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Organization:

Title:

Comments:

CHRISTY CASHMAN - FORMAL OBJECTION - PROJECT #68965

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

Pinecrest Basin Management Direction - Community Center

Forest Plan Amendment and Special Use Permit (#68965)

Objector: Christy Cashman

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Responsible Official: Jason Kuiken, Forest Supervisor, Stanislaus National Forest

Jacqueline Buchanan, Regional Forester, 19777

Reviewing Officer:

Greenley Road, Sonora CA, 95370

Date: July 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 am a lifelong resident, business owner, and property owner in the Pinecrest area. I submitted timely written comments opposing this project because Pinecrest is a unique and heavily used recreation area with limited infrastructure, seasonal congestion, parking shortages, and a fragile seasonal economy. I specifically raised traffic,

parking, public access, public safety, environmental resources, long-term operational intensity, permanent changes

to Forest Plan direction, unauthorized commercial activity, fairness and permit enforcement, existing Highway 108

businesses, cumulative commercialization, mountain character, and the accuracy of the agency's consultation record.

The June decision confirms rather than resolves those concerns. It would move the Community Center parcel from

Zone 6 Administrative/Utilities Infrastructure to Zone 2 Commercial Use; move the J Lot to Zone 1 Day Use; add Basin-wide language for outfitter-guide, concessionaire, and recreation-event permits outside Zone 5; and authorize 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 reject the Forest Plan amendment and commercial permit as currently framed. At minimum, the project

should be returned for additional analysis, lawful special-use screening, meaningful alternatives, an accurate public-engagement record, and enforceable limits supported by actual traffic, parking, infrastructure, economic, public-safety, and cumulative-effects information.

## II. OBJECTION ELIGIBILITY AND CONNECTION TO PRIOR COMMENTS

Under 36 C.F.R. § 218.8, objection issues must be connected to the objector's prior specific written comments unless based on information arising afterward. My comments preserved the issues addressed below, and the detailed terms and conclusions of the June EA/FONSI and draft Decision Notice are also new decision information

arising after the comment opportunity.

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Prior written comment Issue preserved June decision / objection connection

The June EA acknowledges congestion and

Pinecrest has limited infrastructure, parking parking demand above capacity but predicts

Traffic, parking, infrastructure capacity,

limitations, and seasonal congestion that no measurable change without disclosing

public access, and seasonal crowding.

were not adequately analyzed. quantified transportation or capacity

analysis.

The proposal would substantially expand The permit adds events, lodging, food and

Public safety, environmental effects,

commercial activity without evaluating beverage service, shared parking, and

cumulative use, and long-term

cumulative effects on public safety and alcohol while the EA treats most effects as

consequences.

environmental resources. administrative or incremental.

The decision changes the parcel designation

A permanent Forest Plan amendment could

Permanence, precedent, future intensity, and and adds Basin-wide commercial-permitting

remain indefinitely and increase future

adequacy of the plan-amendment analysis. language while excluding broader future

operational intensity.

operational consequences as speculative.

The June EA identifies a nonconforming use

The agency acknowledged commercial Noncompliance, enforcement, fairness, and

and then selects permanent rezoning and

activities outside the existing authorization reasoned selection among available

expanded authorization without a disclosed

and appeared to legalize them retroactively. remedies.

enforcement-first or narrower alternative.

Special-use screening, qualifications, The record does not disclose the full

Past noncompliance raises concern about

technical and financial capability, and screening and findings required by 36 C.F.R.

the ability to comply with future permit terms.

enforceability. § 251.54.

The project concentrates commercial The decision relies on visitor convenience

Purpose and need, recreation policy,

intensity rather than supporting dispersed and economic competitiveness while

conservation, public access, and Basin

recreation and may alter Pinecrest's minimizing the same expansion for impact

character.

mountain character. analysis.

The Needs Assessment acknowledges

Existing Highway 108 businesses already Existing services, seasonal economics,

existing services but concludes they are not

provide lodging, dining, retail, and visitor duplication, and consequences to reasonably available without objective services. surrounding communities. market, capacity, or demand evidence.

The June EA continues to list me among

I was listed as consulted even though I was persons consulted and characterizes listed

Accuracy of the consultation record and

not solicited for substantive input, data, or persons as directly invited to provide meaningful public engagement.

analysis. feedback, requiring clarification and correction.

Pinecrest should remain centered on

The decision permanently expands

recreation, conservation, public access, and Long-term management purpose, visitor

commercial authorization at the site and

stewardship rather than commercial experience, and stewardship.

across most Basin zones.

intensification.

The June EA/FONSI's specific authorization of overnight rental groups, approximately thirty shared parking spaces, beer and wine service, the J Lot change, the Basin-wide commercial language, and its new FONSI and no-action conclusions may be challenged as details and conclusions that arose after my comments. Each issue below is also tied to the substance of the concerns I previously raised.

### III. SUMMARY OF THE DECISION BEING OBJECTED TO

The proposed decision is a permanent change in land-management direction, not a clerical correction. The amendment would add the Community Center to Zone 2 Commercial Use, remove it and the county parking lot from Zone 6 Administrative/Utilities Infrastructure, reclassify the J Lot as Zone 1 Day Use, and establish new language allowing consideration of commercial recreation permits throughout every Basin zone outside Zone 5. June EA/FONSI, PDF p. 7.

The permit would authorize a school, coffee and light food service, community and private events, weddings and reunions, overnight rental groups, approximately thirty shared parking spaces, and on-premises beer and wine service. Id. at PDF pp. 7-8. The EA nevertheless treats most effects as administrative, perceptual, or incremental because the building already exists and no major construction is proposed. Id. at PDF p. 12.

The record itself describes Pinecrest as geographically constrained, commercially interdependent, heavily used, and subject to traffic congestion, parking demand above capacity, overflow parking, roadway congestion, and pedestrian-vehicle conflicts. Id. at PDF pp. 10-11. The decision then predicts no measurable change in visitation, Page 2 of 7

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crowding, parking, traffic, or wastewater without presenting the baseline measurements or operational assumptions

necessary to support that conclusion. Id. at PDF pp. 13 and 20.

### OBJECTION 1 - THE PERMANENT FOREST PLAN AMENDMENT AND COMMERCIAL AUTHORIZATION CANNOT BE DISMISSED AS MERELY ADMINISTRATIVE

Prior-comment connection: I objected that this is a permanent departure from existing management direction with long-term implications, expanded commercial allowances, and future operational-intensity consequences.

The June action changes where and how Forest Plan components apply, expands the authorized uses at the site,

changes the management designation of a parking area, and creates a Basin-wide commercial-permitting policy.

Under 36 C.F.R. § 219.13, a plan amendment must be based on an identified need to change the plan, use appropriate NEPA documentation for its scope and likely effects, provide public participation, and apply the substantive requirements directly related to the amendment.

The EA describes the change as largely administrative because no new major construction is proposed. That framing overlooks the operational consequences of authorizing restaurant-type service, events, overnight group lodging, alcohol, commercial advertising, employees, deliveries, extended hours, and recurring public use. Environmental and community effects can arise from a change in authorized activity even when the walls of the building remain the same.

The amendment is also broader than a single parcel because it creates new commercial-permitting direction throughout most of the Basin. The decision cannot rely on the amendment's expanded flexibility as a benefit while

excluding the foreseeable policy and precedent consequences from meaningful analysis.

Requested resolution: Withdraw the FONSI and draft Decision Notice. Retain existing management direction unless and until the Forest Service demonstrates a broader planning need with evidence, evaluates the actual intensity and duration of authorized operations, and adopts clear and enforceable limits. Remove the Basin-wide commercial-permitting language from this site-specific decision.

#### OBJECTION 2 - TRAFFIC, PARKING, INFRASTRUCTURE, PUBLIC ACCESS, PUBLIC SAFETY, AND ENVIRONMENTAL EFFECTS WERE NOT SUPPORTED BY ADEQUATE DATA

Prior-comment connection: I specifically identified limited infrastructure, parking limitations, seasonal congestion, traffic, public access, public safety, environmental resources, and cumulative effects.

The June EA confirms that parking demand routinely exceeds available capacity and that Pinecrest experiences overflow parking, roadway congestion, repeated circulation by drivers seeking spaces, delays, emissions, and pedestrian-vehicle conflicts. June EA/FONSI, PDF p. 11. It also recognizes that the school environment may be affected by foot traffic, deliveries, noise, public presence, and parking activity. Id.

The permit adds multiple overlapping uses, but the EA does not disclose trip-generation estimates, employee and

delivery trips, event surges, overnight turnover, school circulation, parking occupancy and turnover, pedestrian counts, roadway capacity, emergency access, waste generation, water or wastewater loading, or enforceable event and occupancy limits. Without those baselines and projections, the conclusion of no measurable traffic, parking, crowding, or infrastructure effect is unsupported.

The J Lot reclassification is especially consequential because it changes an infrastructure and parking designation

in a Basin where parking is already a controlling constraint. The EA does not explain how the change affects existing overflow functions, residents, workers, businesses, school use, emergency staging, maintenance, or public access.

The EA also relies on later operating-plan management without disclosing the actual standards that supposedly make impacts insignificant. Unspecified future conditions do not allow the public or Reviewing Officer to determine

whether the authorized uses can be accommodated safely and without displacement.

Requested resolution: Remove the J Lot reclassification and require quantified transportation, parking, pedestrian, public-safety, water, wastewater, solid-waste, and emergency-access analysis before approval.

Any event size, occupancy, parking allocation, operating hours, delivery, alcohol, or seasonal-capacity assumptions necessary to a FONSI must be enforceable in the decision and permit.

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#### OBJECTION 3 - THE DECISION IMPROPERLY USES A NONCONFORMING OPERATION AS THE BASIS FOR PERMANENT REZONING INSTEAD OF ADDRESSING COMPLIANCE AND AVAILABLE ALTERNATIVES

Prior-comment connection: I objected that the agency acknowledged unauthorized commercial activity, appeared to legitimize it retroactively, and created serious fairness and enforcement concerns.

The June EA states that the existing Zone 6 designation does not explicitly allow the coffee shop, event space, and

lodging operation and characterizes the operation as a nonconforming use that cannot be legally authorized under

existing plan direction. June EA/FONSI, PDF p. 20. The Needs Assessment then relies on the fact that the Center

is already functioning as a business as evidence of viability. Id. at Appendix A, PDF p. 30. This is circular: disputed

or nonconforming activity is used to demonstrate the need and market basis for changing the rule that made it nonconforming.

Under 36 C.F.R. § 219.15(c), inconsistency may be resolved by modifying the proposal, rejecting it, amending the

plan, or adopting a project-limited amendment. The EA does not fairly compare an enforcement-first alternative, a noncommercial community and school authorization, a narrowly limited incidental-service authorization, or rejection of the commercial application.

A reasoned decision must also explain why the same rules will be enforced against future users if current noncompliance is answered with broader permanent authority. This is not a request for punishment; it is a request

for a consistent and lawful process that does not make unauthorized operation an advantage in obtaining expanded rights.

Requested resolution: Require a written compliance and alternatives determination before any approval.

Evaluate modification, rejection, enforcement-first, noncommercial community and school use, and narrowly limited incidental services. Do not use existing nonconforming operations as the baseline proof of need, viability, or appropriate intensity.

#### OBJECTION 4 - THE SPECIAL-USE RECORD DOES NOT DISCLOSE THE REQUIRED

#### QUALIFICATION, CAPABILITY, PUBLIC-INTEREST, SAFETY, AND COMPATIBILITY FINDINGS

Prior-comment connection: I specifically stated that demonstrated noncompliance raises legitimate concern about the operator's ability to comply with future permit terms and conditions.

36 C.F.R. § 251.54 requires sufficient evidence of technical and financial capability, a detailed project description adequate to evaluate feasibility, public benefits, safety, terms and conditions, and compliance with law. The initial screening must address Forest Plan consistency, public health and safety, and conflicts with existing authorized uses and adjacent lands. Second-level screening requires rejection if the use is incompatible with the purposes for

which the lands are managed, not in the public interest, or if the proponent cannot demonstrate feasibility or the capability to fully comply with the authorization.

The EA and Needs Assessment do not disclose a complete proposal, documented initial and second-level screening, technical and financial capability analysis, compliance history evaluation, maximum occupancy and event intensity, law-enforcement and emergency-response review, or findings concerning conflicts with the school,

parking, existing businesses, public recreation, and surrounding private lands.

The assertion that the private owner believes the operation is viable is not the regulatory capability determination.

Nor does an operating plan substitute for the required screening and reasoned findings that must precede acceptance and authorization.

Requested resolution: Do not issue the permit until the Forest Service completes and discloses the required § 251.54 screening and findings. The record should address qualifications, compliance capability, technical and financial capacity, public interest, public safety, sanitation, conflicts with existing uses, maximum authorized intensity, and enforceable conditions.

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#### OBJECTION 5 - THE PURPOSE-AND-NEED AND ECONOMIC ANALYSIS DO NOT ACCOUNT FOR EXISTING SERVICES, SEASONAL REALITY, OR SURROUNDING COMMUNITIES

Prior-comment connection: I explained that existing private lands and businesses along Highway 108 already provide lodging, dining, retail, and visitor services, and that seasonal economic realities and consequences to surrounding communities must be considered.

The Needs Assessment acknowledges existing restaurants, coffee, retail, lodging, rentals, and event facilities

within Pinecrest and nearby communities. It identifies Pinecrest Lake Resort, Pinecrest Chalet, Dodge Ridge, Strawberry, Cold Springs, and other operators. June EA/FONSI, Appendix A, PDF pp. 29-30. It then concludes that

those services are not reasonably available or satisfactory without providing visitor surveys, sales data, occupancy

data, operating-hour analysis, capacity information, price information, seasonal-demand analysis, or evidence that

existing providers cannot meet an identified need.

The EA also acknowledges that Pinecrest businesses are interdependent and that changes in the availability or scale of services at one site can alter visitor movement, purchasing patterns, and economic performance across others. June EA/FONSI, PDF p. 11. Yet it minimizes competitive effects as minor without measuring them and does

not evaluate employment, seasonal viability, year-round service stability, or displacement of spending from existing

businesses and neighboring communities.

The project invokes the EXPLORE Act and rural economic benefits, but concentrating overlapping services in an already constrained Basin is not automatically the same as expanding recreation opportunity or strengthening the broader Highway 108 economy. A lawful purpose-and-need analysis should distinguish genuine unmet public need

from duplication and redistribution of a finite seasonal market.

Requested resolution: Prepare an objective needs and economic assessment using visitor-demand, occupancy, sales, capacity, seasonality, operating-hours, access, employment, and displacement information. Evaluate whether existing authorized providers and private-land businesses can meet any demonstrated need and analyze consequences to the Highway 108 corridor and surrounding communities.

**OBJECTION 6 - THE EA FAILS TO ANALYZE CUMULATIVE COMMERCIAL INTENSIFICATION, FUTURE OPERATIONAL PRESSURE, AND PINECREST'S RECREATION CHARACTER**

Prior-comment connection: I objected that expanded overlapping services and permanent amendments could intensify commercial development, alter Pinecrest's mountain character, and shift management away from recreation, conservation, public access, and stewardship.

The amendment authorizes more than the continued occupancy of one existing building. It creates a permanent commercial designation, permits events, lodging, alcohol, food and retail service, changes parking management, and adds policy language for commercial permits across most Basin zones. Those decisions can cumulatively change the balance among quiet recreation, public access, community functions, conservation, resident use, and commercial activity.

The EA draws a narrow analytical line and excludes hypothetical additional services. June EA/FONSI, PDF p. 9. But the current decision itself creates the authority and policy framework for repeated commercial proposals. The foreseeable framework effects include group staging, client assembly, event traffic, trailers, shuttles, employee parking, sanitation demand, commercial signage, and conflicts with day use, recreation residences, and existing services.

The EA characterizes concerns about crowding, parking, noise, alcohol, and commercialization primarily as public

scrutiny or anxiety. Id. at PDF p. 12. That does not answer the substantive concern that the amendment may change visitor expectations and the mountain recreation experience over the long term. The agency cannot rely on

expanded amenities, economic diversification, and competitiveness as meaningful benefits while treating the corresponding change in commercial intensity as too slight to affect character or quality of life.

Requested resolution: Delete the Basin-wide commercial language from this action and prepare a cumulative-use, visitor-experience, public-access, conservation, and community-character analysis.

Establish zone-specific exclusions and enforceable limits on event frequency, group size, lodging occupancy, hours, noise, signage, parking, and commercial intensity before any approval.

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OBJECTION 7 - THE CONSULTATION RECORD IS MISLEADING AND DOES NOT ACCURATELY DESCRIBE MY PARTICIPATION

Prior-comment connection: I expressly objected that I was listed as consulted even though I was not asked to provide substantive input, data, or analysis and my inclusion did not reflect meaningful outreach. The June EA lists me among local businesses and explains that the listed persons were directly invited to provide feedback during the comment period, while also stating they did not directly contribute to development of the proposed action. June EA/FONSI, PDF pp. 11-12. My prior comment explains that I was not solicited for substantive input, information, or analysis and that my inclusion appeared to result from general inquiries or receipt of correspondence.

7 C.F.R. § 1b.5(c)(4) requires an EA to provide a succinct list of agencies and persons consulted. That list should accurately distinguish substantive consultation, solicitation of information, ordinary notice, and receipt of public comments. Labeling all contacts as consulted can overstate the nature of public engagement and create an inaccurate impression that local knowledge was requested and integrated into the analysis.

This matters because the EA relies on general conclusions about local economics, existing services, congestion, public access, and community character. Those are precisely the subjects on which meaningful input from residents, workers, property owners, and business owners would have been relevant.

Requested resolution: Correct the project record and EA to accurately describe the nature of each contact. Do not characterize me as substantively consulted unless the record identifies the information requested, the response provided, and how it informed the decision. Provide a specific written response to the concerns in my prior comments.

OBJECTION 8 - THE FONSI AND NO-ACTION TRADEOFF RELY ON UNSUPPORTED ASSUMPTIONS AND AN INADEQUATE RANGE OF ALTERNATIVES

Prior-comment connection: I requested rejection of the amendment and permit because the EA did not adequately analyze long-term, cumulative, infrastructure, safety, economic, environmental, and community effects.

The draft FONSI states that no significant impacts are anticipated and that no action could increase 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 an origin-destination study, visitor survey, trip model, parking analysis, or demand data showing that the approved operation will reduce trips rather than attract, extend, or redistribute activity within an already congested Basin.

The FONSI also relies on the ability to modify permits later and on unspecified operating-plan conditions. But the plan amendment and Basin-wide policy changes are long-term decisions, and the actual event, occupancy, parking, hours, safety, sanitation, and intensity limits are not presented for public review. A finding of insignificance

should not depend on undefined future controls.

Under 7 C.F.R. § 1b.5, an EA must provide sufficient evidence and analysis to determine whether an EIS or FONSI

is appropriate and must contrast the proposal with the current and expected no-action condition. The record presents an overly narrow choice between expanded commercial approval and adverse economic or visitor consequences. It does not adequately evaluate enforcement-first, noncommercial community and school use, limited incidental services, no alcohol or lodging, retention of J Lot as infrastructure, removal of Basin-wide language, or use of existing services and private-land opportunities.

Requested resolution: Withdraw the FONSI and prepare a revised EA, or an EIS if significant effects cannot be ruled out. Analyze a reasonable range of alternatives and support the final choice with quantified baselines, disclosed assumptions, and enforceable mitigation. Do not implement the amendment or permit until that review is complete.

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 reject the Forest Plan amendment and special-use permit as currently framed.

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2. Retain the Community Center parcel under existing Zone 6 direction unless and until a lawful, evidence-based need for permanent commercial rezoning is demonstrated.
3. Remove the Basin-wide outfitter-guide, concessionaire, and event-permit language and evaluate any Basin-wide policy separately.
4. Remove the J Lot reclassification and analyze parking and infrastructure functions through a separate process.
5. Complete and disclose the 36 C.F.R. § 251.54 proposal, initial screening, second-level screening, qualification, capability, public-interest, safety, sanitation, and compatibility findings.
6. Prepare quantified traffic, parking, pedestrian, school, public-safety, emergency-access, water, wastewater, solid-waste, event, lodging, employee, and delivery analysis.
7. Prepare an objective needs and economic assessment addressing existing services, seasonal conditions, employment, duplication, displacement, and surrounding Highway 108 communities.
8. Prepare a cumulative commercialization, public-access, recreation, conservation, stewardship, and community-character analysis.
9. Correct the consultation record to accurately describe the nature of my participation and provide a specific written response to my comments.
10. Evaluate enforcement-first, noncommercial community and school use, narrowly limited incidental service, no lodging or alcohol, existing-service, and no Basin-wide amendment alternatives.
11. State every capacity, parking, event, occupancy, hours, noise, safety, sanitation, and intensity assumption as an enforceable condition if the project proceeds.

V. CONCLUSION

I do not object to lawful recreation services or to carefully considered change supported by evidence. I object to permanent commercial intensification in one of the Forest's most constrained and heavily used recreation areas without adequate analysis of infrastructure, safety, public access, existing services, surrounding communities, cumulative effects, and long-term management consequences.

The June decision does not cure the concerns I raised. It confirms existing congestion and commercial interdependence, identifies a nonconforming operation, authorizes materially broader uses, and adopts both site-specific and Basin-wide policy changes. It then minimizes those changes because the building already exists and assumes that effects will be negligible without presenting the data or enforceable limitations necessary to support that conclusion.

Pinecrest should remain centered on recreation, conservation, public access, stewardship, and a sustainable mountain community. 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,

Christy Cashman

Christy Cashman

Date: 7/23/2026

EXHIBIT A - PRIOR CHRISTY CASHMAN COMMENTS

My project-specific written comments opposing Project #68965. This objection references those comments by date, page, and subject 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 project document and draft decision being objected to and may be referenced as provided in 36 C.F.R. § 218.8(b)(3).

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