

SAN BERNARDINO NATIONAL FOREST
Forest Order No. 05-12-53-15-01
City Creek Closure

Pursuant to 16 USC 551 and 36 CFR 261.50(a), and to protect natural resources, the following act is prohibited within the San Bernardino National Forest. This Order is effective from February 1, 2015 through October 31, 2015.

1. Going into or being upon any National Forest System lands in or within one hundred feet of the Main Stem of City Creek, the East Fork of City Creek, and the Schenk Creek, as shown on Exhibit A. 36 CFR 261.53(a)

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this Order:

1. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
2. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission.

This prohibition is in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

A violation of this prohibition is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

Executed in San Bernardino, California, this 29th day of January, 2015



JODY NOIRON

Forest Supervisor

San Bernardino National Forest



United States
Department of
Agriculture

Forest
Service

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Supervisor's Office

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Date: January 29, 2015

To: File

From: Jody Noiron, Forest Supervisor 

Re: Temporary Closure of City Creek Watershed

It is my decision to close portions of the City Creek Watershed, including Main-stem City Creek (MCC), East Fork City Creek (EFCC), and a short stretch of Schenk Creek. The area affected is shown in Exhibit A. The closure includes 100' on either side of the creek and occurs annually as long as this population of mountain yellow-legged frogs is present and imperiled. The closure will be in effect when mountain yellow-legged frogs are active, generally February 1 through October 31. Highway 330, the only road near these creeks, will remain open. These creeks are designated as a Critical Habitat for Mountain Yellow-Legged Frog (MYLF) and as a Critical Biological Zone in the 2005 San Bernardino Land Management Plan. The population of MYLF in City Creek has continued to decline in recent years. These areas continue to be imperiled by human activities. The conditions and circumstances analyzed in the 2005 San Bernardino Land Management Plan remain present today.

Seasonal closure of portions of the City Creek Watershed is warranted for several reasons. Monitoring and observations of the City Creek Watershed indicate that recreation impacts to the stream, such as trash and dam construction, are substantial. Human disturbances, such as water play and trampling of soils, stream banks, and riparian vegetation, may have serious impacts to the continued existence of this critically endangered species.

Furthermore, due to recent fires and severe flooding in the area, erosion and sedimentation occur more easily now than when vegetation existed to help stabilize banks. The amount of recreation use in and around the creeks has increased since the Old Fire because loss of vegetative barriers has made access to the creeks easier. The habitat is still recovering and is therefore very susceptible to disturbance. Several informal trails have been developed along the creeks. In the summer, Forest visitors commonly create dams out of native materials to form pools. Other recreational activities include swimming, wading, and walking along the banks of the creeks. These activities inadvertently damage habitat elements through streambed alterations and compaction of soil on banks and shores which retards native vegetative recovery. More importantly, these activities may inadvertently destroy egg masses and kill or injure tadpoles and adults within the water and on the adjacent stream bank. Even if mortality or injury is avoided, disturbances within the streambed may cause unnatural stress on resident frogs by causing them to alter their normal behavior when humans are present.

The mountain yellow-legged frog (*Rana muscosa*) was federally listed as Endangered (Southern California Distinct Vertebrate Population Segment) on July 2, 2002. Critical Habitat was designated on September 14, 2006. This species is also state listed as Endangered under the California Endangered Species Act.

I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) under the National Environmental Policy Act. This action falls within the category identified in 36 CFR 220.6(d)(1) – prohibitions to provide short-term resource protection or to protect public health and safety – and does not require documentation in a decision memo, decision notice, or record of decision. I have determined that there are no extraordinary circumstances associated with this temporary closure. Implementation of the decision may begin immediately.

Internal discussions were had and agreed upon by Gabe Garcia, Front Country District Ranger, Jerry Sirski, Acting Front Country Lands and Recreation Officer, Kim Boss, Front Country District Wildlife Biologist, Hila Nelson, Archaeologist, and Deb Nelson, San Jacinto District Botanist. This closure is supported by the US Fish and Wildlife Service.

Further information may be obtained by contacting Kim Boss at (909) 382-2936.

Exhibit A

East Fork City Creek

Schenk Creek

Main Stem City Creek

**San Bernardino National Forest
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 Closed Area

 Private Land



0 0.25 0.5 1 Miles

