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Forest
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Decision Notice and Finding of No Significant Impact

Mammoth Mountain Ski Area Ski Back Trail

Mammoth Ranger District, Inyo National Forest
Mono County, California

T3S, R27E, Sect. 27, 28, and 33

Responsible Official:

*Jon Regelbrugge
District Ranger
Mammoth Ranger District
2500 Main Street
Mammoth Lakes, CA 93546*

For Further Information:

*Jonathan Cook-Fisher
Mammoth Ranger District
2500 Main Street
Mammoth Lakes, CA 93546
(760) 924-5503*

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This Decision Notice documents my decision to select the Proposed Action. The Proposed Action will result in construction of a Ski Back Trail that creates skier return capacity to The Village portal, and eases crowding on The Village Gondola at the end of the day. The Proposed Action meets the Purpose and Need identified in the EA (Chapter 1) and was developed in response to public concerns with the Original Alignment (analyzed as Alternative 1 in the EA). In addition, my decision to select the Proposed Action requires implementation of mitigation measures identified in the EA (pp. ES4-ES10). I am requiring these mitigation measures as an additional requirement to minimize concerns raised through public comment. The effects of the Proposed Action are described in the Mammoth Mountain Ski Area Ski Back Trail Final Environmental Assessment issued on January 22, 2009. Implementing the Proposed Action complies with the Inyo National Forest Land and Resource Management Plan (INF LRMP) direction for the Mammoth Escarpment Management Area, and Rx #13 (INF LRMP, pp. 138-138).

The project is located within the permit boundary of the Mammoth Mountain Ski Area (MMSA). MMSA is on National Forest System lands in the Inyo National Forest west of the Town of Mammoth Lakes, CA.

PROJECT BACKGROUND

MMSA applied to the United States Department of Agriculture, Forest Service to construct and operate the Ski Back Trail. The Ski Back Trail extends approximately 7,800 linear feet from near the top terminal of Chair 7 to The Village. The average width of the Ski Back Trail is 22 feet in order to accommodate snow grooming equipment. The Ski Back Trail is located in the northeastern portion of MMSA's special use permit area on National Forest System lands between Highway 203 and the Town of Mammoth Lakes. The Ski Back Trail will require a combined 6.16 acres of tree clearing and grading.

The Proposed Action was developed in response to concerns raised by the public with the original Ski Back Trail alignment proposed by Mammoth Mountain Ski Area in 1997. The original alignment is analyzed under the EA as Alternative 1. Compared to the Alternative 1, the Proposed Action was designed to retain more trees, require less cut and fill, minimize impacts to existing mountain bike trails, and will have less of an impact on the forest environment.

MMSA has 3,256 acres under special use permit. There are currently 27 chairlifts with four portal facilities (Main Lodge, Canyon Lodge, Eagle Base, and The Village). Portal facilities act as hubs, where most guests begin and end their day, and where most service facilities (e.g. food and equipment rentals) are located. Canyon Lodge is the most popular portal as it serves Canyon Lodge guests and those originating from The Village. The Ski Back Trail would create skier return capacity to The Village helping to ease overcrowding on The Village Gondola at the end of the day.

The Forest Service decision was whether to authorize MMSA to construct the Ski Back Trail, and under what terms and conditions. An environmental assessment (EA) was prepared to comply with the National Environmental Policy Act of 1969 (NEPA). Four alternatives were evaluated in detail in the EA. The four alternatives were: (1) the Proposed Action; (2) Alternative 1 – Ski Back Trail Original Alignment, which would require more cut and fill, tree removal, and forest disturbance, (3) Alternative 2 – Transit Emphasis, which would add additional buses to existing transportation system; and (4) No Action.

DECISION

I have reviewed the Forest Plan, the EA, and the comments received for the EA. Based on this review, I have decided to implement the Proposed Action. The features of the Proposed Action are as follows (See EA Chapter 2 for a complete description):

- The Ski Back Trail will extend approximately 7,800 linear feet from near the terminal of Chair 7 to The Village. The Trail will require 6.16 acres of tree clearing and grading.
- The Trail will follow the natural slope and grade of the terrain and construction will utilize slope retention techniques to minimize the disturbance of the natural terrain, existing bike trails, and visual impacts to the residents in the adjacent Mammoth Slopes neighborhood.
- Construction will avoid tree removal to the extent feasible, with the goal being retention of as many trees as possible. Hauling of dirt will be minimized, as cut dirt will be utilized on site to fill in areas with the goal being to maintain a pitch between 6 – 9 percent. The Ski Back Trail will exceed 9 percent in those locations identified in the EA.
- Walls required for slope retention will utilize native rock and materials representative of the area where feasible.
- Both temporary and permanent erosion control measures will be installed, including revegetating the Trail surface with native grasses and a mix of native shrubs and wildflowers.
- Installation of snowmaking is authorized; however, it is not a requirement of this decision and may be installed and utilized immediately or phased in.
- Temporary access roads will be decommissioned by grading the compacted soils and revegetating with native plants.
- Impacted portions of the Uptown and Downtown mountain bike trails will be reconstructed following completion of the project.

In addition, I am requiring mitigation measures as an additional requirement to minimize concerns raised through public comment. An all-inclusive list of these measures is summarized in Table ES-1 (pp. ES-4 – ES-10). Several of the most measures are listed below.

- Implementation will be phased in the following order: (1) tree removal, (2) construction of retaining walls and cut and fill sections of the trails; and (3) installation of snowmaking. Phasing of construction will minimize the disturbed area at any one time and may occur over several months or several construction seasons.
- Installation of snowmaking is authorized; however, it is not a requirement of this decision and may be installed and utilized immediately or phased in.
- Snowmaking will not occur between 8:00 P.M. and 7:00 A.M.
- All snowmaking equipment shall be placed a minimum of 300 feet from the nearest residential unit.

I expect implementation of this project to start winter or spring of 2009. Specifically, tree removal shall commence over-snow during the winter of 2009 to reduce impacts to soil and vegetation.

RATIONALE FOR THE DECISION

In making this decision, I considered the purpose and need of the project, the effects of the project on the environment, the issues raised by the public, as well as the goals and objectives of the Forest Plan.

The Proposed Action fulfills the purpose and need described in the EA (pp. 1-3 and ES-1). The Proposed Action:

- Creates skier return capacity to The Village and reduces over-crowding on The Village Gondola at the end of the day.

Implementing the Proposed Action will bring guest staging capacity and on-mountain mobility in line with current and projected use and development at Canyon Lodge and The Village. The Ski Back Trail will reduce existing over-crowding at Canyon Lodge and on The Village Gondola. Also, as build-out of The Village is realized, it will be vital for down-slope capacity to better balance with skier trips originating at the Village. By providing ski-return capacity to The Village, the Ski Back Trail will enhance the long-term function of The Village as a portal, helping to meet future down-slope capacity need.

I find the effects of implementing the Proposed Action are not significant (40 CFR 1508.27). Compared to Alternative 1, the Proposed Action will retain more trees, require less cut and fill, and will have less impact on the forest environment. Compared to Alternative 2, the Proposed Action will provide better balance between up-slope and down-slope capacity at The Village, and will allow skiers to return directly to The Village without using either The Village Gondola or buses. The Proposed Action best fulfills the purpose and need described in the EA while providing less modification of the natural terrain. A detailed Finding of No Significant Impact (FONSI) is provided later in this document.

My decision reflects implementation of plans and a long-range vision for expanded skiing facilities at Canyon Lodge and The Village. Development of a Ski Back Trail has been discussed since the inception of Mammoth Mountain and has been discussed in subsequent Master Development Plan updates. The Ski Back Trail is identified in the Town of Mammoth Lake's North Village Specific Plan.

My decision is consistent with the goals and objectives contained in the 1988 Inyo National Forest Land and Resource Management Plan (INF LRMP) as amended by the 2004 Sierra Nevada Forest Plan Record of Decision. In particular, the INF LRMP states, "Permit further expansion of areas already developed for alpine skiing. Expansion may include runs, lifts, base areas, and access ..." (p. 138).

ALTERNATIVES CONSIDERED

In addition to the Proposed Action, three other alternatives were considered.

Alternative 1 – Original Alignment Proposal

Alternative 1 describes the Ski Back Trail alignment originally proposed in 1997. Alternative 1 can generally be described as having steeper slopes and a straighter alignment. Alternative 1 would require substantially more cut and fill, tree removal, and have greater impact to the existing mountain bike trails.

Alternative 1 was not selected because the Proposed Action provides a greater opportunity for retention of trees, less impact to the existing mountain bike trails, and will require less modification of the existing terrain while still fulfilling the Purpose and Need as described in the EA. For example, Alternative 1 requires 23,000 cubic yards of cut and fill, versus 2,091 cubic yards for the Proposed Action. This reduction of cut of fill, and the more meandering alignment of the Proposed Action will result in less impact to trees, the forest environment, and to existing mountain bike trails.

Alternative 2 – Transit Emphasis Alternative

In Alternative 2, the Ski Back Trail would not be built. Rather, there would be an increased emphasis on transit (buses) focused on returning guests to The Village and other destinations. The level of transit needed was designed to be roughly equivalent to the projected level of skiers that could be carried on the Ski Back Trail under the Proposed Action.

This alternative was not selected as it would not create ski return capacity to The Village and does not best meet the Purpose and Need as described in the EA. When overcrowding for The Village Gondola results in queuing and long waits to return to The Village, this alternative would require additional queuing for buses at Canyon Lodge.

Alternative 3 – No Action Alternative

Alternative 3 reflects a continuation of existing management practices without changes, additions, or upgrades. Selection of Alternative 3 would result in continued operation of the existing public transit system, The Village Gondola, parking facilities, and mountain operations with no changes. Neither construction of the Ski Back Trail nor transit improvements would occur under Alternative 3.

This alternative was not selected as it would not meet or fulfill the Purpose and Need described in the EA.

MITIGATION MEASURES

The EA describes several mitigation measures that will be implemented with this decision (pp. ES4-ES10). While the Proposed Action was developed in response to concerns raised by the public with the original alignment proposed in 1997, I am requiring these mitigation measures as an additional requirement to reduce impacts identified through public comment. Mitigation measures similar to these have been used in other projects with satisfactory results, leading me to conclude that we will have similar results. In addition, construction of the Ski Back Trail will be phased in the following order: tree removal, construction of retaining walls and cut and fill sections of the trails; and installation of snowmaking. Phasing of construction will minimize the disturbed area at any one time and may occur over several months or several construction seasons.

ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED CONSIDERATION

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 alternatives that were not analyzed in detail. Some of the alternatives were 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.

Surface Lift

The use of a surface lift was identified in public comment as a potential feature to add to Alternative 1 – Original Alignment Proposal. The purpose of the surface lift would be to assist returning skiers bypass the flat terrain in Alternative 1. This section does not exist in the

Proposed Action. A surface lift does not address any of the remaining issues and would require the addition of an operator and associated infrastructure.

Ski Back Trail North of Minaret Road

This alternative would replace both the side hill and the trenched portion of the Proposed Action Trail alignment by crossing Minaret Road approximately 2,300 feet down the Trail and again above the Scenic Loop Road intersection with Minaret Road. The upper road crossing would require a skier bridge and lift and the lower road crossing could be accomplished with construction of a skier bridge. This alternative would move the alignment further from the residences and onto flatter level terrain.

This alternative would address cut and fill, visual, and potential noise concerns. However, the addition of a ski lift and bridge crossing Minaret Road would result in similar issues and concerns as the Proposed Action, while adding substantial infrastructure on National Forest System lands. The concerns addressed by moving a portion of the Ski Back Trail north of Minaret Road are addressed in the design features for the Proposed Action. I am also requiring mitigation measures be incorporated into the Proposed Action that further address concerns raised. Specifically, the Uptown and Downtown mountain bike trails will be restored after construction of the Ski Back Trail, snowmaking shall not occur between the hours of 8:00 P.M. and 7:00 A.M. and will occur be at least 300 ft. from residencies. Finally, construction of the Ski Back Trail north of Minaret Road would not be completely within the permit boundary of the Mammoth Mountain Ski Area, thus would require amending and expanding the permit boundary.

PUBLIC INVOLVEMENT

The Ski Back Trail Proposal has been under public review as early as the 1981, when Mammoth Mountain identified the Ski Back Trail in the Master Development Plan. More recently public meetings and opportunities for public comment were held in 1998 and the summer of 1999, on November 10, 2003, on September 9, 2004, and on December 11, 2004. Skiing or hiking field trips were offered to the public on September 29, 2004, October 6, 2004, October 9, 2004, November 10, 2004, and in December 2006 to review the proposed ski trail route. A draft Environmental Assessment was released for public review in the Fall of 2007. Following publication of the draft Environmental Assessment, additional public meetings with presentations and the opportunity for public comment were held on November 7 and 8 of 2007. Formal pre-decisional notice and comment required by NEPA occurred in 2004 and 2007, both lasting 30 days. Comments were reviewed and considered in preparation of the final Environmental Assessment and are summarized in Appendix III.

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).

CONTEXT

The setting of this project is localized with implications only for the immediate area. The people most affected by the project will be local residents, skiers, and snowboarders. There is no effect to a larger portion of California.

INTENSITY

Criterion 1: Impacts that may be both beneficial and adverse: A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

My finding of no significant environmental effect under NEPA is not biased by the beneficial effects of the action. I considered both the beneficial and adverse effects disclosed in the EA, and based on those effects I find that there are no significant effects to any resources.

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

The Proposed Action will have little or no effect on public health and safety. By design, the Proposed Action was developed in response to public concerns with the original alignment proposed in 1997. In addition, the EA describes several mitigation measures that will be implemented with this decision (pp. ES4-ES10). I am requiring these mitigation measures as an additional requirement to minimize concerns raised in public comment. Mitigation measures similar to these have been used in other projects with satisfactory results, leading me to conclude that we will have similar results.

Criterion 3: Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There are no historic or cultural resources in the project area (EA, Chapter 3). There are no effects to park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas, because none of these resources occur in the project area.

Criterion 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.

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

Based on my review of the EA and Project File, I find the possible effects on the human environment that are uncertain or involve unique or unknown risks are minimal or non-existent. The kinds of actions proposed have been implemented over the last 50 years on adjacent lands within the ski area permit boundary and are well understood.

Criterion 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 Ski Back Trail represents a site-specific project that does not set precedence for future actions or present a decision in principle about future considerations. Any proposed future project must be evaluated on its own merits and effects.

Criterion 7: Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

No foreseeable future actions will have cumulatively significant impacts. The Proposed Action does not represent potential cumulative adverse impacts when considered in combination with other past actions. The EA describes the cumulative effects for each resource area (EA, Chapter 3). I am satisfied that none of the cumulative effects of the Proposed Action are significant.

Criterion 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.

There will be no adverse impacts to districts, sites, highways, structures, or objects listed or eligible for listing in the NRHP (EA, Chapter 3). This is due to the fact that no districts, sites, highways, structures, or objects eligible for listing in the NRHP occur within the project area.

Criterion 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.

No threatened or endangered animal or plant species will be adversely affected by my decision (EA, Chapter 3). This is due to the fact that no threatened or endangered animal or plant species occur within the project area. Additional information may be found in the Biological Evaluation/Assessment for Plants and Animals Report in the Project File located at the Mammoth Ranger Station.

Criterion 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. The action is consistent with the Inyo National Forest Land and Resource Management Plan.

IMPLEMENTATION AND APPEAL OPPORTUNITIES

This decision is subject to appeal in accordance with 36 CFR 215.7. A written Notice of Appeal must be filed within 45 days of the date of the notice of this decision is published in the Inyo Register. The written Notice of Appeal must be filed with:

Jim Upchurch, Forest Supervisor
Inyo National Forest
351 Pacu Lane, Suite 200
Bishop, CA
93514

The office business hours for those submitting hand-delivered appeals are: 8:00 A.M. to 4:30 P.M., 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) to appeals-pacificsouthwest-inyo@fs.fed.us. 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.

The Notice of Appeal must state the reasons of objecting to this decision, including issues of fact, law, regulation, or policy (36 CFR 215.14).

If no appeal is received, implementation of this decision may occur on, but not before five business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition.

Implementation of this decision is expected to begin during the winter or spring of 2009.

A detailed record of the EA is available for public review at the Mammoth Ranger Station.

CONTACT

For additional information concerning this decision or the Forest Service appeal process, contact Jonathan Cook-Fisher, Mammoth Ranger Station, PO Box 148, Mammoth Lakes, CA. 93546. Or by phone at 760-924-5503.

/s/ Jon Regelbrugge
JON C. REGELBRUGGE
District Ranger
Mammoth Ranger District

January 21, 2009
Date