

FORMAL OBJECTION UNDER 36 C.F.R. PART 218

Pinecrest Basin Management Direction - Community Center Forest Plan Amendment and Special Use Permit (#68965)

Objector:	Noah Cashman
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Responsible Official:	Jason Kuiken, Forest Supervisor, Stanislaus National Forest
Reviewing Officer:	Jacqueline Buchanan, Regional Forester, 19777 Greenley Road, Sonora CA, 95370. Attn: Pinecrest Community Center
Date:	07/23/2026

I. STATEMENT OF OBJECTION AND REQUESTED RELIEF

Pursuant to 36 C.F.R. Part 218, I object to the June 2026 Environmental Assessment and Finding of No Significant Impact (June EA/FONSI), draft Decision Notice, Forest Plan amendment, J Lot reclassification, basin-wide commercial-permitting language, and proposed special-use permit for Project #68965.

I submitted a timely, project-specific written comment on May 19, 2026. In that comment, I explained that I was born and raised in Tuolumne County, have lived in Strawberry my entire life, and work throughout the Highway 108 area. Based on my experience, I specifically raised existing crowding, traffic, parking shortages, overcrowding, infrastructure strain, long-standing Forest Plan limitations, fairness and consistency in permitting, precedent for future development, and the gradual loss of Pinecrest's natural, recreational, and small mountain-town character.

The June decision confirms rather than resolves those concerns. It moves the Community Center parcel from Zone 6 Administrative/Utilities Infrastructure to Zone 2 Commercial Use; moves the J Lot to Zone 1 Day Use; adds basin-wide language for outfitter-guide, concessionaire, and recreation-event permits outside Zone 5; and authorizes coffee and food service, retail, events, restaurant activity, lodging and overnight rental groups, approximately thirty parking spaces, and new on-premises beer and wine service. June EA/FONSI, Proposed Action, PDF pp. 7-8.

I request that the Reviewing Officer instruct the Responsible Official to withdraw the draft Decision Notice and FONSI and not sign or implement the current decision. At minimum, the project should be returned for additional environmental review supported by quantified traffic, parking, infrastructure, cumulative-use, and visitor-experience analysis, together with a reasoned Forest Plan and permitting-consistency explanation.

II. OBJECTION ELIGIBILITY AND CONNECTION TO PRIOR COMMENT

Under 36 C.F.R. §§ 218.5 and 218.8, an individual who submitted timely, specific written comments may object, but the objection issues must be connected to those prior comments unless they rely on information arising afterward. My May 19 comment satisfies that requirement.

Prior written comment	Issue preserved	June decision/objection connection
Pinecrest already experiences heavy seasonal crowding, traffic, parking shortages, overcrowding, and infrastructure strain.	Traffic, parking, congestion, infrastructure capacity, and effects of additional commercial activity.	The June EA acknowledges peak congestion and parking demand above capacity, yet concludes the approval will not measurably increase visitation and that trip and wastewater changes are unmeasurable without presenting modeling.
Changing long-standing Forest Plan rules to authorize previously prohibited commercial uses creates a bad precedent.	Forest Plan consistency, amendment justification, and future-development precedent.	The decision converts the parcel to Commercial Use, moves J Lot to Day Use, and adds basin-wide commercial-permitting language.
The change raises fairness and consistency concerns in the permitting process.	Reasoned and even-handed agency decision-making.	The June record identifies an existing nonconforming use and then treats amendment and expanded authorization as the remedy, without fully explaining why modification, rejection, or narrower authorization was not selected.
More commercialization could change Pinecrest's natural setting, recreation opportunities, small mountain-town atmosphere, and visitor experience.	Cumulative commercialization, Basin character, and quality of recreation experience.	The EA labels these concerns largely perceptual or administrative and states the action will not change Basin character, despite the permanent zoning and policy changes.
Deny or withdraw the amendment and permit until further review and environmental analysis are completed.	Adequacy of environmental review and FONSI.	The draft Decision Notice approves the action and finds no significant impact while relying on unsupported assumptions rather than quantified analysis.

The detailed terms of the June EA/FONSI and draft Decision Notice - including the J Lot change, basin-wide commercial language, overnight rental groups, approximately thirty parking spaces, beer and wine service, and the no-action tradeoff - arose after the May comment and may also be addressed as new decision information under 36 C.F.R. § 218.8(c).

III. SUMMARY OF THE DECISION BEING OBJECTED TO

The decision is not a clerical correction. It changes the long-term land-management designation and the range of uses that may be authorized at the site and across the Basin. The June EA expressly states that the existing Zone 6 designation does not authorize the coffee shop, event space, and lodging operation and calls the operation a nonconforming use that cannot be legally authorized under existing plan direction. June EA/FONSI, PDF p. 20.

The same document nevertheless describes the approval as largely administrative because the building already exists and no major new construction is authorized. It concludes that increased vehicle trips, wastewater, and stormwater would be negligible or unmeasurable and that modeling is unwarranted. Id. at PDF p. 20. That reasoning focuses on the absence of a new building rather than the intensity, duration, and cumulative consequences of the commercial uses and Basin-wide policy changes being authorized.

The draft FONSI states that the Responsible Official has decided to approve the proposed action pending administrative review. It also states that the long-term benefits of expanded services and economic vitality outweigh the short-term effects and asserts that no action could increase off-site vehicle trips, congestion, and emissions. Id. at PDF pp. 25-26. Those conclusions directly implicate the concerns I raised and require support in the administrative record.

OBJECTION 1 - THE DECISION AUTHORIZES MATERIAL COMMERCIAL AND LAND-USE CHANGES THAT CANNOT BE DISMISSED AS MERELY ADMINISTRATIVE

Prior-comment connection: I objected to expanded commercial activity and changing long-standing Forest Plan rules for uses that were previously not permitted.

The June decision permanently changes the parcel from Administrative/Utilities Infrastructure to Commercial Use, moves the J Lot to Day Use, and adds commercial-permitting language across all Pinecrest Basin zones outside

Zone 5. It also authorizes events, restaurant activity, overnight rental groups, shared parking, and on-premises alcohol service. Those are substantive authorization and management changes even though they occur within an existing building.

The EA states that most effects are administrative, perceptual, or incremental because no new facility is proposed. June EA/FONSI, PDF p. 12. That framing does not evaluate the operational difference between a community or institutional facility and a commercial visitor-serving venue with events, lodging, food and beverage activity, extended hours, employees, deliveries, and recurring public traffic. NEPA review must address the action actually authorized, not only physical construction.

Requested resolution: Withdraw the FONSI and draft Decision Notice, or revise the analysis to evaluate the maximum reasonably foreseeable level of use authorized by the permit and plan amendment. Any limits relied upon to find insignificant effects must be stated as enforceable decision, permit, or operating-plan conditions.

OBJECTION 2 - TRAFFIC, PARKING, OVERCROWDING, AND INFRASTRUCTURE EFFECTS WERE NOT SUPPORTED BY QUANTIFIED ANALYSIS

Prior-comment connection: I specifically identified traffic, parking shortages, overcrowding, and strain on local infrastructure as existing conditions that expanded commercial activity would likely worsen.

The June EA confirms that Pinecrest experiences peak-season traffic congestion, parking demand that routinely exceeds available capacity, overflow parking, roadway congestion, and pedestrian-vehicle conflicts. June EA/FONSI, PDF p. 11. It also authorizes non-exclusive use of approximately thirty spaces and changes the J Lot from an infrastructure designation to Day Use.

Despite acknowledging those constraints, the EA does not disclose trip-generation estimates, event-surge assumptions, employee and delivery trips, lodging turnover, parking occupancy or turnover, pedestrian counts, roadway capacity, or how school, event, commercial, and overnight uses will share limited parking. Its conclusion that any incremental trips are negligible is therefore unsupported by the baseline data necessary to make that determination.

The operating plan is said to include parking and traffic management, but the EA does not disclose enforceable capacity limits, event-size limits, parking allocation, overflow procedures, or measurable performance standards. Deferring those details to a later operating plan prevents informed review of whether impacts can actually be avoided.

Requested resolution: Remove the J Lot reclassification from this decision and require a transportation, parking, pedestrian, and infrastructure-capacity analysis before approval. The analysis should quantify existing peak conditions and projected trips and parking demand for school, events, lodging, commercial service, employees, deliveries, and evening use, and it should include enforceable limits and contingency measures.

OBJECTION 3 - THE FOREST PLAN AMENDMENT AND PERMITTING REVERSAL REQUIRE A REASONED, RECORD-BASED EXPLANATION

Prior-comment connection: I objected that changing long-standing Forest Plan rules to authorize previously prohibited commercial uses creates a bad precedent and raises fairness and consistency concerns.

The Planning Rule allows plan amendments, but every amendment must be based on an identified need to change the plan, use appropriate NEPA documentation, and apply the substantive requirements directly related to the amendment. 36 C.F.R. § 219.13(b). When a project is inconsistent with the plan, the Forest Service may modify the proposal, reject it, amend the plan, or amend the plan contemporaneously with approval. 36 C.F.R. § 219.15(c). The existence of amendment authority does not eliminate the need to explain why permanent commercial rezoning was selected over modification, enforcement, rejection, or a narrower project-only authorization.

The June EA identifies the current coffee shop, event space, and lodging operation as a nonconforming use that cannot be legally authorized under the existing plan. It then relies on those existing operations and the building's current business activity as support for the need and viability of the amendment. This creates a circular rationale: nonconforming activity becomes evidence for changing the governing rule to authorize that activity.

A reasoned decision must also address the reliance and fairness concern raised during public comment. Selected Forest Service emails concerning the 2024 sale inquiry, prior use-code discussions, and the facility's

community-center scope are relevant agency-record evidence if attached. They should be reconciled with the later decision to pursue a commercial plan amendment and permit.

Requested resolution: Require a written explanation identifying the changed condition or broader planning need that justifies permanent rezoning; explain why modification, rejection, enforcement-first, or a narrower project-only authorization was not selected; and specifically address any attached Forest Service emails reflecting prior interpretations of allowable use.

OBJECTION 4 - THE BASIN-WIDE COMMERCIAL-PERMITTING LANGUAGE AND CUMULATIVE PRECEDENT WERE NOT ADEQUATELY ANALYZED

Prior-comment connection: I warned that changing the rules would create a bad precedent for future development and that expanded commercialization could worsen crowding and infrastructure strain.

The amendment is not confined to the Community Center. It adds direction to consider outfitter-guide, concessionaire, and recreation-event permits throughout every Pinecrest Basin zone outside Zone 5. June EA/FONSI, PDF p. 7. That is a separate Basin-wide policy change with foreseeable consequences for parking, staging, group assembly, trailers, shuttles, events, sanitation, traffic, and conflicts among user groups.

The EA treats future permit decisions as controlled by later site-specific review, but the present amendment creates the policy authorization and expectation for those proposals. The cumulative effect of enabling repeated commercial permits in a geographically constrained and already congested Basin is therefore reasonably foreseeable at the framework stage.

The decision does not provide caps, geographic exclusions, parking standards, group-size thresholds, event frequency limits, or protections for recreation-residence, day-use, or infrastructure zones. Without those sideboards, the Reviewing Officer cannot determine whether the amendment preserves the balance and character I identified.

Requested resolution: Delete the basin-wide language from this site-specific decision. Any Basin-wide change should be addressed through a separate planning process with alternatives, cumulative-use analysis, traffic and parking data, zone-specific limits, and meaningful public participation.

OBJECTION 5 - THE ANALYSIS DISMISSES FORESEEABLE CHANGES TO PINECREST CHARACTER AND VISITOR EXPERIENCE WITHOUT A REASONED BASIS

Prior-comment connection: I specifically stated that Pinecrest is valued for its natural setting, recreation opportunities, and small mountain-town atmosphere, and that increased commercialization could reduce the experience residents and visitors seek.

The June EA acknowledges long-standing concern about crowding, traffic, parking, noise, alcohol service, and commercialization but characterizes those concerns as public scrutiny or anxiety and concludes that the action will not change the fundamental character of the Community Center. June EA/FONSI, PDF p. 12.

That conclusion does not address the broader Basin character issue. A permanent commercial designation, commercial events and lodging, on-premises alcohol, a Day Use parking reclassification, and all-zones commercial-permitting language can change visitor expectations and the balance among public recreation, community functions, quiet use, and commercial activity even without new construction.

The Needs Assessment itself relies on expanding convenience, service options, and economic competitiveness as benefits. The agency cannot rely on meaningful changes in visitor services and commercial availability to justify the action while simultaneously treating the same changes as too minor to affect recreation character or visitor experience.

Requested resolution: Prepare a reasoned visitor-experience and Basin-character analysis addressing the cumulative change in commercial intensity, events, lodging, hours, signage, parking, and future permit precedent. Adopt enforceable scale, frequency, hours, noise, signage, parking, and occupancy limits before any FONSI is issued.

OBJECTION 6 - THE FONSI AND NO-ACTION TRADEOFF RELY ON UNSUPPORTED ASSUMPTIONS

Prior-comment connection: I requested denial or withdrawal until further review and environmental analysis were completed.

The draft FONSI approves the action and states that no significant impacts are anticipated. It reasons that no action could cause more off-site vehicle trips, congestion, and emissions because visitors would travel elsewhere for services. June EA/FONSI, PDF pp. 25-26. The record does not disclose a visitor survey, origin-destination study, trip model, or other evidence showing that the approved commercial use will reduce rather than increase trips or attract additional activity into the Basin.

The decision also assumes that operating-plan conditions and future Forest Service authority make impacts manageable and reversible. But the land-use designation and basin-wide policy language are long-term planning decisions, and the operating-plan limits on event size, occupancy, parking, and intensity are not disclosed in the EA. A FONSI cannot rest on mitigation or assumptions that are not sufficiently defined and enforceable.

At minimum, the acknowledged uncertainty and absence of quantified traffic, parking, infrastructure, and cumulative-use evidence require additional review before the agency can reasonably rule out significant effects.

Requested resolution: Withdraw the FONSI and prepare a revised EA, or an EIS if significant effects cannot be ruled out after analysis. The revised document should compare a reasonable range of alternatives, including no commercial rezoning, a narrowly limited community-service authorization, removal of the all-zones language, retention of J Lot as infrastructure, and enforceable limits on events, lodging, parking, and hours.

IV. REQUESTED RESOLUTION INSTRUCTIONS

I respectfully request that the Reviewing Officer issue written instructions requiring the Responsible Official to:

1. Withdraw the draft Decision Notice and FONSI and decline to approve the proposed action as currently framed.
2. Retain the Community Center parcel under existing Zone 6 direction unless and until a supported need for permanent commercial rezoning is demonstrated through lawful analysis.
3. Remove the basin-wide outfitter-guide, concessionaire, and event-permit language and evaluate any Basin-wide commercial policy separately.
4. Remove the J Lot reclassification and analyze parking and infrastructure needs through a separate, parking-specific process.
5. Prepare quantified traffic, parking, pedestrian, event, lodging, employee, delivery, and infrastructure-capacity analysis.
6. Prepare a cumulative commercialization and visitor-experience analysis addressing Pinecrest's natural, recreational, and small mountain-town character.
7. Explain the agency's change in position and why permanent amendment was selected over modification, rejection, enforcement-first, or a narrower authorization.
8. Bind all assumptions necessary to a no-significant-impact finding into enforceable decision, permit, and operating-plan conditions.
9. Provide a specific written response to my May 19, 2026 comment and identify the record evidence supporting each conclusion.

V. CONCLUSION

I do not object to all lawful visitor services or to change supported by evidence. I object to expanding commercial activity in an already crowded and infrastructure-constrained Basin, changing long-standing Forest Plan rules in a way that creates precedent and fairness concerns, and gradually altering the natural and small mountain-town recreation experience that makes Pinecrest distinctive.

The June decision does not cure those concerns. It authorizes material site-specific and Basin-wide commercial changes while treating the action as largely administrative and declining to quantify the very traffic, parking, infrastructure, cumulative-use, and character effects raised during the comment period. The FONSI therefore lacks the reasoned evidentiary basis necessary to approve the current action.

For these reasons, I respectfully request that the Reviewing Officer sustain this objection and instruct the Responsible Official to withdraw or substantially revise the proposed decision before any Forest Plan amendment or commercial special-use permit is approved.

Respectfully submitted,

Noah Cashman

Date: 07/23/2026

EXHIBIT A - PRIOR NOAH CASHMAN COMMENT

My project-specific written comment, submitted May 19, 2026. This objection references the comment by date and page pursuant to 36 C.F.R. § 218.8(b)(4).

EXHIBIT B - JUNE 2026 EA/FONSI AND DRAFT DECISION NOTICE

Pinecrest Basin Management Direction - Community Center: Forest Plan Amendment and Special Use Permit (#68965), Environmental Assessment and Finding of No Significant Impact, June 2026. This is the decision material being objected to and may be referenced under 36 C.F.R. § 218.8(b)(3).