



United States
Department of
Agriculture

Forest
Service

Stanislaus National Forest

19777 Greenley Road
Sonora, CA 95370
(209) 532-3671
FAX: (209) 533-1890
TTY/TDD: (209) 533-0765
<http://www.fs.usda.gov/stanislaus>

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Date: April , 2013

Subject: Candy Rock Quarry Shooting Restriction Area Shooting Restrictions

To: Christina Welch, Acting Forest Supervisor

Candy Rock Quarry Shooting Restriction Area is located on the Stanislaus National Forest, Calaveras Ranger District in Calaveras County, CA. The quarry is in a wildland urban interface area, approximately one-third mile from the nearest private residential properties. The quarry site is one of the most actively used locations on the District for recreational target shooting.

On National Forest land, the general criminal prohibitions at 36 CFR 261.10(d) prohibit shooting within 150 yards of occupied areas, across or on a road or body of water, or in a cave. Specifically, this subsection prohibits:

- (d) Discharging a firearm or any other implement capable of taking human life, causing injury, or damaging property as follows:
- (1) In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area, or
 - (2) Across or on a Forest Development road or a body of water adjacent thereto, or in any manner or place whereby any person or property is exposed to injury or damage as a result in such discharge.
 - (3) Into or within any cave.

Over the past three and a half years, the District received numerous written and verbal complaints about shooting activity at and near the quarry. The complaints concern persistent shooting noise during daylight hours and into darkness, and concern for public health on both public lands and nearby private lands. In addition, the District received comments from other individuals expressing a desire to continue to enjoy the use of the site for responsible target shooting.

Calaveras District staff attended multiple meetings with the local County Supervisor and Sheriff's office as well as concerned citizens from both sides of the issue. The District commissioned an assessment by the National Rifle Association (NRA). The District contracted the Center for Collaborative Policy as an impartial mediator to meet with both sides of the controversy to develop possible courses of action for resolution. Both of these efforts resulted in a series of suggestions designed to improve public health. One suggestion that was common to both reports involved instituting restrictions on hours of the day that target shooting activity could take place in the area.

As a result, the Forest Service issued a temporary Forest Order (STF 2011-4) restricting the use of firearms in the Candy Rock Quarry Shooting Restriction Area to Monday through Friday 10:00am to 6:00pm, and Saturday 10:00am to 3:00pm. Discharging firearms was prohibited outside of those hours, including all day Sunday, with the exception of activities related to the pursuit of game animals during hunting season. The purpose of limiting the duration of shooting

was to reduce the noise disturbance to local residents. That order will terminate on April 28, 2013.

Explosives were also prohibited in this area because the noise from explosives had been identified as a disturbance to the nearby residents, the use of explosives left dangerous debris and they caused a fire risk. Evidence of shooters in the area using an explosive target known as "Tannerite" was located at the Quarry site.

An Environmental Impact Study is currently being conducted in and around the Candy Rock Quarry Shooting Restriction Area. The effects of recreational target shooting on water, soil, wildlife, recreation, and public health are among the areas being studied. A long term management strategy for this site will be made based on the findings of the Environmental Impact Study. The Environmental Impact Study is expected to be completed in the fall of 2014.

My decision is to issue a new temporary Forest Order prohibiting use of firearms in the Candy Rock Quarry Shooting Restriction Area outside of the hours stated above and prohibiting the use of explosives. The signs alerting the public to these prohibitions and restrictions will remain in place.

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. Pursuant to 36 C.F.R. § 215.12(f), this decision is not subject to administrative appeal. I have determined that there are no extraordinary circumstances associated with this temporary closure.

In summary, I made my decision to issue a temporary Forest Order based on preliminary studies regarding public health concerns resulting from target shooting activities in the Candy Rock area.

For further information regarding this decision, contact: Teresa McClung, District Ranger, Calaveras Ranger District; PO Box 500; Hathaway Pines, CA 95233; (209) 795-1381.


cc: Chris Magallon, Teresa M McClung

¹ The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is (1) the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and (2) if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist.