Order No. 11-10-13
Plumas National Forest
Feather Falls Trail Emergency Closure

Pursuant to 16 USC 551 and 36 CFR 261.50(b), and to provide for public safety, the following act is prohibited within the Plumas National Forest. This Order is effective from March 19, 2011 through April 30, 2011.

Being on the Feather Falls Trail (Trail No. 6E33), as shown on Exhibit A. 36 CFR 261.55(a).

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

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

This prohibition is in addition to the general prohibitions found 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 Quincy, California this 18th Day of March, 2011.

David C. Wood
Acting Forest Supervisor
Plumas National Forest

UNITED STATES DEPARTMENT OF AGRICULTURE
Forest Service
Pacific Southwest Region

ADMINISTRATIVE RECORD

FEATHER FALLS TRAIL TEMPORARY CLOSURE

Feather River Ranger District
Plumas National Forest
Butte County, CA

DECISION

Pursuant to 36 CFR 261.50(b), and to ensure the safety of the public, Forest Service employees, and construction company personnel, it is my decision to institute a temporary closure order, beginning March 19, 2011, to general public use on the Feather Falls Trail, located on the Feather River Ranger District of the Plumas National Forest. The order will remain in effect until April 30, 2011.

The above trail is located in Sections 26 and 35, T21N, R6E, and Section 2, T20N, R6E. The closure will remain in effect 24 hours a day during the closure period.

The purpose of the closure is to ensure safety for the public, Forest Service employees, and construction personnel. Unauthorized individuals who enter the area are in jeopardy from damaged bridges, construction equipment, and other hazards associated with construction activities. They also represent a danger to the construction personnel who may be distracted by dealing with members of the public while engaged in dangerous work.

SCOPING AND PUBLIC INVOLVEMENT

Due to the nature of the proposal, scoping was limited to contacts with Forest Service personnel on the Plumas National Forest.

MANAGEMENT DIRECTION

This analysis is guided by the Plumas National Forest Land and Resource Management Plan (approved 1988). The Forest Plan incorporated the Record of Decision.

The Plan provides forest-wide planning direction to guide all natural resource management activities. It establishes standards and guidelines for the Forest. It describes resource production, management, and the availability of lands for resource management.

REASONS FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION

The environmental impact of the proposed action is minimal. A biological evaluation/assessment does not need to be prepared because this is an administrative action that has no effect on the threatened, endangered or sensitive species that are known to exist within the project area. Cultural resources are expected to exist within the vicinity of the project area, but will not be affected due to the administrative nature of the action.

Based on the above information, it is my determination that this activity will be of limited size, duration and degree of disturbance. I find the proposed action qualifies under provisions of FSH 1909.15 31.1b1 "Orders issued pursuant to 36 CFR 261 – Prohibitions to provide short term resource protection or to protect public health and safety."

Past experience and environmental analysis reveal that no extraordinary circumstances exist that might cause the action to have significant effects upon the human environment. This proposed action is therefore excluded from further documentation in either an environmental assessment or environmental impact statement.

FINDINGS REQUIRED BY OTHER LAWS

I have determined that this action is also consistent with the Plumas National Forest Land and Resource Management Plan approved in 1988, the National Forest Management Act of 1976, the Herger Feinstein Quincy Library Group Forest Restoration Act of 1998 and associated Record of Decision, and the Sierra Nevada Forest Plan Amendment Record of Decision of 2004.

CIVIL RIGHTS ANALYSIS

Purpose

The purpose for developing a social impact analysis is to provide the Forest Service decision maker information concerning potential civil rights impacts of the proposed action. Civil rights impacts are those that could affect the agency's ability to ensure equal opportunity in employment and in delivery of programs and services.

The road closure will temporarily prevent the public from entering upon and using a small area of the Plumas National Forest. This will impact hikers and other individuals who wish to recreate on or otherwise use this area.

Favorable Impacts

The proposed action would:

- Promote public safety by temporarily restricting general public access to an area that is unsafe due to damaged bridges and ongoing construction activities.
- Promote safety of construction company employees engaged in dangerous work within the construction areas.
- Permit access to fire fighting, emergency, and other exempted users.

Unfavorable Impacts

The proposed action would temporarily prohibit general public access to lands surrounding the affected segment of the Feather Falls Trail.

Social Impacts

The potential impact to general forest users and recreationalists using this area is recognized. The proposed action does not impose any unreasonable adverse impacts on the civil rights of any individuals. The historical use of this area is moderate. Use by persons with disabilities is rare. This closure is for a short period of time and should not impose any unreasonable adverse impacts on the civil rights of any individuals. The overall benefits are reasonable, as compared to the unfavorable impacts. The action is temporary in nature and thus is not irreversible.

Net Civil Rights Impact

Weighing access restrictions and resource protection and safety, the recommendation is to go forward with the proposed action. The negative civil rights impacts are acceptable.

IMPLEMENTATION DATE

Implementation of this proposal will take place March 19, 2011.

ADMINISTRATIVE INFORMATION

This decision is not subject to appeal pursuant to regulations codified at 36 CFR 215.8a(4).

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To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, DC 20250, or call 1-800-245-6340 (voice) or (202)720-1127 (TDD). USDA is an equal employment opportunity employer.

CONTACT PERSON

For further information contact: Deb Schoenberg, Public Services Staff, Feather River Ranger District, 875 Mitchell Ave, Oroville, CA 95965 ; phone (530) 534-7460.

David C. Wood
Acting Forest Supervisor
Plumas National Forest

Date: March 18, 2011