

ANGELES NATIONAL FOREST

FOREST SUPERVISOR'S ORDER NO. 01-09-01

CIVIL RIGHTS IMPACT ANALYSIS

I. PROPOSED ACTION

Issuance of a Forest Order authorizing a temporary closure of the Williamson Rock area on the Santa Clara/Mojave Rivers District of the Angeles National Forest. The area affected is depicted on the map attached to the Closure Order. The closure will be in effect from January 1, 2009 through December 31, 2009, and will address concerns related to the protection of the Mountain Yellow-legged Frog and its Critical Habitat in the area. Hikers using the Pacific Crest National Scenic Trail will be re-routed around the closed area.

II. DURATION

Beginning January 1, 2009 and ending on December 31, 2009.

III. DATA GATHERING AND STUDIES

In 2002, the U.S. Fish and Wildlife Service listed the Mountain Yellow-legged Frog (*Rana mucosa*) as an endangered species under the Endangered Species Act of 1973 (16 USC 1531-1536, and 1538-1540). On September 14, 2006, the U.S. Fish and Wildlife Service designated Critical Habitat for the Mountain Yellow-legged Frog including the section of Little Rock Creek affected by this closure (50 CFR part 17, Federal Register/Vol. 71, No. 178, pp 54244-54385). Populations of Mountain Yellow-legged Frogs have declined precipitously in the Southern California mountains, having been extirpated from more than 90% of their historic range in the region.

Surveys have determined that a population of the Mountain Yellow-legged Frog exists within the upper reaches of Little Rock Creek on the Santa Clara/Mojave Rivers Ranger District of the Angeles National Forest. The Forest Service is currently in the process of analyzing the effects of human activities on the Mountain Yellow-legged Frog in the upper reaches of Little Rock Creek.

Human activities in the vicinity of Mountain Yellow-legged Frog habitat include rock climbers who must cross the stream in order to access climbing areas and a portion of the Pacific Crest National Scenic Trail that crosses the creek.

A Biological Assessment analyzing the effects of these activities within the area has not been submitted for review to the U.S. Fish and Wildlife Service. As a result, no consultation with the Fish and Wildlife Service has occurred to determine the impacts of these activities on the Mountain Yellow-legged Frog or its habitat.

The Fish and Wildlife Service has suggested a closure of the area until a Biological Assessment is submitted by the Forest Service and a Biological Opinion is issued by the Fish and Wildlife Service indicating what mitigation is needed to prevent potential impacts to the Mountain Yellow-legged Frog or its Critical Habitat.

Closure of this area is necessary as a precautionary measure to reduce the potential for human/frog interaction.. Specifically, humans can trample juvenile frogs, capture frogs and tadpoles, and otherwise disrupt mating and migration. Due to remoteness, human waste has the potential to contaminate critical habitat because it is not being properly treated or disposed of.

Human Resources

1. Characteristics of the uses of the Angeles National Forest

The Forest is located adjacent to the Los Angeles metropolitan area and is within a two-hour drive for more than ten million people. The Forest comprises more than one-quarter of the land area available for outdoor recreation in Los Angeles County. Annual use of the Forest exceeds 5 million visits per year.

The largest single recreational use of the Forest is characterized as day use. That is, persons entering the Forest for a recreation visit that does not include an overnight stay.

Recreation activity groups include; skiers, snowplayers, rock climbers, anglers, boaters, equestrians, hikers, off-highway vehicle users, picnickers, sightseers, water players and persons participating in special events.

The Forest is a year-round destination, with winter snow crowds rivaling peak summer use.

2. Work Environment/Characteristics

The proposed action would have no effect on the size, number or characteristics of the existing or potential workforce.

3. Attitudes, beliefs and values

The effect of the proposed action on Forest users will not cause significant changes in traditional behavior patterns of persons who use the proposed closure area. Hikers can continue to use the Pacific Crest Trail except for the closed segment and rock climbers can recreate elsewhere. The public education and public contact associated with this closure will provide an opportunity to share Forest Service goals and values in the management of endangered species and their critical habitat.

4. Social Organization

The proposed action will have no effect on community cohesion or stability. The diverse nature and immensity of the Southern California “community” is frequently reminded of the potential of harm to endangered species and their critical habitat.

IV. MITIGATION

Use restrictions will be posted along access routes into the Forest and at selected sites which serve as launch points for climbing and hiking. The signing will consist of bi-lingual and/or universal messages.

Visitors whose values and traditions involve the use of the closure area will be directed elsewhere by Forest Service personnel.

V. ALTERNATIVES

Only two alternatives are addressed in this CRIA. They are:

1. No Action
2. Implement a temporary closure of the area.

VI. IMPACT ANALYSIS

No Action Alternative

1. Forest Service not in compliance with the Endangered Species Act and Angeles National Forest Land and Resources Management Plan direction to “Manage habitat to move listed species toward recovery and de-listing”.
2. Increased risk of impacts to the Mountain Yellow-legged Frog and its critical habitat.

Proposed Alternative

1. Forest Service in compliance with the Endangered Species Act and Angeles National Forest Land and Resources Management Plan direction.
2. Reduced risk of impacts to the Mountain Yellow-legged Frog and its critical habitat.

VII. DECISION

It is my decision that implementation of the proposed action will not violate the civil rights of individuals or of user groups who utilize the Angeles National Forest.

My decision is based on the following:

1. The proposed action is consistent with the guidelines in the Angeles National Forest Land and Resources Management Plan regarding threatened or endangered species and their critical habitat.
2. The proposed action is consistent with Title 36 of the Code of Federal Regulations Sub-part B, Section 261.50(e)(1) which allows Forest Supervisors to exempt specified persons from prohibitions contained in an Order.
3. The proposed action will reduce the risk of impacts to the Mountain Yellow-legged Frog and its critical habitat and avoid a jeopardy decision by the Fish and Wildlife Service.
4. The proposed action will have equal impact on all visitors to the Forest.

For the reasons listed above, adverse impacts to all users of the Forest are estimated to be minimal.

Dated this 16th day of December, 2008


(for) JODY NOIRON
Forest Supervisor, Angeles National Forest