



File Code: 1570

Date: December 18, 2012

**CERTIFIED MAIL – RETURN  
RECEIPT REQUESTED  
NUMBER: 7011-0470-0001-5568-6299**

Nathan Boddie  
52 NW McKay Avenue  
Bend, OR 97701

Dear Mr. Boddie:

This constitutes my decision, pursuant to 36 CFR 215.18(b)(1), on your appeal (#13-06-01-0001-215) of Bend/Ft. Rock District Ranger Kevin Larkin's Decision Notice (DN) and Finding of No Significant Impact (FONSI) for the Kapka Butte Sno-Park Project Environmental Assessment (EA).

### **Background**

On September 14, 2012, Bend/Fort Rock District Ranger Kevin W. Larkin signed a DN and FONSI for the Kapka Butte Sno-park Project EA. His decision (Alternative 2 modified) includes:

- Construction of a new sno-park open to both motorized and non-motorized users at 5,900 feet elevation between Kapka Butte and the junction of Forest Service Roads 46 and 45 (the entrance will be off Road 45), approximately 19 miles west of Bend Oregon that will:
  - Provide 70 parking slots (12 feet by 50 feet) for larger vehicles and vehicles towing trailers;
  - Provide an estimated 189,600 square feet of paved surface and subgrade (parking area and entrance and interior access roads);
  - Disturbs approximately 6 acres to construct the parking area, not including trail connectors and associated vegetation clearing;
  - Includes two single vault toilets within the island of the parking area;
  - Includes two information kiosks.
- Vegetation may be hauled off, burned on-site or sold, if merchantable.
- Trail connectors from Kapka Butte Sno-park include:
  - 0.2 mile new construction of a snowmobile trail to connect to Trail #45;
    - Approximately 0.5 acres of vegetation
  - 0.6 miles new construction of a Nordic trail link to connect to Vista Butte Sno-park and the Nordic system north of Cascade Lakes Highway;
    - Approximately 1 acre of vegetation will be cleared
  - Snowmobile Trail #5 will be realigned to remove sharp turns and improve sight distances;
    - Approximately 0.5 acres of vegetation will be cleared.

Pursuant to 36 CFR 215.17, an attempt was made to seek informal resolution of the appeals.



Resolution was reached with one appellant, Kreg Lindberg. The record indicates that informal resolution was not reached with the other appellants, including you.

My review of this appeal has been conducted in accordance with 36 CFR 215.18, Formal review and disposition procedures. I have reviewed the appeal record, including the recommendations of the Appeal Reviewing Officer. A copy of his recommendation is enclosed. The Appeal Reviewing Officer focused his review on the appeal record and the issues that were raised in all of the appeal.

### **Appeal Decision**

After a detailed review of the record and the Appeal Reviewing Officer's recommendation, I affirm the Responsible Official's decision for the Kapka Butte Sno-Park Project and deny your requested relief. This decision constitutes the final administrative determination of the Department of Agriculture [36 CFR 215.18(c)].

A copy of this letter will be posted on the national appeals web page at <http://www.fs.fed.us/appeals>.

Sincerely,

*/s/ John Allen*  
JOHN ALLEN  
Forest Supervisor

cc: Mike Rassbach  
Kevin Larkin  
Debbie Anderson  
Adam A Felts  
Susan Skakel  
Gery Ferguson  
Beth Peer