

Decision Notice and Finding of No Significant Impact

Deep Creek Wild and Scenic River Comprehensive River Management Plan

San Bernardino National Forest
USDA Forest Service
San Bernardino Counties, California

Introduction

The San Bernardino National Forest (Forest) is proposing to adopt a comprehensive river management plan (CRMP) for the Deep Creek Wild and Scenic River. This proposed CRMP would cover a total of 34.5 miles of river on the Forest; the river is classified into wild, scenic, and recreational segments. This plan is administrative in nature; actions proposed include establishing a final boundary and establishing maximum user capacity levels for the river. The river corridor has been managed as a wild and scenic river since it was determined eligible in 2005 during the Forest's Land Management Plan development process. The river was designated as Wild and Scenic by Congress in 2019 under the John D. Dingell Jr. Conservation, Management, and Recreation Act ("Dingell Act").

The purpose of this project is to adopt a CRMP to protect and enhance the values for which the river was designated (free flow, water quality, and outstandingly remarkable values) and identify and implement Forest Service management actions needed to protect these values within the Deep Creek corridor. Section 3 of the Wild and Scenic Rivers Act (16 USC 1274, as amended) specifies a CRMP will be developed for the designated river corridor.

Planning is needed to integrate management of multiple resources, resource designations, and activities in the planning area. Management of uses on public lands is necessary in this congressionally designated area to address private, public, and administrative access needs; protect resources; promote public safety; and minimize conflicts among uses of public lands.

By designating Deep Creek as a wild and scenic river, Congress directed the Forest Service to develop a CRMP for the river segments under its jurisdiction. As part of this action, the Forest Service needed to develop an environmental assessment (EA) to fulfill this mandate and comply with the National Environmental Policy Act.

Decision and Reason for the Decision

I have decided to implement the Proposed Action and adopt the (CRMP). I have read the EA, reviewed the analysis in the project file, and fully understand the environmental effects disclosed therein. I concur with the finding that this project will not have a significant impact on the quality of the human environment. This decision notice incorporates by reference the Deep Creek Wild and Scenic River Comprehensive River Management Plan Environmental Assessment, dated May 2025, and supporting documentation in the project record. This decision notice and supporting documents, including the

environmental assessment, are available on the project webpage at <https://www.fs.usda.gov/r05/sanbernardino/projects/61613>.

I carefully considered all of the comments received during the various stages of public involvement and have also reviewed the comments received during the public notice and comment period for review of the Draft Environmental Assessment. Response to comments can be reviewed in Appendix A of the final EA. The Proposed Action is responsive to the concerns raised through the public involvement process, while still meeting the purpose and need and desired conditions in the project area.

Alternatives Considered

The No-Action alternative and Proposed Action are fully analyzed in the EA.

Public Involvement

The Deep Creek Comprehensive River Management Plan was listed in the San Bernardino National Forest's quarterly schedule of proposed actions in February 2022. The proposed action was Scoped for 30 days in November 2023 and a Draft Environmental Assessment was circulated for a 30-day Public Notice and Comment period in May 2024 with 10 comments received. The Final EA was circulated for 45 days in November 2024 with 43 objections received, with the majority lacking previous specific comments.

The Reviewing Officer reviewed objections with standing, responded to objectors, and determined that the Responsible Official (Forest Supervisor) could proceed with issuance of this Decision Notice.

Tribal Consultation

Tribal consultation for the Forest Service is guided by a variety of laws, executive orders and memoranda, as well as case law. Laws include the National Historic Preservation Act of 1966 and subsequent amendments (Public Law 89-665, 15 October 1966), Archaeological Resources Protection Act of 1979 (Public Law 96-95, 16 U.S.C. 470aa-mm, 31 October 1979), American Indian Religious Freedom Act of 1978 (Public Law 95-341, U.S.C. 1996 and 1996a, 11 August 1978), National Environmental Policy Act of 1969 (Public Law 91-190, 42 U.S.C. 4321-4347, 1 January 1970), Native American Graves Protection and Repatriation Act of 1990 (Public Law 101-601, 16 November 1990), and National Forest Management Act of 1976 (Public Law 94-588, 22 October 1976, codified in 36 CFR 219). Executive orders and memoranda include a 1994 memorandum on government-to-government relations with Native American Tribal Governments (59 FR 85, 4 May 1994), Executive Order 13007 on accommodation of sacred sites (61 FR 104, 29 May 1996),.

The San Bernardino National Forest staff is committed to and has conducted Tribal consultation and provided documents associated with the NEPA analysis during the scoping and comment periods for this project. These consultations were carried out at the government-to-government level, ensuring that interested Tribes were given the opportunity to participate in the planning process as required in NEPA and elsewhere.

Findings Required by Other Laws and Regulations

My decision complies with all applicable law, regulation, and policy as documented in the environmental assessment.

The Proposed Action was developed in accordance with and does not threaten to violate any federal, state or local laws or requirements for protecting the environment (i.e., Clean Air Act, Clean Water Act, Endangered Species Act, National Environmental Policy Act, National Forest Management Act, National Historic Preservation Act, etc.). The activities under the Proposed Action were also reviewed and found to be consistent with the Land Management Plan for Southern California National Forests.

Finding of No Significant Impact

After considering the environmental impacts described in the EA and after examining supporting documentation found in the project record, I find that implementing the selected alternative will not have a significant impact on the quality of the human environment and therefore an environmental impact statement will not be prepared.

Context

For the proposed action, the context of the environmental effects is based on the environmental analysis in this EA.

Intensity

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of the EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The agency has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits.

My finding of no significant impact is based on the context of the project and intensity of effects using the ten factors as described below:

Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

The CRMP will protect and enhance outstandingly remarkable values (ORVs) within the river corridor. Analysis has shown that there will not be a significant adverse effect from the proposed action.

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

The proposed action does not have high and adverse human health effects, high or adverse environmental effects, substantial environmental hazards, or effects to differential patterns of consumption of natural resources.

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

There will not be significant effects to the unique characteristics of the area from implementing the proposed action but will enhance and protect the ORVs. There are no parklands, wilderness, or prime farmlands within the project area.

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

Implementing the Comprehensive River Management Plan is not controversial and does not raise any scientific questions.

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

The proposed action is primarily administrative and the effects analysis in the EA shows that predicted effects to the human environment are not highly uncertain and do not involve unique or unknown risks.

The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.

This action does not include significant effects or set a precedent for future significant impacts.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

Cumulative impacts, as analyzed in the EA, are not significant. See the environmental consequences section of EA.

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.

The CRMP is primarily administrative, with some future management goals that will be analyzed for any potential ground disturbance in the future.

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 analysis concludes that no adverse effects will occur to threatened or endangered species or their habitat from the proposed action. Any future ground disturbing action will include site specific analysis, for which the potential effects to threatened and endangered species will occur.

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


The analysis considered applicable laws intended to protect the environment and is consistent with the San Bernardino National Forest Land Management Plan (LMP).

Implementation Date

In accordance with 36 CFR 218.12, project implementation can begin immediately.

Contact Information

For additional information, contact Joseph Martin, Environmental Planner, joseph.martin@usda.gov.



Dannelle D. Harrison
Forest Supervisor
San Bernardino National Forest

5/21/2025

Date

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