase visitor awareness and personal safety. The Chief of Interpretation and Resources Management will be responsible for assuring that these measures are taken.

### **Public Review and Consultation**

The National Park Service prepared an Environmental Assessment to analyze the potential for impacts to the human environment associated with the installation of gates and removal of abandoned roads within Whiskeytown National Recreation Area. From the initial scoping session in 2006 with members of the public, two alternatives were developed, analyzed and presented to the public. The scoping meeting was attended by people representing horse and bicycle users as well as other interested parties.

A press release announcing the availability of the environmental assessment for public review was distributed to media outlets, environmental groups, recreational organizations, and other individuals who have expressed a past interest in projects at Whiskeytown on August 9, 2010.

Consultation was conducted with the federally recognized Wintu tribe of the Redding Rancheria. Additionally, the park Superintendent met with representatives from the Recreation Outdoor Coalition, an organization interested in preventing the closure of roads and denying access to recreationists, to discuss the proposed project, and had informal consultations with the managers of the local U.S. Forest Service and Bureau of Land Management units.

The press release described the project and listed the park's website and email address where the environmental assessment was posted for review. The press release appeared in the principal Redding newspaper, the Record Searchlight on August 10, 2010. In addition, hard copies of the Environmental Assessment were made available at the Whiskeytown Visitor Center, at the Shasta County Public Library, and at park headquarters. Very few EA's were distributed to the public, as the majority of the reviewers read it online.

The 30-day public comment period ended on September 8, 2010. Eight public comments were received by the National Park Service. Five were in support of the proposed actions, while three were opposed. There were no new issues brought up that required further analysis. Those in opposition objected to installation of new gates or road closures of any kind. The comments reflected a belief that the roads to be closed were part of the recreational road system, which is not the intent of the National Park Service. These comments were likely the result of concerns that National Park Service actions were similar to recent recreational road closures on Forest Service Lands. Park Superintendent Milestone personally responded by telephone or email to inform these individuals that the closures were only of non-recreational administrative roads and abandoned logging and mining roads, and offered to provide tours of the proposed sites. In explaining the proposed actions, it was evident that the commenter's had not reviewed the specific gates locations and were interpreting the executive summaries as describing closures of recreational resources. All of the individuals were satisfied with the explanation from Superintendent Milestone, or declined to comment further or participate in a tour.

After the comment period closed an additional letter was received, signed primarily by residents of the French Gulch Community, which provided additional comments and requested further clarification about specific gate locations – as with responses summarized above, no new issues or concerns were raised which were not already considered in preparing the EA.

### Non-impairment of Park Resources

No project is allowed to "impair" National Park resources or values, according to the NPS Organic Act of 1916 and NPS Director's Order #55. The National Park Service may choose to take an action resulting in some impact, even a measurable or significant impact, but "impairment" is strictly prohibited. The selected action contains elements with the potential to impact resources, but the nature of the impacts is limited in context, and not expected to impair National Park Service resources or values.

The impacts resulting from the selected action that are documented in the EA and summarized above will not have significant impacts on resources or values key to the natural or cultural integrity of the park. The selected action will not impair park resources or values. The selected action will not violate the NPS Organic Act.

### Decision

Based on information contained in the EA and with consideration for minimal public comment and the capability of the mitigation measures to avoid or reduce potential impacts, it is the determination of the National Park Service that the selected action would not constitute a major federal action that would significantly affect the quality of the human environment. Floodplains and wetlands are not adversely affected by this project. No adverse cumulative effects are anticipated; connected actions identified in the Environmental Assessment have no significant effects associated with them. Therefore, in compliance with the National Environmental Policy Act regulations, an Environmental Impact Statement is not required; the selected action as detailed in the Environmental Assessment may be implemented immediately.

Recommended:



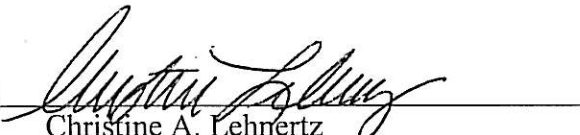
James Milestone

Superintendent, Whiskeytown Unit, Whiskeytown-Shasta-Trinity  
National Recreation Area

9-23-10

Date

Approved:



Christine A. Lehnertz

Regional Director, Pacific West Region

09/28/2010

Date