

Data Submitted (UTC 11): 7/24/2026 3:01:03 PM

First name: John

Last name: Cashman

Organization:

Title:

Comments:

JOHN 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: John Cashman

Mailing Address: Po Box 1331 Pinecrest CA 95364

Telephone: 209 484 3271

Email: johncashman.jc@gmail.com

Responsible Of?cial: Jason Kuiken, Forest Supervisor, Stanislaus National Forest

Jacqueline Buchanan, Regional Forester, 19777

Reviewing Of?cer:

Greenley Road, Sonora CA, 95370

Date: 7-24- 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 timely written comments on May 18, 2026, opposing the proposed commercial zoning change, the long-term impacts of expanded commercial activity, and the precedent the proposal would create in the Pinecrest Basin. I specifically raised the acknowledged nonconforming use, Forest Plan consistency, the appearance of after-the-fact authorization, traf?c, parking, congestion, wastewater, noise, event-related impacts, increasing recreation pressure, cumulative effects, public access, environmental resources, long-term commercialization, Basin character, and the Forest Service's reversal of prior written representations about the limits of Zone 6. The June decision con?rms rather than resolves these 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 allowing consideration of out?tter-guide, concessionaire, and recreation-event permits throughout all zones outside Zone 5; and authorize coffee and food service, retail, events, restaurant activity, lodging and overnight rental groups, approximately thirty parking spaces, and on-premises beer and wine service.

June EA/FONSI, PDF pp. 7-8.

I request that the Reviewing Of?cer instruct the Responsible Of?cial to withdraw the draft Decision Notice and FONSI and reject the amendment and permit as currently framed. At minimum, the project should be returned for a

comprehensive environmental review supported by quanti?ed infrastructure, traf?c, parking, wastewater, noise, event, cumulative-effects, public-access, and commercial-intensity analysis; a lawful evaluation of alternatives; complete special-use screening; and a reasoned explanation for changing established management direction.

II. ELIGIBILITY AND CONNECTION TO MY PRIOR COMMENTS

My May 18, 2026 comments were timely, project-speci?c, written, and attributable to me. Under 36 C.F.R. § 218.8(c), the issues in this objection are based on the speci?c concerns I raised during the comment period, except where I address new details or conclusions ?rst disclosed in the June EA/FONSI and draft Decision Notice.

Section 218.8(d) requires an objection to identify the disputed aspects of the project, supporting reasons,

suggested remedies, and the connection to prior comments; the matrix below provides that connection.

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May 18, 2026 comment Issue preserved June decision / objection connection

The June decision permanently places the site

I opposed the commercial zoning change, Permanent Forest Plan amendment and in Zone 2 Commercial Use and adds

long-term effects, and precedent. long-term commercial authorization. commercial-permitting language across most

Basin zones.

I identified the current coffee shop, even The June EA calls the existing use

After-the-fact authorization, compliance,

space, and lodging as nonconforming under nonconforming but uses the operation as the and Forest Plan integrity.

Zone 6. basis for rezoning and a new commercial permit.

The June action retains broad language outside

I objected to allowing outliers, guides, Overboard Basin-wide commercial policy

Zone 5 rather than limiting the decision to the

concessionaires, and events in any zone. and future precedent.

Community Center parcel.

The June EA acknowledges congestion and

I raised traffic, parking, congestion,

NEPA hard look, baseline information, parking overcapacity but predicts no measurable wastewater, noise, even impacts, and

infrastructure and public safety. traffic, parking, crowding, or wastewater change increasing recreation pressure.

without quantified analysis.

I raised cumulative effects on infrastructure, The decision authorizes overlapping uses and

Cumulative commercialization and long-

public access, environmental resources, and Basin-wide commercial flexibility while limiting term public-resource effects.

Basin character. analysis to incremental or administrative effects.

The decision adopts the opposite result and

I identified prior written representations that Consistency, reasoned explanation, must explain the changed agency position

the Zone 6 use could not change. fairness, and public trust. without relying on undisclosed or separate records.

The draft FONSI approves the project while

I requested rejection or substantially more Remedy, alternatives, and adequacy of the relying on unsupported assumptions about no comprehensive review. FONSI.

action, visitor trips, and reversible effects.

The specific authorization of beer and wine service, overnight rental groups, approximately thirty shared parking spaces, the J Lot reclassification, and the draft FONSI's no-action tradeoff were disclosed or materially clarified after my comments. Those details are properly addressed as new information and also fall within the broader traffic, parking, events, lodging, infrastructure, commercial-intensity, and precedent concerns I previously raised.

III. SUMMARY OF THE DECISION BEING OBJECTED TO

The decision is not a minor administrative correction. The amendment changes the site from Zone 6

Administrative/Utilities Infrastructure to Zone 2 Commercial Use, reclassifies the J Lot as Day Use, and creates new commercial-permitting direction throughout most of the Basin. June EA/FONSI, PDF p. 7. The special-use permit would authorize a school, coffee and light food service, events including 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 describes Pinecrest as geographically constrained, commercially interdependent, heavily used, and subject to routine seasonal traffic congestion, parking demand above available capacity, overflow parking, roadway congestion, repeated circulation by drivers seeking spaces, and pedestrian-vehicle conflicts. Id. at PDF pp. 10-11.

Yet it concludes that the project will not measurably change visitation, crowding, parking demand, traffic circulation, or wastewater volumes. Id. at PDF pp. 13 and 20.

The June EA also states that the existing coffee shop, event space, and lodging operation is a nonconforming use that cannot be legally authorized under existing plan direction. Id. at PDF p. 20. Instead of fairly evaluating enforcement, modification, rejection, a noncommercial authorization, or more limited uses, the decision amends the Forest Plan and issues a broad commercial permit.

OBJECTION 1 - THE FOREST PLAN AMENDMENT IMPROPERLY ACCOMMODATES A NONCONFORMING USE AND UNDERMINES THE INTEGRITY OF ESTABLISHED MANAGEMENT DIRECTION

Prior-comment connection: I specifically objected that the facility was operating commercial services outside Zone 6 and that the Forest Service appeared to be changing the Plan after the activity had already begun.

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The June EA expressly states that the Community Center is operating as a coffee shop, event space, and lodging facility in a zone that does not explicitly allow commercial services and that the resulting nonconforming use cannot

be legally authorized under existing plan direction. June EA/FONSI, PDF p. 20. That admission required a transparent evaluation of compliance and lawful alternatives before permanent rezoning.

A plan amendment may be legally available, but availability does not make it the automatic or preferred response to a project-level inconsistency. The agency must identify the actual need to change the plan, use environmental review appropriate to the amendment's scope and likely effects, and explain why modification, rejection, enforcement, or a more limited authorization would not satisfy the legitimate public need.

The Needs Assessment also relies on the fact that the Center is already functioning as a business as evidence of viability. That reasoning allows a nonconforming operation to create the factual basis for changing the rule that made it nonconforming. Such circular reasoning creates the precise precedent I raised in my comments: operate first, then seek policy accommodation later.

Requested resolution: Withdraw the plan amendment and commercial permit. Require a written compliance and alternatives determination that evaluates enforcement, modification, rejection, noncommercial community and school use, and narrowly limited incidental services without using the existing nonconforming operation as proof of need or appropriate intensity.

OBJECTION 2 - THE BASIN-WIDE OUTFITTER-GUIDE, CONCESSIONAIRE, AND EVENT-PERMIT LANGUAGE IS OVERBROAD AND WAS NOT ADEQUATELY ANALYZED

Prior-comment connection: I expressly objected to language allowing outfitters, guides, concessionaires, and event permits to be considered in any zone because it dramatically expands potential commercial activity throughout the Basin.

The June revision excludes Zone 5 but still applies the new commercial-permitting direction throughout all other Basin zones. June EA/FONSI, PDF p. 7. This remains a Basin-wide land-management policy change embedded within a site-specific Community Center decision.

The language creates foreseeable questions involving staging, client assembly, shuttles, trailers, employee

parking, events, noise, trash, sanitation, commercial activity near recreation residences, use of day-use and infrastructure areas, public access, and conflicts with existing authorized uses. These effects are not confined to the Community Center parcel.

The EA cannot characterize the broader amendment as mere flexibility while excluding the reasonably foreseeable

commercial pressure and precedent that the language is intended to create. A Basin-wide policy warrants a separate planning process with alternatives, cumulative-use data, geographic sideboards, capacity limits, public participation, and enforceable compatibility standards.

Requested resolution: Delete the Basin-wide out-of-trail-guide, concessionaire, and recreation-event language from this decision. Address any future Basin-wide policy through a separate planning and environmental review process.

OBJECTION 3 - THE EA AND FONSI DO NOT TAKE AN ADEQUATE HARD LOOK AT TRAFFIC, PARKING, CONGESTION, WASTEWATER, NOISE, EVENTS, AND INFRASTRUCTURE CAPACITY

Prior-comment connection: I specifically raised traffic, parking, congestion, wastewater, noise, event-related impacts, and increasing recreation pressure.

The EA confirms that Pinecrest experiences high seasonal visitation, routine traffic congestion, parking demand that exceeds capacity, overflow parking, repeated circulation by drivers seeking spaces, delays, emissions, and pedestrian-vehicle conflicts. June EA/FONSI, PDF p. 11. These are not speculative concerns; they are the acknowledged baseline.

The permit authorizes overlapping school, food and beverage, event, lodging, parking, and alcohol uses. The EA does not disclose trip-generation estimates, employee and delivery trips, event surges, overnight turnover, parking

occupancy or turnover, school circulation, pedestrian counts, emergency access, event-size assumptions, noise measurements, wastewater baseline loading, reserve capacity, or projected demand from the authorized uses. Instead, the EA concludes that traffic and wastewater changes will be negligible or unmeasurable because the building already exists and no major construction is proposed. June EA/FONSI, PDF p. 20. The existence of a
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building does not establish that a materially broader set of authorized operations produces no measurable effect. The relevant comparison is the lawful no-action condition and the maximum reasonably foreseeable use allowed by the permit.

The J Lot reclassification further changes a parking and infrastructure designation in a Basin where parking is already a controlling constraint. The decision does not analyze how that change affects overflow parking, residents, workers, businesses, school use, emergency staging, maintenance, or future commercial permits.

Requested resolution: Remove the J Lot reclassification and require quantified traffic, parking, pedestrian, emergency-access, noise, event, water, wastewater, solid-waste, employee, delivery, lodging, and seasonal-capacity analysis. Any assumptions necessary to support a FONSI must be made enforceable through permit limits and decision requirements.

OBJECTION 4 - THE EA FAILS TO ANALYZE CUMULATIVE COMMERCIALIZATION, PUBLIC-ACCESS EFFECTS, AND THE LONG-TERM CHARACTER OF THE PINECREST BASIN

Prior-comment connection: I raised cumulative effects on infrastructure, public access, environmental resources, the overall character of the Basin, and long-term commercialization pressure.

The decision authorizes multiple commercial functions at the Community Center and simultaneously expands commercial-permitting flexibility across most of the Basin. These actions must be considered together because each can increase organized activity, staging, commercial traffic, competition for limited parking, and pressure on shared public facilities.

The EA limits its analysis by treating future proposals as speculative and the current action as largely administrative. But the plan amendment itself is intended to make future commercial consideration easier. The foreseeable policy effect of expanded eligibility is not remote merely because individual permits may later require additional review.

Pinecrest is a fragile and heavily used public recreation resource. Its character is shaped not only by physical

construction but also by the intensity, duration, concentration, and commercial nature of use. Expanded events, lodging, restaurant service, alcohol, and organized commercial activity can change visitor movement, noise, parking availability, public access, and the small-scale mountain recreation setting even without a new building. The decision must address whether the combined site-specific and Basin-wide changes would gradually shift Pinecrest from recreation and stewardship toward concentrated commercial activity, and what enforceable limits would prevent that outcome.

Requested resolution: Prepare a cumulative-effects analysis addressing the maximum site operations authorized by the permit together with the Basin-wide policy change. Analyze public access, recreation displacement, parking and infrastructure capacity, noise, sanitation, visitor experience, environmental resources, and Basin character over the life of the amendment and permit.

OBJECTION 5 - THE SPECIAL-USE RECORD DOES NOT DISCLOSE THE REQUIRED SCREENING, CAPABILITY, SAFETY, AND COMPATIBILITY DETERMINATIONS

Prior-comment connection: My comments questioned how unauthorized commercial operations were allowed to continue and objected to rewarding noncompliance with expanded authorization.

Under 36 C.F.R. § 251.54, a commercial special-use proposal must provide sufficient information regarding the project, public benefits, safety, legal compliance, and the proponent's technical and financial capability. The Forest

Service must screen whether the use is consistent with law and the Forest Plan, avoids serious public-health or safety risks, and does not unreasonably conflict with authorized uses or adjacent lands.

The June EA and Needs Assessment do not disclose the complete proposal, initial screening, second-level screening, financial and technical capability evidence, public-interest findings, conflict analysis, or enforceable operating limits. The Needs Assessment states that the existing business demonstrates viability, but existing operation does not substitute for the regulatory findings required before a commercial authorization is issued.

The history acknowledged in the EA makes these findings especially important. When the proposed solution to a nonconforming operation is a broader permit, the agency must demonstrate why the applicant is qualified and able

to comply with the new terms, and how the use will remain compatible with the school, existing businesses, public

recreation, parking, and infrastructure.

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Requested resolution: Complete and disclose the full 36 C.F.R. § 251.54 proposal and screening record before any permit is approved. Require specific written findings on technical and financial capability, safety, sanitation, legal and plan consistency, conflicts with existing uses, public interest, and enforceable compliance measures.

OBJECTION 6 - THE FOREST SERVICE HAS NOT PROVIDED A REASONED EXPLANATION FOR REVERSING ITS PRIOR POSITION ON ZONE 6 AND COMMERCIAL USE

Prior-comment connection: I stated that prior written representations to members of the public indicated that the site was classified as Zone 6 and that the use could not be changed, while the current proposal reaches the opposite result.

My objection does not depend on attaching separate agency emails or FOIA materials. The preservation issue is the agency inconsistency I expressly identified during the comment period. The final decision must address that inconsistency and explain the basis for the changed position.

A reasoned explanation should identify what facts, legal interpretation, policy, or public need changed; why the earlier Zone 6 limitation no longer governs; why the current applicant is being offered a plan-amendment pathway;

and how the agency will preserve consistent treatment for other permittees and members of the public.

Without that explanation, the project creates the appearance that Forest Plan compliance is optional and that unauthorized activity may proceed until the agency changes the management framework. That outcome undermines public trust, reliance on adopted planning direction, and confidence in consistent permit enforcement.

Requested resolution: Provide a specific written explanation of the change in agency position using materials already in the project record. Identify the changed facts or legal basis, address reliance and equal-treatment concerns, and explain how the decision is consistent with future enforcement of Forest Plan and permit requirements.

OBJECTION 7 - THE DRAFT FONSI AND NO-ACTION TRADEOFF RELY ON UNSUPPORTED ASSUMPTIONS AND AN INADEQUATE RANGE OF ALTERNATIVES

Prior-comment connection: I requested rejection of the proposal or, at minimum, a far more comprehensive environmental review of cumulative effects, Forest Plan consistency, infrastructure limits, and long-term commercialization.

The draft FONSI approves the proposed action and states that no significant impacts are anticipated. June EA/ FONSI, PDF p. 25. It then characterizes no action as causing missed economic growth, reduced visitor convenience, and potentially more off-site vehicle trips and congestion. Id. at PDF p. 26.

The record does not disclose visitor surveys, origin-destination data, trip modeling, parking analysis, sales or occupancy data, or service-capacity information demonstrating that the Community Center will reduce vehicle trips

rather than attract, extend, or redistribute commercial activity within an already congested Basin.

The EA also presents an artificially narrow choice. It does not meaningfully evaluate enforcement of existing direction, a noncommercial community and school authorization, limited incidental coffee or food service, no lodging, no alcohol, retention of J Lot as infrastructure, removal of the Basin-wide language, or a permit with strict event and occupancy limits. These are reasonable alternatives directly responsive to the issues before the agency.

The FONSI further relies on future permit modification and annual operating plans to call the effects manageable and reversible. The public cannot evaluate mitigation that is not disclosed, measurable, or enforceable in the decision.

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, enforceable mitigation, and a comparison against the lawful no-action condition.

IV. REQUESTED RESOLUTION INSTRUCTIONS

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

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1. Withdraw the draft Decision Notice and FONSI and reject the Forest Plan amendment and commercial special-use permit as currently framed.
2. Retain the Community Center under existing Zone 6 direction unless and until a lawful, evidence-based need for permanent commercial rezoning is demonstrated.
3. Delete the Basin-wide out-of-trail guide, concessionaire, and recreation-event language and evaluate any broader policy separately.
4. Remove the J Lot reclassification and analyze its parking and infrastructure functions through a separate process.
5. Prepare a written compliance and alternatives determination addressing the acknowledged nonconforming use.
6. Complete and disclose the 36 C.F.R. § 251.54 proposal, screening, capability, safety, sanitation, public-interest, and compatibility record.
7. Prepare quantified traffic, parking, pedestrian, emergency-access, wastewater, water, solid-waste, noise, event, lodging, employee, delivery, and seasonal-capacity analysis.
8. Prepare a cumulative commercialization and public-access analysis covering both the site-specific permit and the Basin-wide amendment language.
9. Provide a reasoned written explanation for the change from prior Zone 6 representations to the current commercial-rezoning position.
10. Analyze enforcement-first, noncommercial community and school use, limited incidental services, no lodging

or

alcohol, retention of J Lot, and no Basin-wide amendment alternatives.

11. Place every event, occupancy, parking, hours, noise, sanitation, safety, lodging, and commercial-intensity assumption necessary to the decision into enforceable permit conditions.

V. CONCLUSION

I understand the desire to improve recreation services, but the Forest Service should not permanently change the Pinecrest Basin's management framework to legitimize a nonconforming commercial operation without adequate analysis, transparent screening, consistent enforcement, and a reasoned explanation for the change in position.

The June decision confirms that Pinecrest is already congested, geographically constrained, and limited by parking

and infrastructure. It nevertheless authorizes broader commercial uses, changes a parking designation, and creates commercial flexibility across most Basin zones while treating the effects as negligible because the building

already exists. That approach does not adequately address the real operational, cumulative, and precedent-setting

consequences I raised.

Pinecrest is a heavily used public resource that must be managed according to established law, adopted Forest Plan direction, public access, environmental stewardship, and consistent permit administration. 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,

_____, John Cashman _____

John Cashman

Date: 7-24-2026 _____

EXHIBIT LIST AND ASSEMBLY INSTRUCTIONS

The following are exhibit descriptions. Assemble and paginate the exhibits before filing. This draft does not include

FOIA materials or separate agency email exhibits.

EXHIBIT A - PRIOR JOHN CASHMAN COMMENTS

My project-specific written comments submitted May 18, 2026, opposing Project #68965. This objection references

those comments by date, page, and subject pursuant to 36 C.F.R. § 218.8(b)(4). Attach a copy for convenience and to make the preservation connection clear.

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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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