



United States
Department of
Agriculture

Forest
Service

March, 2008



Decision Notice, Finding of No Significant Impact & Findings

Mono Basin National Forest Scenic Area Visitor Center Trail

**Mono Lake Ranger District, Inyo National Forest
Mono County, California**

T4N, T5N, R13E, R14E sect. 4, 5, 8 & 9

California Clearinghouse Number: 2007084005

NEPA/CEQA Lead Agency: *USDA Forest Service
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Cooperating Agencies: *State Historic Preservation Office
Los Angeles Department of Water and Power
California State Parks*

Responsible Official: *Mike Schlafmann , Deputy District Ranger
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Background

The Inyo National Forest and California State Parks has proposed to construct an interpretive trail from the Mono Basin National Forest Scenic Area Visitor Center to the “Old Marina” recreation site within the Mono Lake Tufa State Reserve. The project area is located within the Mono Basin National Forest Scenic Area and lays just northwest of the Scenic Area Visitor Center, ¼ mile north of Lee Vining, CA and is within the Mono Lake Ranger District, Inyo National Forest, California. This action is needed for multiple reasons:

1. There has been an increasing demand for recreation opportunities in the Mono Basin National Forest Scenic Area and Mono Lake Tufa State Reserve,
2. There is demand for a safe and practical route from the Visitor Center to Mono Lake,
3. Unmanaged recreation within the project area is contributing to resource damage,
4. The existing visual quality of the project area does not comply with Forest Plan direction.
5. Cultural and historic resources in the area are being vandalized.
6. Lack of parking barriers in areas had led to expansion of parking areas and resource damage.
7. The restroom facility at Old Marina is in poor condition and no longer meets the needs of visitors.

The alternatives considered by the Forest Service as the Federal Lead Agency for this project, were referenced in the EA/Initial Study/Mitigated Negative Declaration as:

Alternative 1, No Action - Continue to allow motor vehicle access along route Z51 and to the historic natural feature known as “Icebox Tufa.” No improvement in visual quality of area and no designation of a route from visitor center to Mono Lake.

Alternative 2, Modified Proposed Action - Construct an interpretive hiking trail that consists of native soils in the upper sections near the Scenic Area Visitor Center to Icebox Tufa, a sinuous trail design in the middle portion of the trail, and an ADA portion of trail from Icebox Tufa to Old Marina. Low level of development.

Alternative 3, Original Proposed Action - Harden entire length of proposed trail and design trail to create accessibility for hikers and bikers and construct a portion of trail to be compatible with wheelchair access. High level of development.

The original and modified proposed actions may increase visitation to the project area and change use patterns from motorized recreation to pedestrian oriented recreation. Increased pedestrian use of the project area could have minimal, but negligible, impacts to avian fauna and mule deer. Implementation of the original proposed action would likely result in greater impacts to shoreline birds than implementation of the modified proposed action. New trail construction and increased pedestrian traffic are potential vectors for noxious weeds. Elimination of vehicular access to cultural resources will reduce potential for vandalism. Road to trail conversion within the project area will reduce the amount of bare soil and thus reduce potential erosion impacts. Implementation of either the original or the modified proposed action would improve visual quality of the project area, however, the modified proposed action would improve visual quality more than the original proposed action.

Decision

Based upon my review of all alternatives, I have decided to select **Alternative 2 –The Modified Proposed Action** (Selected Alternative) of the Environmental Assessment/Initial Study/Mitigated Negative Declaration for the Mono Basin National Forest Scenic Area Visitor Center Trail. The Selected Alternative authorizes construction of a a 1.2 mile interpretive hiking trail, with a section of ADA Accessibility, from the SAVC to the “Old Marina” with design elements and mitigations as listed below.

The use of native soil surfaces, construction of “sinuous” trail in the upper portions of the trail, and use of non-reflective materials for interpretive signing will help improve and maintain the scenic integrity of the area.

Closure and restoration of the lower section of route Z51 and the construction of a new section of trail that connects route Z51 to the current David Gaines Boardwalk will also improve visual quality of the project area while also developing a trail system that meets the demands of the users and reduces visitors’ impacts on shoreline bird habitat.

Through the designation of parking spots at junctions where roads intersect the trail, users will be able to access the trail from multiple locations and parking impacts will be confined to designated areas. User-created parking areas will be confined, closed, and rehabilitated to improve visual quality, reduce erosion, and reduce the spread of non-native plant seeds.

Construction of a low-level boardwalk and causeway at and near the shoreline of Mono Lake will minimize visitor impacts to the wet meadow and seasonally wet alkaline meadow and flats. The elevated boardwalk and causeway will protect natural hydrological regimes, reduce foot traffic in wet areas, and concentrate visitation into an area of the Lake that already sees high traffic patterns.

To compliment the redevelopment of Old Marina and proposed construction of the Lake Trail, replacement of the portable toilet with a “Sweet Smelling Toilet” (SST) vaulted toilet facility on National Forest Lands near the Old Marina facility will improve visual quality of the project area and minimize the human waste management problem now occurring at this location.

Rationale

My decision responds to the needs identified and associated with this project. Reducing human impacts on the visual quality of the Mono Basin National Forest Scenic Area, where such opportunities exist, is a high priority for the US Forest Service. The Selected Alternative will improve visual quality, provide for a unique and highly desired recreation experience, improve visitor safety, reduce resource problems, protect cultural resources, and create a high-quality recreation experience for visitors with disabilities.

My decision is consistent with direction and fulfills in part the goals and objectives contained in both the 1988 Inyo National Forest Land and Resource Management Plan (LRMP) as amended by the 2004 Sierra Nevada Forest Plan Record of Decision, and the 1989 Mono Basin National Forest Scenic Area Comprehensive Management Plan (CMP).

Other Alternatives Considered

Alternative 1, No Action

Under the No Action alternative, the project area would continue to be managed in its existing condition. No trail would be constructed, route Z51 would remain open to motor vehicles, and the project area would continue to be accessed by motorized users. Erosion problems would continue on route Z51 and adjacent areas where vegetation is denuded from motorized use and would continue to impede upon the visual quality of the Mono Basin Scenic Area. Forest Plan management direction as specified in the Mono Basin National Forest Scenic Area Comprehensive Management Plan would not be achieved.

The City of Los Angeles Department of Water and Power and California State Parks could alter the management of lands under their ownership and within the project area through decisions made outside of this document.

Alternative 3, The Original Proposed Action

As released on February 1, 2006, the US Forest Service, in cooperation with California State Parks and the City of Los Angeles Department of Water and Power, proposed to construct a trail that would leave from the Mono Basin Scenic Area Visitor Center, at the north end of the existing interpretive nature trail, cross approximately 1000 feet of land owned by LADWP, and then contour down slope and connect with route Z51, which would be closed to motorized vehicles. The trail would follow route Z51 across the County Road, head towards the Ice Box Tufa, and then follow route Z51 to the parking area at Old Marina.

It was proposed that approximately 3500 feet of trail, from the County Road to Old Marina, be constructed and maintained as an ADA Accessible Trail and that

the entire proposed trail surface would consist of a gravel road base material that would compliment the natural colors of the soil and rock in the Mono Basin.

This alternative would meet the purpose and needs identified for this project, but the specified trail alignment and trail materials would not result in the level of improvement in visual quality that is achievable by implementing the modified proposed action, alternative two. Concerns over user-created trails developing between route Z51 and the existing David Gaines boardwalk and the associated increased disturbance to Mono Lake shoreline habitat prompted the alternative two trail alignment that I have decided to implement.

Other Alternatives Not Considered

Federal agencies are required by NEPA to rigorously explore and objectively evaluate all reasonable alternatives to the Proposed Action and to briefly discuss the reasons for eliminating and alternative that were not analyzed in detail. One public comment received in response to the Proposed Action and Draft Environmental Assessment provided suggestions for alternative methods of achieving the project purpose and need. Some of the alternatives may have been considered outside the scope of the proposal, duplicative of the alternatives considered in detail, or determined to be components that would cause unnecessary environmental harm. Therefore, a number of alternatives were considered, but dismissed from detailed consideration for reasons summarized below.

Modified No Action Alternative

Closing route Z51 to motor vehicles and not actively restoring or converting the road to trail, in combination with placing a toilet facility at Old Marina, were not considered in detail as closing the road without restoration and road to trail conversion techniques would allow erosion to continue and rely upon user patterns to establish a trail network over time. Active management of the area, as described in alternatives two and three of the environmental assessment, will expedite the recovery of the project area, address current resource problems, and establish a trail that can be sustainably managed and safely enjoyed.

Development of Segregated Trail System

To address potential hiker/biker/wheelchair conflicts, consideration was given to segregating bikers from hikers and wheelchair users by constructing a separate biking trail. The level of bicycle use in the Mono Basin does not warrant such consideration, as the native pumice soils are not conducive to bike riding and establishment of a biking trail would require hardening the trail surface with non-native materials. Bicycle riders can currently access the Old Marina area on bicycle using the avalanche bypass route, or the more hardy rider can continue to off road bicycle on route Z50, a utility corridor road that has some sections of firmer soil and variable terrain that is enjoyed when traveling downhill.

Public Involvement

The proposal was listed in the Schedule of Proposed Actions on February 1, 2006. The proposal was provided to the public and other agencies for comment during scoping, February 10, 2006 through March 10, 2006. In addition, as part of the public involvement process, the agency held a public scoping meeting on March 1, 2006 and a project field trip on May 10, 2006.

Using the comments from the public, other agencies, and area Tribes, the interdisciplinary team developed a list of issues to address. An issue is an effect (or a perceived effect) on physical, biological, social, or economic resources caused by the proposed action. These issues, along with other comments from the public, drove the development of the modified proposed action. All alternatives were assessed by the interdisciplinary team for their effects on the environment and an EA/IS/MND was prepared.

Finding of No Significant Impact _____

After considering the environmental effects described in the EA/IS/MND, 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).

I base my finding on the following:

1. Beneficial and adverse impacts.

My finding of no significant environmental effect under NEPA is not biased by the beneficial effects of the action.

2. The degree to which the proposed action and alternatives affect public health or safety.

Significant effects to public health and safety are not anticipated to result from implementation of the Selected Alternative. Implementation would meet all county, state, and federal code requirements for ensuring the safety of facilities. Under the Selected Alternative, construction of the Lake Trail will require approval of a stormwater management plan by the Lahontan Water Resources Control Board. Consultation with the Army Corps of Engineers was undertaken during the planning phases of this project and resulted in a determination that no permits are required for trail development and boardwalk construction activities.

3. Unique characteristics of the geographic area.

The project area lays entirely within the Mono Basin National Forest Scenic Area. All aspects of this project comply with the Comprehensive Management Plan that puts forth management direction for the Scenic Area resource. The selected alternative will help move the project area into compliance with standards and guidelines put forth in the Comprehensive Management plan.

4. The degree to which the effects on the human environment are likely to be highly controversial.

The nature of potential effects on the human environment from the Selected Alternative are well established and not likely to be highly controversial. There is no known scientific controversy over the impacts of the decision.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The effects of on the human environment from the Selected Alternative are not uncertain and do not involve unique or unknown risks. Pedestrian trails are constructed throughout the State of California and on National Forest Lands

throughout the country to improve access and enjoyment of public lands and natural resources. Pedestrian trails encourage outdoor exercise and improve the general health of the population.

6. The degree to which the action or alternatives may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Selected Alternative is consistent with adjacent uses for the project area and will not establish a precedent for the future nor does it represent a decision in principle about a future consideration. There are no connected or similar actions proposed or under consideration for this area which are likely to have significant effects, either individually or in combination, for implementation of the selected alternative. Future actions will be evaluated through the NEPA process and will stand on their own as the environmental effects and project feasibility.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The Selected Alternative is not related to other past, present or reasonably foreseeable actions likely to result in any significant impacts. Cumulative impacts relative to the issues are discussed in EA/IS/MND, "Cumulative Effects of Alternatives."

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.

Cultural surveys, reports, and site tests have been completed for the project area, indicating findings of no effect. Five cultural sites were identified, inventoried and evaluated by Forest Service archaeologists and reports have been filed with the State Historic Preservation Office recommending that all five sites are not eligible for the Register of Historic Places. If determined eligible, all appropriate and standard mitigations and protection measures will be implemented (*EA/IS/MND, Heritage Resources*).

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.

A review of the existing information in the files regarding sensitive plant and wildlife locations and habitats has been conducted for the selected alternative. In addition, a survey was conducted at the site. No sensitive, threatened, endangered, or proposed plant or animal species were identified. Based on the existing information in the files and the results of the field visit the Selected Alternative will have no impact on any sensitive, threatened, endangered, or proposed plant species (*EA/IS/MND, Biological Resources*).

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, regulations and policies were considered in the EA/IS/MND. The action with its project-specific amendment is consistent with the Mono Basin National Forest Scenic Area Comprehensive Management Plan and the Inyo National Forest Land and Resource Management Plan.

Administrative Review and Contacts _____

The Forest Service released the Environmental Assessment/Initial Study/Mitigated Negative Declaration for the Mono Lake Trail project in August, 2007 for the 30-day comment period and substantive comments were received. As a result, this decision is subject to appeal pursuant to 36 CFR 215. Only those individuals and organizations who submitted substantive written or oral comments during the 30-day comment period (36 CFR 215.6) and otherwise meet the specific requirements of 36 CFR 215.13 have standing to appeal. Appeals must be filed within 45 days from the publication date of this notice in the *Inyo Register*. Notices of appeal must meet the specific content requirements of 36 CFR 215.14. An appeal, including attachments, must be filed (regular mail, fax, e-mail, hand-delivery, express delivery, or messenger service) with the appropriate Appeal Deciding Officer (36 CFR 215.8) within 45 days following the publication date of this notice. The publication date of this notice is the exclusive means for calculating the time period to file an appeal (36 CR 215.15 (a)). Those wishing to appeal should not rely upon dates or timeframe information provided by any other source.

Appeals must be submitted to Jim Upchurch, Inyo National Forest, USDA Forest Service, 351 Pacu Ave, Suite 200, Bishop, CA 93514 within 45 days from the date of publication in the newspaper of record, *Inyo Register*. Appeals may be submitted by FAX [760-873-2486] or by hand-delivery to the Supervisor's Office, at the address shown above, during normal business hours (Monday-Friday 8:30 am to 4:30 pm). Electronic appeals, in acceptable [plain text (.txt), rich text (.rtf) or Word (.doc)] formats, may be submitted to mschlafmann@fs.fed.us with Subject: [Mono Lake Trail].

For further information on this decision, contact Mike Schlafmann, Deputy District Ranger, Mammoth and Mono Lake Ranger Districts, 2500 Main Street, POB 148, Mammoth Lakes, CA 93546, Phone: 760.647.3033.

Copies of the Environmental Assessment and this Decision Notice can be found on our Forest Website at <http://www.r5.fs.fed.us/inyo/projects.html>

Implementation Date

As per 36 CFR 215.9, if no appeal is received, implementation of this decision may occur on, but not before, the 5th business day following the close of the appeal filing period (215.15). When an appeal is filed, implementation may occur on, but not before the 15th business day following the date of appeal disposition (36 CFR 215.2).

Mike Schlafmann	Date
Deputy District Ranger	
Mammoth and Mono Lake Ranger Districts, Inyo National Forest	
Responsible Official	

Implementation Date

As per 36 CFR 215.9, if no appeal is received, implementation of this decision may occur on, but not before, the 5th business day following the close of the appeal filing period (215.15). When an appeal is filed, implementation may occur on, but not before the 15th business day following the date of appeal disposition (36 CFR 215.2).



Mike Schlafmann

Deputy District Ranger

Mammoth and Mono Lake Ranger Districts, Inyo National Forest

Responsible Official

3. 27. 08

Date