

Appendix B –Distribution of the DEIS and Response to Comments Received on the DEIS

Distribution of the DEIS

The DEIS was released in June 2003. In addition to those listed in **Table B-1**, the DEIS and Summary were available at the Newport Ranger District, at the Colville National Forest Supervisors Office, and at 49 Degrees Mountain Resort. An electronic copy was posted on the Colville National Forest website.

Table B-1. List of Agencies, Groups and Individuals Who Received a Copy of the DEIS or Summary

Federal Agencies	
Advisory Council on Historic Preservation Dept. of Agriculture, - OPA Publications Stockroom - Animal and Plant Health Inspection Service - Natural Resources Conservation Service - Policy and Planning Division - National Agricultural Library Dept. of Defense, - U.S. Army Corps of Engineers - U.S. Air Force 336 Training Group Dept. of Energy, Office of Environmental Compliance Dept. of Housing and Urban Development	Dept. of Interior, - Office of Environ. Policy and Compliance - U.S. Fish and Wildlife Service Environmental Protection Agency, EIS Review Coordinator Federal Aviation Administration, Office of Regional Administrator Federal Energy Regulatory Commission, Advisor on Environmental Quality Federal Highway Administration, Western Resources Center General Services Administration Surface Transportation Board, Chief of Energy and Environment
State and Regional Agencies	
Interagency Committee For Recreation Northeastern Washington Rural Resources Development Assoc. Northeast Tri-County Environmental Health Division	Northwest Power Planning Council Washington Dept of Ecology Washington Dept. of Fish and Wildlife Washington Dept. of Natural Resources
Tribal, City, and County Governments and Agencies	
Confederated Tribes of the Colville Reservation Kalispel Tribe of Indians Spokane Tribe of Indians City of Chewelah City of Colville City of Cusick City of Lone City of Metaline City of Metaline Falls City of Newport City of Priest River	Pend Oreille County - Commissioners - Dept. of Public Works - Economic Development Council Pend Oreille County PUD No. 1 Port of Pend Oreille Spokane County Parks and Recreation Stevens County - Commissioners - Dept. of Public Works - Planning Dept.

Elected Representatives	
State Rep. Cathy McMorris State Rep. Bob Sump State Senator Bob Morton	Congressman George Nethercutt U.S. Senator Patty Murray U.S. Senator Maria Cantwell
Media	
Chewelah Independent Columbiana Colville Statesman-Examiner KCVL/KCRK Radio KMJY Radio KRCG Radio	Newport Miner North Columbia Monthly Priest River Times Spokane Spokesman-Review Tri-Town Tribune
Organizations and Businesses	
Alliance for the Wild Rockies Chewelah Chamber of Commerce Colville Chamber of Commerce Kettle Range Conservation Group Land and Water Consulting Lookout Pass Ski Area	Newport Chamber of Commerce Priest River Chamber of Commerce Priest River Development Corp. The Ecology Center The Lands Council
Individuals	
Clark Ashworth Daniel Baker Todd Bauernfeind J. Dennis Burmeister L.R. Dunton Elwood Edwards Douglas Elledge Joe Elliott Don and Patty Etten Kathy and Joe Fontana Dan and Sharon Gale Penelope Geisler Larry M. Grossman Roger Harder Philip Heine	Ken Hoffmann James D. Holcomb Randy Knight Richard Johnson Carolyn Kurowski Roland Lamarche Eliot Mohr Dwight and Eloise Opp Bert Overland Ron and Janet Rosenberger Irvn and Cathryn Schick Carl Sherwood John and Kaylee Stoker Don Stragis

The Notice of Availability for the DEIS appeared in the Federal Register May 16, 2003. A newspaper article about the proposed expansion and the revised master plan appeared in the Spokane Spokesman-Review in June 2003.

Comments Received on the DEIS

Ten comments were received on the DEIS. The Forest is required to respond to substantive comments (40 CFR 1503.4). Substantive comments include comments that:

1. Identify the writers preferred alternative, or
2. Express specific concerns relating to the project, including the adequacy of the statement, merits of the alternatives, or adequacy of the agency's predictive methodology.

Comments from Federal Agencies

Two comments were received from Federal Agencies – from the Dept. of Interior and from the Environmental Protection Agency. Letters from Federal Agencies were transcribed, and the entire text appears here.

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
500 NE Multnomah Street, Suite 356
Portland, Oregon 97232-2036

IN REPLY REFER TO:
ER03/0461

June 25, 2003

Mr. Lynn Kaney
District Ranger
Newport Ranger District
315 N. Warren
Newport, Washington 99156

Dear Mr. Kaney:

The Department of Interior has reviewed the Draft Environmental Impact Statement for the 49 Degrees North Mountain Resort Revised Master Plan, Colville National Forest, Stevens County, Washington. The Department does not have comments to offer.

We appreciate the opportunity to comment.

Sincerely,

Preston Sleeper
Regional Environmental Officer

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue Seattle, Washington 98101

June 30, 2003

Reply To
Attn of: ECO-088
02-021-AFS

Nora B. Rasure, Forest Supervisor
Colville National Forest
765 South Main
Colville, WA 99114
Dear Ms. Rasure:

The U.S. Environmental Protection Agency has reviewed the draft Environmental Impact Statement (EIS) for the proposed **49 Degrees North Mountain Resort Revised Master Plan** (CEQ #030209) in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. The draft EIS proposes expansion of 49 Degrees North to accommodate both winter and summer activities by increasing alpine ski terrain to 1,120 acres, adding a chairlift, expanding the lodge, parking areas, wastewater treatment facilities, cross country ski trails and camping areas. In addition, a new maintenance facility would be built and the entrance road re-aligned. The EIS identifies Alternative C as the preferred alternative.

We have assigned a rating of EC-2 (Environmental Concerns - Insufficient Information) to the draft EIS. This rating and a summary of our comments will be published in the *Federal Register*. A copy of the rating system used in conducting our review is enclosed for your reference. Our concerns and recommendations are highlighted below.

Purpose and Need

The EIS states that the purpose and need for the project are based on the need to implement a new Master Plan for the 49 Degrees North Mountain Resort for guiding development over the next decade, respond to the increase in the number of skiers and maintain economic viability. In addition, the expansion of 49 Degrees North Mountain Resort is needed to maintain the competitive position of the resort with other ski areas in the local and regional market and be consistent with the Colville National Forest Land and Resource Management Plan (The Forest Plan). The EIS states that the following needs must be met in order to accomplish the goals of the new Master Plan:

- Need for Additional Ski Terrain
- Need to Decrease Crowding and Improve Safety
- Need to Maintain Economic Viability
- Need for Associated Infrastructure.
- Need to Balance Comfortable Carrying Capacity

The information provided in the EIS does not support all of the listed needs. **In particular, the EIS should demonstrate that the number of users of the resort has increased steadily and that a balanced Comfortable Carrying Capacity cannot be met without additional ski terrain.**

The EIS states that the number of skiers per season has doubled over the past 10 years from 36,827 in the 1989-1990 season to 59,905 in the 2000-2001 season. However, Table 3-11 lists skier user values for 1987-1988 season of 64,508 and 1988-1989 season of 59,356 and, values that are similar to those for seasons 1992-1993, 1993-1994 and 1998-1999 through 2000-2001. The average skier use for 11 of the 15 years for which data is provided was 61,826. The four years when skier use was less than 50,000 coincided with three of the shortest ski seasons. Instead of a steady increase in ski users, the data indicates that skier use has been relatively consistent with some short term decreases over the past 15 years. It appears that these short term decreases in ski users are related to the length of the ski season, not a factor of crowding, safety, infrastructure, or Comfortable Carrying Capacity. The EIS should provide additional information to support the need for increases in ski terrain to meet increased skier use.

The EIS states that Comfortable Carrying Capacity is considered balanced when resort amenities (ski terrain, chairlifts, lodges, parking, water, and wastewater treatment) can each serve about the same number of skiers. Table 2-1 lists the Comfortable Carrying Capacity for these amenities under each of the proposed alternatives. The limiting factor for each alternative is the amenity that has the lowest carrying capacity. Under both action alternatives, the amenity with the lowest carrying capacity is parking. The parking carrying capacity for both action alternatives is 3,200. If the goal of a Comfortable Carrying Capacity is to have balance among amenities, as stated in the EIS, under the two action alternatives the carrying capacity for all amenities should be around 3,200. Currently, as listed under the no action alternative in Table 2-1, the ski terrain carrying capacity is 3,300. This indicates that the current resort ski terrain can meet the Comfortable Carrying Capacity under both action alternatives, without the need for expansion. The EIS needs to provide supporting information that explains the need for alternatives with Comfortable Carrying Capacities that exceed the proposed parking capacity.

Alternatives

The information provided in the EIS demonstrates that there is a need to increase ski lifts, lodges, parking, water and wastewater treatment to meet the project's needs for decreased crowding, increase safety and to maintain appropriate wastewater treatment. The current ski terrain carrying capacity appears to meet the Comfortable Carrying Capacity needs of the project. We therefore recommend that the EIS contain an alternative that increases the carrying capacity of ski lifts, lodges, parking, water and wastewater treatment to meet the carrying capacity of the ski terrain. An alternative that does not include the need to increase ski terrain, would reduce or eliminate impacts on soil resources, streamflow, water quality, water supply, aquatic resources, old growth forest, riparian habitat conservation areas, and wildlife. We also recommend that this alternative address the current facilities issues that do not comply with riparian habitat conservation areas and Inland Native Fish Strategy riparian management objectives. Such an alternative would meet the needs of the project and minimize environmental impacts.

Consultation with Native American Tribes

The Heritage Resources section of the EIS discusses the identification of historic and existing cultural resources and the impacts the proposed project would have on these resources. The EIS concludes that existing resources have or will be inventoried,

historical value maintained, and Indian Tribes have been consulted. However, the EIS does not provide any specifics regarding the consultation with Indian Tribes. The EIS needs to assure that treaty rights, and privileges are addressed appropriately. As the proposed project may have impacts on Native Americans, the EIS should be developed in consultation with all affected tribal governments, consistent with Executive Order (EO) 13175 (*Consultation and Coordination with Indian Tribal Governments*). EO 13175 states that the U.S. government will continue "to work with Indian tribes on a government-to-government basis to address issues concerning Indian tribal self-government, trust resources, and Indian tribal treaty and other rights." Documentation of these consultations should be included in the EIS.

If you have any questions or need additional information regarding these comments, please feel free to contact me at (206) 553-6911 or Mike Letourneau of my staff at (206) 553-6382.

Sincerely,

Judith Leckrone Lee,
Manager Geographic Unit
Enclosure

Forest Service Response:

1. Purpose and Need

The purpose and need for additional terrain was revised in the FEIS to better demonstrate the need for this expansion.

The number of users of the resort has increased steadily: Since the resort was acquired by the current management team in 1996, the number of skiers has increased dramatically and steadily. The ski industry in the United States has continued to grow as the population grows. During the last 10 years, the population within the local regional area has increased between 15% and 32%. All the ski areas in the local market – Schweitzer, Silver Mountain, and Canadian ski area just across the border -- have experienced growth.

Balanced Comfortable Carrying Capacity cannot be met without additional ski terrain: 49 Degrees North is a relatively modest family oriented resort. It is important for these smaller resorts to develop niche markets that provide strong 'brand loyalty'. Part 49 Degrees North Mountain Resort's niche is relatively uncrowded ski terrain. This pattern of terrain usage has been established over the last three decades. Increasing the crowding on the slopes would be a detriment to the future of this ski area.

The Forest Service considered the environmental cost of providing this uncrowded terrain. This is discussed in the FEIS Section 2.2.4.3.

Because of the importance of uncrowded terrain to this resort, combined with the low impact from the development of this terrain, the Forest Service agreed with the proponent that providing additional ski terrain was a part of the purpose and need for this project.

2. Alternatives

The FEIS discusses why an alternatives which does not increase the ski terrain was not analyzed in detail in Section 2.2.4.3.

3. Consultation with Native American Tribes

Tribal consultation is described in more detail in the FEIS Section 2.2.1.1.

Comments from Groups and Individuals

In addition to agencies, 10 individuals or groups commented on the DEIS--

- 6 preferred alternative B (Bert Overland, John Phillips, PNSAA, Donald Stagis, and Ron and Janet Rosenberger);
- 2 preferred alternative C (Philip Heine, Richard Johnson),
- 1 group expressed no clear alternative preference (The Lands Council).
- 1 comment was received anonymously. This comment did not identify a clear preference as to alternative.

Substantive Comments from Philip A Heine

"I am in favor of Alternative C." Mr. Heine doesn't want too much timber to be cut, and the trees provide better visibility on foggy days.

Forest Service Response: Your preference is noted.

"The reference to "Old Growth" is really a misnomer, these areas were all totally logged off at the 1800-early 1900's, the trees are all about a hundred years or less in age, and are not very large."

Forest Service Response: The definition for old-growth is not based on age, but on the number of large trees per acre. Some areas in the east basin were logged in the early part of the 1900's, but still meet the minimum criteria for old-growth today.

"Referring to the areas for housing developments anticipated a area at the bottom of the East Basin." Mr. Heine's letter went on to include several comments and suggestions for possible future developments in Section 7 (private land).

Forest Service Response: Details about possible development of the private land in Section 7 is outside the scope of this analysis.

"There is also a concern that the original Drain Field [for the Main Lodge] is about thirty years in age, there were problems last winter with it, it probably has reached it's useable life"

Forest Service Response: Both action alternatives replace the wastewater system for the Main Lodge. The Implementation Schedule (Section 2.3.7) replaces the system mid-way through implementation of the master plan.

"A bus parking area. This was not addressed in your plan. In previous years, they used to park the busses up next to the lodge, however, the busses would loose traction coming down from the parking lot at the lodge, and run into parked cars in the main parking lot. Lately

they have been parking the busses on the edge of the main parking lot, however, when it comes time to leave, the main lot is full and little room is left for bus turn around."

Forest Service Response: The reconstruction of Flowery Trail has entirely changed the access to 49 Degrees North – it significantly expanded the parking area, and changed the road up to the Main Lodge. The changes are expected to relieve the problems with buses.

"RV Parking. During the winter this is a popular area, with all sorts of different vehicles. If there is any anticipated, in addition to the electrical hookups, there could be facilities to sanitary disposal."

Forest Service Response: The proponent does not wish to include sanitary disposal for RV parking.

"Also, the Flowery Trail Road has served as a auxiliary parking lot, with overflow cars parked along it; I would like to suggest that the access road as well as the portion of Flowery Trail adjoining be three lanes wide, to permit overflow parking as well as two lanes of traffic."

Forest Service Response: The Federal Highways Administration has not designed the Flowery Trail Road for auxiliary parking.

"Finally, regarding the usage of the resort and it's competition. *Sweitzer* is considered as a rich persons resort. Mt. Spokane is a kid's resort. *Silverhorn* [Silver Mountain] is both difficult and dangerous to get to, plus if the wind starts blowing, their access gondola is stopped. *Lookout* is a long way away, really for the eager beavers who want early in the season skiing. You didn't address the competition north of the border, *Red Mountain* has a good following, as well as such as *Fernie* and such as *Kimberly* and *Whitewater*."

Forest Service Response: Competition for other ski areas in the market has been expanded to include a more complete discussion of Canadian resorts. The ski areas at Fernie and Kimberly are more than 4 hours from 49 Degrees North, they are not direct competitors.

Substantive Comments from Bert A. Overland

"We would like to see plan "B" if it can clear all the environmental hurdles. The increased ski area will bring of course more skiers to the area through the season. These people bring to and leave a lot of financial benefit to the area throughout the winter season."

Forest Service Response: Your preference is noted.

Substantive Comments from Richard Johnson

"I am a local resident in favor of the 49 Degrees North Mountain Resort Master Plan alternative C. This plan seems to protect the environment and to allow expansion for skiers. It will also boost the economy in an area that needs a boost."

Forest Service Response: Your preference is noted.

Substantive Comments from John C. Phillips

"There are three alternatives presented in the DEIS. To me, alternative A would be unacceptable because some action is required to keep that a viable ski resort. I believe that Alternative B is preferable over Alternative C for the following reason: B will provide more acres of cut runs and slightly less glade skiing. My reasons for saying this is that, under many conditions, glade skiing is only for the experts and the open runs can be skied by the majority of those with average skiing ability."

Forest Service Response: Your preference is noted. According to Mr. Eminger, gladed skiing is an important niche market for this resort.

Substantive Comments from Pacific Northwest Ski Areas Association

"The Association has reviewed the DEIS for the Revised Master Plan proposal and believes there is ample evidence for the necessity of adopting Alternative B." Alternative B uses the Forest Plan management area designated for downhill skiing well (MA-3C), it addresses 49's most pressing needs, it provides an integrated system of lifts and trails, and it meets the Forest Plan (as amended)."

Forest Service Response: Your preference is noted.

Alternatives B and C both utilize all of the area allocated to downhill skiing in the Forest Plan. Both alternatives provide a similar system of lifts and trails.

Alternative B, by failing to make important improvements adjacent to Little Calispell Creek may not meet the Forest Plan, as amended by in the Inland Native Fish Strategy.

Substantive Comments from The Lands Council

"The Lands Council would like to lend its support for the proposal to build a new lift in the east basin, the mid-mountain lodge, and the infrastructure to support the expansion. We believe the ski area is an important part of the regions recreational attractions, as well as an important part of the economic future of the Chewelah area and south Stevens County. We also support changing the snow removal areas from the riparian zone, the ice rink and the cross country ski trail."

Forest Service Response: Your support is noted.

"Regarding the [Nordic] trail, we wonder if a 25 foot width might be more suitable for the entire trail and not just the riparian areas - or retention of large trees whenever possible."

Forest Service Response: All alternatives retain as many large trees as possible. The 50-foot Nordic trails are to allow multiple lanes, including 'skating'. After discussions with the proponent, Alternative C was modified to reduce the width of the Nordic trails as they get farther from the Nordic Center.

"Regarding the differences in ski run layout, we note that Alternative B would create more openings in old growth, versus thinning the same approximate area in Alternative C. It appears as though Alt. C would have less impacts, but it is hard to tell if those impacts are

significant. More explanation by the Forest Service and ski area owner might resolve this discussion. One issue that might illuminate this discussion is a discussion of blowdown and stand development - it seems that opening new areas does run the risk of blowdown on the edges, perhaps thinning within a smaller opening would mitigate this."

Forest Service Response: Blow down and stand development of the old growth stand are discussed in the FEIS in Section 3.3.4. In summary, the old growth stand in the east basin is likely to begin the stand initiation phase in the next 30 years. Large trees will fall, creating openings that would regenerate with hemlock, western redcedar and grand fir. Alternative B would hasten process – the created openings would accelerate the rate at which larger trees would die due to blow down, snow breakage, and solar desiccation. Under Alternative C the stand initiation process is expected to proceed in a manner similar to the no action alternative.

"Regarding noxious weed management we would ask that biological controls be used, rather than herbicides. Keeping as much canopy cover will also reduce the spread of noxious weeds."

Forest Service Response: Noxious weed management is conducted under the Forest-wide Noxious Weed Management Environmental Assessment prepared in 1998. The Forest's noxious weed strategy emphasizes biological control measures whenever they provide adequate control. The first line of defense is avoiding ground disturbing activating that would provide a seedbed for weeds, and the second is to seed disturbed ground promptly to prevent the establishment of weeds. See mitigation in Section 2.3.8.

Substantive Comments from Donald Stagis

"I fully support alternative "B" as proposed by the applicant. I believe that the proposed action is reasonable and welcome plan for the resort that adequately protects the environment. In the event that the lead agency determines that alternative "C" is preferred and that a final decision with implementation is imminent I respectfully will support alternative "C"."

Forest Service Response: Your preference is noted.

Substantive Comments from Ron and Janet Rosenberger

"After reading the summary of the DEIS, I am still very much in favor of the original plan as submitted by Mr. Eminger. With 82% of the people in favor and only one person opposed to his plan, I see no logical reason to modify it as proposed by your department."

Forest Service Response: Your preference is noted. Alternative C was developed by both the Forest Service and the proponent to reduce impacts to water quality, fish and old growth wildlife species.

Comments Submitted Anonymously

One letter was submitted anonymously. This letter was unsigned and had no return address. It was postmarked from Spokane Washington.

"The proposed expansion of 49 Degrees North Mountain Resort has very little to do with skiing safety but a lot do with real estate development.

A key point to be considered is a Needs Assessment is agency policy to authorize concession developments only where there is a demonstrated public need for natural resource based recreation opportunities, and not solely for the purpose of establishing a profit making commercial, or in this case, development enterprise.

Air and water quality will be impacted by increased emissions during the vehicle trips and the associated development impacts involving water and effluent discharge. Wood fires and increased snowmobile and ATV use will also negatively impact air quality.

The connectivity between wildlife corridors will be negatively impacted by the development outline in the revised master plan alternatives, especially when one considers the impacts of the proposed real estate development.

Is the economic viability of the project realistic, or will this be another burden on the USFS and the taxpayer. Without a major snowmaking improvement, there is no insurance policy that the ski operations will be sufficiently consistent to support the burden of debt to come."

Forest Service Response: The writer appears to be concerned that the effects of potential development on private lands in Section 7 were not adequately examined. The EIS identifies the potential for future development on private lands adjacent to the resort, and states that alternatives B and C, by placing the lift base on this private land makes future development somewhat more attractive. However, there are no concrete plans for development at this time. Development would require substantial additional analysis and decision-making by Stevens County.

The Forest Service policy is to conduct a "Needs Assessment" prior to development of new sites or areas (FSH 2341.21). A needs assessment for existing permitted sites would occur periodically during the term of the permit -- before or at the time of expiration and renewal, or in conjunction with a sale or permit relinquishment (FSH 2341.23). Therefore a needs assessment is not needed at this time.

Effects on air and water are described in Chapter 3. This proposal is not expected to increase snowmobiling or ATV use, since no changes are proposed for these uses. The amount of wood fires from private homes is also expected to remain at or near existing levels.

Wildlife connectivity is discussed in the FEIS in Sections 3.3.5.5 and 3.3.6.3.

Economic viability is discussed in the FEIS Section 3.4.6.2.