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Comments: Dear Mr. Kuiken,

I am submitting this comment in opposition to the proposed Pinecrest Basin Management Direction - Community Center Proposal and Special Use Permit #68965.

While I understand the desire to improve recreational facilities in the Pinecrest Basin, I have serious concerns regarding the proposed commercial zoning change, the long-term impacts of expanded commercial activity, and the precedent this proposal would create within the Pinecrest Basin.

Correcting a Non-Conforming Use?

The Pinecrest Community Center currently operates as a coffee shop, event space, and lodging facility under the Pinecrest Basin Management Area, Management Zone 6 (Administrative/Utilities Infrastructure), which does not explicitly allow commercial services. The Stanislaus National Forest Plan Direction (USDA Forest Service 2017) clearly defines these management zones and their allowable uses.

This raises a serious question: how has this business been allowed to operate for over a year in a zone where commercial services are not authorized?

When the community building was listed for sale by Tuolumne County in 2024, inquiries made to the Stanislaus National Forest regarding allowable uses at this location were answered in writing stating that the property was classified as Zone 6 (Administrative/Utilities Infrastructure) and that changes to the existing zone were not possible. The current proposal appears to reverse that position after commercial operations have already commenced. This "after-the-fact" approach is deeply concerning and sets a dangerous precedent for future development within the Pinecrest Basin.

Rather than enforcing the existing Forest Plan Direction, the Forest Service now appears willing to amend the Plan to accommodate and legitimize an already operating non-conforming commercial use. Under the National Forest Management Act (NFMA), site-specific actions are required to be consistent with the governing Forest Plan. The actions proposed here appear inconsistent with both the intent and the integrity of that requirement.

The proposed addition of the language stating that "Outfitters and guides, concessionaires, and event permits may be considered in any zone in the Pinecrest Basin" (page 3) dramatically expands the scope of potential commercial activity throughout the Basin. Combined with the precedent being established by not enforcing existing restrictions, Pinecrest could become vulnerable to a wide range of future commercial operations - whether initially compliant or not - with the expectation that permits and zoning accommodations can simply be pursued retroactively.

Deficiencies in the Environmental Assessment

The process surrounding this proposal appears completely backwards. Rather than first evaluating whether expanded commercial activity is appropriate within the Pinecrest Basin, the Forest Service appears to be attempting to justify and legalize activities that are already occurring.

The Environmental Assessment (EA) itself appears vague, contradictory in several areas, and insufficient under the standards required by the National Environmental Policy Act (NEPA). NEPA requires federal agencies to take a thorough "hard look" at the environmental consequences of proposed actions before decisions are made. In this case, the EA acknowledges existing concerns relating to traffic, parking, congestion, wastewater, noise,

event-related impacts, and increasing recreational pressure, yet still concludes there will be "no significant impact" while offering few meaningful mitigation measures or enforceable long-term solutions.

The EA also fails to adequately analyze the cumulative impacts and precedent-setting consequences of expanded commercial activity within the Pinecrest Basin. Increased events, lodging use, concessionaire operations, and future permit approvals will inevitably place additional strain on infrastructure, public access, environmental resources, and the overall character of the Basin. These impacts cannot be dismissed in isolation.

Additionally, the proposal appears to minimize the broader implications of allowing commercial uses to be considered "in any zone" throughout Pinecrest. Such language could fundamentally alter the management direction of the Basin over time without the level of comprehensive environmental review that such a policy shift deserves.

The Forest Service also appears to contradict prior written representations made to members of the public regarding the limitations of allowable uses within Zone 6. The abrupt reversal of those prior statements creates the appearance that compliance with the Forest Plan is optional so long as amendments can later be pursued after unauthorized uses have already begun operating.

For these reasons, I respectfully request that the Forest Service reject the proposed amendment and Special Use Permit as currently written, or at minimum prepare a far more comprehensive environmental review that fully evaluates cumulative impacts, precedent-setting consequences, Forest Plan consistency, infrastructure limitations, and the long-term commercialization pressures this proposal would create within the Pinecrest Basin.

Pinecrest is not simply a location for expanding commercial enterprise. It is a fragile and heavily used public resource that belongs to all visitors and must be managed according to established law, adopted Forest Plan standards, and sound environmental stewardship - not altered retroactively to legitimize uses that were previously prohibited.

Approval of this proposal would send the message that unauthorized commercial activity may proceed first and seek policy accommodation later. That would fundamentally undermine public trust, the integrity of the Forest Plan, and the protections NEPA was intended to provide.

Thank you for considering these comments.