



**DECISION NOTICE**  
and  
**FINDING OF NO SIGNIFICANT IMPACT**

***FALLEN LEAF LAKE TRAIL ACCESS AND TRAVEL MANAGEMENT PROJECT***

**U.S. FOREST SERVICE**  
**LAKE TAHOE BASIN MANAGEMENT UNIT (LTBMU)**

**EL DORADO COUNTY, CALIFORNIA**

**BACKGROUND**

This project encompasses approximately 14,960 acres of National Forest System (NFS) lands and is located in the Fallen Leaf Lake area of the Lake Tahoe Basin Management Unit (LTBMU), near the community of South Lake Tahoe, California. The project area represents one of the largest concentrations of recreational use in the Lake Tahoe Basin and encompasses an existing trail network defined by a collection of planned trails, previously existing roads, and unauthorized trails. Please refer to Figure 1.1 of the Environmental Assessment (EA) for a map of the project area location.

The LTBMU performed an inventory and condition survey of all trails within the project area during the summer of 2010 and 2011. This inventory comprises just over 45 miles of authorized and unauthorized routes, all non-motorized. The inventory process included data collection and analysis of existing conditions specific to each route.

Information compiled in the inventory process was later used to develop the Fallen Leaf Lake Trail Access Travel Management (ATM) Environmental Assessment (EA), which presents a range of alternatives to address management issues including but not limited to resource concerns, water quality objectives, use conflict, and public access. Analysis indicators for specific resource areas were developed and used to compare the potential effects of each alternative proposed in the EA on existing conditions in the project area.

The desired condition of the Fallen Leaf trail system is a planned network of shared-use, interconnected, environmentally sustainable trails to serve the entire spectrum of non-motorized recreational and commuting users. Implementation of this project will increase the quality, safety, and accessibility of the recreation experience for all visitors to the Fallen Leaf area trail system and help protect the natural, cultural, and historic resources of the area.

The Environmental Assessment was published for comment on September 6, 2012.

## DECISION

I have reviewed the Fallen Leaf Access Travel Management (ATM) Environmental Assessment (EA), the Project Record, and the Response to Comments (DN/FONSI, Appendix D).

I have decided to implement Alternative 4 as fully described in the EA (Section 2.1.2, pages 45-49). In summary, the selected alternative will reduce environmental impacts and improve the recreational opportunities in the Fallen Leaf area through:

- a) Implementation of BMP upgrades;
- b) Adoption of specific existing unauthorized trails (EA, Section 2.1.2, Table 2-1);
- c) Construction of new trails and trail segments to provide sustainable trail connections (EA, Section 2.1.2, Table 2-4); and
- d) Decommissioning and restoration of some unauthorized and authorized trails to eliminate duplicate routes and protect resources (EA, Section 2.1.2, Table 2-2).
- e) Adopting and upgrading existing informal parking areas and constructing new parking areas to reduce resource impacts and provide sustainable parking and public access within the project area (EA, Section 2.1.2, pages 46-47).
- f) The following trails would be managed to prohibit specific uses :
  - FL21 – Bicycle use prohibited
  - FL15, FL22, FL27, FL42, FL28 – Bicycle use prohibited
  - FL6 – Equestrian use prohibited
  - FL78, FL53 – Equestrian use prohibited

## DECISION RATIONALE

I have decided to implement Alternative 4 for the following reasons:

1. **It is fully responsive to the Purpose and Need (EA, Section 1.5).**
2. **The Selected Alternative meets the desired conditions (EA, Section 1.4).**
3. **The selected alternative provides a comprehensive, rigorous, and thorough set of project design features and Best Management Practices (EA, Section 2.2) that are specifically designed to minimize adverse environmental effects.** Alternative 4 implements BMPs and these measures have been demonstrated to be effective in mitigating potential effects to resources. The selected alternative and the resource protection measures and BMPs reflect a cooperative effort by the Forest Service, other public agencies, and interested members of the public as to the appropriate actions to be taken in order to meet the need for action.

**4. The selected alternative best meets the need to address resource impacts and public demand for recreation opportunities for a diverse group of users by designating an environmentally sustainable system of authorized trails in the Fallen Leaf area.**

Throughout the NEPA Process, I heard concerns regarding the loss of popular routes or access to points of interest through the decommissioning of unauthorized trails; the potential for increased conflicts between user groups; safety hazards associated with the proposed multi-user bridge; reduction in parking capacity; loss of loop opportunities; and adverse impacts certain user groups (equestrian and bicyclists) have on the recreation experience of hikers. Alternatives 3 through 6 were specifically developed in response to these concerns, and while I have selected Alternative 4, each alternative would also address these specific concerns. The EA provides a robust discussion and analysis of use conflict and specifically addresses concerns related to equestrian use on trails used by other groups (Section 2.1.1, Specific Trail Use Designation, and Section 3.2.3).

I also heard concerns about soil compaction, erosion, and dust pollution associated with equestrian use, and the potential for water quality degradation associated with stream ford crossings in Taylor Creek. Each of the action alternatives were developed to address resource protection and the potential effects to the environment. I have considered those concerns along with balancing recreation access and opportunity and meeting the purpose and need for this project.

I believe that Alternative 4 will best meet the demand by a diverse public for recreation opportunities while still meeting the need to protect resources in the Fallen Leaf Lake area by retaining popular trails, constructing a new bridge over Taylor Creek, adopting existing non-system trails as National Forest System Trails, reconstructing/rerouting system trails, constructing new trails. Some trails will have restrictions to reduce user conflicts. Further, Alternative 4 addresses resource impacts by reducing the number of stream ford crossings on Taylor Creek from three to one. Additionally, by constructing stream ford crossing FL11 to meet current standards, decommissioning FL12 and FL19 and restoring stream banks to a stabilized condition the potential for water quality degradation associated with stream ford crossings will be reduced. Decommissioning environmentally sensitive portions of trails, adopting non-system trails, rerouting exist trails away from sensitive areas and reconstructing portions of trails not currently meeting Forest Service Standards reduce the potential for soil erosion and the associated impacts to water quality. Alternative 4 also implements resource protection measures, BMP's and standard design principles that will eliminate or mitigate any potentially significant impacts associated with equestrian use of a managed stream ford crossing. In addition, specific trails in the project area will be managed to prohibit



certain uses in order to mitigate trail congestion in very high use areas, as well as preserve the recreation experience for all uses.

## ALTERNATIVES CONSIDERED

In addition to the Selected Alternative (Alternative 4), I also considered the following alternatives:

1. **No Action:** Under this alternative, current management plans would continue to guide management of the project area. No new trail construction, new or adopted parking facilities to accommodate displaced parking, no adoption of existing trails or bridge upgrades would be implemented to accomplish project goals. Unauthorized trails and associated resource concerns would persist under this alternative. Selection of this alternative, however, does not preclude future actions considered under individual or separate projects.
2. **Alternative 2: the Proposed Action:** This alternative proposes some currently unauthorized trails for adoption and/or upgrade (see EA, Section 2.1.2, Table 2-1 for a full description of trails included); some authorized and unauthorized trails for decommissioning and restoration (see EA, Section 2.1.2, Table 2-2 for a full description of trails included); reconstruction or rerouting of some authorized trails to meet current Forest Service standard (see EA, Section 2.1.2, Table 2-3 for a full description of trails included); and construction of several new trails (see EA, Section 2.1.2 for a full description of new trails proposed). In addition, some elements were removed or changed from the initial proposed action as a result of public scoping responses. These changes include:
  - a) The proposal for a parking area in the location of the Polo Field was removed from the analysis and is no longer proposed;
  - b) The proposal to relocate Pope Baldwin Bike Path from adjacent Highway 89 to behind the Pope Beach entrance station and the Camp Richardson General Store has been removed from this proposal.
  - c) A typographical error in the proposed action made the proposal for the Glen Alpine parking lot unclear; the proposed action would not change the parking capacity of the Glen Alpine parking lot.
3. **Alternative 3:** This alternative includes all actions described in Alternative 2 as well as proposes construction of a bridge across Taylor Creek designed to meet minimum standards appropriate to this location. In addition, several unauthorized routes would be adopted (EA, Section 2.1.2, pages 45-49) and no action would be taken on trails AN4, AN6, and AN8. Other elements specific to Alternative 3 include adoption of stream ford crossing FL12, decommissioning and restoration of FL19, and no action on FL11.

4. **Alternative 4:** This alternative includes all actions described in Alternative 2 as well as proposes construction of a bridge across Taylor Creek designed to meet minimum standards appropriate to this location. In addition, several unauthorized routes would be adopted (EA, Section 2.1.2, pages 45-49) and no action would be taken on trails AN4, AN6, and AN8. Other elements specific to Alternative 4 include adoption of stream ford crossing FL11 and decommissioning and restoration of routes FL12 and FL19.
5. **Alternative 5:** This alternative includes all actions described in Alternative 2 as well as proposes construction of a bridge across Taylor Creek designed to meet minimum standards appropriate to this location. In addition, several unauthorized routes would be adopted (EA, Section 2.1.2, pages 45-49) and no action would be taken on trails AN4, AN6, and AN8. Other elements specific to Alternative 5 include adoption of stream ford crossing FL19 and decommissioning and restoration of FL12. No action would be taken on FL11.
6. **Alternative 6:** This alternative includes all actions described in Alternative 2 as well as proposes construction of a bridge across Taylor Creek designed to meet minimum standards appropriate to this location. In addition, several unauthorized routes would be adopted (EA, Section 2.1.2, pages 45-49) and no action would be taken on trails AN4, AN6, and AN8. Other elements specific to Alternative 6 include decommissioning and restoration of FL12 and FL19. No action would be taken on FL11.
7. **Alternatives Considered but Dismissed from Detailed Analysis**

Scoping respondents had several suggestions for alternatives to the Proposed Action. Several of these suggestions were considered but dismissed from further analysis for the reasons described below.

1. *Adoption of two stream ford crossings on Taylor Creek, shown as FL19 and either FL11 or FL12.*

**Forest Service Response:** This alternative was eliminated because it would result in additional stream environment zone (SEZ) coverage and potential impact to Taylor Creek. Further analysis determined that Alternatives 3 through 6 would meet the needs for a creek crossing and result in less SEZ coverage and lesser overall impact to Taylor Creek.

2. *Adoption of existing walkway over Fallen Leaf Lake dam, with no proposal for an upgraded or new bridge.*

**Forest Service Response:** This alternative was eliminated from further consideration because the existing walkway over the dam does not meet current trail and public accessibility standards; it cannot be brought to current American Association of State Highway and Transportation Officials (AASHTO) standards through upgrades or retrofits; and it does not meet Forest Service standards for trail design and therefore, cannot support the desired condition of providing safe and

accessible recreation experiences to the public. In addition, it does not meet the purpose and need of this proposal as it fails to address use conflict concerns.

## **PUBLIC INVOLVEMENT**

The project was listed on the LTBMU's quarterly "Schedule of Proposed Actions" on October 1, 2010. A scoping letter was mailed to interested parties on November 2<sup>nd</sup>, 2011. In addition, the proposed action and scoping letter were posted on the LTBMU public website. A press release was issued at that time regarding the public scoping process for this project and identifying how the public could learn more about the proposal. The press release was published in the Tahoe Daily Tribune on November 25<sup>th</sup>, 2011.

A total of 159 written or electronic comment letters were submitted (Project Record Documents D-FLL001 through D-FLL159) and 2,051 comments were identified and evaluated for significance. These comments and their disposition are summarized in Project Record Document D-1. Using these comments, the interdisciplinary team developed a list of issues to consider in developing an action alternative.

The Environmental Assessment was released to the public on September 12<sup>th</sup>, 2012 for a 30-day comment period. A total of 69 comment letters were received during the 30-day comment period and one comment letter was received after the close of the comment period. The Forest Service responded to the comment letters (see DN/FONSI Appendix C).

## **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 effects is not biased by the beneficial effects of the action (EA, Chapter 3). Resource protection measures and BMPs implemented will mitigate effects to less than significant levels (DN/FONSI, Appendices A and B).
2. **The degree to which the proposed action affects public health or safety** – There will be no significant effects on public health and safety, and design features address public health and safety. The project involves routine work that has occurred and continues to occur within and near the project area on NFS lands. Signs will be used warning public users of project activities such as vehicles using roads, vegetation cutting, and equipment usage. A short-term forest order closing a portion of the project area during implementation could occur depending upon visitor use and the timing of implementation activities.

3. **Unique characteristics of the geographic area** – The project area includes forested areas and stream environment zones (SEZs), which are considered common characteristics of the geographic area adjacent to Lake Tahoe. There will be no significant effects on the forest and SEZ environments or on Lake Tahoe (EA, Section 3.1.3).
4. **The degree of controversy over environmental effects** – Public involvement with interested and affected individuals and agencies throughout the environmental analysis identified concerns regarding the environmental effects of implementing the proposed actions, particularly with regard to equestrian use of the trail system as well as stream ford crossings of Taylor Creek (and the SEZ associated with these crossings). The EA adequately addresses these concerns and discloses the environmental effects.
5. **The degree to which the possible effects on the human environment are highly uncertain or involves unique or unknown risks** – The LTBMU has implemented similar projects and gained experience with these activities. Lessons learned have been considered in this analysis. The EA demonstrates that the effects from trail maintenance, construction, and decommissioning and/or restoration activities 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.
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts** – There are no known significant cumulative effects between this project and other ongoing or planned projects in or adjacent to this project. The effects of other foreseeable future actions as well as past actions and ongoing actions were included 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 action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (EA, Section 3.4) and Project Record Documents G-3).
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 action will have a “no effect” on any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. One threatened species, the Lahontan

cutthroat trout (LCT; *Oncorhynchus clarkia henshawi*) has been identified by the U.S. Fish and Wildlife Service (FWS) within the analysis area. The EA presents a finding of *may affect, but not likely to adversely affect* LCT, which has concurrence by the FWS (EA chapter 3; Project Record G, FWS\_Consultation). No critical habitat for federally-listed threatened or endangered species is designated within the Lake Tahoe Basin. The project BE/BAs (Project Record Documents G1 and G4) determined no proposed or designated critical habitat exists in or near the project action area (EA, Sections 3.5 through 3.7).

- 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 (EA, Section 1.10). The action was designed to be consistent with the LTBMU LRMP (EA, Section 1.7; Project Record Document B-1).

## FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

### National Forest Management Act

This Act requires the development of long-range land and resource management plans. The Lake Tahoe Basin Management Unit Land and Resource Management Plan (LRMP) was approved in 1988 as required by this Act. It has been amended several times, including the Sierra Nevada Forest Plan Amendment (2004). The LRMP provides guidance for all natural resource management activities on National Forest System lands in the Lake Tahoe Basin. The Act requires all projects and activities are consistent with the LRMP. The LRMP has been reviewed in consideration of this project. I find that this decision is consistent with the LTBMU LRMP. I also find that the proposed Forest Plan amendment is consistent with the current Forest Plan. The consistency check is documented in the project planning record (Project Record Document B-1).

### Endangered Species Act

I find that this decision is consistent with Section 7(c) of the Endangered Species Act, the United States Fish and Wildlife Service list of “endangered and threatened species that may be affected by Projects in the Lake Tahoe Basin Management Area” (updated on April 29, 2010). The list was reviewed (Project Record Documents G-1). The action will have “no effect” on any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. The EA presents a finding of *may affect, but not likely to adversely affect* LCT, which has concurrence by the FWS (EA chapter 3; Project Record G, FWS\_Consultation).



---

### **National Historic Preservation Act**

I find that this decision is consistent with Section 106 of the National Historic Preservation Act, which 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. 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. No comments were received from the SHPO. No cultural sites or archaeological sites would be affected by this project.

### **Clean Water Act (Public Law 92-500)**

I find that this decision is consistent with the Clean Water Act, which requires all Federal agencies to comply with the provisions of the Clean Water Act. The Clean Water Act regulates forest management activities near federal waters and riparian areas. I find that the Best Management Practices (Appendix B) and resource protection measures (Appendix A) associated with this decision will ensure that the terms of the Clean Water Act are met, primarily pollution caused by erosion and sedimentation (Project Record Documents Section G).

### **Clean Air Act (Public Law 84-159)**

I find that this decision is consistent with the Clean Air Act. The project area lies within the Lake Tahoe Air Basin and the El Dorado Air Quality Management District. Chapter 93.3.B of the TRPA Code of Ordinances (TRPA 1987) requires that a project provide an air quality impact analysis only if the project is expected to significantly increase vehicle trips. This project is designed to reduce overall vehicle trips within the project area and is compliant with the TRPA ordinances. In addition, resource protection measures (Appendix A) provide for the control of fugitive dust associated with the implementation of the project.

### **Environmental Justice (Executive Order 12898)**

I find that this decision is consistent with Executive Order 12898, which requires that all federal actions consider potentially disproportionate effects on minority and low-income communities, especially if adverse effects to environmental or human health conditions are identified. Analysis determined that there would be no adverse environmental or human health conditions created by any of the alternatives considered that would affect any minority or low-income neighborhood disproportionately.

The activities proposed in all alternatives were based solely on the existing and desired conditions of the project site, sensitivity of the environment, and practical treatment access in response to the purpose and need. In no cases were the proposed activities 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 of the proposed treatments in any of the alternatives 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.

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

I find that this decision is consistent with the Migratory Bird Treaty Act. 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 forestlands provide a substantial portion of breeding habitat, land management activities within the LTBMU can have an impact on local populations. The Fallen Leaf Lake Trail Access and Travel Management Project would not adversely impact any populations or habitat of migratory birds (Project Record Documents G-1).

### **Invasive Species, Executive Order 13112 of February 3, 1999**

I find that this decision is consistent with Executive Order 13112. The EA covers botanical resources and noxious weeds. The project’s design features are designed to minimize risk of new weed introductions (Project Record Documents G-1).

### **Recreational Fisheries, Executive Order 12962 of June 6, 1995**

I find that this decision is consistent with Executive Order 12962. The effects to fish habitat from the project are expected to be positive, as reductions in potential sedimentation and impervious surfaces will reduce the current impacts to the project site and to the adjacent streamside environment zone (Project Record Documents G-1).

### **Architectural Barriers Act**

I find that this decision is consistent with the Architectural Barriers Act (ABA), which requires that facilities designed, built, altered, or leased with funds supplied by the United States federal government be accessible to the public. The ABA provides uniform standards for the design, construction, and alteration of buildings so that persons with disabilities will have ready access to and use of them. These standards have been incorporated into the design of this project.

---

## **Floodplain Management, Executive Order 11988 of May 24, 1977, and Protection of Wetlands, Executive Order 11990 of May 24, 1977**

I find that this decision is consistent with Executive Orders 11988 and 11990. These executive orders provide for protection and management of floodplains and wetlands. Compliance with these orders will be ensured by adhering to the resource protection measures, including the implementation of BMPs (Project Record Documents G-1, G-4)

### **Special Area Designations**

Actions proposed under the selected alternative would affect the Desolation Wilderness Area. These actions have been analyzed and were determined to result in a beneficial condition. No adverse or negative impacts to the Wilderness area were identified.

Resource protection measures specific to trail construction, maintenance and restoration activities in Wilderness areas are included and will minimize and/or mitigate short-term impacts associated with these activities (EA section 2.2, DN/FONSI Appendix A).

### **Tahoe Regional Planning Agency**

I find that this project will be consistent with requirements associated with TRPA. This project will be reviewed by TRPA consistent with the terms of the 1989 MOU between TRPA and the Forest Service. Depending on the extent of implementation phases, project permits may be required (see below).

### **Local Agency Permitting Requirements and Coordination**

I find that this project will comply with all local agency permitting requirements. This finding is based upon the past record of the LTBMU working closely with all local agencies to ensure proper permitting of projects. There would be no planned ground-disturbing project activities that occur between October 15 and May 1. In the event that circumstances require resource protection work during this period, a grading exemption from TRPA and Lahontan Regional Water Quality Control Board would be required. In addition, coordination and any required permits will be obtained from TRPA, the California Tahoe Conservancy and the Lahontan Regional Water Quality Control Board prior to project implementation.

### **IMPLEMENTATION DATE**

If an appeal is filed, implementation may occur on, but not before fifteen business days from the date of appeal resolution. If no appeal is filed, implementation may begin five business days from the close of the appeal period.



---

## **ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES**

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. Individuals or organizations who provided comments or otherwise expressed interest in the proposal by the close of the comment period are eligible to appeal the decision pursuant to 36 CFR part 215 regulations. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at:

Randy Moore, Regional Forester  
USDA Forest Service  
Pacific Southwest Region  
1323 Club Drive  
Vallejo, CA 94592

Email: [appeals-pacificsouthwest-regional-office@fs.fed.us](mailto:appeals-pacificsouthwest-regional-office@fs.fed.us)

Phone: (707) 562-8737

Fax: (707) 562-9091

The office business hours for those submitting hand-delivered appeals are: 7:30 AM to 4:00 PM, Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc or .docx) to the email address listed above. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the Tahoe Daily Tribune, the newspaper of record. Attachments received after the 45-day appeal period will not be considered. The publication date in the Tahoe Daily Tribune, newspaper of record, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.



## CONTACT

For additional information concerning this decision or the Forest Service appeal process, contact:

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

  
\_\_\_\_\_  
NANCY J. GIBSON *for*

9/18/13  
\_\_\_\_\_  
DATE

Forest Supervisor  
Lake Tahoe Basin Management Unit

### Appendices:

- Appendix A – Resource Protection Measures
- Appendix B – Best Management Practices
- Appendix C – Response to Comments

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, audiotope, 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: RESOURCE PROTECTION MEASURES

The project direction from the Forest Supervisor was for the interdisciplinary team to prevent negative effects up-front, rather than include mitigation measures to correct effects after they occur. These prevention measures are termed “resource protection measures” because they are part of the design of the project to minimize or prevent negative environmental effects.

Resource protection measures (RPMs) were developed in response to community input during scoping and interdisciplinary team discussion and analysis. RPMs are elements of the project design that ensure consistency with the Forest Plan. These measures are included as part of the selected alternative based upon past experience with similar projects in the Lake Tahoe Basin area and have been proven to be effective based on monitoring and professional observations.

Activities associated with implementation of this project could have localized, short-term effects. The following RPMs have been incorporated into the Selected Alternative and are intended to minimize or avoid effects on soils, water, vegetation, wildlife, fisheries, heritage resources, recreational resources, and air quality. In addition to the following design features, applicable BMPs are identified in *Water Quality Management for Forest System Lands in California* (USDA Forest Service 2000a). Adherence to these BMPs ensures compliance with the Clean Water Act. These specific BMPs are listed in Appendix B (DN/FONSI). Detailed specification for these BMPs would be incorporated into the final design plans and Storm Water Pollution Prevention Plan (SWPPP), which will be submitted to the Lahontan Regional Water Quality Control Board prior to issuance of the General Permit.

### Air Quality

1. Require watering of exposed road surfaces to minimize fugitive dust during implementation.
2. Water all exposed stockpiled materials (soils, mulch) during construction to avoid dry material conditions that may be prone to wind erosion during storage. Cover exposed stockpiled materials between periods of active construction to prevent wind and water erosion.

### Botany

#### *Species of Concern*

1. The project area was surveyed in 2010 and 2011. One candidate species, *Pinus albicaulis* (whitebark pine) was observed. Several sub-occurrences of another candidate species, *Rorippa subumbellata* (Tahoe yellow cress), are known to occur within the project area but no individuals were observed during project surveys. One sensitive species, *Meesia triquetra* (three-ranked hump-moss) is known to occur within the project area but is not located adjacent to ground-disturbing activities. If

these or any additional sensitive plant species are detected prior to or during project implementation, the individuals will be flagged with an appropriate buffer as determined by a staff botanist and avoided during project implementation.

2. Flagged areas around sensitive species and associated habitats (i.e. control areas) are to be avoided completely during project activities. This includes, but is not limited to: removal of trees; access and travel through control areas; construction activities; material removal (e.g. soil, rocks, gravel, wood); and equipment or material storage. Trees may be removed at the control area boundary but they will be felled away from control areas.
3. *Pinus albicaulis* trees adjacent to trail segments MT1 and MT2 in the Tallac Bowl will be flagged if necessary and retained to the greatest extent possible. Individual trees may be removed if disease or insect infestations are present. Disturbance associated with access and travel, construction, material removal (e.g. soil, rocks, gravel, wood), and equipment or material storage will be minimized in *P. albicaulis* stands.
4. Six sub-occurrences of *Rorippa subumbellata* are located within the project boundary. These sub-occurrences are in the vicinity of trail segments CR9 and CR18, but no individuals were observed during project surveys. If any plants are detected prior to or during project implementation, the individuals will be flagged with an appropriate buffer as determined by a staff botanist and avoided during project implementation. Adoption of trail segments CR9 and CR18 along the shoreline of Lake Tahoe at Kiva beach could potentially result in increased recreation use in *R. subumbellata* habitat. Resource protection measures including, but not limited to, informational signs at access points to Kiva Beach (at the parking lot and along the trail from the Tallac Historic Site) will be installed in order to minimize effects to occurrences or habitat.

### **Noxious Weeds**

1. Seven noxious weed species, *Bromus tectorum* (cheatgrass), *Cirsium vulgare* (bull thistle), *Hypericum perforatum* (common St Johnswort), and *Leucanthemum vulgare* (oxeye daisy) were observed during project surveys, and known infestations of *Cytisus scoparius* (Scotch broom), *Linaria vulgaris* (yellow toadflax), and *Onopordum acanthium* (Scotch thistle), are known to occur within the project area within 75 feet of proposed ground-disturbing activities. These infestations will be treated prior to project implementation in accordance with the Terrestrial Invasive Plant Species Treatment Project, Environmental Assessment (TIPS EA). If an infestation is not treatable, it will be “flagged and avoided” according to the species present, project constraints, and feasibility.
2. All vehicles and equipment must be cleaned before moving into the project area, in order to ensure that they are free of non-native invasive species. Equipment will be

considered clean when visual inspection does not reveal soil, seeds, plant material, or other debris that could contain or hold seeds of non-native invasive species.

3. When working in areas known to harbor non-native invasive species, equipment shall then be cleaned at a washing station before moving to other USFS lands. If this mitigation isn't possible, then coordination with the botanist on the project should take place.
4. Staging areas for equipment, materials, or crews will not be situated in areas infested by non-native invasive species. Areas containing non-native invasive species should be avoided during project activities.
5. All gravel, fill, or other materials are required to be "weed-free". Use on-site sand, gravel, rock, or organic matter when possible. Otherwise, obtain "weed-free" materials from gravel pits and fill sources that have been surveyed and approved by the Nevada Department of Agriculture or by LTBMU the noxious weed coordinator. See the LTBMU annual report of "Material Pit Surveys for Noxious Weeds" for suitable sources of gravel & fill (Project Record G-1).
6. Use "weed-free" mulches, hay, and seed sources. Salvage topsoil from project area for use in onsite revegetation, unless contaminated with non-native invasive species. Do not use soil or materials from area contaminated by cheatgrass.
7. Minimize the amount of ground and vegetation disturbance in construction areas. Reestablish vegetation where feasible on disturbed bare ground to minimize non-native invasive species establishment and infestation. Revegetation is especially important in staging areas. Utilize locally collected native seed sources when possible. Plant and seed material should be collected from or near the project area, from within the same watershed and at a similar elevation when possible. Persistent non-natives such as *Phleum pratense* (cultivated timothy), *Dactylis glomerata* (orchard grass), or *Lolium* spp. (ryegrass) will not be used. Seed mixes must be approved by a staff botanist.
8. The LTBMU noxious weed coordinator should be notified after project completion so that the project area can be monitored for three years (as funding allows) to ensure additional non-native invasive species do not spread or become established in the areas affected by the project.

### Heritage Resources

1. Flag and avoid any known Washoe heritage sites.
2. Provide advanced notice to Washoe Tribal site monitors to observe ground disturbing activities at specified locations.
3. In the event any historic or prehistoric properties are discovered during the implementation of this undertaking, stop all project-related work in the area of



discovery immediately, notify the LTBMU Heritage Resources personnel immediately, and implement the procedures as set forth in Section 800.13 of the Advisory Council on Historic Preservation's regulations in accordance with the guidance as stated in this subsection.

### **Recreation**

1. As appropriate, place interpretative panels to aid in public education of recreation opportunities, management activities and forest health around recreation sites nearby during project activities.
2. Repair and rehabilitate any incidental damage caused by this project to recreation improvements/facilities after project activities are completed. Repair incidental damage as soon as the trails can be reopened.
3. Any disruption or closure of recreation facilities shall be minimized in duration and timed to occur during off-peak periods as much as feasible during implementation. Public notice shall be given if any closures will be required.
4. Initiate temporary forest closure only during the project activity period to ensure public safety. Closure should be as limited as possible to reduce restrictions to public access.
5. Provide advanced notice to the public to ensure that the public is aware of proposed project activity. Post signs in project areas near public access points to highlight the proposed action and impacts to public access.

### **Soil and Water**

1. Implement erosion control and prevention of sediment transport in accordance with: USDA Water Quality Management for National Forest System Lands in California - Best Management Practices (USDA Forest Service 2000a).
2. Staging of materials and equipment would first use existing disturbed areas outside of SEZs, where soil is already compacted and vegetation has been cleared. These staging areas are all in locations where parking already exists or new parking is proposed.
3. New trails will be developed with appropriate design and construction BMP's to provide for proper drainage.
4. Trail decommissioning will include decompacting the soil to approximately an 8-10 inch depth and applying native material mulch to a maximum depth of 4 inches as ground cover to prevent erosion and soil loss.
  - a. Trail decommissioning in SEZ areas will include spreading meadow mowings (collected nearby with a weedwacker or similar method) or riparian vegetation mulch rather than pine needles and tree branches to promote SEZ seed recruitment and avoid introducing conifer seeds to the area. Consult with the project botanist to determine an appropriate site to collect meadow mowings (in

order to avoid threatened or endangered plants disturbance and noxious weed introduction).

5. Rock, soil and other earthen materials removed during grading operations may be stockpiled and used for construction activities. Measures would be employed to prevent stockpiled material from entering surface waters or otherwise adversely affecting surface or groundwater quality, in accordance with BMP requirements.
6. A 140 ft. segment of temporary road will be constructed to access the bridge construction site near the Fallen Leaf Lake dam from FL8. This temporary road will be decommissioned by decompacting the surface, mulching the area and narrowing the road down to a trail.
7. Downed logs present within stream channels will be left in place to avoid disturbing the channel banks.
8. Whenever working within a flowing channel, detailed dewatering and diversion plans will be prepared as part of the permit package for those specific project activities.
9. Hazardous spill prevention measures, detailed in the spill prevention, containment and cleanup plan for the LTBMU will be followed, including having spill prevention kits available onsite during any activities involving hazardous materials (including fuel and lubricants for heavy equipment).

### **Aquatic Species**

1. If water from the stream will be siphoned to use as water supply for construction activities such as dust abatement and irrigation, a screen will be placed over the siphon to avoid impacts to fish and amphibians. Siphoning will be ceased if stream flow level falls below a level that will affect fisheries resources, as determined by a LTBMU fisheries biologist.
2. Salvage/recovery of fish will be conducted within anticipated construction dewatering or diversion zones operations by electro-shocking or other suitable means as developed through consultation with the California Department of Fish and Game and LTBMU fisheries staff. Fish will be moved approximately 500 -700 feet upstream or downstream of in-stream project activities. Block nets will be installed to ensure fish do not move back into the project area. Nets will be cleaned one to two times daily to ensure the nets are functioning.

### **Wildlife**

1. Limited operating periods (LOPs) restrict the type, spatial extent, and timing of project activities to minimize disturbance to breeding pairs of management species. A LOP currently applies at the Spring Creek northern goshawk nest 2010d. If other special status wildlife species are detected in the project vicinity, LOPs would be implemented as determined by the project biologist. LOPs are based on habitat suitability or the most current wildlife data from pre-project field surveys.

2. Any sightings of threatened, endangered, candidate, sensitive, management indicator, or special interest species would be reported to the project biologist. Nests and dens would be protected with flagging, fencing, or LOPs in accordance with management direction. Species identification, known locations, and protection procedures would be addressed with implementation crews during a pre-construction tailgate meeting.
3. Large tree removal would be minimized. Species preference would be given to large cedars, then pines, and finally to firs. Except in developed recreation areas, structural preference would be given to live trees with spreading branch structure, large diameter broken tops, or cavities in the bole for wildlife habitat.
4. Snags would be retained for wildlife unless deemed a hazard tree.
5. Existing logs greater than 20 inches dbh would be retained. Logs moved during construction would be repositioned. Preference would be given to snags that have to be felled for public safety, then to the largest logs available in a variety of decay stages for wildlife habitat.
6. Bear proof garbage containers would be temporarily installed during implementation of contracted work, or food related trash would be removed daily to avoid attracting wildlife to the project area.

• **Wildlife Limited Operating Period Definitions**

Reason for Restriction	Limited Operating Period and Impacted Activities	Adjustments Allowed
Bald eagle wintering area: Baldwin/Taylor & Pope Marshes	<b>October 15 through March 15</b> (LTBMU LRMP <sup>1</sup> ) – restricted recreational access and management activities; no habitat manipulation within mapped wintering habitat (TRPA Code <sup>2</sup> , Ch. 78).	None except for emergency situations
Bald eagle nest site	<b>March 1 through August 31</b> - no habitat manipulation within ½ mile of the nest site (TRPA Code, Ch. 78), unless surveys confirm that bald eagles are not nesting.	Surveys confirm no nesting or occupancy
Golden eagle nest site	<b>March 1 through July 31</b> - no habitat manipulation within ¼ mile of nests (TRPA Code, Ch. 78), unless surveys confirm that golden eagles are not nesting.	TRPA Code, Ch. 78
Osprey nest site	<b>March 1 through August 15</b> - no habitat manipulation within ¼ mile of the nest site (TRPA Code, Ch. 78), unless surveys confirm that osprey are not nesting.	Surveys confirm no nesting or occupancy
Peregrine falcon nest site	<b>April 1 through July 31</b> (LTBMU LRMP) - restricted recreational activity (rock climbing) on nesting cliffs; no habitat manipulation within ¼ mile of nests (TRPA Code, Ch. 78), unless surveys confirm that peregrine falcons are not nesting.	TRPA Code, Ch. 78
Northern goshawk PAC <sup>4</sup>	<b>February 15 through September 15</b> (SNFPA ROD <sup>3</sup> 2004) - no vegetation treatments (timber thinning, prescribed fire, restoration, road or trail building) within ¼ mile of the nest site; no habitat manipulation within ½ mile of each nest site, unless surveys confirm that northern goshawks are not nesting (TRPA Code, Ch. 78).	SNFPA ROD S&G <sup>5</sup> #76, #77, #79 & TRPA approval
California spotted owl	<b>March 1 through August 15</b> (SNFPA ROD 2004) - no vegetation treatments (timber thinning, prescribed fire, restoration, road or trail	SNFPA ROD S&G #75, #77, & #78

PAC	building) within ¼ mile of the activity center, unless surveys confirm that California spotted owls are not nesting.	
Great gray owl PAC	<b>March 1 through August 15</b> (SNFPA ROD 2004) – no vegetation treatment or road construction within ¼ mile of an active great gray owl nest stand.	SNFPA ROD S&G #83
Willow flycatcher nest site	<b>June 1 through August 31</b> - no timber thinning, prescribed fire, restoration, grazing, utilities work, road or trail building in suitable habitat around active nest.	SNFPA ROD S&G #62
Waterfowl, ex. mallard	<b>March 1 through June 30</b> (LTBMU LRMP) – manage suitable wetlands for low levels of human disturbance except Pope Beach; harassment by dogs must be controlled.	Pope Beach opens on Memorial Day
American marten den site	<b>May 1 through July 31</b> (SNFPA ROD 2004) - no vegetation treatments (timber thinning, prescribed fire, restoration, road or trail building) within ¼ mile of den.	SNFPA ROD S&G #88
Pacific fisher den site	<b>March 1 through June 30</b> (SNFPA ROD 2004) - no vegetation treatments (timber thinning, prescribed fire, restoration, road or trail building) within ½ mile of den.	SNFPA ROD S&G #85
Townsend's big-eared bat	<b>May 1 through August 31</b> (R5 bat coordinator <sup>6</sup> ) – no habitat manipulation or other activity that could create noise disturbance within of 300 feet of roost; no burning unless it can be guaranteed that smoke will not enter roost.	Surveys confirm no bats are present

<sup>1</sup> LTBMU LRMP = Lake Tahoe Basin Management Unit Land and resource management plan, 1988. U.S. department of agriculture, forest service, Lake Tahoe Basin Management Unit. 269 pages. The normal operating period for ground disturbing in the Lake Tahoe Basin is from May 1 to October 15. The normal operating period for ground disturbing activities in the stream environment zone is from July 15 to October 15. Pile burning and over the snow mechanical treatments may occur during the winter.

<sup>2</sup> TRPA Code = Tahoe Regional Planning Agency.

<sup>3</sup> SNFPA ROD = Sierra Nevada Forest Plan Amendment Record of Decision, January 2004. Final supplemental environmental impact statement, record of decision. U.S. department of agriculture, forest service, Pacific southwest region, Vallejo, CA. 71 pages.

<sup>4</sup> PAC = protected activity center.

<sup>5</sup> S&G = standards and guidelines.

<sup>6</sup> R5 bat coordinator = Linda Angerer, Region 5 bat coordinator. Recommended conservation measures provided to LTBMU following identification of Townsend's big-eared bat in the Basin.

## APPENDIX B: BEST MANAGEMENT PRACTICES

The following management requirements are designed to address the watershed management concerns. BMPs are derived from the Forest Service publication *Water Quality Management Handbook (USDA Forest Service 2011)*, which provides updates to some BMPs identified in *Water Quality Management for National Forest System Lands in California (USDA Forest Service 2000)*. All applicable water quality BMPs would be implemented. Final application of these BMPs is based on the selected alternative and integration (further refinement) with resource protection measures (DN, Appendix A; EA, Section 2.2).

Nation Core BMPs	Best Management Practice Objective Description
Plan-1. Forest and Grassland Planning	Use the land management planning and decision making processes to incorporate direction for water quality management consistent with laws, regulation, and policy into land management plans.
Plan-2. Project Planning and Analysis	Use the project planning, environmental analysis, and decision making processes to incorporate water quality management BMPs into project design and implementation.
Plan-3. Aquatic Management Zone Planning	To maintain and improve or restore the condition of land around and adjacent to water bodies in the context of the environment in which they are located, recognizing their unique values and importance to water quality while implementing land and resource management activities.
AqEco-1. Aquatic Ecosystem Improvement and Restoration Planning	Reestablish and retain ecological resilience of aquatic ecosystems and associated resources to achieve sustainability and provide a broad range of ecosystem services.
AqEco-2. Operations in Aquatic Ecosystems	Avoid, minimize, or mitigate adverse impacts to water quality when working in aquatic ecosystems.
AqEco-4. Stream Channels and Shorelines	Design and implement stream channel and lake shoreline projects in a manner that increase the potential for success in meeting project objectives and avoids, minimizes or mitigates adverse effects to soil, water quality and riparian resources.
Fac-6. Hazardous Materials	Avoid or minimize short- and long-term adverse effects to soil and water resources by preventing releases of hazardous materials.
Fac-7. Vehicle and Equipment Wash Water	Avoid or minimize contamination of surface water and groundwater by vehicle or equipment wash water that may contain oil, grease, phosphates, soaps, road salts, other chemicals, suspended solids, and invasive species.

<b>Rec-1. Recreation Planning</b>	<p>Use the applicable recreation planning process to develop measures to avoid, minimize or mitigate adverse effects to soil, water quality and riparian resources during recreation activities.</p>
<b>Rec-2. Developed Recreation Sites</b>	<p>Avoid, minimize or mitigate adverse effects to soil, water quality and riparian resources at developed recreation sites by maintaining desired levels of ground cover, limiting soil compaction and minimizing pollutants entering waterbodies.</p>
<b>Rec-9. Recreation Special Use Authorizations</b>	<p>Avoid, minimize or mitigate adverse effects to soil, water quality and riparian resources from physical, chemical and biological pollutants resulting from activities under recreation special use authorizations.</p>
<b>Road-2. Road Location and Design</b>	<p>Locate and design roads to avoid, minimize or mitigate adverse effects to soil, water quality and riparian resources.</p>
<b>Road-3. Road Construction and Reconstruction</b>	<p>Avoid or minimize adverse effects to soil, water quality and riparian resources from erosion, sediment and other pollutant delivery during road construction or reconstruction.</p>
<b>Road-4. Road Operations and Maintenance</b>	<p>Avoid, minimize, or mitigate adverse effects to soil, water quality and riparian resources by controlling road use and operations and providing adequate and appropriate maintenance to minimize sediment production and other pollutants during the useful life of the roads.</p>
<b>Road-6. Road Storage and Decommissioning</b>	<p>Avoid, minimize or mitigate adverse effects to soil, water quality and riparian resources by storing closed roads not needed for at least 1 year and decommissioning unneeded roads in a hydrologically stable manner to eliminate hydrologic connectivity, restore natural flow patterns and minimize soil erosion.</p>
<b>Road-9. Parking Staging Areas</b>	<p>Avoid, minimize or mitigate adverse effects to soil, water quality and riparian resources when constructing and maintaining parking and staging areas.</p>
<b>Road-10. Equipment Refueling and Servicing</b>	<p>Avoid or minimize adverse effects to soil, water quality and riparian resources from fuels, lubricants, cleaners and other harmful materials discharging into nearby surface waters or infiltrating through soils to contaminate groundwater resources during equipment refueling and servicing activities.</p>

PSW Region 2011 BMPs	Best Management Practice Description
<p><b>BMP 2.2: General Guidelines for Location and Design of Roads</b> Replaces former BMP 2-1 and 2-7</p>	<p>Location, design and construction of roads will be agreed upon by the IDT in order to result in minimal resource damage. This includes design and location of drainage features and road surfacing.</p>
<p><b>BMP 2.3: Road Construction and Reconstruction</b> Replaces former BMP 2-3, 2-9, 2-10, 2-11, and 2-13</p>	<p>Temporary road construction and road re-construction activities will be conducted during the dry season, when rain and runoff are unlikely and weather and ground conditions are such that impacts to soils and water quality will be minimal. This also includes construction of drainage structures, erosion control measures on incomplete roads prior to precipitation events, and providing groundcover or mulch on disturbed areas. The operator shall limit the amount of disturbed area at a site at any one time, and shall minimize the time that an area is left bare.</p>
<p><b>BMP 2.8: Stream Crossings</b> Replaces former BMP 2-13, 2-14, 2-15, 2-16, 2-17, and 2-20</p>	<p>Crossing locations shall be identified by the IDT to limit the number of crossings to minimize disturbance to the waterbody. During crossing installation, minimize streambank and riparian area excavation, ensure imported fill materials are free of toxins and invasive species, divert streamflow around work site as needed, dewater work areas, and stabilize streambanks and other disturbed surfaces following crossing installation or maintenance. The diverted flows shall be returned to their natural stream course as soon as possible after construction or prior to seasonal closures. Restore the original surface of the streambed upon completing the crossing construction or maintenance. Provide soil cover on exposed surfaces and revegetate disturbed areas. Remove temporary crossings and restore waterbody profile and substrate when the need for the crossing no longer exists.</p>
<p><b>BMP 2.11: Equipment Refueling and Servicing</b> Replaces former BMP 2-12</p>	<p>Service and refueling sites shall be located away from wet areas and surface water. If the volume of stored fuel at a site exceeds 1,320 gallons, project Spill Prevention, Containment, and Counter Measures (SPCC) plans are required. Operators are required to remove service residues, waste oil, and other materials from National Forest land following completion of the project, and be prepared to take responsive actions in case of a hazardous substance spill, according to the Forest SPCC plan.</p>
<p><b>BMP 2.13: Erosion Control Plan</b> Replaces former BMP 2-2 and 2-9</p>	<p>Effectively plan erosion control measures to control or prevent sedimentation. Prior to initiation of construction activities, prepare a general erosion control plan for limiting and mitigating erosion and sedimentation from land disturbing activities.</p>

<b>PSW Region 2000 BMPs</b>	<b>Best Management Practice Description</b>
<b>BMP 2-4: Stabilization of Road Slope Surfaces and Spoil Disposal Areas</b>	<p>Contract specifications will prescribe how stabilization of road slope surfaces and spoil disposal areas will occur. Vegetative measures are generally a supplementary device, used to improve the effectiveness of mechanical measures, but can be effective and complete by themselves. They may not take effect for several seasons, depending on the timing of project completion in relation to the growing season.</p> <p>Mechanical and vegetative surface stabilization measures will be periodically inspected to determine effectiveness. In some cases, additional work will be needed to ensure that the vegetative and/or mechanical surface stabilization measures continue to function as intended.</p> <p>Project road inspectors and their supervisors monitor work accomplishment and effectiveness, to ensure that design standards, project plan management requirements, and mitigation measures are met.</p>
<b>BMP 2-5: Road Slope Stabilization Construction Practices</b>	<p>Include erosion prevention considerations in planning for all road construction contracts. Application is commonly in conjunction with practice 2-4. Complete most, if not all, of the stabilization measures prior to the first winter rains. At especially critical locations, with a high erosion and/or sedimentation potential, extensive and reliable remedies will be necessary. Compliance with contract specifications during implementation will be handled by the project COR.</p>
<b>BMP 2-6: Dispersion of Subsurface Drainage from Cut and Fill Slopes</b>	<p>Dispersion of Subsurface drainage will be designed by the project engineer where needed. Compliance with contract specifications during implementation will be handled by the project COR.</p>
<b>BMP 4-2: Provide Safe Drinking Water Supplies</b>	<p>Location, design, sampling and sanitary surveys will be performed by qualified individuals who are familiar with drinking water supply systems and guidelines. Coordination and cooperation will be pursued with State or local Health Department representatives in all phases of drinking water system management. Sampling and testing frequencies vary depending on the water source, the number and type of user, and the type of test.</p> <p>If State or local Health Departments do not perform the water sample analysis, State Certified laboratories must be used.</p>
<b>BMP 4-4: Control of Sanitation Facilities</b>	<p>State and local authorities will be consulted prior to the installation of new sanitation facilities, or modifications of existing facilities to assure compliance with all applicable State and local regulations. All phases of sanitation management (planning, design, inspection, operation, and maintenance) will be coordinated with State and local Health Departments and RWQCB representatives.</p>
<b>BMP 4-5: Control of Solid Waste Disposal</b>	<p>A public education effort to control refuse disposal will be a continuing process accomplished through the use of signs, printed information, mass media, and personal contact. Solid waste disposal methods, which define and describe collection, removal, and final disposal methods are described in the operating plan. Garbage containers are planned in areas that are convenient for recreationists.</p>



<b>PSW Region 2000 BMPs</b>	<b>Best Management Practice Description</b>
<b>BMP 4-8: Sanitation at Hydrants and Water Faucets Within Developed Recreation Sites</b>	The public will be informed of their sanitary responsibilities by posting signs, on recreation site bulletin boards and at hydrants or faucets, and by personal contact.
<b>BMP 4-9: Protection of Water Quality Within Developed Recreation Areas</b>	In the campground, the public is encouraged through the use of signs, pamphlets, and public contact to conduct their activities in a manner that will not degrade water quality.

**APPENDIX C: RESPONSE TO PUBLIC COMMENTS ON  
ENVIRONMENTAL ASSESSMENT  
FROM 30-DAY COMMENT PERIOD (SEPTEMBER/OCTOBER 2012)**

In response to the legal notice for the 30-day comment period for the Environmental Assessment (EA), sixty-nine (69) comment letters were received. One (1) additional letter was received after the comment period ended. Comments contained in the Response to Comments reflect references to numbers that are contained in the September EA (such as design feature numbers). These numbers have since changed in the Final EA due to document editing, therefore Forest Service responses that include number references may not directly reference the same number but do reference the same topic from the commenter. All references to the EA in this document refer to the Final EA unless otherwise noted. In the event that commenters reiterate comments made to and responded to earlier in this document, these duplicated comments are noted and reference to previous responses are provided. The comments and the Forest Service (FS) responses are as follows:

Subject	Comment and Response	Commenter - Comment #
	<p>Comments in favor a 4-6 foot bridge over Taylor Creek not a 14 foot bridge.</p> <p>Response: Alternatives 3-6 each propose a 4-6 foot wide bridge</p>	1-1, 10-3, 14-3, 16-3
	<p>Concern with no plan to provide additional restroom facilities at Kiva Point.</p> <p>Response: Addition of restroom facilities in the project area is being considered in the Historic Facilities BMP Retrofit project.</p>	1-2
	<p>Residents and visitors value having a trail on both sides of Taylor Creek.</p> <p>Response: Alternatives 1 and 3-6 would retain trails along both sides of Taylor Creek. Alternatives 3-6 propose minor reroutes to these trails in order to protect water quality and aquatic resources in the area, but would not significantly alter the user experience along these routes.</p>	2-2, 11-4, 14-4
	<p>Commenter expresses opposition to the proposed 14' bridge over Fallen Leaf Lake Dam.</p> <p>Response: Alternatives 3-6 were developed in response to public concerns regarding several elements of the proposed action, including the proposed bridge over Fallen Leaf Dam. Each alternative 3-6 proposes a minimal design bridge that would meet the purpose and need of this project while minimizing the bridge structure to the degree feasible.</p>	2-3
	<p>Supports the proposed parking area at Tahoe Mountain and Angora Ridge</p>	3-1

<p>roads.</p> <p>Response: Thank you for your support of the project.</p>	
<p>“Regarding FL76, I like seeing Taylor Creek for a few feet. Surely the trail could be rebuilt along the creek that would minimize erosion.”</p> <p>Response: FL76 is a proposed reroute of a minor section of FL9, and is intended to separate the trail from the highly erodible cut-bank above Taylor Creek. In addition to the proposed reroute, the EA states that restoration and bank stabilization work would occur in this and other locations along Taylor Creek in order to correct legacy erosion concerns and improve aquatic habitat. We believe this reroute is necessary to ensure the purpose and need of this project is met, and note that the trail will remain within sight of Taylor Creek for most of its length.</p>	<p>3-2</p>
<p>“I don’t like gates on parking lots. I live here year round. If there’s snow in January, I sometimes walk at Fallen Leaf Lake. I don’t want to find all the parking lots closed.”</p> <p>Response: Several of the proposed new parking areas would be hard surfaced to facilitate snow removal in the winter. This project does not propose to clear snow from these parking areas, but would construct them such that they could be plowed if additional funding, permits or partnerships are identified in the future.</p> <p>Seasonal gate closure is necessary in order to protect facilities and resources during times of year when those facilities are not open for public use, and Forest Service staffs are not regularly patrolling public areas.</p>	<p>3-3</p>
<p>“I hope that when this project is completed that the area does not become a primary destination for the hordes of people that come here.”</p> <p>Response: The Fallen Leaf area is among the highest use recreation destinations in the Basin currently, and has experienced increased use annually for decades. This project is intended to upgrade trails and parking areas to meet current Forest Service standards, while accommodating the use and minimizing impacts to resources.</p>	<p>3-4</p>

<p>The Church trail is a valuable resource, I hope it remains open.</p> <p>Response: Alternatives 3-6 were developed in response to public input and concerns, among them, the proposed decommissioning of the Church trail (AN8) under Alternative 2. Alternatives 3-6 would not decommission the Church Trail.</p>	<p>4-1</p>
<p>Opposed to Alternative 2. The Clark and Church trails are important resources with historic and recreational value to the public.</p> <p>Response: Alternatives 3-6 were developed in response to public input and concerns, among them the proposed decommissioning of the Clark and Church trails (AN4, AN8). Alternatives 3-4 would not decommission these trails.</p>	<p>5-1, 64-2</p>
<p>"I don't use the trail east of the dam because of horses from the stable. I have COPD [Chronic obstructive pulmonary disease]. If you let stable horses on the west side of the dam I won't be able to use those trails either. The USFS must be aware of the dust caused by horse manure on the trails which is unpleasant for regular, healthy lungs and dangerous for COPD lungs. Please keep the stable horses on the east side of the dam and leave the west side for hikers and bikers to enjoy horse-free."</p> <p>Response: All authorized trails within the project area currently allow equestrian use, including those on the west side of Taylor Creek. All unauthorized trails in the project are by definition unmanaged, and therefore have no use designation and are not designed or maintained to minimize resource impacts. Equestrian use is currently authorized on specific trails west of Taylor Creek, and this project does not propose to change that access. As described in the EA, each authorized trail has a designed use, which informs the construction and maintenance standards for each trail. The current trail system is in need of extensive upgrades and maintenance in order to minimize environmental and social impacts, such as high levels of dust and use conflict. Trails designed and constructed to USFS standard with appropriate BMP's and resource protection measures have been demonstrated to reduce negative impacts, such as excessive dust. Mitigation or reduction of horse manure related to a special use permit holder would be an administrative action, and is beyond the scope of this analysis.</p>	<p>6-1</p>
<p>"What consideration has been given to building a parking tower up to the tree tops in the project area to open up more natural habitat...Possibly serve as a public transit center?"</p> <p>Response: This option has not been considered during the Fallen Leaf ATM project analysis, as it would be in conflict with scenic objectives for the area as addressed in section 3.3 Scenic Resources of the EA.</p>	<p>7-1</p>

<p>Support for Alternatives 3-6 and concerns with and objection to Alternative 2. Specifically does not support decommissioning AN4 and AN8.</p> <p>Response: Thank you for your interest in this project and for your support of Alternatives 3-6.</p>	<p>8-1, 10-3, 17-1, 17-2, 32-1, 48-1</p>
<p>The proposed adoption and formalization of the parking area at Angora ridge and Tahoe Mountain roads “will have the effect of increasing the use of the Angora area during off-season months when there is no one to oversee its security from fire and vandalism... [and] encourage off-season ATV and snow machine use thereby increasing risk to power lines, cabins, wildlife, and the forest.” “I encourage you to limit the space in this lot and provide signs reminding people of prohibitions against overnight camping, fires, motorized vehicles off-trail, etc.”</p> <p>Response: Our analysis does not support a finding of increased risk in the Angora area beyond current conditions based on the formalization of this parking area. In contrast, our proposed project includes the development of a comprehensive sign plan in the project area that would provide the public information suggested in your comment, and would likely result in improved user compliance with rules and regulations applicable to this area.</p>	<p>8-4</p>
<p>Support for Alternative 6 citing adopting and rerouting FL9, keeping AN4 and AN8, proposed parking lot at Fallen Leaf road and highway 89, adopting FL5 and CR14, proposed 4-6’ wide bridge over Taylor Creek, and no stream ford crossings of Taylor Creek based on negative impacts of horses crossing streams.</p> <p>Response: Thank you for your interest in this project and your support of Alternative 6.</p>	<p>10-1</p>
<p>Support for adopting FL9 with proposed reroutes.</p> <p>Response: Alternatives 3 through 6 would adopt FL9 with proposed reroutes, thank you for your interest in this project.</p>	<p>10-2</p>
<p>In support of the proposed parking area at the junction of highway 89 and Fallen leaf road.</p> <p>Response: Thank you for your comment.</p>	<p>10-4</p>
<p>Does not support Alternative 2. Prefers Alternatives 3-5 based on not decommissioning AN4 and AN8, narrow bridge proposal over Taylor Creek, and adopting and rerouting FL9.</p> <p>Response: Thank you for your interest in this project and your support of Alternatives 3-5.</p>	<p>11-1, 14-1, 19-1</p>

<p>Supports keeping AN4, AN8 and AN9 open to the public.</p> <p>Response: Alternatives 3-6 were developed partly in response to public comment and concern regarding the proposed decommissioning of these trails, and would keep trails AN4 and AN8 open. There is no alternative under which AN9 would be decommissioned, though all action alternatives would reroute a minor segment of the trail in order to protect resources and connect the trail to a public parking area.</p>	<p>2-1, 11-2, 13-1, 14-2, 16-2, 22-1, 23-1, 24-1, 30-1</p>
<p>Supports adopting FL19 as the stream crossing on Taylor Creek.</p> <p>Response: Thank you for your interest in this project and support of Alternative 5.</p>	<p>13-2, 62-2</p>
<p>Does not support rerouting the lower segment of AN9 to connect it with the Lily Lake Parking area, citing that it is unnecessary and will not be widely used.</p> <p>Response: Our analysis supports this reroute as providing a necessary connection to a public access point for a popular trail. Currently, AN9 is open to the public but has no appropriate public parking or access at the lower end, resulting in public parking on private lands.</p>	<p>11-6, 13-3, 14-5</p>
<p>Does not support decommissioning AN4 and AN8.</p> <p>Response: Alternatives 3-6 were developed partly in response to public comment and concern regarding the proposed decommissioning of these trails. Alternatives 3-6 would keep trails AN4 and AN8 open.</p>	<p>15-1, 15-2, 17-3, 28-1, 31-2, 36-1, 38-1, 42-1, 45-1, 9-1, 50-2, 51-1, 54-2, 56-2, 64-2</p>
<p>Recommend eliminating proposed new trail AN5 from Alternatives 2-6 based on the following:</p> <ul style="list-style-type: none"> <li>• AN5 will contribute to parking congestion at Glen Alpine parking area</li> <li>• AN5 will be used by bicyclists, which will contribute to use conflict on this trail</li> <li>• The area is essentially an extension of Desolation Wilderness, AN5 will bisect wildlife habitat and bring people into a wild area</li> <li>• There will be new erosion potential due to increased use on AN8 and AN5</li> </ul> <p>Response: The proposal to construct AN5 is driven by a need to provide appropriate public access for trails AN4 and AN8. Currently, there is no public parking or access at the lower end of either trail AN4 or AN8, and users often park in the driveway of unoccupied private residences, or in the parking area of the general store, neither of which are appropriate for that use.</p> <p>Regarding bicycle use, all non-Wilderness trails in the project area are</p>	<p>17-4</p>

<p>currently available for bicycle use, including AN4 and AN8. Bicycle use is infrequent on trails AN4 and AN8 because those trails are designed use hiker/pedestrian trails, and as such, are not well suited for bicycle traffic. None of the alternatives in this project propose to change the allowed or designed use of trails AN4 or AN8, and the proposed trail AN5 would be managed consistent with AN4 and AN8.</p> <p>The land area surrounding proposed trail AN5 is managed as a roaded natural area, as designated by the LTBMU Land Management Plan. Construction and management of trail AN5 as a hiker/pedestrian trail is consistent with this direction. The area has been surveyed and evaluated for potential impacts to all resource areas, and no significant impacts will occur to any resources as a result of this project, or implementation of any alternative.</p> <p>Trail AN5 will be constructed and both AN5 and AN8 maintained to Forest Service trail standards. As such, these trails will not result in increased erosion, even if increased use does occur.</p>	
<p>Suggest modifying the proposed new trail AN3 such that it runs south to the lookout and terminates. Commenter states that it will not be used south of the lookout because it will not offer views available from Angora Ridge road.</p> <p>Response: Our project design and analysis suggests that providing a separated trail parallel to Angora Ridge road will result in reduced conflict between vehicles and non-motorized users, and will improve congestion on the road.</p>	17-5
<p>Regarding the proposed parking area at the junction of Tahoe Mountain and Angora Ridge Roads, “the EA fails to identify the exact location and environmental impacts on water quality, aspens, and drainage.”</p> <p>Response: The parking area is described in the EA as “the informal parking located on CTC lands near the junction of Tahoe Mountain Rd. and Angora Ridge Road” and is shown as such on page 38, Tile 5. We believe this description is adequate for analysis and for public comment. The EA does not describe any environmental impacts associated with this parking area because analysis has shown there would be no significant impacts associated with this parking proposal.</p>	17-6, 30-3
<p>In reference to AN2, “new trail must be constructed so it is not a visually significant scar from the downslope neighborhoods.”</p> <p>Response: Proposed new trail AN2 will be constructed to meet current USFS trail standard, and will be designed to meet scenic and visual resource objectives. This trail is specifically discussed in the Scenic Resources analysis in Section 3.3 of the Environmental Assessment, and is anticipated to have a</p>	17-7

<p>short term visual effect during and immediately following construction, and the effect will be mitigated through the naturally occurring growth of shrubs and trees.</p>	
<p>Requests that any project implementation along Angora Ridge and Tahoe Mountain Rd. be performed preferably after labor day to minimize impacts to business conducted by the Angora Lakes Resort.</p> <p>Response: We understand your concern and will make every reasonable effort to coordinate with and minimize disturbance to your business.</p>	17-8
<p>Suggestion to minimize new signage in the area to maintain the undeveloped character of the area.</p> <p>Response: A comprehensive sign plan is needed in the project area, and will be designed and implemented such that it meets Forest Service standard and visual and scenic resource objectives. Your recommendation is consistent with these goals and guidelines.</p>	17-9, 54-6
<p>Concurrence with the proposed Alternatives 3-6 as designed to meet the purpose and need while also responding to public concerns about actions proposed under Alternative 2.</p> <p>Response: Thank you for your interest in this project and your support for Alternatives 3-6.</p>	18-1
<p>Support of Alternative 1 – no action.</p> <p>Response: Thank you for your interest in this project and your support of Alternative 1.</p>	19-2
<p>Support of Alternatives 3-6.</p> <p>Response: Thank you for your interest in this project and your support of Alternatives 3-6.</p>	8-3, 16-1, 19-3, 30-1, 55-1, 56-4, 58-1, 61-1
<p>“We believe that any proposed changes should be evaluated using this “wilderness” filter in order to help maintain the pristine and historic nature of the Fallen Leaf – Angora Lakes region. As an example, no mechanized travel of any sort should be allowed in this region.”</p> <p>Response: The area of discussion is classified as a roaded natural area, and no changes to that designation are proposed under this project. Mechanized travel (bicycle) is currently allowed on all non-Wilderness trails in the project area, including those mentioned by the commenter. Bicycle use is prohibited in designated Wilderness Areas. The selected alternative (Alternative 4) would prohibit bicycle use on the following trails: FL21, FL15, FL22, FL27, FL42, and FL28.</p>	20-1, 56-3
<p>Do not support adopting/upgrading trail AN6, and suggest it remain as-is with</p>	8-2, 20-2, 30-2,



<p>no additional signage or improvements implemented.</p> <p>Response: Thank you for your interest in this project. Your comment is specifically addressed by Alternatives 3-6, which would implement no change to trail AN6.</p>	<p>31-1, 33-1, 50-1, 54-1, 56-1, 61-2</p>
<p>“...it pains me to hear that some trails are being closed. I have cherished memories of hiking these trails and enjoy them now with my own children. I hope you would consider keeping them open or coming up with a plan where volunteers would help to maintain these trails.”</p> <p>Response: The Fallen Leaf ATM Environmental Assessment provides specific details regarding individual trails, the proposed actions for each and the purpose and need for any actions. Volunteer trail work is a part of the LTBMU trail maintenance program, and additional information can be gained by contacting the Trail Program Manager.</p>	<p>25-1</p>
<p>Request to keep AN8 open for public use.</p> <p>Response: Thank you for your interest in this project. Your comment is specifically addressed by Alternatives 3-6, which would implement no change to trail AN8.</p>	<p>26-1</p>
<p>The proposed parking area at the intersection of Tahoe Mountain and Angora Ridge roads will negatively affect the meadow and will not address the larger issue of insufficient parking availability at Angora Lakes and the Angora Lookout.</p> <p>Response: The proposal for the parking area at Tahoe Mountain and Angora Lakes roads is intended to reduce the existing risk of erosion associated with this informal parking area. The upgrades would utilize BMP’s and standard engineering principles to control water runoff and eliminate the soil disturbance associated with parking on bare dirt adjacent to the paved road. This proposal is not intended to provide additional access or capacity to the Angora Lookout or Angora Lakes by providing additional parking.</p>	<p>30-3</p>
<p>Suggestion to invest in dam and valve upgrades to Fallen Leaf Lake dam while implementing bridge upgrades.</p> <p>Response: Upgrades to the dam and/or valves are beyond the scope of this analysis. Any potential upgrades or changes to the existing walkway would be independent of the dam operation.</p>	<p>34-1, 64-4</p>

<p>Concern that blocking roadside parking along the Lily Lake road will further limit parking in the area and lead to additional traffic congestion. Further states that blocking roadside parking will be ineffective as users will continue to develop parking along the road, causing damage to vegetation.</p> <p>Response: Current parking along this road is unmanaged and unauthorized, and results in continued damage to vegetation and soil compaction. In addition, this unauthorized parking limits the ability of emergency responders to access the Glen Alpine and Lily Lake areas. We feel it is necessary to limit roadside parking to appropriate areas in order to minimize resource impacts, and address concerns regarding emergency response access.</p>	34-2
<p>Support of the proposed parking area at Fallen Leaf rd. and highway 89.</p> <p>Response: Thank you for your interest in this project and support of the proposal.</p>	34-3
<p>Support for Alternative 6 and secondarily for Alternative 4.</p> <p>Response: Thank you for your interest in this project and your support of Alternatives 6 and 4.</p>	38-2
<p>Support for Alternative 6 citing least impacts to soil and hydrological resources associated with a smaller bridge and no equestrian traffic crossing the creek.</p> <p>Response: Thank you for your interest in this project and your support of Alternative 6.</p>	43-1
<p>Support for Alternative 6 (comment 43-1 above), alternatively supports FL11 as the stream ford crossing due to “a shorter crossing distance and cobble substrate that is less prone to fine sediment production than other crossing locations.”</p> <p>Response: Thank you for your interest in this project. We note that you prefer Alternative 6 and support Alternative 4 as a next best option.</p>	43-2
<p>“Our permitted Winter Sleigh &amp; Summer Hay Wagon route appears to be decommissioned at the CR14, CR15 on your map? Is this accurate?”</p> <p>Response: CR14 and CR15 are proposed to be decommissioned under Alternative 2 (shown on Tile 2, page 39), but are proposed to be adopted and managed to current Forest Service standard under Alternatives 3-6 (figure 2.2, page 51).</p>	44-1
<p>“On the map it appears that FL69 is to be decommissioned? However on page 46 your plan states that this trail would be adopted as a currently managed USFS trail?”</p>	44-2

<p>Response: Alternative 2 proposes to decommission FL69, and is shown as such on Tile 3, page 38. Alternatives 3-6 would adopt and manage FL69 as described on pages 45-49, and as shown on Figure 2.2, page 51.</p>	
<p>Alternative 2 would adopt FL11 as the only stream crossing and would require significant upgrades to ensure this crossing is safe for all equestrian users.</p> <p>Response: Any stream crossing associated with the chosen alternative in this analysis would be constructed to meet Forest Service standard. If selected, FL11 would require stream bank stabilization, rock retaining walls, native surface armoring and steps to support the stream approach and exit. The final design would be more carefully considered prior to implementation, but any design would be constructed to provide safe and sustainable access for equestrian users.</p>	44-3
<p>If Alternative 4 is chosen, would there be another option or reroute for equestrians to cross Taylor Creek while the project of upgrading FL11 is underway?</p> <p>Response: Existing trails, including stream crossings, would not be decommissioned or closed until a new trail (or crossing) has been constructed and opened for public use.</p>	44-4
<p>The safest option for equestrians crossing Taylor Creek is to have two ford crossings so that opposing traffic could opt for use of a different location rather than need to yield or pass.</p> <p>Response: An alternative was considered that would have analyzed two stream ford crossings, but was eliminated from further analysis. A complete discussion of this comment is located on pages 22 and 23 of the EA.</p>	44-5
<p>“There is no mention of equestrian parking for any of the trail heads in the basin...where would be a safe place to park a horse trailer or a safe turn around point so we can access these trailheads?”</p> <p>Response: Parking for vehicle pulling trailers and longer wheelbase vehicle, such as motorhomes is discussed in the Recreation resources section (3.2), and is specifically mentioned beginning on page 94 of the Environmental Assessment. The anticipated reduction in roadside parking along highway 89 will have the direct impact of reducing parking opportunities for vehicle pulling trailers and longer wheelbase vehicles. Alternatives 2-6 propose several improvements to parking in the project area including adopting existing unmanaged parking and constructing new parking areas. As described in the EA (3.2.3), large parking spaces and pull-through type parking is proposed in several locations to provide access and opportunity for these vehicles.</p>	44-6
<p>“In general, winter parking needs to be addressed more in depth in this</p>	44-7

<p>proposal to allow for safe adequate space which should be maintained in this highly used recreation area for all uses.”</p> <p>Response: This project includes analysis to provide additional opportunities for winter parking throughout the project area. Many of the proposed adopted and upgraded parking areas could be used for winter parking in the future if funds become available to provide snow removal on those sites. In addition, several parking areas along highway 89 are proposed to be upgraded to paved surface, and would be available to the public during the shoulder seasons between winter closure and summer fee parking. There are no changes proposed for the Taylor Creek Sno-Park, which remains available for public use.</p>	
<p>“Lastly, we have a concern over the Mt. Tallac/Cathedral Trail being only designated for hiking use in the appendix of this proposed action...why would this only be listed as Hiker/Pedestrian?”</p> <p>Response: Appendix A of the EA describes the Alternative 2 Trail System Designed Use for each trail. Each managed trail has a designed use (hiker, mountain bike, equestrian) that determines such factors as vegetation clearing limits, tread width and level of development (primitive – highly developed). The designed use is not to be confused with allowed or prohibited uses.</p>	44-8
<p>The proposed Angora Ridge trail seems unnecessary as does the 5 space parking lot at the intersection of Tahoe Mountain rd. and Angora Road.</p> <p>Concern that AN3 is redundant based on being parallel to Angora Ridge road.</p> <p>Response: The Angora Ridge trail (AN1/AN3) is proposed to provide an alternative route that would separate non-motorized users from vehicle traffic on the road and reduce congestion and hazards along the already narrow and congested road. In addition, this trail would provide excellent views along its length and be used to create longer loops for extended hiking, bicycling and equestrian opportunities.</p> <p>The parking lot at the intersection of Angora Lakes and Tahoe Mountain road is an existing, informal parking area. Alternatives 2-6 propose to adopt and upgrade this existing feature in order to meet the existing demand for public parking while minimizing the impacts currently associated with this feature.</p>	45-2  50-3

<p>The proposed bridge over Taylor Creek was stated during public meetings to be reduced from a proposed 10-14 foot width to a 4-6 foot width. However, this is not specifically acknowledged in the report.</p> <p>Response: The Taylor Creek bridge is proposed as a 10-14 foot wide structure in Alternative 2 as described on page 31 of the EA. It is proposed as a 4-6 foot wide structure in Alternatives 3-6 as described on page 45 of the EA.</p>	<p>45-3</p>
<p>“Trail FL 40 is shown on all alternatives to be decommissioned. I propose to adopt and improve FL40...it is usually combined with the other trails on the east side of the ridge as a loop.”</p> <p>Response: FL40 is proposed for decommissioning due to the steep and unstable nature of the surrounding area where it occurs. This trail and surrounding area have been surveyed and no reasonable solution to bring the trail up to Forest Service standard while minimizing impacts to resources was identified. The impacts associated with FL40 cannot be reasonably addressed or mitigated without major construction efforts, such as large scale retaining walls, riprap and stairways, which are considered unreasonable for this location.</p>	<p>47-1</p>
<p>Horse use on trails adversely affects the hiking experience. Comments cite dust, flies and manure as some of the objectionable factors that result in a negative experience for hikers.</p> <p>Response: Trails in the project area are currently managed as shared use, non-motorized. Managing a trail system as shared use provides the greatest recreation opportunity and access for all use types.</p> <p>Trails receiving relatively higher equestrian use would be designed, upgraded and/or reconstructed to appropriate standards for that use. Trails available for use under equestrian special use permit are described in Appendix A of the EA and shown on Appendix C of the EA. Specific trails in the project area would prohibit equestrian use (see Appendix C; also, Chapter 2, page 47). As these references show, non-equestrian users have many options to select trails and trail loops that would not be used by an equestrian special use permit holder, and would be prohibited for private equestrian use.</p>	<p>49-1, 53-3, 58-6, 59-7, 63-2</p>

<p>Equestrian use of trails results in increased damage to trail surface, increased erosion and water quality concerns related to manure and/or urine introduction to surface waters.</p> <p>Response: Impacts associated with equestrian use on trails are fully considered and analyzed in the Soil and Hydrology Resources and Aquatic Species sections of the Environmental Assessment. Further details of these analyses are in the Biological Assessment and Management Indicator Species Report, located in section G-1 of the project record.</p> <p>Equestrian use of trails was analyzed for each of the action alternatives, and in each case the analysis resulted in a finding of no significant direct, indirect or cumulative effects to resources.</p>	<p>49-2, 52-1, 58-2, 58-5, 59-5, 59-7, 63-1</p>
<p>Equestrian use of trails presents a safety hazard to other users and results in use conflict.</p> <p>Response: The existing trail network has the greatest potential to result in safety concerns and use conflict due to the generally unmanaged nature of the system. Alternatives 2-6 would each implement a full suite of standard measures and management practices that have been documented to improve the safety and recreational experience for all uses types, as well as reduce use conflict (EA Sections 1.3.1 and 3.2.3).</p> <p>The commenter's statement is not supported by the findings of the project analysis for a trail system with appropriate design, signage and construction standards.</p>	<p>49-2, 52-2, 53-2, 58-8, 59-1, 59-2, 59-3</p>
<p>Comments in support of having some trails closed to equestrian use, and/or designated as "hiker only."</p> <p>Response: As described in the EA (Appendix C; also, Chapter 2, page 47), certain trails in the project area would restrict specific uses to protect resources and user experiences. Restriction would be accomplished with informational signage and monitored over time for effectiveness and user compliance. If monitoring indicated ineffectiveness or non-compliance, then additional measures such as establishment of a Forest Order could be used to create trail closures for specific uses, and thereby make the closures enforceable.</p>	<p>27-1, 29-1, 35-1, 52-3, 53-4, 58-10, 59-6, 64-5</p>

<p>The EA does not consider a range of alternatives meeting Forest Plan direction, specifically relating to equestrian use of trails and concern with use conflict between equestrian and other use groups.</p> <p>Response: The LTBMU does not agree with the comment stating that the EA does not consider a range of alternatives meeting Forest Plan direction. The commenter fails to provide any reference to a specific applicable law, nor any detail regarding how or why the EA would be in violation of Forest Plan direction.</p> <p>A thorough discussion of Alternatives considered but not in detail, equestrian use of trails and use conflict is included in the EA (Sections 1.3.1, 2.1.1, 3.2.1, 3.2.3).</p>	<p>53-1, 59-1, 59-3, 59-6</p>
<p>The TRPA is not listed in Section 1.11.10, Local Agency Permitting Requirements and Coordination.</p> <p>Response: The LTBMU regrets this unfortunate error, and has corrected it in the final EA.</p>	<p>58-3</p>
<p>The equestrian use contributed by the Camp Richardson Corral results in adverse impacts to other users and to the environment.</p> <p>Response: Impacts associated with equestrian use on trails are fully considered and analyzed in the Soil and Hydrology Resources and Aquatic Species sections of the Environmental Assessment. Further details of these analyses are in the Biological Assessment and Management Indicator Species Report, located in section G-1 of the project record.</p> <p>Equestrian use of trails was analyzed for each of the action alternatives, and in each case the analysis resulted in a finding of no significant direct, indirect or cumulative effects to resources</p>	<p>58-7</p>
<p>“The [Camp Richardson Corral] horses are a source of revenue to the stable and the USFS, but have no actual purpose or need to use the particular trails along the shores of the lake and creek. The commercial benefit, and enjoyment of the minority of all trail users who ride these horses, do not justify the major out-of-proportion lingering environmental damage, recreational loss, and health risk to other trail users.”</p> <p>Response: The commenter is leading to a question regarding the commercial value of a special use on National Forest Lands compared to the perceived impact of that use. This question relates specifically to the authorization and administration of an existing special use permit, and is beyond the scope of this project.</p>	<p>58-9</p>

<p>The EA does not meet legal requirements...we respectfully request that you withdrawal the EA, and supplement your staff's analysis and consider additional alternatives.</p> <p>Response: The Forest Service disagrees with the statement that the EA does not meet legal requirements. All legal requirements have been met and are detailed in Section 1.11 of the EA. The commenter does not provide any specificity with regard to how the EA might not meet legal requirements, nor do they identify the legal requirement being challenged.</p> <p>The analysis for this project meets all legal requirements and is consistent with the many other projects completed recently by the LTBMU. In addition, the EA considers a full range of alternatives, and identifies additional alternative considered but not in detail.</p>	59-9
<p>"The EA should be supplemented to acknowledge that the commercial [Camp Richardson] Corral has no current permit...and that the Forest Service has not (despite numerous requests) disclosed its intention(s) for regulating, limiting, or managing this commercial activity into the future."</p> <p>Response: While the Camp Richardson Corral Special Use Permit expired in 2007, we have received an application for a new special use permit (SUP). As such, under Title 5, "When the licensee has made timely and sufficient application for a renewal or a new license in accordance with agency rules, a license with reference to an activity of a continuing nature does not expire until the application has been finally determined by the agency." Operations conducted from 2008 through today are consistent with the terms and conditions of the expired SUP and operating plan. The reissuance of a special use permit is a separate administrative action not related to this decision.</p>	59-4
<p>"It is therefore arbitrary and capricious to conclude that activities conducted by this commercial outfit [Camp Richardson Corral] will not cause significant cumulative environmental effects when considered together with the current project, especially if horses are allowed on ALL trails in the project area, with no limits."</p> <p>Response: Equestrian use of trails was analyzed for each of the action alternatives, and in each case the analysis resulted in a finding of no significant direct, indirect or cumulative effects to resources.</p>	59-8
<p>"Your Environmental Assessment for the Fallen Leaf ATM Project fails to consider the many scientific references that I provided in my scoping comments... [Which] prove that horses result in numerous significant environmental impacts, even when your "BMPs" are applied."</p> <p>Response: The Environmental Assessment, Biological Evaluation, Biological</p>	60-1



<p>Assessment, Noxious Weed Report, and Management Indicator Species Report provide a thorough analysis using many of the relevant references mentioned by the commenter, and the FONSI details the rationale for the finding of no significant impact.</p> <p>The commenter cites several studies in support of their assertion that horses cause significant damage to trails and erosion. The Forest Service acknowledges that several relevant studies have found that horses can have a greater impact to trail surfaces than other non-motorized use types. However, those studies also state that slope, soil type, maintenance intervals, weather, soil moisture and trail design are significant contributing factors and often make a greater difference than use type (EA, Section 2.1.1).</p> <p>The EA does not address the commenters' recommendation of requiring equestrians operating under special use permit to wear manure catchers, as that is beyond the scope of this analysis. However, this project does not preclude a separate administrative action that would consider making the requirement as recommended in the future.</p>	
<p>Does not support decommissioning FL30 as shown in all action alternatives.</p> <p>Response: FL30 bisects a riparian meadow area and is considered to be a negative impact to the meadow system. While this trail does access desirable features and is used to create loop opportunities, these features and experience will remain available by using the shoulder of the road directly south as an alternate route. The road receives no public vehicle traffic, so there is no risk of use conflict or congestion on the road.</p>	62-1
<p>Concern that the Tallac trail would be rerouted away from Floating Island Lake, resulting in the loss of experiencing this feature.</p> <p>Response: The proposed reroute of the Tallac trail near Floating Island Lake is intended to eliminate the steep grade and proximity to a small spring associated with the existing trail. The reroute would not significantly move the trail away from Floating Island Lake, but would bring it above the high water line of the lake, and address a lack of drainage along the trail at both ends of the lake.</p>	63-1
<p>Alternative 1 (no action) would not address impacts associated with increased use in the area.</p> <p>Response: Alternative 1 is included to provide an analysis of the existing condition of the area, and proposes no actions. As conditions would not change under this alternative, there would be no improvement or mitigation of any existing impact.</p>	64-1

<p>Support for Alternatives 3-5, citing they each accomplish the purpose and need while addressing all the concerns brought up during scoping.</p> <p>Response: Thank you for your interest in this project and support of Alternative 5.</p>	64-3
<p>The California Tahoe Conservancy (CTC) is not listed as a coordinating or responsible agency for this project, though the proposal includes action on lands owned or managed by the CTC.</p> <p>Response: The LTBMU regrets this unfortunate error, and has corrected it in the final EA.</p>	66-1
<p>“Safety issues...by encouraging more bicyclists to use the trails...what element of protecting the land does this offer. The small walk over the dam since 1934 and to make it bike accessible without stopping offers no safety and certainly takes away from the esthetics of the pristine area.”</p> <p>Response: Bicycles are currently allowed on all authorized trails in the project area (aside from those located in Wilderness), and this project would not alter the allowed use in the area. This project does not encourage more bicyclists to use the area, but would provide more effective management of areas where bicycles would likely use through appropriate trail design and signage. As described in the EA, the proposed bridge over Fallen Leaf Dam would be signed to encourage bicycle users to dismount and walk across. There is no anticipated impact to the “esthetics of the pristine area” as bicycles are currently allowed on all authorized trails in the project area.</p>	65-1
<p>“You mention the size [of the proposed bridge over Fallen Leaf Dam] either 4 or 6 ft. yet you also state the large bridge is still on the table...how reassuring is that?”</p> <p>Response: The original proposed action (Alternative 2) is included in the EA as one of the alternatives for analysis and consideration, and includes the proposed 10-14 foot bridge. Alternatives 3 through 6 were developed in response to public comments, including concern over the proposed 10-14 foot wide bridge, and each of these alternatives include the updated proposal for a minimal 4-6 foot wide bridge design.</p>	65-2
<p>“Would more bikes riding off this new bridge offer safety to the many other people walking, hiking, entering the bridge. Can you ensure that they will walk their bikes, not ride recklessly onto the trails. I think not. By changing this historic dam you are introducing another element not saving the character of the area.”</p> <p>Response: Bicycles are currently allowed on all authorized trails in the project</p>	65-3

<p>area. Unauthorized trails are by definition unmanaged, and therefore open to all non-motorized uses. The proposed upgrades to the walkway over the dam are independent from the allowed uses on the trail system.</p> <p>As described in the EA, the upgraded bridge would be signed to encourage bicyclists to dismount and walk across. As with nearly all trail signage, this would be a recommendation, but would not be enforceable by law, and would be infeasible to consistently monitor or enforce even if enforceable by law. Additional management measures are available to increase compliance with this recommendation, such as sign or barrier placement that would make it difficult to ride a bicycle around without dismounting.</p>	
<p>It seems you want to encourage more bicyclists to use the trails. You admit there is a potential for additional use in the area and allow greater numbers...so what does this do to protect our peaceful Fallen Leaf area??"</p> <p>Response: This project is designed to analyze and plan for a variety of trail recreation opportunities for all non-motorized users, while addressing existing resource concerns. Increased use of the project area is an ongoing trend, and this project considers that increasing use and presents a range of alternatives that would meet the existing and foreseeable demand.</p>	65-4
<p>"Conflicts...closing trails yet making other trails and making them larger for more people to use...saving the character of the area...we think not."</p> <p>Response: The commenter does not raise a specific issue or concern with the EA or the decision, but rather expresses an opinion or individual view regarding this project.</p>	65-5
<p>"Why is this being done is the main question..?? To spend so much money on just so many months [in reference to the limited summer use season]? This will change the character of the Fallen Leaf area...How can you deny this?"</p> <p>Response: The EA includes a complete discussion of the purpose and need for this project in Section 1.5. The analysis considers any potential impacts of each alternative to all affected resource areas, including scenic/visual and recreation.</p>	65-6
<p>"You mentioned Caltrans plans and how it would affect the parking for Camp Richardson...Why would this be a USFS issue...to make more parking and take down trees is in whose best interests?"</p> <p>Response: The Caltrans proposal would eliminate existing roadside parking within the project area, thereby resulting in a reduction in currently available public parking. This ATM project considers both the trail system as well as public parking, access and opportunity to recreation resources. This project</p>	65-7

does not propose to create additional parking, but rather to offset the anticipated reduction resulting from the Caltrans project.