



United States
Department of
Agriculture

Forest
Service

Lake Tahoe Basin Management Unit

35 College Drive
South Lake Tahoe, CA 96150
530-543-2600
TDD: 530-543-0956

File Code: 2300
Date: OCT 26 2017

Commissioner/s
Nevada Off Highway Vehicles Program
Department of Conservation and Natural Resources
901 S. Stewart Street, Ste 1000
Carson City, Nevada 89701

Dear Commissioner/s:


The Logan Loop Road OHV Maintenance off-highway project has my approval as of October 25, 2017.

The project is located on federal land and is in conformance with the appropriate land management permits, licenses, clearances, and environmental analyses documentation necessary to comply with local, state, and/or federal laws, specifically NRS 490.069. This project falls under the umbrella of the Integrated Management and Use of Roads, Trails, and Facilities EA, which has a documented Finding of No Significant Impact (included in this application).

The Forest Service is committed to maintaining access to exceptional recreation opportunities in the Lake Tahoe Basin, and will maintain this facility to meet established standards for health and safety, environmental sustainability, accessibility, and to minimize deferred maintenance. We are committed to maintaining this facility and its motorized access for at least the next 25 years.

If you have any comments or concerns, please contact Jacob Quinn at (530) 543-2609 or by email at jmquinn@fs.fed.us.

Sincerely,


for
JEFF MARSOLAIS
Forest Supervisor





STATE OF NEVADA
Off-Highway Vehicles Program
901 South Stewart Street, Suite 1003
Carson City, Nevada 89701
Telephone (775) 684-2794
Facsimile (775) 684-2715
www.nvohv.com



OFF-HIGHWAY VEHICLES GRANT PROGRAM
NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
NEVADA COMMISSION ON OFF-HIGHWAY VEHICLES
NRS 490

FALL 2017 GRANT APPLICATION

(RFA APPENDIX A)

APPLICATIONS DUE

November 1, 2017, 4:00 PM, PST

Please mail early; Applications postmarked prior to 4:00 pm on November 1, 2017 but not received prior to that time are untimely and will not be considered.

NOTE: this is the State OHV program, NOT the Federal Recreational Trails Program

SUBMIT: ONE FULL COLOR COPY, DOUBLE SIDED
BY MAIL OR HAND DELIVERY
(8.5" X 11" ONLY. MAPS MAY BE 11"X17" NO LARGER)

TO: NEVADA DEPT. OF CONSERVATION AND NATURAL RESOURCES
OFF-HIGHWAY VEHICLES PROGRAM
ATTN: DCNR J. SCANLAND
901 S. STEWART STREET, SUITE 1001
CARSON CITY, NV 89701

AND

ONE ELECTRONIC FILE; PDF VIA EMAIL jscanland@ohv.nv.gov
OR MEMORY DEVICE ENCLOSED WITH APPLICATION.

DO NOT ATTACH ITEMS THAT ARE NOT REQUIRED.

For questions please contact:

Jenny Scanland

Executive Secretary

(775) 684-2794

(jscanland@ohv.nv.gov)

NEVADA OFF-HIGHWAY VEHICLES PROGRAM
GRANT APPLICATION
Nevada Department of Conservation and Natural Resources
Nevada Commission on Off-Highway Vehicles

Project # _____ (State admin only)

This application has seven (VII) sections which are all REQUIRED to be filled out in full. To avoid disqualification, all application areas must be concise and complete; certifications must be signed and dated. Denied applications: correspondence will be sent to applicant by email describing the reason for declaring the application incomplete.

SECTION I - PROJECT INFORMATION

1. Project Name: Logan Loop Road OHV Maintenance

2. Project Dates: Expected Start: May 1, 2018 Expected Completion: November 30, 2018

3. Applicant Name: USFS Lake Tahoe Basin Management Unit (LTBMU)

Phone: (530) 543-2609

Mailing address: 35 College Dr, South Lake Tahoe, CA 96150

Email: jmquinn@fs.fed.us

4. Classification of Applicant: *(check one)*

☒ Federal ☐ State ☐ County ☐ Local/Municipal ☐ Other: _____

☐ Partnership ☐ Non-profit ☐ For Profit ☐ Individual

If the applicant is a corporate or legal entity, proof of good standing in the entity's state of incorporation is required. NAC 490.1345 (Note: grantees must have the capacity to implement and accomplish proposed project and properly administer awarded funds).

5. Project Manager: Jacob Quinn

Phone: (530) 543-2609

Mailing address: 35 College Dr, South Lake Tahoe, CA 96150

Email:

jmquinn@fs.fed.us

6. **State T-Vendor #** (if available) N/A

7. **Landowner:** United States Forest Service

Contact: Jacob Quinn

Phone: (530) 543-2609

Mailing Address: 35 College Dr, South Lake Tahoe, CA 96150

Email: jmquinn@fs.fed.us

9. **Classification of Land Control:** *(check all that apply)*

☒ federally managed public land ☐ Private Land ☐ County ☐ City

☐ Other: _____

☐ Lease; Attach copy of lease with expiration date.

☐ R&PP; Attach copy of lease with expiration date.

If the proposed project is to be carried out on public land, attach any applicable written agreement with any government entity having jurisdiction over that land, including permits, leases, easements, and rights-of-way. NAC 490.135

10. **Project Costs:** *(Please do not submit match not directly related to the project)*

State OHV Grant Request: \$101,560

Other Funds: \$29,645

Total Project Amount \$130,705 100%

What are the sources of your leveraged (other) funds?

☒ Federal ☐ Private ☒ In-kind ☐ City/County ☐ Other

Please describe source(s):

Type here: Federal allocated – Trails and road maintenance funds

In-Kind – Materials and time donated by volunteers and local businesses

11. **Project Type(s) (NRS 490.069 Sec.2c) check all that apply:**

☐ Studies or planning for trails and facilities;

- Environmental Assessments and Environmental Impact Studies.
- Other studies _____
- ☐ Acquisition of land for trails and facilities
- ☒ Mapping and signing of trails and facilities
- ☒ Reconstruction, enhancement or maintenance of existing trails and facilities
- ☐ Construction of new trails and facilities
- ☒ Restoration of areas that have been damaged by the use of off-highway vehicles.
- ☒ The construction of trail features, trailheads, parking, or other ancillary facilities which minimize impacts to environmentally sensitive areas or important wildlife habitat areas.
- ☐ Safety training and education related to the use of off highway vehicles
- ☐ Compliance and enforcement

Note: Operations & management and purchase or lease of equipment associated directly with a project are eligible.

12. **All Trail USERS:** *(check all that apply)*

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Mountain Biking | <input checked="" type="checkbox"/> Hiking/Backpacking | <input checked="" type="checkbox"/> Equestrian |
| <input checked="" type="checkbox"/> Single track motorcycle | <input checked="" type="checkbox"/> Snowmobiling | <input checked="" type="checkbox"/> Snowshoe/ski |
| <input checked="" type="checkbox"/> ATV quads | <input type="checkbox"/> Dune buggy | <input checked="" type="checkbox"/> Side by side 50" or wider |
| <input type="checkbox"/> Race Course | <input type="checkbox"/> Skills riding course | |

Other Type here:

13. **Scope of Work:** Please describe *exactly* what work will be completed. Programs, planning, NEPA, surveys, mapping etc. and include miles of trail, trail type and other measurable goals including a timeline for completing the work. NAC 490.1375. If purchase of equipment is included please explain where/how it will be housed and maintained. (In order to avoid duplication, **do not include** justification or narrative in this section; refer to Section VII, Scoring Narrative).

Type here: This project will expand on the Genoa Peak Road OHV project grant, a multi-year and multi-partner effort within the Lake Tahoe Basin. Nevada OHV grant funds have been used in the past to implement significant maintenance and BMP upgrades. This project will build upon maintenance already accomplished, and will seek to upgrade 6.5 miles of trail and decommission/restore 58,500 SF of unauthorized spurs. Additionally, this project will implement OHV route restoration in areas where the trail has become braided. The Logan Loop road will brought up to design management specification standards. Mapping and signage will be enhanced throughout the Genoa Peak Road corridor for improved consistency and clarity. Construction activities for this project will occur between May 1, 2018 and November 30, 2020.

14. **Standards/Guidelines that will be applied to your project:**

- ☐ Universal Access to Outdoor Recreation - A Design Guide
☒ USFS Standard Specifications for Construction & Maintenance of Trails
☐ BLM Handbook 9114-1 Trails
☐ NOHVCC Handbooks

Other: _____

15. **Has the applicant received funding from the OHV Program in the past?**

☐ No ☒ Yes

Number of projects funded: 2

Amount of funding Received: \$ 959,660

Number of projects Completed: 2

SECTION II – LOCATION, MAPS, PHOTOS

Project Location:

County: Douglas

Nearest Municipality/Town/City: Stateline

Center of project: Latitude: 39.04689 N Longitude: -119.90532 W

Maps are a very important part of the application. They are considered part of the final agreement if funded. Please provide readable, proficient maps.

Required Maps: for all maps please include a legend, north arrow, scale, and map name.

Topographic maps preferred. You may include *additional* aerial/google maps.

- ☐ General location map (showing project area within the state or county)
- ☐ Topographic map (7.5 minute series quadrangle, 1:24,000 scale) with project boundary and map name Township: T-13 Range: Eastern Sierras Sections _____
- ☐ Detail map indicating specific project elements (e.g., structures, trail alignment)
 - Maps larger than 11x17 will not be accepted

Please attach the following photographs:

- ☐ *At least two (2) overviews of the project area from different angles and distances. (Good photographs at trail level and google aeriels help the scoring committee to understand the location, depth and breadth of your project.)*

SECTION III - Federal Lands or Other

Federal Environmental Compliance

A. If Federal funds or Land are a part of the project and NEPA was completed, indicate which document was produced, and **please attach the decision document to this application:**

- ☐ Record of Decision (ROD)
- ☐ Finding of No Significant Impact (FONSI)
- ☐ Categorical Exclusion (CX)
- ☐ SHPO 106 compliance/concurrence letter.
- ☐ Other compliance documents already completed. (do not attached the EA or EIS)
- ☐ Not applicable

If NEPA or planning is a part of the project describe the steps in the Scope Section I, #13.

SECTION IV - BUDGET

Proposed Budget: Provide your budget details in the following format. This budget should align clearly with your scope of work from #13.

- ***Please follow this format as much as possible*** and be very specific, as your application will rate higher. You may create your own spreadsheet.
- Reminder, include all sources of funds for the completion of the project including federal, in-kind, private/city/county and state funds.
- ***Attach copies of estimates and identify what each contract will include.***
- ***Attach copies of all quotes/estimates.***

Item Description	Item	OHV Grant Request	Federal	Other	Total
Contracts: studies, planning , design, engineering	Project planning, grant preparation, crew hiring, training, equipment purchase, research	Trails Engineer \$1600 (\$320/day x 5 days)			\$1600
Contracts: construction					
Direct labor costs Salaries, including fringe, actual costs	Road Crew Salary Trails Engineer Direct labor cost for road maintenance and restoration	\$67,500 (\$1500/day x 45 days) \$6400 (\$320/day x 20 days)			\$73,900
Volunteer or donated labor/in-kind # Hrs. skilled labor @ \$23.56/hr. (not required but is important for scoring higher) <i>(You will have to provide paperwork for this in your reporting to receive score points)</i>					
Purchase or rental of equipment - Specify type of equipment – cost- # of days. <i>Attach estimate or quote.</i>	Rental excavator	\$9,000 (\$400/day x 45 days)	\$9,000 (\$400/day x 45 days)		\$18,000
Purchase of Materials List items & cost of each item or group of items.	Aggregate Base Diesel fuel for FS equipment Route identification signs and stickers	\$12,000 \$3500 (130/each) \$1560			\$24,560

	Barrier Posts for blocking off-route travel			\$7500 (\$75/each x 100)	
Vehicle Gas and Maintenance standard is now at .54 per mile. Estimate miles.	Forest Service Dump Truck & Trailer	\$1395 Use Fee (\$31/day x 45 days)			\$12,645
	FS Skid Steer	\$4500 Use Fee (\$100/day x 45 days)			
	FS Backhoe	\$6750 Use Fee (\$150/day x 45 days)			
Other: be specific					
Other: be specific					
Totals		\$101,560	\$21,645	\$7500	\$130,705
Percentages		77.5%	16.5%	6%	100%

SECTION VI – TRANSMITTAL LETTERS and LETTERS OF SUPPORT

Transmittal Letter(s): transmittal letter(s) must be submitted **and attached to this application**. They must be signed by the appropriate club or agency head, (Chairperson/President of the organization or other authorized official) **AND by the landowner**.

- ☐ **Land Owner:** a letter of support by the landowners (county, city, state, federal, private) stating that they have read and agree (1) to the application (2) that the applicant's interest in the subject land is sufficient in scope and authority to allow the applicant to complete the proposed project and operate and maintain the proposed project after its completion NAC 490.1355 (3) and any match or other tasks in the application that are assigned to them. The State may require the landowner/agency to be co-grantee on the grant agreement/contract.
- ☐ A commitment to maintain the trail/facility, and allow for motorized access to those facilities for 25 years or the normal life of the project, by the appropriate entity.
- ☐ **Letters of Support are limited to three (3).** Please attach them to the application.

SECTION VII – SCORING NARRATIVE

Address the following 14 questions in the order listed below.

- **Be specific and concise** with your answers.
- **Please submit no more than five (5) double-sided pages for your Narrative.**
- **Please type directly into this application.** *If the form doesn't work for you, please cut and paste into another document and answer in the same order as given below. (if not applicable answer N/A)*

1	<i>Public Education, Law Enforcement & Outreach:</i> Please describe how your project/program will incorporate public education and/or outreach to increase registration and showcase the benefit of OHV communities, including registration events.	The Logan Loop Road needs improvements in signage. By better informing the public of what is allowed on the trail and where, we can promote more sustainable use of the trail, and help mitigate conflicts between the OHV trail and the pedestrian Tahoe Rim Trail.
2	<i>Trail Mapping:</i> Please describe how your project /program will move public lands in Nevada towards having travel plans completed and will result in trail mapping and creation of maps for the public. (With landowner/manager approval).	Better signage will also require updated mapping. As one of the most popular trail systems in the basin, it is important that our signage demonstrates clarity and consistency. Updates and improvements to this trail will be reflected in our official maps, and will be displayed at trailheads.
3	<i>Access:</i> Please describe how your project/program ensures protection of access. Explain what access/opportunities would be lost or restricted if the project doesn't occur.	This project is about access improvement. Maintaining this trail enhances its functionality and useful life. Furthermore, demonstrating sustainable maintenance and management of OHV systems in the Lake Tahoe Basin provides a platform for increasing OHV opportunities in the future.

4	Demand for New Facilities: Please describe the justification (the DEMAND) for NEW facility/program development: restrooms, trails, signs, and other amenities.	Signage in the Genoa Peak Corridor needs to be updated for clarity and consistency. We will be expanding on signage and updating mapping to reflect enhancements of the corridor.
5	Connectivity: Please describe the increase in connectivity between trails, facilities and other locations that your project/program would provide when completed. Attach maps if necessary. i.e. towns, parks, areas, trails etc.	The Logan Loop Rd maintenance is the final phase of management and reconstruction of a larger system. This project will lead to a more consistent OHV experience in the Genoa Peak Rd Corridor.
6	Environmental Studies: please describe how your environmental studies, project/program is in a highly desired area that will result in maintaining or expanding OHV riding areas.	This project will maintain existing OHV opportunities. The Genoa Peak Road area is one of few with motorized trail access in the Lake Tahoe basin, and is by far the longest. With the added perk of excellent views of the lake, this trail is one of the most popular OHV destinations in the basin.
7	Design for Conservation: please describe how your project/program considers water and habitat conservation. Example: how the trail features are designed to be sustainable while protecting environmentally sensitive areas or important wildlife habitat area.	This is the objective of the Logan Loop Rd project. The trail has significant issues with BMP and alignment that are causing severe erosion. Improving BMPs and restoring sections of unauthorized, off-trail use to a natural state will greatly benefit the surrounding environment.
8	Existing Facilities: please describe how your project/program assists in the maintenance and/or rehabilitation of Existing Facilities. "Taking care of what is already there to protect the investment".	The Logan Loop Rd OHV trail is an existing facility that requires both maintenance and rehabilitation. Our project will address issues of degradation of both the road and the surrounding environment.
9	Leveraged Projects: please describe how your project/program leverages private, BLM, USFS, State, local government, or in-kind funding, services or donations (considered as investment in the project. Match is not required but is commended and will receive additional points).	Existing federal allocated trails and road maintenance funds will off-set some of the design and construction costs, and In-Kind funds/time donated by local volunteers and businesses will contribute to materials and construction.
10	Partnering: Please describe coordination that has occurred with stakeholders, partners and the public in which all interests have had an opportunity to be heard related directly to this project/program.	The Lake Tahoe Basin is the lead agency for this project, and the applicant for the RTP grant. Tahoe Rim Trails is a partner; with better signs and management of the Logan Loop Road the TRT's aspiration of keeping OHV traffic off the Rim Trail will be more easily met. Additionally, STORM and the Off Road Business Association supports us continuing our work.
11	Youth and Family Engagement: Please describe how your project/program helps to engage youth and families.	Preservation of beginner and intermediate OHV trails and roads allows for all ages and skill levels to participate in recreation. Maintaining recreation opportunities that are accessible to a younger, less experienced crowd presents opportunities for developing a deeper connection with our natural lands.

12	<i>Economic Integration;</i> Please describe how your project/program develops outdoor recreation opportunities that help local and/or regional economies grow (e.g., economic impact, additional OHV funding sources, improved user or business group participation).	The Logan Loop Road OHV Maintenance project will allow for more sustainable recreation opportunities to exist in our community. Increased OHV recreation access in the basin will lead to an increase in our ecotourism. Additionally, setting an example of a well-maintained, sustainable OHV trail system can only help in developing support for future OHV recreation development.
13	<i>Underserved populations;</i> Please describe how your project/program helps to meet the needs of underserved regions and populations. (e.g., identify people and neighborhoods without access to trails, and establishes outdoor recreation opportunities for them; or creates new recreational opportunities not currently available in the area)	Genoa Peak Road is one of the few areas that allows motorized trail access in the entire Lake Tahoe basin, and is by far the most extensive (at 9.5 miles). This trail is one of the most popular OHV destinations in the basin, and is thus critically important to maintain.
14	<i>Maintenance;</i> although this OHV grant program requires maintenance of all facilities funded for 25 years or the normal life of the project, we would like you to please describe HOW your project will be maintained and WHO has committed to the ongoing maintenance of the facility or continuation of the service/program. (Please also attach letter as described in Section VI).	The Forest Service provides for public access and administration on NFS lands on managed trails, roads, and at developed facilities. Reoccurring preventative maintenance, refurbishment, repair, required updates, and in some cases rebuild of infrastructure are responsibilities routinely performed by the LTBMU across the unit.
	<i>Additional justification or project history if you feel important and doesn't fit under a criterion listed above.</i>	This is the final phase of an on-going trails improvement project for the Genoa Peak Corridor. Completion will elevate the functionality and sustainability of this trail system.

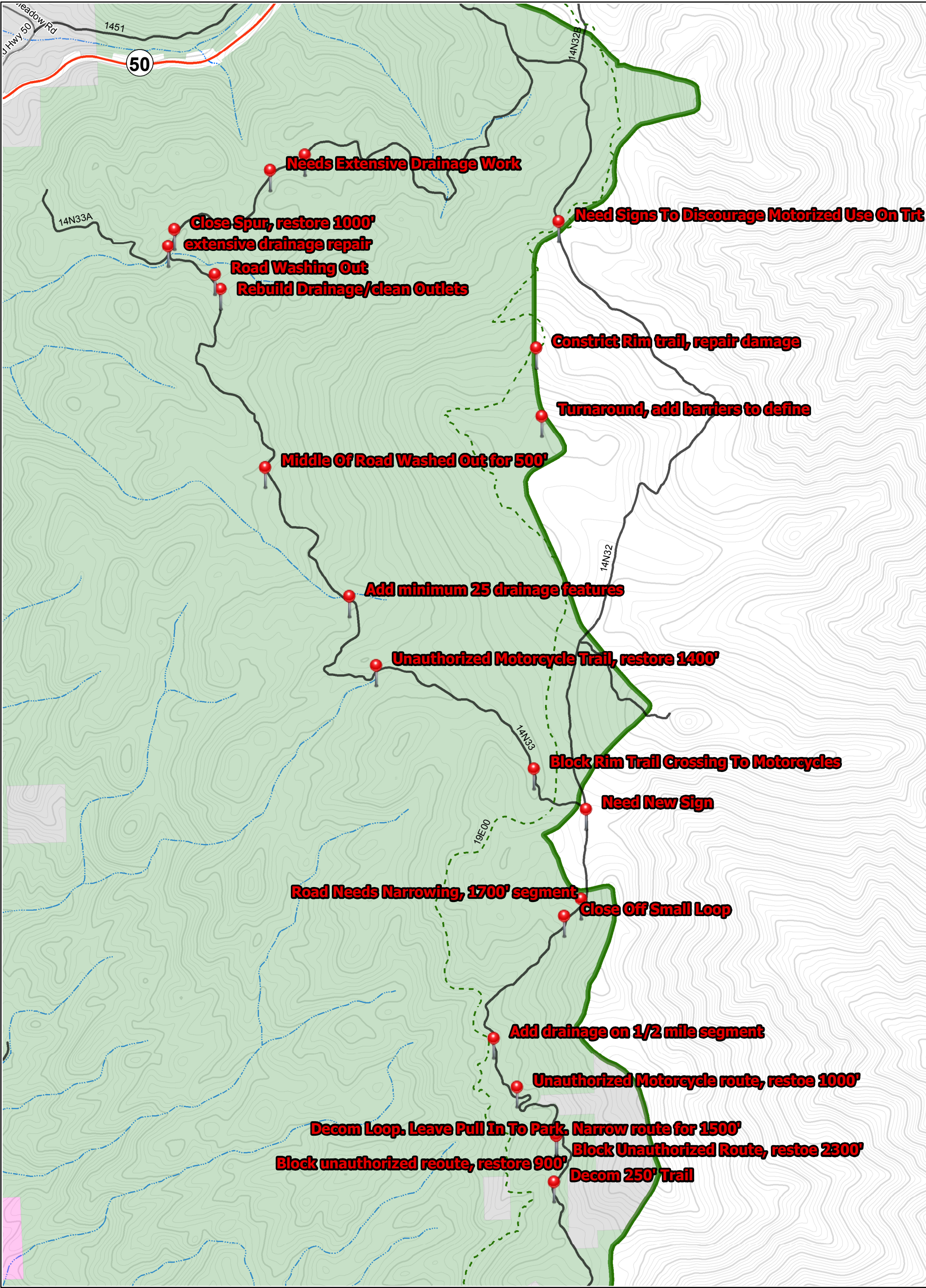
Supporting Images



Figure 1: Example of unauthorized spur (approx.. 1000') requiring extensive damage repair and restoration.



Figure 2: Depicts typical wash-out conditions existing on the trail that require maintenance.



Logan Loop Road OHV Project

- LTBMU Trails

NFSR - NATIONAL FOREST SYSTEM ROAD

LTBMU Boundary

Stream (Perennial)

COUNTY

PRIVATE

STATE

USDA FOREST SERVICE
- 0 0.375 0.75 1.5 Miles
-

HOLT
of California



8900 FRUITRIDGE ROAD, SACRAMENTO, CA 95826
FRUITRIDGE (916) 381-9940

Rental Agreement

Reference C06391

Date Out: 07/31/2017 Mon 07:00 AM
Est. Date In: 08/28/2017 Mon 07:00 AM
Delivery Date: 07/31/2017 Mon 07:00 AM



Customer: 0177992

Bill to: LAKE TAHOE BASIN MGMT UNIT
35 COLLEGE DRIVE
SOUTH LAKE TAHOE, CA 96150

Jobsite: KHALE DR
Contact: MATT COX
Phone: 916-589-0392
KHALE DR
STATELINE DOU, NV
HWY 50 JUST PAST 207, LHT ON KHALE DR
TO JOB

Signed By:
Ordered By: MATT COX
Deliv Notes: * HAUL CHARGES TO FOLLOW *

Written By: Jesse Nelson
Sales Rep: JIM RUSSELL
PO #:

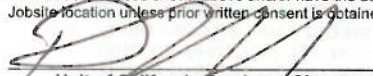
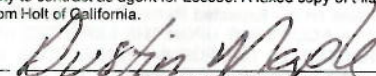
QTY DESCRIPTION	DAY	WEEK	4WEEK
Rental Items			
1 HEX 311 CAB/AIR THUMB EXCAVATOR ID:CRS18753 SERIAL:0KCW00284 MODEL:311F R HRS OUT: 1359.0 HRS ALLOWED: 8/40/160	\$620.00	\$2,100.00	\$5,650.00
1 HEX QC WR 312 (1/2 YD QC) EXCAVATOR ID:CRS15-071 SERIAL:125637-1 MODEL:QC A/P			
1. BKT 24" WR 450/312/314 BACKHOE/EXCAVATOR ID:A17550 SERIAL:051862 MODEL:BKT450PL24	\$0.00	\$0.00	\$0.00
Miscellaneous Items			
1 ENVIRON SRV FEE		20.00 each	
24 SMOOTHEDGEINSTAL		3.00 each	

WHEN OPERATED IN CALIFORNIA, THE RENTER/LESSEE IS RESPONSIBLE TO COMPLY WITH THE AIR RESOURCES BOARD VEHICLE IDLING REGULATION FOR IN-USE OFF-ROAD DIESEL UNITS. PLEASE VISIT THE CALIFORNIA AIR RESOURCES BOARD WEB SITE AT WWW.ARB.CA.GOV/ASPROG/ORDIESEL/ORDIESEL.HTM (TITLE 13, SECTION 2449(d)(3))

THE ADDITIONAL TERMS AND CONDITIONS ON THE REVERSE SIDE ARE PART OF AND INCORPORATED IN THIS AGREEMENT. THIS AGREEMENT SHALL NOT BE CONSIDERED ENFORCEABLE UNTIL ACCEPTED BY HOLT AND EXECUTED BY ITS OFFICER. ANY INDIVIDUAL SIGNING THIS AGREEMENT REPRESENTS AND WARRANTS THAT HE/SHE IS AT LEAST 18 YEARS OLD AND HAS THE AUTHORITY TO BIND CUSTOMER TO THE TERMS OF THIS AGREEMENT. THIS AGREEMENT IS NOT A PURCHASE AGREEMENT. CUSTOMER HAS NO RIGHT OR OPTION TO PURCHASE THE EQUIPMENT BASED ON THIS AGREEMENT.

Customer acknowledges receipt of Fire, Theft, and Vandalism Policy offered to Customer and hereby **ACCEPTS** **DECLINES**

I warrant the Lessee shown above and/or have the authority to contract as agent for Lessee. A faxed copy of this completed document may serve as the original. I warrant that the Equipment will be used only at the Jobsite location unless prior written consent is obtained from Holt of California.

 Holt of California Employee Signature	 Employee Print Name	Customer Print Name	Title
Date Delivered	Time AM / PM	Customer Signature	
Date Returned	Time AM / PM	Received, Holt of California	
Date Called Off	Time AM / PM	Called Off By	

DECISION NOTICE
and
FINDING OF NO SIGNIFICANT IMPACT

***INTEGRATED MANAGEMENT AND USE OF TRAILS, ROADS, AND
FACILITIES***

U.S. FOREST SERVICE
LAKE TAHOE BASIN MANAGEMENT UNIT

EL DORADO COUNTY, CALIFORNIA
PLACER COUNTY, CALIFORNIA
ALPINE COUNTY, CALIFORNIA
WASHOE COUNTY, NEVADA
CARSON CITY, NEVADA
DOUGLAS COUNTY, NEVADA

BACKGROUND

The Forest Service, Lake Tahoe Basin Management Unit (LTBMU) manages numerous facilities for public use and administrative purposes. Each facility serves a role in the overall stewardship and provision of public services on National Forest System (NFS) lands in the Lake Tahoe Basin. There are 42 developed recreation sites including campgrounds, day-use beaches, resorts, and trailheads. Numerous administrative sites include the Supervisor's Office, Meyers Work Center, and fire station facilities. The LTBMU also administers permits for private facilities located on NFS lands including resorts, such as Angora Lake Resort and Heavenly Mountain Resort, private organization camps, and cabins within recreation residence tracts.

There are approximately 250 miles of Forest Service system roads in the Lake Tahoe Basin which provide public and administrative access to National Forest resources. Public vehicle access on these roads is currently regulated through the 2011 Motorized Vehicle Use Map (MVUM) which establishes dates when gates may be open and the class of vehicle that may use the road. The LTBMU manages all approved recreational trails on NFS lands or rights-of-way within its jurisdiction. There are currently approximately 320 miles of classified

Forest Service system trails, (including approximately 20 miles authorized for motorized use) within the LTBMU. Even though the LTBMU has an active maintenance program, deferred maintenance needs associated with roads, trails, and facilities are accumulating every year.

The operation, use, maintenance and required upgrade of the developed roads, trails, and facilities on NFS lands are recurring and on-going. In previous years, analysis and environmental documentation of these management activities and authorizations has mostly occurred on a case-by-case basis as each individual activity is proposed. Currently the maintenance of roads and trails are documented in separate environmental analysis and decisions that include annual review of identified proposed activities to ensure that extraordinary circumstances do not exist, and that project design accounts for any unique site conditions. However these Decision Memos are not up to date especially with respect to the newly listed endangered Sierra Nevada yellow legged frog.

Annually, the LTBMU receives dozens of requests to provide outfitting and guiding services on existing NF system roads and trails. Examples of requested activities include: guided hikes; guided and/or outfitted mountain bike riding and shuttle services; and guided overnight backpacking excursions. At present, only one authorization for outfitting and guiding activities is in place on the LTBMU (snowmobile tours near Brockway Summit).

Typically there are more than 25 events which occur annually on NFS lands managed by the LTBMU, including festivals, competitions, and social gatherings. These events are valued within the community and within the region for the experiences they offer as well as the economic benefit they contribute to the Lake Tahoe Basin. Many new users are introduced to the National Forest for the first time during these events. Recreation events have typically been documented independently of each other, based on proponents' schedules. This approach to considering regular low-risk occurrences on NFS lands has proven unsustainable with respect to available Forest Service resources and staffing.

Annually the LTBMU processes approximately 20 recreation Special Use Permits that have expired or are transferring. However there is a constant backlog of expired SUPs. By policy expired permits are allowed to continue as long as the permit holder pays fees, and there are no changes to the use.

DECISION

I have reviewed the Integrated Management and Use of Trails, Roads, and Facilities Environmental Assessment (EA), the Project Record, and the Response to Comments (FONSI/DN, Appendix A).

I have decided to implement Alternative 2, the Proposed Action, as summarized below and described in detail in the EA (Chapter 2).

ALTERNATIVE 2 – PROPOSED ACTION

The LTBMU proposes a suite of activities that involve the maintenance, required upgrades, operation, administration, and uses of existing trails, roads, and facilities located on NFS lands or rights-of-way within its jurisdiction in the Lake Tahoe Basin. Criteria described for each proposed activity serve as filters for activities that may be authorized. Design features describe limitations and conditions for how those authorized activities would be carried out.

The Proposed Action consists of four components, each relating to existing trails, roads, and facilities (with the exception of climbing, backcountry ski/snowshoe, and fishing outfitter guiding which are proposed in specific areas off existing trails and roads), and the uses that occur on those trails, roads, and facilities:

1. Maintenance and management of trails, roads, and facilities
2. Authorization of outfitter/guide activities
3. Authorization of events
4. Reissuance of special use permits for uses of NFS lands.

A more detailed description of the Proposed Action, including criteria for each component and design features can be found in Chapter 2 of the EA.

DECISION RATIONALE

The alternative I have selected meets the purpose and need by improving the efficiency with which we analyze and authorize uses of NFS lands or rights-of-way within its jurisdiction within the Lake Tahoe basin (EA Sec. 1.5). Currently every year the LTBMU analyzes dozens of individual projects that require documentation via a categorical exclusion (CE) or environmental assessment (EA). These activities are usually repetitive, cumulatively take a substantial amount of staffing, may result in large fees to applicants for analysis, involve minimal resource impacts and rarely result in meaningful change to the proposed on the ground activities. By combining and analyzing an identified suite of routine, low risk, reoccurring activities that meet definitive predetermined criteria into this one analysis document, the amount of time and funding that will be needed to complete environmental review will be greatly reduced, ultimately resulting in better service to the public while protecting valuable Lake Tahoe resources.

A key component of this decision is the Interdisciplinary Team Review to ensure that candidate projects meet the established criteria and have the appropriate design features applied. I'm confident that through this review we will be able to meet our resource protection objectives.

Public scoping and comment did not reveal any notable alternative approaches to the proposed action. The proposed action includes a comprehensive suite of design features

and Best Management Practices (EA Sec. 2.3) that fully mitigate any effects to less than significant (see FONSI below).

ALTERNATIVES CONSIDERED

In addition to the selected alternative (Alternative 2), I also considered the no-action alternative in detail (EA Chapter 2).

Under the No Action alternative, current conditions and management would continue. Maintenance of roads and trails would continue to occur consistent with existing environmental analysis. However, both the Trail Maintenance and Roads Maintenance Decision Memos are currently out of date and would at least need amendments to include recognition and protections for the newly listed endangered Sierra Nevada yellow legged frog and designated critical habitat.

Authorization of facility maintenance, as well as event activities and reissuance of special use permits, would be based on individual NEPA analysis documentation pending availability of funding and staffing resources to complete the required NEPA compliant documentation.

Authorization of new outfitter / guide permits would continue to be deferred, regardless of the complexity, until staffing and funding allow for appropriate individual NEPA compliant analysis.

PUBLIC INVOLVEMENT

The project was listed on the LTBMU's "Schedule of Proposed Actions" on January 1, 2016, and proposed LTBMU Events and Outfitting and Guiding Strategy was listed on July 1, 2015. A scoping letter was mailed to stakeholders and interested parties on December 3, 2015. A copy of the scoping letter and Proposed Action were posted on the LTBMU website on the same day. A news release was distributed to local media outlets on December 3, 2015 summarizing the Proposed Action and asking for public input on the Proposed Action during the NEPA scoping period. On December 23, 2015 the Tahoe Daily Tribune published an article which highlighted the Proposed Action and identified where the public could access more information about the project. Thirty-nine commenters provided input on the Proposed Action during the scoping period.

An EA was prepared and circulated for public comment from April 1, 2016 to May 2, 2016. A notice in the Tahoe Daily Tribune on April 1, 2016 started the comment period. Interested parties, including those that commented during the scoping period, were notified that the comment period was open and the documents were available on the LTBMU website. In addition the LTBMU sent out a press release on April 1 announcing the comment period. Twenty three comment letters were received (see Response to Comments DN Appendix A).

FINDING OF NO SIGNIFICANT IMPACT

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. **Beneficial and adverse impacts** – My finding of no significant environmental impact is not biased by the beneficial effects of the action (EA, Chapter 3). The project design which includes the design features and Best Management Practices described in the EA Section 2.3, and Appendix, reduce any impacts resulting from implementation of this project to a level that will be less than significant.
2. **The degree to which the proposed action affects public health or safety** – There will be no significant effects on public health and safety. The criteria and design features ensure that public safety issues will be mitigated to less than significant.
3. **Unique characteristics of the geographic area** – Some of the elements of the Proposed Action will occur in Wilderness (e.g. trail maintenance). However, criteria (EA Sec. 2.2.2.) protect the Wilderness areas, and the Proposed Action is compliant with the direction for all Management Areas as prescribed in the 2016 LTBMU LMP. Consequently there will be no impact to any specially designated areas.
4. **The degree of controversy over environmental effects** – Public involvement with interested and affected individuals and agencies was conducted throughout the environmental analysis. Based on the comments received during scoping and the comment period no substantive issues were identified that led to the development of different alternatives. All comments were addressed through development of additional or revised project criteria, design features or clarification to the Proposed Action. Accordingly, the environmental consequences were revised to take into account any changes in the Proposed Action or to reflect public comments. The Response to Comments (DN, Appendix A) documents how the EA addresses each comment.

Based on the comments, the degree of controversy is relatively low. Some commenters were very supportive of the Proposed Action while others expressed speculative opinions about the environmental consequences and did not support all or part of the Proposed Action.

5. **The degree to which the possible effects on the human environment are highly uncertain or involves unique or unknown risks** – The LTBMU has considerable experience and success with the types of activities to be implemented. The effects analysis in the EA shows that overall effects are not uncertain, and do not involve unique or unknown risk (EA, Chapter 3).

6. **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.** The action will not establish a precedent for future actions with significant effects. No significant effects are identified (EA, Chapter 3), nor does this action influence a decision in principle about any future considerations. As described in #5 above the outcome of the actions proposed are well known. The activities that will be authorized under this decision are temporary (e.g. running event), and/or of low impact (e.g. adding ABA compatible ramps to a building).
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts** – There are no known significant cumulative effects considering the effects this Proposed Action when added to other ongoing or planned projects in or adjacent to the project area. The effects of other foreseeable future actions as well as past actions and ongoing actions were included in each resource section in the analysis (EA, Chapter 3).
8. **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historical resources** – The Proposed Action includes specific Criteria (EA Sec. 2.2.2) that are compliant with the Programmatic Agreement with the State SHPOs, and mitigated by Design Features (EA Sec. 2.3). The risk of damage to cultural resources is considered to be sufficiently mitigated. (Project Record)
9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973** – The information provided for this project specific analysis on Sierra Nevada yellow legged frog and Lahontan Cutthroat Trout is discussed in detail in the project's BA/BE (Project Record) and summarized in Chapter 3 in the EA. Specific Criteria (EA Sec. 2.2.2) and Design Features (EA Sec. 2.3) protect both the frog and trout, and critical habitat.
10. **Whether the action threatens a violation of Federal, State, or local law or other requirements imposed for the protection of the environment** – The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. The action is consistent with the 2016 LTBMU Land Management Plan.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

National Forest Management Act

The National Forest Management Act (NFMA) requires the development of long-range land and resource management plans. The LTBMU Forest Plan was approved in 2016 as required by this act. The Forest Plan provides guidance for all natural resource management activities. The NFMA requires that all projects and activities be consistent with the Forest Plan. The Forest Plan has been reviewed in consideration of this project. A Forest Plan consistency matrix for this project was completed (Project Record Section F).

Endangered Species Act

In accordance with Section 7(c) of the Endangered Species Act, the U.S. Fish and Wildlife Service (USFWS) list of endangered and threatened species that may be affected by projects in the Lake Tahoe Basin Management Area was reviewed (verified June 14, 2016) and effects on those species are analyzed in the BA/BE (Project Record, Section B). Informal consultation with the US Fish and Wildlife Service (USFWS) was conducted for this project. A letter of concurrence on the determinations in the project BA was provided by the USFWS on February 15, 2017 (Project Record Section B, Aquatic).

National Historic Preservation Act

Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in, the National Register of Historic Places. Section 106 of the NHPA (Public Law 89.665, as amended) also requires federal agencies to afford the State Historic Preservation Officer a reasonable opportunity to comment. (Project Record, Section B).

Clean Water Act (Public Law 92–500)

All federal agencies must comply with the provisions of the Clean Water Act (CWA), which regulates forest management activities near federal waters and riparian areas. The resource protection measures associated with the Proposed Action ensure that the terms of the CWA are met, primarily prevention of pollution caused by erosion and sedimentation.

Section 404 of the CWA (33 U.S.C. 1344) regulates activities that result in the discharge of dredged or fill material into waters of the U.S., including wetlands. The US Army Corps of Engineers (USACE) has the principal authority to regulate discharges of dredged or fill material into waters of the U.S. Under Section 404 of the CWA, a permit

from the USACE for the project's impacts to waters regulated by the CWA may be required.

Environmental Justice (Executive Order 12898)

Executive Order 12898 requires that all federal actions consider potentially disproportionate effects on minority and low-income communities, especially if adverse effects on environmental or human health conditions are identified. None of the alternatives considered have significant adverse effects on the environment or human health.

The activities proposed were based solely a response to the purpose and need. In no case were the project activities identified based on the demographic makeup, occupancy, property value, income level, or any other criteria reflecting the status of adjacent non-federal land. Reviewing the location, scope, and nature of the proposed action in relationship to non-federal land, there is no evidence to suggest that any minority or low-income neighborhood would be affected disproportionately. Conversely, there is no evidence that any individual, group, or portion of the community would benefit unequally from any of the actions in the proposed alternatives.

Invasive Species Management, FSM 2900

This EA covers botanical resources and invasive plants. An Invasive Plant Risk Assessment has been prepared (Project Record, Section B). The project's resource protection measures are designed to minimize risk of new invasive plant introductions (See EA Chapter 2 and Appendix D and E).

Migratory Bird Treaty Act of 1918 as amended (16 USC 703-712)

The original 1918 statute implemented the 1916 Convention between the United States and Great Britain (for Canada) for the protection of migratory birds. Later amendments implemented treaties between the United States and Mexico, Japan, and the Soviet Union (now Russia). Specific provisions in the statute include the establishment of a federal prohibition, unless permitted by regulations, to "pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention . . . for the protection of migratory birds . . . or any part, nest, or egg of any such bird." Because forest lands provide a substantial portion of breeding habitat, land management activities within the LTBMU can have an impact on local populations.

A Migratory Bird Report (Project Record, Section B) has been prepared for this project which fulfills the requirements of this act and Executive Order 13186.

Tahoe Regional Planning Agency

This project will be submitted for review by TRPA consistent with the terms of the 1989 MOU between TRPA and the Forest Service. Portions of the project federally funded on private, county and state lands may require TRPA permits.

ADMINISTRATIVE REVIEW AND IMPLEMENTATION DATE

This decision is not subject to further administrative review or objection. Legal notice of a draft decision was published in the Tahoe Daily Tribune newspaper on January 4, 2017 and was subject to objection pursuant to 36 CFR 218, Subparts A and B. This objection period provided an opportunity for individuals and groups that had previously provided written comments on the project to voice their concerns to the Deputy Regional Forester regarding the project analysis and my draft decision.

Objections to the draft decision were received in a timely manner and the project record was reviewed by the Regional Forester's team for compliance with law, regulation, and policy. An objection resolution meeting was held via teleconference on April 6, 2017 to allow the Deputy Regional Forester to hear directly from objectors regarding their concerns and their suggestions to resolve these concerns. During this process we heard concerns and suggestions ranging from the ability to perform routine, annual trail maintenance, making sure that all lands are accounted for including those under Forest Service easement, and restrictions put on outfitter and guiding activities for shuttle services.


Objective review of the project record by the Regional Forester's team found no violations of law, regulation, or policy. Concerns raised during the objection process provide important feedback both for the LTBMU and the Forest Service.

Each objector received a written response to their objection from the reviewing officer. The reviewing officer also provided instruction to the LTBMU for issuance of this Decision Notice. All instructions have been addressed. There will be no further review of this Decision Notice by any other Forest Service or US Department of Agriculture official as per 36 CFR 218.11(b)(2).

CONTACT

For additional information concerning this project, contact:

Ashley Sibr, Lake Tahoe Basin Management Unit
35 College Drive
South Lake Tahoe, CA 96150
Phone (530)543-2600, Fax (530)543-2693


JEFF MARSOLAIS
Forest Supervisor
Lake Tahoe Basin Management Unit

5/12/17
Date

Appendices:

Appendix A – Response to Comments

Attachments:

Errata to the Environmental Assessment

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Appendix A

Response to Comments

From 30 Day Comment Period (April 1 to May 2, 2016)

Note: References to EA page numbers or sections in comment summaries are based on the draft Environmental Assessment circulated for public comment. In some cases the section references have changed in the final EA due to editing. Section references in the responses refer to the final EA (cross reference between the draft and final are noted in some cases where useful to the reader). Responses use section references exclusively and not page numbers, which change due to formatting and editing of the EA.

The following responses are organized by commenter in no particular order. The key concerns for each commenter are summarized, including quotes where deemed appropriate for clarity, followed by the Forest Service response.

Overall Response: Scope of the proposed action

Common in many of the comments was a general misconception about the purpose and scope of this proposal. We have revised several sections particularly in Chapter 1 to clarify the purpose and scope. The most common misconception was that somehow this document sets policy for prohibiting activities/projects in the future that exceeded the limits set forth in Chapter 2, or somehow changes existing policy or regulation. This is not true. This proposed action includes a number of routine activities, or activities that for the most part involve existing roads, trails and facilities (with a few exceptions that are described in the EA). The limitations, which are purposely substantial, are documented to simply define what qualifies for this analysis and lead to the environmental consequences disclosed in this EA. The limitations in no way set precedent for future analysis of more extensive activities and projects. Activities and projects that do not meet the criteria in this EA may be analyzed in a standalone NEPA compliant document on their own merits.

Additionally the Proposed Action does not result in an amendment to the LTBMU Forest Land Management Plan, or changes to existing rules, regulations, and applicable state/local laws regarding the use of NFS lands (i.e. OSV and/or OHV use areas). It does not alter existing management plans (e.g. Tallac Historic Site, Tahoe Rim Trail) or existing decisions compliant with NEPA. It does replace the previous Decision Memo's for maintenance of trails and roads, which are no longer current.

The purpose of the proposed action is to simply combine the analysis of a number of minor actions, which are narrowly defined, resulting in minimal environmental effects in order to gain administrative efficiency and consistency. In the past these activities have been dealt with

individually (Alternative 1 – No Action) as staffing and funding permit.

Individual Response to Comments

A. Clay Grubb

1. ... for much ... of Chapter 2 and the majority of Chapter 3, there exists primarily a collection of uncoordinated and often contradictory specialist statements that whittle down and eventually override and destroy the Purpose and Need Objectives for the maintenance of trails.

Response: In Chapter 2 the Proposed Action, criteria and design features for Component 1, which includes trail maintenance, have been revised for clarity and consistency. Chapter 3 discloses the varying environmental effects for both of the alternatives. The environmental consequences of the alternatives may have differing outcomes; what is positive for one resource may not be beneficial to another resource. This allows the decision maker to see the tradeoffs for different alternatives. In this case, based on the analysis, there are no significant impacts that would result with the implementation of either of the alternatives.

2. ...the design features under the proposed action in the draft EA require surveys and separate consideration of every single sub-project that involves more than raking tread and snipping brush (see specifics of invasive species and heritage). This is contrary to the objectives of the EA and a significant step backwards from the existing trails maintenance rules and procedures.

Response: The survey requirements have been clarified. The IDT review process was clarified and abridged to better describe in general how the process would occur. The process of review is essentially the same as has been used on the existing Trails Maintenance Decision Memo (6/25/09). Each project and/or activity is reviewed to ensure that it complies with the conditions set forth in the environmental analysis as well as existing law, regulation and policy. As a procedural step, annual routine trails maintenance will be reviewed as a general item during the annual IDT review process.

3. ...to ensure stakeholders have an opportunity to review... (EA Sec 2.2.1). Given documentation preparation and presentation time, 30 day stake holder review, and a follow on IDT review, this means that even emergency safety related maintenance will be delayed for months.

Response: There is no requirement for a 30 day stake holder review. This EA/Decision does not necessarily apply to emergency safety conditions, which would be handled on a case-by-case basis related to the nature of the situation and the resources at risk (see also response to #2).

4. The document requires that plant surveys must be done if in a “suitable habitat”. This is the problem with use of the definitions of disturbance and compaction. If a necessary repair extends six inches outside the tread, it must go through a long process to get approval while thousands of trail users tromp through much more of the “suitable habitat” to get around the maintenance problem. (EA Sec. 2.3.1 – 9. & 10.)

Response: Design Features 2.3.1., 9 & 10 have been removed.

5. In 3.1.3.1 it states that under the No Action Alternative “...trails would not be updated to meet standards...” This is not true – during the trails season, basin trail sections not meeting standards are updated every week. Under current TMOs, inspections are conducted and reported yearly

Response: Section 3.1.3.1. has been revised for clarity and consistency to reflect that trails and other facilities would be maintained, but at a pace that funding and staffing allowed. It is anticipated that by combining routine activities under this one analysis that efficiencies will be realized that will translate into more availability of staff and funds to work on the ground, thereby improving the quality of the trail system.

6. Balanced against the probable damage caused by user created routes and larger numbers of bypass trails if maintenance is not kept up, it is possible that trail maintenance actions actually reduce the threat [to resources]. When the damage to species caused by soil erosion and water quality degradation is added in, proper trail maintenance is a probably a positive.

Response: We agree that properly maintained trails result in better resource protection as a whole. This proposed action is focused on the analysis of the environmental consequences of a defined scope of routine and corrective trail maintenance activities. However, the resource impacts must be evaluated in their totality, whether analyzed individually (Alt. 1) or together (Alt. 2). The trail maintenance actions that are implemented must be evaluated in context of the outcomes of no action or perhaps approaching a problem area in a different way that ensures the overall outcome is the best for all the resources.

7. Maintaining standards requires that even on an 18-inch wide trail, corridor must allow 6-8 feet of horse clearance at 5 feet above ground.

Response: The Proposed Action relies on Forest Service trail maintenance standards for vegetation clearance based on the intended use of the trail (FSH 2309.18 and EM-7720-103). The vegetation clearance recommendations may be modified when a federally listed botanical species, or habitat for a federally listed aquatic or terrestrial species is present (i.e. threatened, endangered, proposed, candidate or FS sensitive) (EA Sec. 2.2.2.1. B. 6., 10., and 16.). Specific actions that may affect federally listed species may be outside the scope of this analysis, which only means the action may need to be analyzed in a separate standalone

NEPA compliant document, with appropriate consultation with the U.S. Fish and Wildlife Service as required by the Endangered Species Act. Forest Service trail maintenance standards are policy and do not trump regulation or law.

8. The limiting rules of the proposed EA on vegetation removal including backcut roots will degrade trail usability and safety. USFS TMOs and Handbooks (Notably EM-7720-103) very specifically define corridor clearance principles, requirements, techniques, and limits. They should be the guides.

Response: See response to #7

9. Section 3.7.3.2 (l), (m) - “Existing [trail] tread” precludes maintenance of support structures, drainages, and backcuts, as well as not allowing widening of a constriction or correction of narrowing over time to match the prescribed TMO standards. ...“Light Maintenance” [definition] also eliminates upgrades of anti-erosion armoring, rock check steps, or fallen boulder removal, even in the tread – a direct contradiction of the Soils direction above.

Response: We have edited the EA for consistency with the existing Programmatic Agreement with the State Historic Preservation Officers of California and Nevada. Section 3.7.3.2. (l) and (m) are quotes from the Programmatic Agreement. This EA cannot alter the agreements already in place with the SHPOs. The cultural resource criteria for trails is found in EA Sec. 2.2.2.1. B. 11.

10. There are contradictions within design features....While one design feature allows cutting vegetation to block closed trails, others prohibit removing vegetation at all. Another directs that closed trails will be mulched, while two others prohibit disturbing the soil to do so. FS guidance says that closed trails shall be: “Recontoured, Scarified, Mulched, Camouflaged and Blocked.” This is a time tested environmental protection procedure that makes sense – the conflicting instructions of this draft EA do not.

Response: The Proposed Action, criteria and design features for all four of the Components have been reviewed, and revised where necessary for clarity and consistency. These edits do not change the environmental consequences in any substantial way.

11. For trail maintenance needs, the draft EA Proposed Action not only does not meet its own purpose and need objectives, it actively impedes the completion of required maintenance, dramatically increases both the administrative load on the LTBMU and its partners, and significantly increases environmental damage and maintenance backlog. In its present form, only Alternative 1 “No Action” provides for a sustainable, effective trails maintenance program.

Response: The environmental consequences for both Alternative 1, No Action

and Alternative 2, Proposed Action are disclosed in Chapter 3.

12. The true evaluation of cumulative effects must include, for instance, the balance of the positives of widespread reduction of erosion on a plant community versus the remote possibility that timely drainage clean outs over the entire 320 mile system kills a single plant of a sensitive species.

Response: Cumulative Effects look at the totality of effects from this Proposed Action when added to other past, present and foreseeable projects including projects on private, county and state lands. In Chapter 3, there is a section evaluating the cumulative effects for each resource area.

The component activities, criteria and design features set the scope of the actions that are analyzed in this document. Actions that are outside the scope of this document must be analyzed and evaluated separately on their own merits. In any decision the Approving Officer weighs the balance and tradeoffs as disclosed by the environmental document. It is not appropriate to suggest that a lot of good outcomes outweigh an adverse effect. It depends on the significance of the effects.

13. Some officials of the TRTA state that they have been told that these rules will only be applied to new projects, that the CE current maintenance procedures will remain in effect, and that 5-year TRTA event permits are guaranteed. This document does not support those statements. If they are true, then, at a minimum, those promises must be put in writing in the DN/FONSI.

Response: This decision will replace the outdated Trails Maintenance Decision Memo (6/25/09). Trail maintenance projects that exceed the criteria set forth in this EA/Decision are not prohibited but would need individual analysis. This decision does not affect existing permits. When existing permits expire they would be evaluated to determine if they are covered by this EA, if not, the permit would need an individual analysis.

14. ...delete all the trails maintenance related parts and continue with the rest of the proposed actions. With a few minor irritants, the current Trails Maintenance NEPA and guiding USFS publications serve us well; so leave them in effect.

Response: The Decision Memo for Trails Maintenance (6/25/09) is no longer current. NEPA compliant analysis must be updated to meet changed conditions. We have revised Component 1 of the proposed action so that the format is reflective of the older Decision Memo, but at the same time it includes updated contemporary information, such as consideration of the endangered Sierra Nevada yellow-legged frog.

B. Matt McFee, Hermosa Tours

1. I would like to submit my support for Proposed Action, Alternative 2. In particular, I believe the creation of a Temporary Pool of Outfitter/Guide CUA's is a positive step and will help manage the many visitors already coming to the area.

Response: Thank you for your comment.

C. Andy Hatch, Lake Tahoe Ski Guides

1. The LTSG supports the Proposed Action, Alternative 2, and concurs with conclusions of the environmental analysis presented in the EA.

Response: Thank you for your comment

2. The map on page 11 is extremely difficult to interpret. Perhaps it could be broken up into smaller segments or by use (climb, ski fish, etc.)?

Response: We have expanded the scale of the maps and clarified the depiction of the Proposed Action areas and other details.

3. I still don't understand why is wilderness excluded across the board? The EA states on page 17, item 5, that a wilderness needs assessment would be required. So why not allow for the permit to include wilderness if a wilderness needs assessment is completed? Also, the Desolation Wilderness Management Guidelines Land Management Plan Amendment specifically allows for new use and new permits for winter guides within Desolation. Wasn't this management plan a result of an existing needs assessment? Many of the premier winter backcountry destinations are within Desolation and it may not be feasible to support a ski guiding business without being able to offer those peak ascents/descents.

Response: There has been no Needs Assessment for the commercial services proposed in the Desolation Wilderness LMP Amendment (1998) that meets contemporary standards. The current analysis requirements for a Needs Assessment are substantial. This EA and Decision do not preclude any future analysis of commercial activities in the Desolation Wilderness, but given the significant analysis, requirements of the Wilderness Act, and predicted public interest, the effort would be beyond the scope of this EA. In addition, the Needs Assessment would likely have to include the entire Desolation Wilderness, which includes the Eldorado National Forest which is outside the boundaries of this project (EA Sec. 1.4)

4. What is "exclusive use"?

Response: "Exclusive use" as used in EA Section 2.2.2.2. B. 9. means that a permittee may not claim sole use and exclude or deny use of National Forest

System lands to the public.

5. The 1-year temporary permit may be a barrier to sustainable business operations. Under a 1-year permit, it is unlikely that most businesses could recoup start-up costs, and without some guarantee of potential future operations, this may preclude many outfitters or guides from being able to operate.

Response: We agree that one year permits may not promote stability. However, the scope of this EA is to take a small measured step in allowing commercial operations. It does not preclude further analysis in the future for permits of longer duration.

6. What is the process if a portion of a proposal fits under the Proposed Action but not the entire proposal? ...What would be the process for review of those portions of the proposal?

Response: In general, the entire proposal must be considered in its totality and fit within the criteria set forth in the Proposed Action to be eligible under this Decision. Proposals that exceed the criteria could be dealt with in a separate, standalone analysis compliant with NEPA, if staffing and funding allow. It is not appropriate to piecemeal parts of proposals and permits just to fit within the criteria.

D. Laura Manina

1. I will just get to the point and say how awful I think it would be to congest these sacred places by allowing professional outfitters and guides to bring in groups. Even if they are regulated the solitude of our amazing wilderness as well as the environmental impact will be sorely affected. Tahoe doesn't have to be like other wilderness areas that allow these activities. We can remain our own wondrous place that is open to tourists who are willing to read trail maps and guide books to find their recreation and yet remain true to our locals who value the splendid solitude.

Response: This proposal specifically does not authorize commercial use within a designated Wilderness Area. (EA Sec. 2.2.2.2. B. 5.) For authorized areas outside of Wilderness, the total allowed service days would only represent a maximum 0.4% increase from current levels (EA Sec. 3.1.3.2.).

E. Sam and Brie Hyslop

1. I would like to express my support in the Proposed Action Alternative of creating sustainable recreation management in the Tahoe Basin.

Response: Thank you for your comment.

2. I propose that there be a clearer definition as to what *shuttling* means in this Proposed Action.... I propose that the term "shuttle" be defined with more clarity to separate downhill laps from the basic aspect of transportation of people as a group (vanpooling). And in doing so, re-evaluate the impacts of both types of "shuttle" service and potentially create a separate permit category.

Response: Shuttle Service is defined in Table 2.1 as transportation to a National Forest destination. Downhill laps or lapping services would not be authorized in the Decision (EA Sec. 2.2.2.2. B. 10.)

3. A limitation of 400 service days is not enough to properly serve users, our customers. Such a limitation will have a negative impact on users and our economic development as a business... The experience of users, our image, and the USFS image will suffer with such a level of limitation.

Response: The Proposed Action allows up to 2000 service days for the category of Shuttle Service (Table 2.1) with a maximum of 400 service days allocated to any one provider. There are currently no shuttle services authorized (EA Sec. 2.1). The service day limitations meet the intent of this proposal to analyze for a modest amount of outfitter/guide services under permit. We recognize this Proposed Action does not meet all of potential demand, but that was not the purpose of this action. This Decision does not forego any future decisions that might analyze more use as a stand-alone project.

4. I understand that the effort to limit service pool days is to not disrupt the experience of other users and their ability to recreate on NFS land. Our service reduces user impacts at high-use trails and sites by transporting these users away from these areas.... Such service is critical to manage high usage so that users are dispersed away from high-use areas. Limiting the access to these services will only increase the usage at high-usage areas.

Response: As described in the EA (Section 3.1.3.2.) the overall proposed service day limit is extremely small when compared to the overall use. The purpose of this Proposed Action is not to solve visitor impacts but rather to allow for a small amount of outfitter/guiding activity in a manner that does not significantly increase impacts.

5. If the goal of this Proposed Action is to provide public access to NFS roads and trails in a long term sustainable way this type of shuttle is necessary for the future of mountain biking in Tahoe and the health of our Planet. The mountain biking situation in the Tahoe Basin is unique to all others; trailheads are spread out and short loops are limited. Trail users shouldn't be dependent or forced into driving multiple vehicles around just to experience the trails within the LTBMU. As residents, land managers, and advocates we

have a great opportunity to make a statement and an impact on the future of mountain biking.

Response: As stated in Section 1.5 the overarching purpose for this Proposed Action is to create a greater efficiency in completing the environmental analysis required for maintenance, activities and use of existing facilities. The proposed action is not meant to solve all the issues related to recreational activities and facilities on the LTBMU.

6. I ask that the 400 service days be issued at one time and the initial Temporary Use Pool period be increased to 600.

Response: EA Table 2.1 has a 2000 service day limit annually for shuttle services.

7. We also respectfully ask that the LTBMU make changes and include the ability to continue the routine maintenance of existing trail and consider (when pertinent) the addition of new trails within the Lake Tahoe Basin.

Response: The Proposed Action includes analysis of routine and corrective maintenance on existing trails (EA Sec. 2.2.2.1. A.). New trails are not included in this project since the environmental consequences would not be known until a new trail is site specifically proposed. At that time appropriate NEPA compliant analysis can be done on the detailed site specific proposal.

F. Andrew Strain, Heavenly Mountain Resort

1. Heavenly supports the Proposed Action including the proposed design features and annual list updating process as the alternative which best meets the project objectives and the Purpose and Need for the action.

Response: Thank you for the comment.

2. The Proposed Action Components and Criteria should be clarified to allow for the maintenance, repair, and replacement of existing ski lifts, trails, snowmaking, and summer facilities when the action can be found to be consistent with the list of design features contained in the Proposed Action and does not increase the approved or applicable PAOT of SAOT capacity.

Response: EA Criteria 2.2.2.1. B. 5. does not allow “Modifications to ski runs, snow making distribution lines and lifts” under this Decision. The maintenance of roads and facilities is allowed provided the action meets the other criteria and design features.

G. Lori and David Alessio

1. 1.3 (pages 2 and 3) - Under items 2. 3., and 4. please state if the Proposed Action is for new, issuance of existing permits that have expired, or both, and carry this clarification throughout the document.

Response: The proposed action includes the issuance of new permits and the reissuance of existing permits, whether expired or not where allowed by the criteria and design features for each component. We have reworded the EA to clarify that point where appropriate.

2. Please explain with examples why Categorical Exclusions are not administratively efficient for the various items listed in the Proposed Action (i.e. routine and reoccurring maintenance of roads, trails, and facilities) and the connection to include the many recreational activities on these improvements into one analysis.

Response: As stated in the Purpose and Need (EA Sec. 1.5) the current workload of individual actions requiring NEPA compliant analysis is tremendous. We believe by setting specific criteria for a wide range of common, routine actions it will be much more efficient to simply evaluate the action for eligibility under this already completed environmental analysis. The common thread to the actions included is that, except where noted, they all take place on existing trails, roads, or facilities. A few activities that are in undeveloped areas, such as backcountry skiing, are specifically mapped and must meet a stringent set of criteria to qualify as an action under this analysis.

3. Please provide a definition of stakeholders.

Response: "Stakeholders" is used generically to include any member of the public, or governmental entity interested in or potentially affected by the activities included in the Proposed Action.

4. Upon expiration of one-year Outfitter/Guide authorizations, will these permits automatically be renewed; if so, for how many consecutive years? What would be the NEPA process for issuance until the long-term analysis is initiated and completed? These questions also apply to recreation events and other recreation uses listed in the Proposed Action.

Response: After temporary one year permits expire they would not automatically be reissued. Applications would need to be resubmitted and if found to still be eligible under this EA/Decision then they could be authorized. If the activity no longer meets the criteria then NEPA compliance would have to be satisfied via another appropriate analysis before a permit could be issued.

5. Please define priority use permit holders and explain if the list in Appendix F applies to any of them.

Response: Priority Use is a term defined in FSH 2709.14 Chapter 50 for outfitter/guides. None of the existing permits or activities listed in Appendix F are considered Priority Use under the definition.

6. The number of Service Pool Day Allocation in the table totals 10,900; however, in the narrative above (b. and c.) the total adds up to 10,000 ... Please explain the difference or correct the math error.

Response: You are correct that the total number of available temporary service days shown on EA Table 2.1 is 10,900. However there are several internal controls on individual categories described in Section 2.2.2.2. B. and C. that regulate how individual uses would be allocated service days so that all the proposed available service days are distributed amongst competing commercial uses. The individual restrictions do not, and are not intended to add up to 10,900 and are meant to provide at least some level of equality in the distribution of service days.

7. The ability for permit holders to apply for an additional 200 Service Pool Days equates to an additional 10,000 service days, totaling a maximum of 20,000 Service Pool Days for outfitter/guiding in the Lake Tahoe Basin per year. ... This is an excessive outfitter/guide pool for the intent of determining a needs assessment.

Response: EA Sec. 2.2.2.2. A. 3. specifically states that the additional 200 day allowance cannot exceed the allocations set in Table 2.1. So in no case would the total service days authorized under this decision exceed 10,900 or exceed the amount for the specific category.

8. The total number of service days should be at 10,000 and provide in the analysis the ability to shift suggested Service Pool Days for each outfitter/guiding category in a given year to those permit holders who request additional days from those who are not using the available allocation.

Response: The Service Day Allocation for each use and the criteria selected were based on a reasonable level for analysis. As stated in the Purpose and Need (EA Sec. 1.5) this proposal is not meant to precisely determine the carrying capacity for commercial services but rather to set an initial allocation that when analyzed has only minor environmental effects.

9. Proposing restricted outfitter/guiding on the trails listed in this section [Sec. 2.2.2.2 B. 10.] is a good attempt to address commercial interests, however, these high use trails should not be available for commercial mountain biking use at all.

Response: (Sec. 2.2.2.2. B. 10. is now B. 9.) We believe the use of these trails by mountain bike outfitter/guides during the week is an acceptable compromise and with the other limitations on use listed in the criteria and design features, the impact will be minimal.

10. Please clarify if all proposed outfitter/guiding categories are considered under this restriction.

Response: Thank you for your comment, we have edited Sec. 2.2.2.2. to clarify the intent that all of this section applies to temporary outfitter/guiding.

11. The trail system between Tahoe Mountain and Highway 50, and all of Meiss Country should not be available for commercial mountain biking use.

Response: Criteria 2.2.2.2. B. 8. and Sec. 2.2.2.3. B. 4. list the trails and times when permitted mountain bike activities are not allowed. In addition some trails such as the Pacific Crest Trail are closed to all mountain bikes and would not be available for permitted mountain bike use. Criteria 2.2.2.2. B. 2. And 2.2.2.3. B. 2. do not allow a type of use that is not available to the public.

12. All of these high use areas should not be available for recreation events as well [as commercial mountain biking].

Response: We have revised Sec. 2.2.2.3. B. 4. (formerly B. 2.) with respect to mountain bike events. However other events (e.g. runs) could be authorized.

13. We offer this suggestion: if there is more than one outfitter/guiding operation allowed in one of these areas, consider authorizing one holder to operate Monday, Wednesday, Thursday, and another to operate Tuesday, Thursday, and Friday. The concept of dispersing commercial use in popular recreation areas under a week-day limitation during peak season may minimize conflicts with local and other public users.

Response: Thank you for the suggestion. As we evaluate the effectiveness of the criteria and design features, the need for supplementing the EA with additional criteria or administrative procedures may arise. In addition the Proposed Action has criteria that focus on protection of the user experience (Sec. 2.2.2.2. B. 13.) that allow the Forest Service to consider solutions that can be applied during the permitting process to achieve the intent of the criteria.

14. Please distinguish if proposed shuttle services will be directly associated with an Outfitter/Guide authorization, such as a sub-contractor under the permit, or an independent holder, or both. Independent shuttle services are likely to increase use in an area, which can affect the quality of experience for recreation users. Please clarify if the

shuttle services proposed under this restriction are for mountain biking, hiking, or other recreational activities.

Response: The proposed action does not differentiate between different kinds of shuttle services or clientele served, except that “lapping” is not allowed. The permits issued for all shuttle services would not exceed 2000 service days annually (EA Table 2.1).

15. The Tahoe Rim Trail EA required a two foot wide trail for protection of specific botanical resources [for the... segment between Tahoe Meadows and Tunnel Creek], yet, over the years the trail has doubled in width in sections with no restoration efforts. This matter should be addressed with either restoration of this segment of trail prior to issuance of any new authorized recreation activity or updating the botanical review.

Response: In general the criteria and design feature require the protection of sensitive resources using such techniques as “flag and avoid” which may be an acceptable alternative until physical corrective action can be taken on the trail. The permittee would be responsible to ensure that clients/participants do not have adverse impact to sensitive resources. Because the activity is under permit there would be greater control than with the general public.

16. Section 2.2.2.3. B. (2) Please clarify why endurance challenges may be authorized on the listed trails. It seems that such events are no different than a mountain bike racing event. Also, please address foot races as well on these trails. Do personal challenges require a permit?

Response: EA Section 2.2.2.3. B. 4. (formerly B. 2.) has been revised to apply to all mountain bike events. Other kinds of events are allowable. Reference to endurance challenges as a distinct category has been removed.

17. Please define Visitor Use Day in comparison to outfitter/guide service day [Sec. 3.1.3.2]

Response: The term “Visitor Use Day” was used incorrectly in EA Sec. 3.1.3.1 and has been reworded and updated to read “10,900 Service Days”. A Service Day is one client for one day or part of a day.

18. Please include dates of permit issuance and/or expiration, and when permitted recreation events occur with their general location(s) [in Appendix F].

Response: We have updated Appendix F to include this information.

H. John Singlaub, Tahoe Rim Trail Association

1. We are also heartened by the language in the EA that “the proposed action will not result in any changes to existing management direction found in the LTBMU Land and Resource Management Plan (Forest Plan) or existing rules, regulations, applicable state/local laws, or administrative decisions regarding the use of NFS lands (i.e., existing management plans for areas such as the Tallac Historic Site, volunteer service agreements, existing Forest Orders, etc.), or existing recreation use permits” (EA, page 9)... the TRTA will continue working under the Forest Service’s existing management plans, decisions memos, volunteer service agreements and special use permits for the Tahoe Rim Trail that we have developed together with the LTBMU over the years... we would be even more comfortable if the Tahoe Rim Trail was included in the example used in addition to the Tallac Historic Site!

Response: The paragraph you referred to has been removed from EA Sec. 2.2. as part of a general revision of that section. However, the concern you expressed regarding the scope of changes that this Decision encompasses was widely misunderstood. We have addressed the misconceptions in the “Overall Response” at the beginning of this section, and by revision the Purpose and Need (EA Sec. 1.5).

2. It does not appear to the TRTA that the new guidance would streamline any of our workload, or reduce the permit requirements for proposed work that is not covered by the EA.

Response: For some groups, especially those engaged in trail maintenance activities, there will be little change from the past. This EA/Decision will replace the out of date Trails Maintenance Decision Memo (DM) (6/25/09), but we have revised Chapter 2, Component 1 to reflect the format and intent of the older DM. This does not change or expand the intent for trail maintenance but formats it in way that is more familiar and clear. The EA does, however, incorporate new direction based on changed conditions, e.g. criteria for protection of the endangered Sierra Nevada yellow legged frog.

3. 2.2.2.1 (B) #14, page 14. The restriction states that trail maintenance will be limited to the trail tread in areas that have not been surveyed for heritage resources. Figure 2-5 shows those roads, trails, and lands that have been surveyed for heritage resources, but the map is not of sufficient detail to confirm that the Tahoe Rim Trail has been fully surveyed so as to allow routine annual maintenance or corrective maintenance. TRTA understands that surface disturbing activities require a heritage survey prior to authorization. However, virtually all trail maintenance that TRTA performs on a routine basis is not within the narrow confines of the trail tread itself, but within the area (or corridor) of the trail. For example, fallen tree or log removal, drainage cleaning and repair, loose rock and root removal, berm and slough removal, brushing, and removal of low hanging limbs for equestrian safety, are all performed within and outside the trail

tread itself. As we develop our annual trail maintenance plan with the Forest Service, it is hoped that the intent of the EA is not to more narrowly define where maintenance work may be performed. Use of another term such as “trail buffer” or “trail corridor” may be better than the limiting term “trail tread”. This restrictive language is repeated in 3.7.3.2 (l) and (m).

Response: We have revised the EA to consistently use the terms “trailway” and “roadway” to include all the built features and the associated vegetation clearance for trails and roads. The Programmatic Agreement with SHPO uses the term “trail tread”, which we interpret to mean the same as our use of the term “trailway”.

4. 2.2.2.2 (B) #10, page 17. The restriction on outfitter/guide activities each year on holidays and weekends from June 15 to September 15, should apply to the entire Tahoe Rim Trail, not just specific segments. Regulation of these activities should be done with an eye to spread use of the trail to mid-week and to less-used portions of the trail in order to maintain a quality user experience throughout the Tahoe Rim Trail system.

Response: We believe the limitations on service days (EA Table 2.1) and related criteria (EA Sec. 2.2.2.2. B.) are constrained enough that outfitter/guide use on the TRT or other popular trails will not significantly impact other users. In addition, the criteria in EA Sec. 2.2.2.2. A. 5. & B. 14. & 15. provide further controls on conflicts.

5. 2.2.2.3 (B) #2, page 20. The TRTA requests that the limitations described here that only apply to mountain bike racing events, be expanded to include foot and equestrian races with 75 or more participants, since they also would significantly impact the trail and the trail users’ experience. Also, we would like to see the entire Tahoe Rim Trail listed rather than only specific segments. If an event is going to impact this already-busy trail system during peak times, the TRTA would like authorizations to protect the quality user experience throughout the trail system.

Response: The Proposed Action has criteria that focus on protection of the user experience (Sec. 2.2.2.2. B. 13. and 2.2.2.3. B. 13). These criteria provide safeguards but do allow some appropriate use of popular trails. Additionally some events require loops, and connections that rely on some portions of the TRT and other popular trails and so to completely eliminate the use of the TRT would artificially constrain opportunities.

6. The TRTA applauds the Forest Service’s commitment to emphasize “Leave No Trace” ethics.

Response: Thank you.

7. 2.3.3 #4, page 29. The TRTA requests that this item be amended to add “Outfitter/guide and event operations occurring on the Tahoe Rim Trail will be communicated to the TRTA when permits are finalized”. This will allow the TRTA to post on our website and social media pages information well in advance about the events so that trail users who do not want to have their trail experience impacted by these events can utilize other segments of the trail on days when events and outfitters will be present.

Response: The Design Feature (EA Sec. 2.3.3. (4.)) has been revised to include notification of partners.

8. 2.3.3 #5, page 29. The TRTA requests that the clause written regarding participation and contribution to trail maintenance by permittees should include language that states participation and/or contributions would be made to either the LTBMU or to trail stewardship groups within the LTBMU with current Volunteer Service Agreements to ensure that this maintenance work is done in a sustainable and strategic fashion.

Response: This design feature has been deleted. We cannot require trail maintenance as a condition of these kinds of permits.

9. We would appreciate any opportunity to review or provide input on activities being considered by the interdisciplinary team that may affect the Tahoe Rim Trail.

Response: We anticipate that lists of projects that qualify to be covered under the decision will be made available, probably on our website and other social media.

I. Peter Santley

1. I would be interested in this program to guide and instruct catch and release fly fishing and on stream education clinics....Please keep me informed on program status.

Response: Thank you for your comment.

J. Kindred Murillo, Lake Tahoe Community College

1. While we see great benefit to the community in being able to manage public lands to allow outfitters and guides greater access to resources in the Lake Tahoe Basin, this process could be very challenging, if not impossible, for (not for profit) educational institutions like ours to oversee and implement.

Response: The requirement for educational institutions to get Special Use Permits for activities on National Forest System lands is governed by Forest Service policy (FSH 2709.15 Ch. 50). This EA/Decision cannot alter national policy. In general, any activity/event that generates income to the sponsoring entity, even when non-profit, requires a permit (e.g. tuition for a class). When the

cost of an activity/event is shared by the participants to only cover expenses then an outfitting/guide permit is not required. (e.g. local Boy Scout troop outing).

2. Could you please clarify if (not for profit) educational institutions, like Lake Tahoe Community College, will be affected by the terms of this EA? If educational institutions are not covered under this EA, could you please inform the Forest Supervisor that our institution is interested in drafting a Master Agreement or Memorandum of Understanding with the Lake Tahoe Basin Management Unit so that students, under our guidance, can access federal lands to observe unique natural resources, practice wilderness skill sets, and learn about environmental stewardship?

Response: This EA covers the described activities, not who might be the sponsoring entity. The requirements for when permits are required are found in national Forest Service policy (FSH 2709.14 Ch. 50). This EA cannot alter national policy.

K. Judith Hildinger, Angora Lakes Resort

1. We strongly support incorporating “Leave No Trace” principles for guides and events.

Response: The design features include requirements (Sec. 2.3.3.) that promote appropriate behaviors such as “Leave No Trace”.

2. We strongly support the ‘no unmanned vehicles’ policy and restrictions on night lighting and amplified sound for outfitters and events.

Response: Criteria restricting drones, lighting and amplified sound are included in the EA (Sec. 2.2.2.2 B. 3., 4., 9. and Sec. 2.2.2.3. B. 7., 8., 9.)

3. We strongly support streamlining the re-authorization process for special use permits with no operational changes are proposed.

Response: This activity is covered in Sec. 2.2.2.4. This Component has been revised for clarity.

L. Evon J. Yakar

1. I support the No Action option.

Response: Thank you for your comment. The EA analyzes a No Action alternative.

2. As a citizen and recreation user in our area, I would like to see an expanded opportunities for guide services, shuttle services, and group use of the trails and forest lands.

Response: Thank you for your comment. The Proposed Action (Alternative 2) provides criteria for issuing temporary outfitter/guiding services.

M. Becky Bell

1. Please hold a series of open public meetings to discuss the input you receive from this Draft and a review of the entire Project with all users and residents.

Response: EA Sec. 1.7 describes the public involvement. There are no additional public meetings planned.

2. Draft EA still lacks data that substantiates the request/need for mountain bike shuttles / mountain bike guides.

Response: The LTBMU does not keep records for requests for mountain bike shuttles and guide services, however the request for permits is frequent (several/year). In addition, there are numerous unauthorized operators encountered by our law enforcement officers each year, which indirectly suggests there is a demand.

3. Pg. 37 states – “...issuance of one-year authorization against the use pool...” – How does that work?

Response: EA Table 2.1 shows the annual allocations of service days. The table has been revised for clarity. In addition EA Sec. 2.2.2.2. A. also provides additional detail on allocation of service days.

4. Corral Trail/Armstrong Pass Fountain Place Road has been the shuttle/guide experiment to understand the social and environmental impact. ...Does data exist for public review?

Response: The Forest Service has not issued any permits to operate shuttle services anywhere on the LTBMU. Any commercial shuttle services now operating are unauthorized.

5. I still don't understand Open Season, and I cannot interpret the referenced document in the EA specifically for Lake Tahoe, i.e. timeline, place, fees, hours, proof of shuttle ownership, system, auditing, etc.

Response: The term “open season” (EA Sec. 2.2.2.2. A. 1.) refers to establishing a defined window of time(s) when the Forest Service would accept applications for outfitter/guide permits. For example, one scenario could be: all applications must be received by February 15th each year. The alternative would be to accept

applications year round. It has not proven administratively efficient to be processing permits continuously.

6. What is the list of trails that will be authorized and promoted? Will you open Snow Valley Peak TRT to bikes?

Response: This EA does not change existing allowed uses on trails, so there is no change to the Spooner-Snow Valley Peak section of the TRT. Authorized special uses must conform to the existing suitable use for a trail, road and/or site (EA Sec. 2.2.2.2. B. 2.). While certain trails are closed to outfitter/guiding activities (EA Sec. 2.2.2.2. B. 8.), the remaining trails are available for consideration of activities as presented in the Proposed Action.

7. Concerned this Proposed Action is pushing inexperienced riders and users to trails that are unsafe for their skill level and equipment that will ruin the social experience and safety for all other users.

Response: There is nothing in the Proposed Action that would displace existing users. There are several safeguards in the criteria and design features that prevent overuse and overcrowding. This EA does not guarantee that special use permits will be issued. It provides the criteria that an applicant must meet to pass the environmental constraints.

8. South Shore is a highly concentrated area already. The proposed shuttles and guide services and large group events by all users will ruin the experience for all users. It's a major safety concern.

Response: Shuttle services are limited to 2000 service days (EA Table 2.1) annually over the entire LTBMU. Other types of outfitter/guiding are similarly limited. This is a small amount in relationship to the number of general public uses, especially since not all of the clients of shuttle services will be new people not already using the area. Outfitter/guides are required to include principles of responsible trail use and etiquette as well as providing for the safety of their clients.

9. The entire Environmental Consequences does not delve into the social consequences, a key factor for Tahoe.

Response: Sections 3.1 and 3.2 consider effects to social values including recreation access, opportunities and experience, as well as socially valued visual quality of the Tahoe landscape.

N. Jon Anderson

1. I would like to see equal access for all recreation including motorized vehicles. I find it very special interest oriented to restrict access for OHV and OSV especially in the High Meadows and Freel area.

Response: It is outside the scope of this EA to alter the existing suitable uses as described in the 2016 LTBMU Forest Plan. The criteria and design features specifically require that all Special Use Permits conform to the allowed uses for a trail, road and/or site (EA Sec. 2.2.2.2. B. 2.)

2. Snowmobiling in the High Meadows and Freel area should be reopened. The LTBMU's justification is very hypocritical considering they allow Heavenly to snowmobile and access the adjacent area with the same geological characteristics. In addition, the neighboring forest on the backside of Freel allows OSV along with Nevada access to Genoa Peak which also has similar characteristics.

Response: See response to #1. Altering the existing OSV use areas is outside the scope of this EA.

O. Susan Hughes, Friends of Incline Trails

1. The requirements of this Draft EA for even minor and normal seasonal preventative maintenance seem onerous - and, at the least, will delay any time critical safety or erosion maintenance until well into the summer use season. Any corrective repairs, however minor, appear to be precluded completely under this draft EA, forcing a complete new NEPA process.

Response: For some groups, especially those engaged in trail maintenance activities, there will be little change from the past. This EA/Decision will replace the out of date Trails Maintenance Decision Memo (DM) (6/25/09). We have revised Chapter 2, Component 1 to reflect the format of the older DM including the distinction between routine and corrective maintenance. This does not change the intent for trail maintenance but formats it in way that is more familiar and clear. The EA does, however, incorporate new direction based on changed conditions, e.g. criteria for protection of the endangered Sierra Nevada yellow legged frog.

2. The draft EA language and procedures require excessive surveys and reviews for all levels of future maintenance. We worry that under these proposed rules we will not be capable of maintaining a popular family friendly trail to acceptable safety and environmental standards.

Response: The requirements set forth in the Proposed Action reflect compliance with law, regulation and policy. For example, there are now survey requirements for the newly listed Sierra Nevada yellow legged frog which comply with the

Endangered Species Act. It is important that the all the sensitive resources on a piece of ground be known so that appropriate action and tradeoffs, if necessary, may be fully evaluated.

P. Kelly Ross, Camp Richardson Corral

1. I am a proponent of the proposed Action- Alternative 2.

Response: Thank you for your comment.

2. Would Camp Richardson Corral fall under this plan with the potential for future authorization of offering a recreational Outfitter Guide opportunity?

Response: All outfitter/guide proposals would be evaluated against the covered activities and criteria described in this EA.

3. Including the possibility to manage a parking lot at the Fallen Leaf sled hill/ highway 89 areas. The possibility of operating a sled hill at the Corral and other future growth within the Corral. Please confirm that this project will not affect the outcome of future growth previously discussed for Camp Richardson Corral.

Please confirm that this project will not affect current pending Environmental Analysis for Wilderness use pertaining to Outfitter Guide Use and Commercial Stock Use in Desolation Wilderness.

Response: The scope of this EA only covers minor uses as detailed in Alternative 2. It does not forego a more in depth analysis for proposals that exceed the criteria set forth in this EA. The criteria in this EA do not set policy for future actions that are not included in this EA.

4. Within this proposed action, would the Corral qualify for potential upkeep and maintenance by the USFS with our current 20-year special use permit with privately owned buildings?

Response: This EA may cover maintenance activities that currently require individual NEPA analysis, provided the activity meets the applicable criteria and design features.

5. Question about the guideline of 12 inches of compacted snow? Where does this over the snow recreation guideline originate? We historically have operated our horse drawn sleigh rides on a 3-6 inch packed base. This plan does not mention the opportunity of Sleigh rides however pertaining to the Corral please clarify that this new 12 inch guideline would not change our existing or future requirements of winter operations.

Response: The scope of this EA is narrowly focused and the criteria and design

features are purposely strict to ensure there are no significant impacts resulting from the allowed activities. Snow depth is a perfect example of this principle. For an activity to qualify under this EA, there must be a 12" snow depth to ensure little to no risk to the soils and vegetation. Other similar activities not within the scope of this EA may have different requirements for snow depth based on the NEPA compliant document that analyzes the specific proposed activity and/or project. This EA does not alter existing permits that are analyzed under a different Decision.

6. Camp Richardson Corral recently was reauthorized for grazing at the Fredericks pasture. After completing extensive required Environmental analysis of the pasture, it was found that there were potential bat roosts in the surrounding area, and referring to our operating plan, we would monitor use/ impact in accordance with the Bat studies performed by the LTBMU. Please confirm that within this proposed action that this would not alter prior authorization and future authorization of grazing.

Response: This EA does not alter existing authorizations. This EA does not forego stand-alone NEPA analysis for activities that do not qualify.

7. Criteria restricting activities in occupied or proposed critical Sierra Nevada Yellow Legged Frog habitat.” Who decides “proposed critical habitat”? This language is confusing in regards to proposed critical habitat. Will there be an annual consensus of critical habitat so that an authorized permit holder and recreational user is educated in what is eligible for recreational use? Would the Aquatic Habitat guidelines /Sierra Nevada Yellow legged Frog habitat affect Camp Richardson Corrals authorized use of a stream crossing at Taylor Creek?

Response: Critical Habitat is determined by the US Fish and Wildlife Service for all federally listed threatened and endangered species. Once Critical Habitat is determined it can only be changed through a public process administered by the US Fish and Wildlife Service. The Sierra Nevada yellow legged frog is listed as an endangered species. Final Critical Habitat was published by the US Fish and Wildlife Service on August 26, 2016 in the Federal Register. Figure 2-2 shows SNYLF Critical Habitat along with other areas protected for wildlife. This EA does not affect existing authorizations. However, it should be noted that as new guidelines for the management of the SNYLF are developed, exiting uses and projects may need to be modified to protect the frog and its habitat, but this would be entirely outside the scope of this EA.

Q. Tom Pyeatte, NV Division of Water Resources

1. All water used on a project must be permitted by the State Engineer’s Office. Ensure that any water used on the described project for any use such as construction, dust control, fire suppression or maintenance should be provided by an established utility

or under permit or temporary change application or waiver issued by the State Engineer's Office with a manner of use acceptable for suggested projects water needs.

Response: All permits issued for use of National Forest System lands require compliance with all required federal, state and local laws.

R. Laurel Ames, Tahoe Area Sierra Club

1. We do not believe the USFS-LTBMU can fully justify using an EA to support a Finding of No Significant Impact for the scope of projects that could be approved under this proposed action....A FONSI could be justified in the scope of projects was reduced.

Response: The FONSI is included with the draft Decision Notice. The EA (Ch. 3) finds that there are no significant impacts associated with the proposed action. This is largely due to the narrow scope of the activities included in the Proposed Action and the rigorous criteria and design features that must be met for a proposal to qualify to be covered by this EA.

2. [Sec. 2.2.2.1 A.] Use of the phrase “include, but are not limited to” leaves the door wide open to activities that may be allowed under this action.

Response: Sec. 2.2.2.1. A. has been reformatted for clarity. The section now describes both annual routine maintenance and corrective maintenance activities for trails, roads and facilities.

3. The relocation of a feature (e.g. building, roadway, campground) within a site boundary but to a location closer to or even adjacent to a SEZ, stream, or lake could have an impact that has not been considered in this EA....BMPs only reduce the potential for runoff to carry pollutants to water bodies. Buffer areas provide an important secondary method to reduce the amount of pollutants reaching water bodies. Eliminating this buffer, as allowed in this proposed action, may have an impact that is not considered in this EA.

Response: Criteria 2.2.2.2 B. 20. Has been added to limit Component 1 activities to limit activities that do not reduce impacts to the SEZ.

4. [Since the proposed action] allows up to 10% increase in parking capacity, it seems clear that the USFS-LTBMU does not believe the phrase “without increasing vehicle use” to apply to the additional vehicles using the added parking spaces, driving on the parking lot to reach the added spaces or increased driving on public highways and roads that occurs, as documented in many studies, when facility capacity is increased. It is possible that significant increases in coverage and associated runoff carrying pollutants

to surface waters and increases in overall vehicle miles traveled in the Lake Tahoe Basin that are not quantified or evaluated in this EA could occur.

Response: Sec. 2.2.2.2. B. 3. has been modified to include no increase to vehicle traffic.

5. Section 2.2.2.1 A8 – The TASC supports this activity with the clarification that this applies to “existing” parking areas.

Response: This section was replaced. Delineation of parking is now included in the Corrective Maintenance section of Roads, Trailheads, and Parking Lots (Sec. 2.2.2.1. A.). As described in the preamble of the Proposed Action (Sec. 2.2) the proposal refers only to existing trails, roads and facilities except for a few activities that are specifically mapped (i.e. rock climbing outfitter/guide areas)

6. Section 2.2.2.1 A10 – The TASC supports this activity with the clarification that this applies to existing designated roads and trails.

Response: Sec. 2.2.2.1. A. 10. is now incorporated into the Annual Routine Maintenance section of Trails (Sec. 2.2.2.1 A.)

7. [Section 2.2.2.1 A.16.] Projects on narrow streams where bridge abutments are outside of flood plains or SEZs are appropriate for this EA. However, the impacts of replacing stream crossing on wide streams with significant stream-side SEZs or wetlands that may also involve in-stream piers have not been analyzed in this EA and should be eliminated from the proposed action.

Response: Section 2.2.2.1 A. 16. is now incorporated into the Corrective Maintenance section of Roads, Trailheads and Parking Lots (Sec. 2.2.2.2. A.). This activity refers to the replacement of existing structures not the construction of new structures. The application of current design standards would lead to an improved condition overall. The replacement must be within the existing roadway and less than one acre. Additionally the criteria in Sec. 2.2.2.1. B. further constrain any crossing replacement project. Proposals that do not meet the criteria could be analyzed separately in a standalone NEPA compliant document.

8. Section 2.2.2.1 A 18 allows development or replacement of features in SEZs without any bounds on the size or nature of the feature. Since this section uses the terms “development” and “replacement” it seems the USFS-LTBMU can allow a new feature of unlimited size to be constructed in a SEZ....The TASC requests that the word “development” be removed....The USFS-LTBMU should place some constraints on the size and nature of features covered by this proposed action.

Response: Sec. 2.2.2.1. A. 18. has been reworded and moved to the criteria

section (now Sec. 2.2.2.1. B. 19) which does not allow activities that do not reduce impact to SEZs to qualify under this decision.

9. Section 2.2.2.1 B1 – the TASC is concerned with the use of the undefined phrase “fundamentally alter the program of (sic) service”.

Response: The “program or service” in Section 2.2.2.1 B. 1. refers to what the site is currently used for e.g. campground, day use picnic, trailhead etc. This criteria prevents the conversion of a site from one purpose to another as part of this Decision. For example a day use picnic site cannot be converted to an overnight campground under this Decision. We have added this example to the EA for clarity.

10. Section 2.2.2.1 B6 – the use of the term “improvements” is inconsistent with terms used in the remainder of the Section and could be interpreted as applying to new features.

Response: We have edited EA Sec. 2.2.2.1. B. 5. (formerly B. 6.) to clarify. The term “improvements” has been removed.

11. The TASC believes that applicability of this proposed action to ski area should be the same as to other USFS-LTBMU special use areas. Our suggestion is to delete the phrase “improvements within ski areas are limited to roads, trails, and facilities” while retaining the phrase “modification to ski runs and lifts will not be authorized”.

Response: The proposed action does allow for the maintenance of existing roads, trails and facilities whether on areas authorized by a Special Use Permit or managed directly by the Forest Service. There is no intent to treat the ski areas different in that respect. However, Sec. 2.2.2.1. B. 5. (formerly B. 6.) does not authorize modifications to ski runs, snowmaking lines and lifts, which does not forego a standalone analysis.

12. The criteria for “Authorization of Events” does not include a maximum number of events that would be allowed basin-wide or in any one area....Without this limitation, it is possible that the USFS-LTBMU could approve events such as trail runs, mountain bike events, etc. on every summer weekend day at numerous locations throughout the Basin.

Response: Based on the current demand for events, which are not now limited, and the very diverse nature of the kinds and timing of events that occur we believe there are sufficient safeguards described in the criteria section (Section 2.2.2.3 B.) to prevent overcrowding and/or conflicts. Identification of a particular number would difficult and somewhat arbitrary given the diverse nature of events. Also meeting the criteria does not mean a permit will be automatically issued. The Forest Service still has the discretion to deny permit applications when

warranted (e.g. lack of appropriate insurance, past poor performance, potential conflicts).

13. The environmental analysis does not consider the traffic, greenhouse gas emissions, or resource impacts that would be associated with this logically potential number of events.

Response: See response to #12 above. The criteria and design features provide sufficient safeguards (i.e. 2.2.2.3. B. 5. and 6.) to keep the impact of events at a level that does not cause significant impacts when compared to the context of the entire Lake Tahoe basin.

14. Section 2.2.2.4 B4 uses the phrase “substantial operational changes are not proposed” yet there is no definition of the word “substantial”. The USFS-LTBMU attempts to fix this problem by listing a number of changes that would be considered “non-substantial”. However, using the term “etc.” at the end of this list essentially allows the USFS-LTBMU staff evaluating the permit re-issuance to independently and without any criteria decide what is or is not substantial. How can the USFS-LTBMU analyze the potential impacts from such a vague criteria?

Response: We have revised the wording on 2.2.2.4. B. 4. to mimic the intent as expressed in an existing Categorical Exclusion (FSH 1909.15 32.2 (15)).

15. Most of the road and trail system in the Basin is classified as Semi-Primitive Non-Motorized or Semi-Primitive Motorized [as part of the Recreation Opportunity Spectrum (ROS)]. The USFS Field Guide to implementing the ROS includes a quantitative description of the social encounters that one would expect in these two ROS classifications. The Norm for these two classifications are 6-15 parties met per day and six or less seen at a campsite....there are no criteria in the outfitter/guide activities or events that would specifically preclude issuance of approvals when these quantitative limits would likely be exceeded. It does not appear the USFS-LTBMU has any information that would indicate that ROS levels of social encounters are currently being met and that there is any capacity to allow more use, especially during peak periods.

Response: The Recreation Opportunity Spectrum (ROS) guidance provides general concepts for managing the recreational character of the landscape. The guidance provided for each of the ROS classes helps to define the experience and setting for each classification, however the number of encounters is merely a guideline and not a prescription supported by law, regulation, policy or the Forest Land Management Plan as an absolute threshold. The LTBMU does not monitor social encounters per se, in part because we are not required to manage at that level in the LMP outside of the Desolation Wilderness.

In the case of this proposed action the service day and other restrictions placed on outfitter/guiding activities (EA Table 2.1) are purposely set at very low level and do not allow use of some high use trails or activities on weekends and holidays. Based on the analysis (Section 3.1 Recreation Resources) these limitations along with the other criteria and design features will result in insignificant effects when compared to the overall use at Lake Tahoe.

16. Section 3.6 fails to consider the impact of new facilities or significant expansion of existing facilities...which generate new pollutant loads only some of which can be mitigated with the use of best management practices...The EA fails to mention the potential for increased use (hiker, bike, horse) on trails and roads that tend to pulverize soils creating more fines that are the key pollutant of concern to the clarity of Lake Tahoe. Simply indicating that BMPs will mitigate this additional load fails to acknowledge that not all USFS-LTBMU roads and trails have adequate or any BMPs and that BMPs do not capture all the pollutants of concern. Lastly, the EA fails to address the effect of new projects on near-shore water quality which is affected by activities in specific watershed and cannot be evaluated on a basin-wide basis.

Response: The proposed action does not include new facilities or expansion of existing facilities. As noted throughout the Response to Comments we have reworded portions of the EA to clarify that the fundamental intent of the proposed action is to focus on the management and use of existing roads, trails and facilities. The amount of use allowed under permit is set at a very low level and restricted by a set of criteria and design features resulting in a relatively insignificant environmental impact when compared to the current use.

17. We would appreciate further information as to when this [opportunity for stakeholders to provide input on activities being considered under this project] process will be defined and how it will be incorporated into the decision on this proposed action such that it becomes an integral process to be followed. The process should include clear time periods and bounds for comment that is consistent with the effort to streamline the process for approval of these routine projects with minimal impacts while still affording public review.

Response: We have revised several sections of the EA to reflect the how projects and activities will qualify under this EA/Decision. The LTBMU website will be the primary point of information.

S. Ben Fish, Tahoe Area Mountain Biking Association

1. TAMBA feels that some elements of the previously proposed action would have greatly benefitted the trail system, user experience and make it easier to create a better connected and sustainable trail system. However, some of those elements have been omitted in the

draft EA or changed drastically. As it is written now, the draft EA will hinder future trail projects and existing trail maintenance activity.

Response: The Forest Service looked at all the comments received on the initial proposed action that was circulated for scoping. The comments along with the environmental analysis disclosed in this EA, led to revisions of the initial proposed action in a way that is responsive to comments and/or result in acceptable environmental impacts.

2. The scope should not have been reduced to eliminate adoption of non-system trails outside of existing road and trail buffers, and to limit re-route outside of a 200-ft. buffer for roads and trails.

Response: Adoptions of non-system trails was deleted from the initial proposed action because it is not possible to evaluate the environmental impacts of a yet to be determined trail alignment. This EA/Decision does not prevent the site specific analysis of additions to the trail system in the future. Minor reroutes are allowed if they meet all the criteria and design features. The arbitrary distance of a 200 foot buffer was deleted. Again, it is not possible to speculate on the resources that might be at risk within the 200 feet.

3. We agree in the addition to include requirements for guest education regarding “leave no trace” ethics and appropriate trail use etiquette, as well as participation in trail maintenance and stewardship for all guiding and shuttle services.

Response: Thank you for your support.

4. We agree in the restrictions of mountain biking shuttle services on certain high use trails during peak use periods. However, Van Sickle Trail should be added to the list and the Armstrong Pass/Corral Trail Complex should be removed from the list. Armstrong and Corral Trails see a high amount of private shuttling on the weekends and a commercial operation could alleviate some of that traffic.

Response: Portions of the Van Sickle Trail are on State lands and therefore are outside the jurisdiction of Forest Service.

5. On page 20 it is stated that new mountain bike trail racing events will not be authorized on a number of trails including the Tahoe Mountain Trails and Corral Trail Complex, this seems fairly restrictive and could make it nearly impossible to have a high school mountain bike team in the future. We feel this should be reworded to allow the potential for races if they are in partnership with an active trail stewardship organization and/or youth organization. We also feel mountain bikes should not be singled out, as it still allows for running or even motorized races which could provide the same impact to trail users.

Response: This EA/Decision does not set policy or forego the consideration of activities outside the scope of this document in the future. Activities that do not qualify under this Decision may be analyzed on a case-by-case stand-alone basis as staffing and funds permit. In addition, it is not within policy to grant permits to entities in exchange for participation in an “active trail stewardship organization”.

6. It has been noted by Forest Service staff that the EA will replace the current CE [categorical exclusion and Decision Memo] as it relates to trail work and maintenance, we did not see that wording here in the draft EA but feel strongly that if the EA will replace the CE the restrictions for trail work should be eased instead of constrained.

Response: It was not the intent of this EA to be more constraining than the previous Trails Maintenance Decision Memo (6/25/09) except where necessary to meet law, regulation and policy. We have revised the proposed action in the EA to more closely match the design features in the Trail DM. However there have been changed conditions that needed to be incorporated into this proposed action. For example the Sierra Nevada yellow-legged frog was listed as an endangered species. We have also clarified that this EA does supersede the older and now out of date Trail DM.

T. Chris Proctor, Barton Health

1. Who are the IDT members? [It would be] helpful to know early on in the document.

Response: The use of the term Interdisciplinary Team (IDT) in this context refers to a team of Forest Service specialists that cover a range of natural resource disciplines (e.g. wildlife biology, hydrology, forestry, cultural resources etc.). The actual make up of an IDT varies depending on the project, and personnel available. Specialists with a wide range of expertise will be reviewing proposals to evaluate if they are covered by this EA/Decision.

2. To the Purpose and Need for Action, add, “developing a deeper sense of respect for the environment and the need for proper management and conservation of our public lands”.

Response: We agree that this is an important concept and have included similar direction in the Design Features (EA Sec. 2.3.3).

3. [Sec. 2.2.2.3] Is a permit needed if an event is less than 75 people?

Response: We have revised the wording in EA Sec. 2.2.2.3. for clarity. Any event or gathering of people, regardless of the number, where money is collected, even if the sponsor is a non-profit or educational entity, must be authorized by a Special Use Permit. Gatherings, such as family reunions, where costs are shared,

and are less than 75 people do not require a permit. Any gathering of people in excess of 75 regardless of the purpose, requires a permit.

4. Suggested addition to the document [Section 2.3.3]: If the proposed location of the event already has a special use permit holder, the two entities collaborate on trail stewardship needs.

Response: The Forest Service continues to work with volunteers, organizations and permit holders to accomplish trail maintenance activities. However, special use permits cannot be conditioned to require trail maintenance other than to return areas used to the pre-event condition, and therefore it is not possible to evaluate the environmental impacts in this EA.

5. Suggested addition to the document: We propose a Trial Period. After 2 years, for example, the Action Plan and Process would be evaluated to ensure that the areas of concern identified in “Purpose and Need for Action” have been improved.

Response: We have not built a trial period into the proposal, however if we find that it is not meeting the goal of increasing efficiency then we can decide to take a different approach at any time. This decision does not prohibit or forego analyzing any individual actions separately at the discretion of the Forest Supervisor.

U. Max Jones

1. Unintended repercussions from eliminating shuttle service on the busiest days. More vehicles parked for the day at the trailhead in an already overcrowded parking situation at Tahoe Meadows. More out and back trail use which will increase user interactions and user trips which is especially noticeable on the busiest days. More vehicle traffic on the highways on the most crowded days in the basin. Every two people setting up a self-shuttle creates four vehicle trips on the highway.

Response: Currently there are no shuttle services authorized on the LTBMU, so none are being eliminated. Shuttle services authorized by other jurisdictions are not affected by this decision. The proposed action allows for up to 2000 service days of shuttle services to be authorized when compliant with the other constraints listed. While we recognize the limitations do not allow resolution of all issues, this proposed action allows for shuttle services where they have not been authorized prior, therefore resolving at least part of the demand and impacts. Additionally many commenters have expressed concern that the new services authorized will result in increased use and overcrowding. In response to these concerns, this initial authorization is constrained to ensure minimal environmental effects. We have clarified in the EA that the outfitter/guide temporary use pool is intended to aide us in assessing the demand, need and capability of those activities in order to inform any future consideration of

permits.

2. I am in favor of a permit system to monitor and make sure operators are insured but the proposed limits are far too low in the basin.... I am not in favor of the limits on the numbers of shuttled riders or being prohibited from shuttling on the weekends when more shuttles and buses would help reduce the crowd at trailheads.

Response: Issuance of a Forest Service Special Use Permit for any use requires applicants have a specified amount of insurance, as well as documentation they are competent to provide the services authorized. See the response #1 above which applies to both numbers and timing of services. This Decision does not prohibit or preclude use beyond what is analyzed in this EA. However, uses that are not compliant with the criteria and design features proposed would need a separate environmental analysis to determine the effects of use, beyond what is analyzed in this document.

3. The best fix for Tahoe Meadows would be to build a separate return trail for bikes for the initial two miles of the Tahoe Rim Trail heading south from Highway 431. Then restrict the existing section of TRT to uphill only use for bikes. Bikes must use the return trail coming back to the meadows. Remove the odd day even day advisory.

Response: Thank you for your comment. The construction of new trail systems is outside the scope of this project.

V. Valerie Alexander

1. The Proposed Action consists of four components, each relating to existing roads, trails, and facilities (with the exception of backcountry ski / snowshoe and fishing outfitter guiding), and the programs that occur on those roads, trails, and facilities: 1. Upkeep and management of roads, trails, and facilities, 2. Authorization of Outfitter / Guide activities. Who is going to pay for this? I am not in favor of bringing more people into our pristine environment. We are already witnessing the negative effects of the ever increasing tourism in this town. Pollution, trail erosion, traffic impact. This is not a good idea. We do not have the appropriate infrastructure to support this action!

Response: Overall actions analyzed in this EA do not substantially add to the number of people who currently visit and use the Lake Tahoe area. EA Sec. 3.1.3.2. discloses the environmental consequences of the Proposed Action for the recreation resource. Except for the creation of a temporary outfitter/guide service day use pool the Proposed Action does not affect the amount of current use authorized by Special Use Permits. The temporary use pool of 10,900 service days distributed amongst several types of use (e.g. hiking, biking, fishing, backcountry skiing etc.) and spread over an entire year, is small when compared to the total use within the Lake Tahoe Basin. Additionally it does not necessarily represent all new visitors as many clients will be in Tahoe for a variety of activities. Since any increase in use will be low and spread over several types of

uses throughout the Basin there will be no indirect increased effect on the trails, roads or facilities.

2. I am in favor of maintaining trails, not increasing public access.

Response: The Proposed Action is anticipated to improve the efficiency of the environmental analysis process required by NEPA. Now most of the actions listed in the Proposed Action are analyzed individually. Combining several related actions into one analysis should save both money and staff time, which could result in increased funding for trail maintenance.

3. The more “Special Use Permits” you issue to entities who are interested in shuttling people to trailheads, the more pollution, erosion and unfavorable trail encounters we will see. Is it the Forest Service that is going to clean up the trash and reconstruct the eroded trails due to the increasing usage? Who is going to curtail the cost for such maintenance? Bad Idea! Our State and government are out of money already, and the taxpayers are tired of government siphoning!

Response: The criteria for shuttle services only allows for a total of 2000 service days spread out over the entire LTBMU (EA Table 2.1) per year. In addition, there are criteria that limit the timing (EA Sec. 2.2.2.2 B. 8.). This is an insignificant amount when compared to the total use of roads and trails, and will not have an effect on existing user experiences (EA Sec. 3.1.3.2). SUP holders are required by their permits to promote, implement and monitor appropriate behavior by their clients. (EA Sec. 2.3.3).

4. Upkeep and management of roads, trails, and facilities IN FAVOR OF. Authorization of Outfitter / Guide activities/ 100% NOT IN FAVOR OF!

Response: Thank you for your comment. Alternative 2 includes trail, road, and facility maintenance. We consider the consequences of not issuing outfitter/guide permits in Alternative 1, which includes no further action to issue outfitter/guide permits at this time.

5. The FS does not have the resources to enforce rules or provide continued maintenance on the trails that will be impacted with increased use related to an increasing user population if shuttle service is provided. The entities applying for permits are only interested in making money, no concern for the environment! We don’t want it, we don’t need it. Tahoe is a special place because we not caved into commercial invasion of our forest lands.

Response: The criteria for shuttle services only allows for a total of 2000 service days spread out over the entire LTBMU (EA Table 2.1) per year. In addition there are criteria that limit the timing (EA Sec. 2.2.2.2. B. 8.). This is an insignificant amount when compared to the total use of roads and trails, and will not have an effect on existing user experiences. (EA Sec. 3.1.3.2)

W. Justin Koovman, Pacific Crest Trail Association

1. Page 4, section 1.9 of the Draft EA references the, “Laws, Regulations, and Policies” that are applicable to this project. However, the 1968 National Trails System Act is missing from the list of laws.

Response: The “Special Area Designations” section has been updated to include the Pacific Crest Trail, which is a designated National Scenic Trail.

2. Page 9 of the document describes the process of an annual review of a list of proposed projects. Would this review include routine maintenance of the PCT such as brushing to clear the trail corridor to standard, cleaning drainage features, minor tread repair, or clearing downed logs across the trail? What would be the implication if one of these aspects was mistakenly not proposed one year? Would additional environmental analysis be required to accomplish log out work, for example, to clear the PCT?

Response: The proposed action has been clarified in regards to the annual review. Only corrective maintenance activities would be reviewed annually, which is the same as the process described in the current 2009 Trails Maintenance Decision.

3. PCTA supports the proposal to allow management, maintenance, reconstruction, and realignment of system trails and roads with reduces environmental analysis, so long as the proposed project meets the criteria listed in the Draft EA. Any project that poses significant impact to the PCT or the experience the trail affords PCT users should require additional environmental analysis beyond what is authorized through this project.

Response: Any proposed project that does not meet the criteria established within the EA would not be authorized. This document does not authorize any activities that would pose a significant impact to the PCT or the experience the trail affords PCT users.

4. ..., some of the criteria listed, specifically numbers 11, 13, 14 and 17, seem as though they may limit the Forest’s, PCTA’s and the Tahoe Rim Trail Association’s abilities to perform routine, annual trail maintenance on the PCT.

Response: In response to Objections, we have clarified the intent of annual routine trail maintenance. Only corrective maintenance activities would be reviewed annually, which is the same as the process described in the current 2009 Trails Maintenance Decision.

5. Also, how often will the wildlife and heritage surveys need to occur?

Response: Any ground disturbing activities proposed as corrective maintenance may require survey work to be performed before implementation if discovered that surveys are needed during screening with the Interdisciplinary Team. Corrective maintenance includes tasks that are more intensive than annual routine maintenance and examples are listed in the EA, Section 2.2.2.1 (A).

6. PCTA would like to see a design feature in the EA that states that the LTBMU will consult with PCTA on any trail or road project that has the potential to impact the PCT. As the primary private partner with the government agencies responsible for the administration of the trail, we would like to have the opportunity to provide input regarding any project that has potential to affect the PCT and the experience the trail affords PCT users.

Response: This document does not authorize any activities that would pose a significant impact to the PCT or the experience the trail affords PCT users. We will continue to coordinate with the PCTA on any projects that are near the PCT.

7. PCTA only supports the use of the PCT for outfitter and guide activities if the group size limit of 12 people is stringently enforced.

Response: The group size limits will be stringently enforced for the temporary use pools allowed under this EA. Any outfitter and guide activities that propose larger groups would not be issued a special use permit under this Decision.

8. PCTA does not support the issuance of any permits to allow large group, competitive, or commercial events (including commercial filming) on or along the PCT. Events of this size (more than 75 persons) “substantially interfere” with the nature and purposes of the trail. The existence of a congressionally designated trail should constitute an extraordinary circumstance, and should trigger additional analysis.

Response: We have added a criteria to the project which states – “Events on the Pacific Crest Trail that are inconsistent with LMP Standards and Guidelines for the Pacific Crest National Scenic Trail (LMP, Section 3.4, SG161- SG170).” Any events which would be inconsistent with these standards and guidelines would not be approved under this Decision.

9. PCTA supports re-authorization of existing special use permits for events on the PCT, as long as the events are kept at their current levels. PCTA would like the LTBMU to

consult with PCTA prior to authorizing or re-authorizing any special use permits for events that utilize the PCT.

Response: The criteria related to re-issuing special use permits includes a criteria that would not allow a special use permit to be re-issued under this Decision if the permitted activities are different than the current permit (EA, Section 2.2.2.4 (B)(1)). This criteria ensures that events would be kept at their current levels. We will continue to coordinate with the PCTA on any projects that are on or near the PCT.

**Lake Tahoe Basin Management Unit
Integrated Management and Use of Trails, Roads, and Facilities
Environmental Assessment**

Errata

Table of Contents:

<u>Appendix A Soil and Water Protection BMPs for LTBMU Basin-Wide Infrastructure Management and Use</u>	86
<u>Appendix B Example of a Project that could be approved under this EA document</u>	90
<u>Appendix C Example Project that would not be approved under this EA document</u>	91
<u>Appendix D Management Requirements for Invasive Plants of Management Concern</u>	92
<u>Appendix E Preferred Invasive Plant Treatment Methods</u>	94
<u>Species Currently Known on LTBMU</u>	94
<u>Biennial thistles:</u>	95
<u>Russian Knapweed (<i>Acroptilon repens</i>)(ACRE3):</u>	95
<u>Canada thistle (<i>Cirsium arvense</i>)(CIAR4):</u>	95
<u>Knapweeds:</u>	95
<u>Poison Hemlock (<i>Conium maculatum</i>)(COMA):</u>	96
<u>Rush Skeletonweed (<i>Chondrilla juncea</i>)(CHJU):</u>	96
<u>Scotchbroom (<i>Cytisus scoparius</i>)(CYSC4):</u>	96
<u>St. Johnswort (<i>Hypericum perforatum</i>)(HYPE):</u>	96
<u>Dyer's Woad (<i>Isatis tinctoria</i>)(ISTI):</u>	96
<u>Whitetops:</u>	96
<u>Perennial Pepperweed (<i>Lepidium latifolium</i>)(LELA2):</u>	97
<u>Ox-eye Daisy (<i>Leucanthemum vulgare</i>)(LEVU):</u>	97
<u>Toadflaxes:</u>	97
<u>Sulfur Cinquefoil (<i>Potentilla recta</i>)(PORE5):</u>	97
<u>Himalayan Blackberry (<i>Rubus armeniacus</i>)(RUAR9):</u>	98
<u>Species Not Currently Known on LTBMU</u>	98
<u>Medusahead (<i>Elymus caput-medusae</i>)(TACA8):</u>	98
<u>Teasel (<i>Dipsacus fullonum</i>)(DIFU2):</u>	98
<u>Starthistles:</u>	98
<u>Squarrose Knapweed (<i>Centaurea squarrosa</i>)(CESQ):</u>	98
<u>Tree of Heaven (<i>Ailanthus altissima</i>)(AIAL):</u>	99
<u>Stinkwort (<i>Dittrichia graveolens</i>)(DIGR3):</u>	99
<u>Hydrilla/waterthyme (<i>Hydrilla verticillata</i>)(HYVE):</u>	99
<u>Tamarisk/saltcedar (<i>Tamarix chinensis</i>, <i>T. ramosissima</i>, & <i>T. parvifolia</i>):</u>	99
<u>Purple Loosestrife (<i>Lythrum salicaria</i>)(LYSA2):</u>	99
<u>Species Managed on LTBMU, But Not Always Treated</u>	99
<u>Cheat Grass (<i>Bromus tectorum</i>)(BRTE):</u>	99
<u>Aquatic Invasive Plants:</u>	100
<u>Summary of All Approved Treatment Methods</u>	101
<u>Herbicides Analyzed for Use on LTBMU</u>	103
<u>Resource Protection Measures for All Treatment Methods</u>	103

<u>Special Status (Threatened, Endangered, Candidate, Forest Sensitive, TRPA Special Interest, Management Indicator, and Migratory Bird Species) Wildlife and Fisheries</u>	103
<u>Hydrology/Water Quality/Soils</u>	104
<u>Heritage Resources</u>	105
<u>Forest Service Sensitive and Special Interest Plant Species</u>	105
<u>Management Areas and Adjacent Non-Forest Areas</u>	105
<u>Recreation, Special Uses and Recreation Residences</u>	105
<u>Health and Safety</u>	105
<u>Herbicides</u>	106
<u>TIPS</u>	106
<u>Appendix F Projects Considered for Cumulative Effects</u>	108

Chapter 1, 1.4 Location, pg. 6: This project is located on NFS lands within the LTBMU or rights-of-way within its jurisdiction. It specifically includes all National Forest system trails, roads, and existing facilities and delineated areas for specified outfitter/guide activities as depicted on the project area map. (See Figure 2-1)

Chapter 1, 1.9 Laws, Regulations, and Policies, pg. 10: The project area contains the Grass Lake Natural Research Area, ~~and~~ portions of the Desolation, Granite Chief, and Mt. Rose wildernesses as well as portions of the Pacific Crest National Scenic Trail. Project activities and criteria are consistent with all management protections for these designated Special Areas. Coordination with adjoining National Forests will occur for any proposed activity within a Special Area.

Chapter 2, 2.2 Proposed Action, pg. 12: Added to definitions:

The following definitions are used throughout this document for purposes of clarity and consistency:
NFS Lands - NFS lands within the LTBMU or rights-of-way within its jurisdiction.

Chapter 2, 2.2.2 Proposed Action Components and Criteria, pg. 25: Added:

Candidate projects and/or activities would be reviewed by an interdisciplinary team (IDT), consisting of Forest Service resource specialists that are knowledgeable in areas such as biology, cultural resources, forestry, and other resources that may be affected by the proposed actions. This review would ensure compliance with the Forest Plan and the criteria set forth in this Proposed Action as well as the need for resource surveys. Design features for all activities (Section 2.3) are included to minimize effects to environmental conditions and social values, and would be applied to all projects that successfully meet the criteria. A list of projects that are in the process of screening and those that met all the criteria and have been approved by the Approving Official (Forest Supervisor) would be posted to the LTBMU website. Proposals that do not meet the criteria and therefore do not qualify under this Decision would be treated as separate standalone actions and analyzed in compliance with NEPA depending on availability of funding and staffing.

Chapter 2, 2.2.2.2 Component 2: Authorization of Outfitter/Guide Temporary Activities, pg. 29: *The Proposed Action would authorize the creation of a temporary annual service day allocation pool for commercial outfitter/guide special use permits. This temporary use pool is intended to allow the LTBMU to assess demand, need and capability as well as monitor the impacts of the outfitter/guide activities on overall use, and will not preclude consideration of additional service days in the future. Operation of this program could inform future consideration of priority use permits. One-year permits could be issued for outfitter/guide activities when compliant with all the restrictions listed below. Overall the total available service day allocation would not exceed 10,900 service days as shown in Table 2.1.*

Chapter 2, 2.2.2.2 (A), pp. 29-30:

The outfitter/guide program would be administered as follows:

1. Establish specific annual time frames (“open seasons”) when applications for temporary outfitter/guide special uses would be accepted, according to the guidelines outlined in FSH 2709.14 Ch. 50 Outfitting and Guiding and Other Concession Services.
2. Issue no more than 5 special use permits (up to 5 permittees) annually for each use type with the exception of wedding service providers (see Wedding permit provider criteria below),
3. ~~Issue up to 200 service days at one time to an individual permittee. Once a permittee has used a significant portion of their 200 service days, they may apply for additional days, not to exceed 400 total services days in a year. The total amount of service days for all permittees in any one activity may not exceed the total service day allocation (see Table 2.1),~~
3. Outfitter/guide trips that combine two or more guided activities within the same day would utilize service days from the primary activity,
4. The Forest Service reserves discretion in approving the location and timing of proposed activities. In addition to criteria listed below, activities proposed for use at high use sites would not be approved or additional requirements may be added to the permit terms (i.e. limitations on start times, the requirement to have all participants shuttled and shuttle vehicle parking at the site, use of those sites only during non-peak days, etc.),
5. With the exception of backcountry ski/snowshoe guiding, fishing guiding, rock climbing guiding, and overnight backpack camping, all guided activities would remain on existing roads and trails consistent with terms of the permit,
6. Group size is determined by the total number of clients and guides combined,
7. When activities that utilize a facility operated under an existing special use permit, written concurrence from the concessionaire would be required.

Chapter 2, 2.2.2.3 Component 3: Authorization of Events, (B) Criteria for Events, pp. 32-34: Added:

32. Events on the PCT that are inconsistent with LMP Standards and Guidelines for the Pacific Crest National Scenic Trail (LMP, Section 3.4, SG161- SG170).

Chapter 2, 2.2.2.4 Component 4: Reissuance of Special Use Permits, and Issuance of Filming Permits, (B) Criteria for Reissuance of expiring or expired special use permits, pp. 34-35: Added:

14. Activities on the PCT that are inconsistent with LMP Standards and Guidelines for the Pacific Crest National Scenic Trail (LMP, Section 3.4, SG161- SG170).

Chapter 2, 2.3.1 Design Features Common to All Proposed Action Components:

8. Avoid impacts to TEPCS plants and other vulnerable botanical resources (e.g. LTBMU watch list occurrences, fens, and alpine pincushion vegetation). TEPCS (except whitebark pine) would be flagged and avoided with appropriate buffers (as defined by Forest Botanist) where direct and indirect effects might otherwise occur. Through consultation with Forest Botanist, the need to flag occurrences may be waived if potential user/plant impacts would be mitigated through other specific requirements that result in effective avoidance of occurrences of TEPCS species. Consult Forest Botanist when TEPCS species occur within the road surface to determine whether maintenance activities may need to be planned when roads are dry and plants have completed the flowering stage. Permits authorizing activities within 100ft of known TEPCS botanical occurrences (except whitebark pine) would include education material on rare plant protection.

Chapter 2, 2.3.1 Design Features Common to All Proposed Action Components: Added:

21. Resource specific surveys may be required before project implementation when the resource specialist (i.e. Forest Botanist, Forest Biologist, or Aquatics Biologist) determines surveys are lacking or not current and suitable habitat exists. If sensitive resources (TEPCS species) are identified within a project area, additional design features that avoid direct/indirect impacts would be implemented, or activities would not be authorized.