

Record of Decision

49 Degrees North Mountain Resort
Revised Master Development Plan

USDA Forest Service
Newport Ranger District, Colville National Forest
Stevens County, Washington

T. 32N, R. 41 E, Sections 1, 2, 11 and 12 and
T. 32N, R. 42E, Sections 6, 7 and 8,
Willamette Meridian

Decision and Reasons for the Decision

Background

49 Degrees North Mountain Resort is located in the Selkirk Mountains of northeast Washington. The resort, built in the 1970s, is primarily an alpine ski area with limited summer operations. The 1,220 acre resort includes about 900 acres of National Forest System lands, and about 320 acres of private land owned by the Chewelah Basin Ski Corp., owner and operator of the resort. The resort operates on NFS lands under a Special Use Permit.

A Master Development Plan (MDP) had not been developed for the resort since 1977. Changes and modifications had been made to the resort without revising the master development plan. When the current owner acquired the resort in 1996, the Forest required a revised Master Development Plan be prepared. In 2000, Chewelah Basin Ski Corp. submitted a revised Master Development Plan.

The area designated for downhill skiing in the 1988 Colville National Forest Land and Resources Management Plan (MA-3C) is larger than the current ski area permit. Therefore, expanding the ski area would not require a Forest Plan amendment. **Figure R-1** shows the vicinity of the project area.

Increases in the number of visitors to the ski area provides the underlying need for this project. The proponent and the Forest identified the following problems and opportunities which a revised master development plan must address.

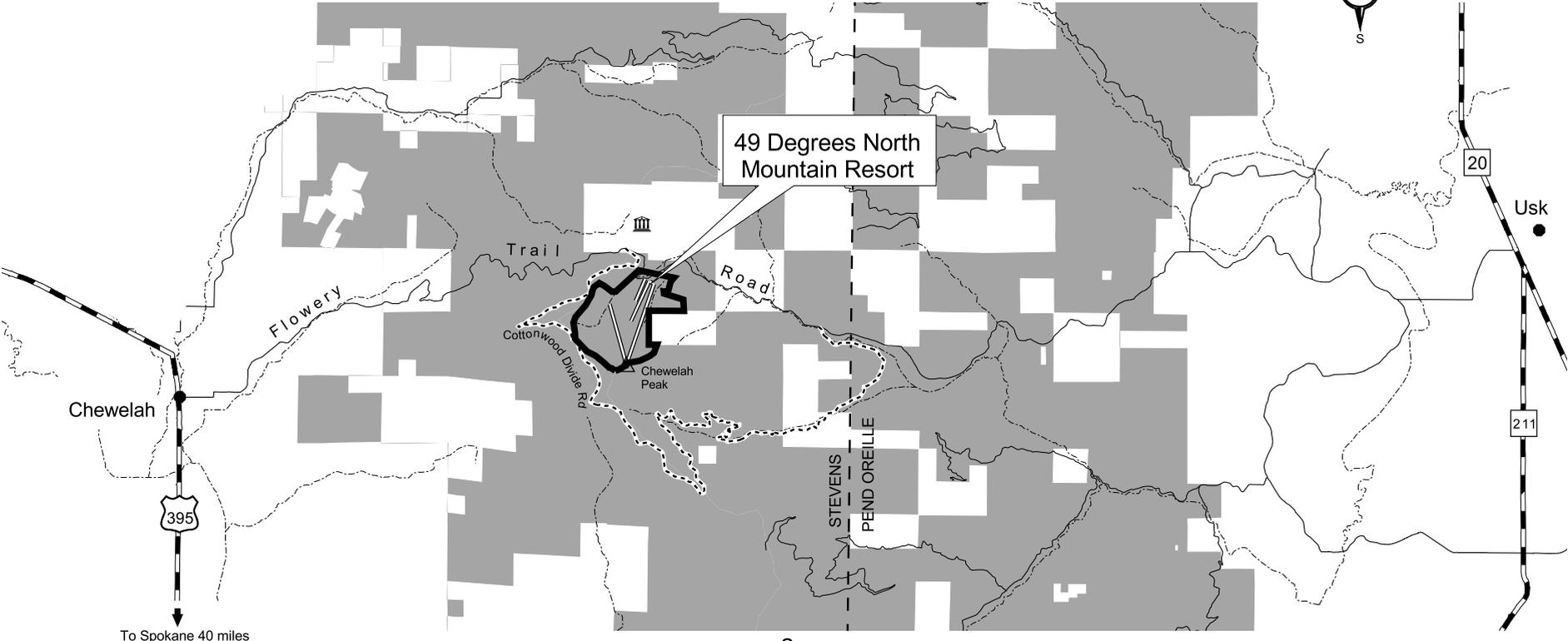
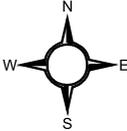
The need to **balance the Comfortable Carrying Capacity (CCC)** of ski terrain, lifts, parking, lodge space and other facilities: The following table displays the CCC for various components of the resort. Right now the comfortable carrying capacities of the lifts and lodge are far below the CCC for the ski terrain, parking, etc. The lodge becomes uncomfortably crowded, and the lift lines become long, with lift waits exceeding 15 minutes, when the resort has more than about 1,500 visitors per day. The resort exceeds 1,000 visitors per day about ¼ of the days it is open for operations, and often exceeds 1,500 visitors per day on weekends. The largest skier attendance days exceed 3,000. Therefore, the Master Development Plan (MDP) needs to address improvements in the

Figure R-1. Vicinity Map



-  Chewelah Peak Learning Center
-  Existing Lifts
-  Existing Special Use Permit
-  Groomed Snowmobile Trails
-  Major Streams
-  Major Highways
-  Major Roads
-  County line
-  National Forest System Lands
-  Other Land Ownership

Date: February 18, 2004 t/c



lodge and chairlifts, and must provide a balance of CCC for the critical resort elements (lifts, lodge, parking, water, wastewater).

Table R-1. Comfortable Carrying Capacity of the Existing Area

Area or Element	Number of People at One Time
Ski Terrain	3,300
Chairlifts	2,000
Lodge	1,800
Parking	2,700
Water	2,700
Wastewater Treatment	2,000

The **need for the associated infrastructure** of lifts, lodges, maintenance areas, parking, water, sewage, power and related skier services: Expansion of some elements would require expansion of the support elements such as maintenance areas, parking, water, wastewater treatment, power, etc. In particular, the need to move the maintenance area and fuel depot to a location farther from streams was identified as a need by the Forest. Therefore, the MDP must provide the necessary infrastructure to support the proposed expansion.

The **need for additional ski terrain** to respond to increased demand, to enhance the skiing experience and to compete effectively in the local ski market: Four specific needs were identified that need to be addressed in the MDP --

- The amount of advanced and intermediate terrain is generally lacking;
- Traffic flow in the lower silver ridge area is poor, especially when people are leaving at the end of the day;
- Use is not balanced across the resort. Additional runs in the west basin would improve overall skier distribution; and
- An additional lift would require additional terrain to service that lift.

The **need to decrease crowding, reduce skier congestion and conflicts** thus increasing safe operating conditions: Currently 3 of the chair lifts load in the same general area – just west of the lodge. A new lift would need to be located so as to avoid compounding congestion in this area. Also, some additional ski terrain is needed to relieve conflicts in the lower Silver Ridge area. Congestion is experienced in the lodge and at the skier drop-off area in front of the lodge. The MDP should address these problem areas.

The need to **maintain the economic viability** of 49 Degrees North to ensure its continued operation. Ultimately, it is in the best interest of the Forest Service to continue to have a successful ski area on Chewelah Peak. The resulting MDP must be economically viable.

The environmental impact statement (EIS) documents the analysis of 2 alternatives to meet this need.

The Decision

Based upon my review of all alternatives, I have decided to implement **Alternative C**. **Figures R-2 and R-3** show Alternative C. The alternative is described in more detail in the FEIS starting at page 2-7. Alternative C will adopt a new Master Development Plan which will expand the existing resort from about 1,200 acres, of which about 900 acres are NFS lands, to about 2,300 acres, of which 2,000 acres are NFS lands. This alternative expands the resort to include all of the area designated for downhill skiing in the 1988 Colville National Forest Land and Resources Management Plan. This decision will allow the following developments to go forward.

Build a New Ski Lift: Alternative C will construct one new ski lift from the East Basin to near the summit. The lift will be about 5,000 feet long. About 70% of the lift will be on NFS lands, and the remaining 30% will be on private lands owned by the resort (Section 7). The upper terminal will be on NFS lands, while the lower terminal will be on private land. Roads will not be constructed to install the towers.

Clear and Develop New Ski Runs: Both alternatives develop the same cleared ski terrain in the West Basin and Lower Silver Ridge. The alternatives differ with regard to the amount and location of cleared runs in the East Basin. Alternative C will increase the acreage in cleared ski runs from about 340 to 570 acres, most of which will be on NFS lands. Of the cleared runs, about 100 acres will be graded to remove hazards and make a safe transition between runs. These cleared ski runs will require the installation of 2 new culverts and the replacement of 3 existing culverts.

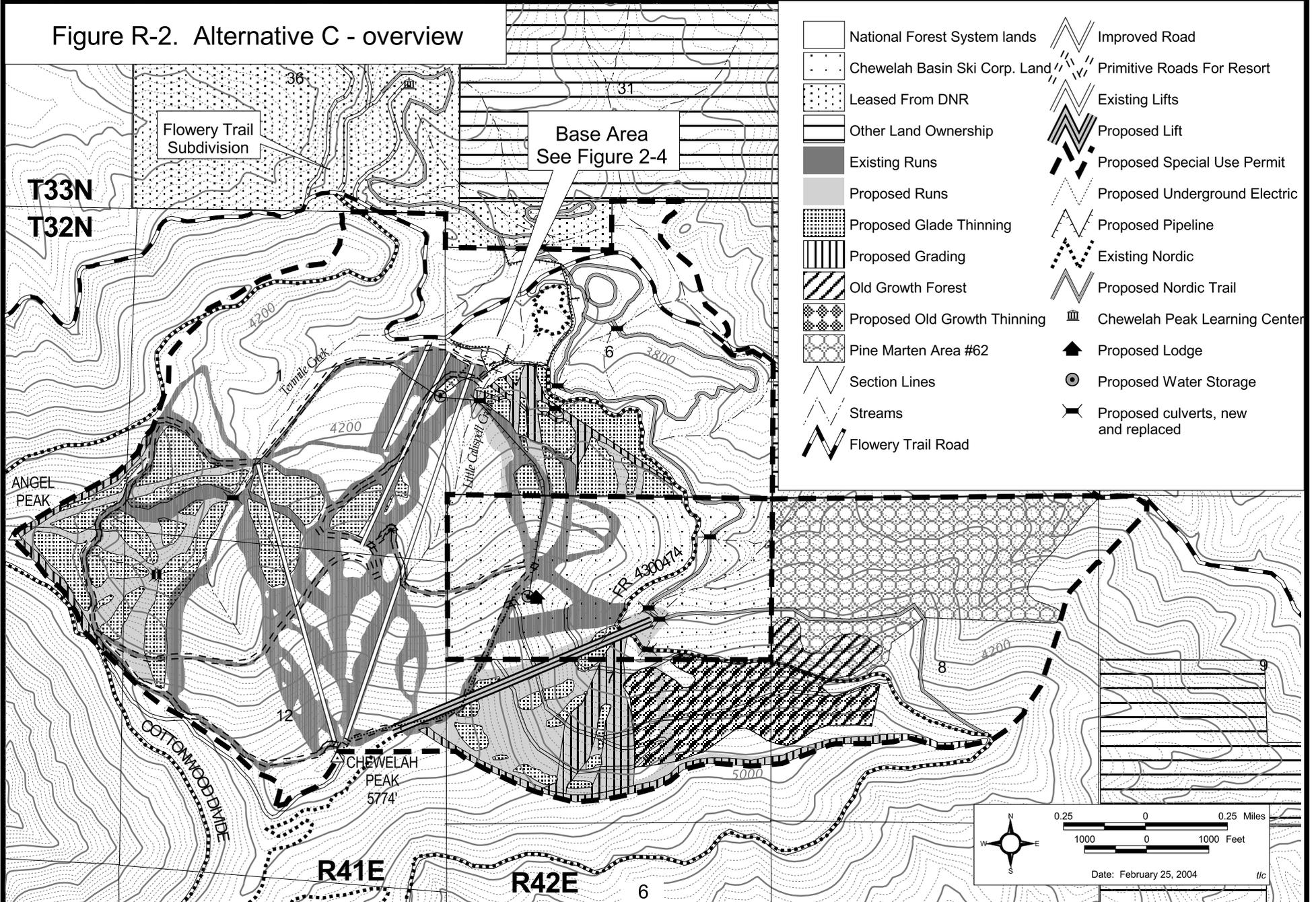
Thinning Trees in Areas to Create Gladed Ski Terrain: Both alternatives develop the same gladed ski terrain in the West Basin and Lower Silver Ridge area. The alternatives differ with regard to the amount and location of gladed runs in the East Basin. Alternative C will thin trees on about 310 acres in order to increase the amount of gladed skiing from 200 acres to about 510 acres.

There is a stand of old growth trees in the upper East Basin. Alternative B would have carved several cleared runs through this stand, essentially removing it as habitat for old growth dependent species. Alternative C clears one run (about 5 acres) near the edge of the old growth stand, and thins most of the remainder of the stand with a modified prescription, preserving many aspects of its old growth features.

Construct a Nordic Ski Center, Ice Rink and Nordic Trails: In order to diversify the recreation offered at the resort, both alternatives proposed a Nordic Center, ice rink and expand system of Nordic trails. The Nordic Center will provide food service, restrooms and lockers for both Nordic skiers and skaters. In the summer the ice rink area and Nordic Center could be used as a small tent camping area.

The alternatives differ with regard to the amount and location of the Nordic Trails. Alternative C will construct about 7 miles of new Nordic trails, connecting to the existing trail system, so that the resultant trail system will be about 18 miles. A portion of the new trail traverses a Pine Marten Management Area – special mitigation is included to

Figure R-2. Alternative C - overview



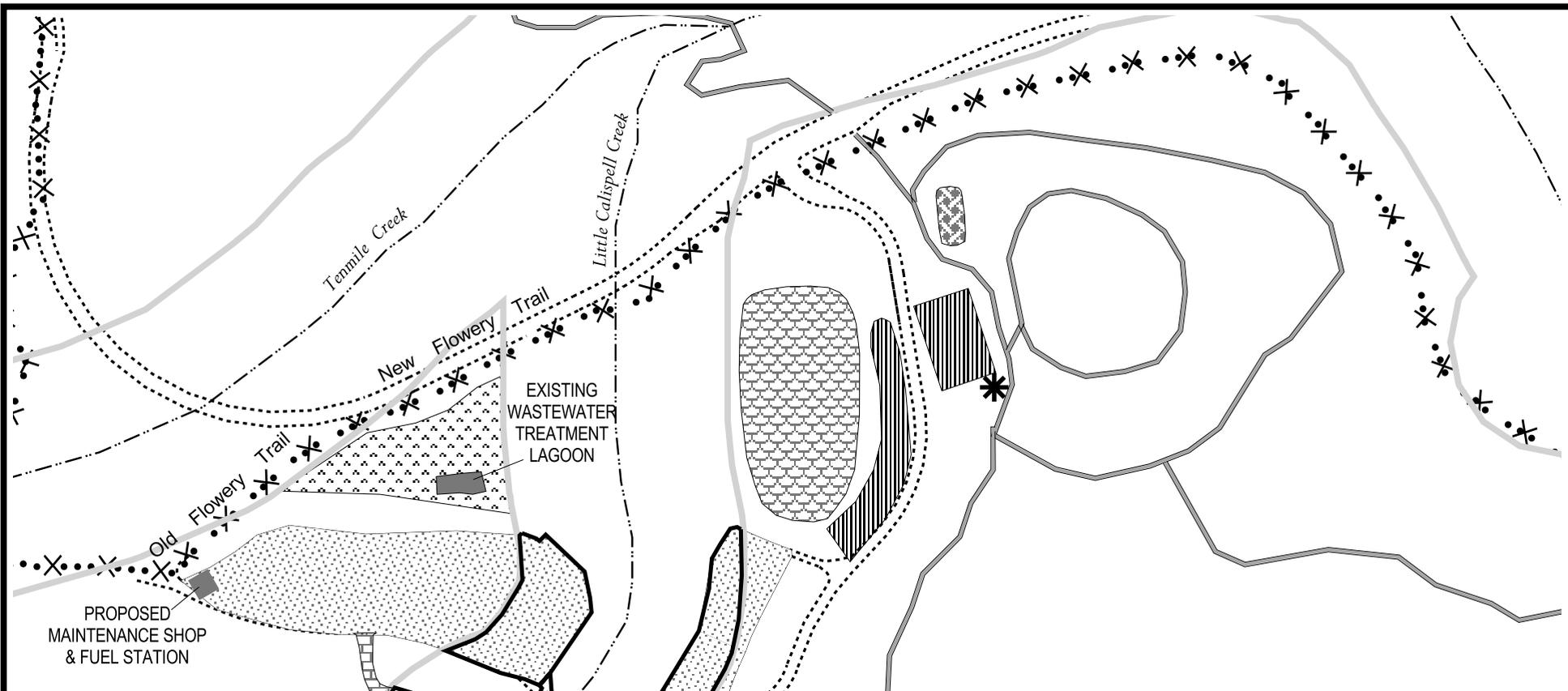
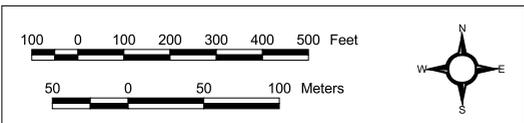


Figure R-3. Alternative C - base area



- Existing RHCA Impact
- Reclamation Area
- Category 1 Stream Buffer
- Existing Parking
- Proposed Parking
- Proposed Wastewater Treatment
- Potential Future Wastewater Treatment
- Old Flowery Trail Road
- Proposed DOT Roads
- Streams
- Proposed Nordic Trails
- Proposed Nordic Center
- Proposed Ice Rink
- Plaza/Entryway

minimize impacts to these old growth dependent species. About 2 miles of the existing Chewelah Mountain Nordic trail, located on Forest Road 4300474, will convert to a county access road and will no longer be available for Nordic skiing. Seven culverts will be installed where the new Nordic trail crosses streams.

Allow Use of the Flowery Trail Subdivision Trail: Alternative C will allow use of an existing primitive road from the base of the ski area to the Flowery Trail Community Subdivision for Nordic skiing and snowmobiling, hiking, biking and horseback riding. This road also passes near the Chewelah Peak Learning Center. Most of this road is located on land managed by Washington State Dept. of Natural Resources, and is under permit to the Flowery Trail Community Association and Chewelah Basin Ski Corp. A culvert or bridge will be installed on Tenmile Creek for this trail.

Construct New Lodge Space: Alternative C will expand the main lodge from about 21,000 square feet to about 57,000 square feet. This alternative will also construct a ski-access lodge on private land in Section 7 as a Mid-Mountain Lodge. These are in addition to the Nordic Center described above.

Construct New Parking: Alternative C will construct an additional 4 acres of parking. This additional parking is near the Nordic Center and not located near streams.

Install a New Water System, Wastewater System, Extend the Underground Electrical Utilities: Alternative C will install a new water system. This system will consist of a new intake on Tenmile Creek slightly upstream from the existing intake. A pipe will carry water to a 50,000 to 70,000 gallon storage tank located between Tenmile Creek and Little Calispell Creek. About 15,000 feet of underground pipe will be installed to connect the water tank and an existing well in Section 7 to the existing water system, the Nordic Center, and the Mid-Mountain Lodge. Two large permanent pipes were installed across Little Calispell Creek as part of the Flowery Trail Road reconstruction project, therefore these smaller pipes can be installed without impacting the streams. Alternative C will move the water system chlorinator from its current location adjacent to Little Calispell Creek.

The existing wastewater treatment system will be replaced. Alternative C identifies a 4 acre area suitable for a new treatment facility – it is flat enough, it is located below the Main Lodge, and it is not located adjacent to streams. Additional analysis will have to be done before a specific treatment system can be approved.

Alternative C will install about 11,000 feet of new underground electric utility lines. These lines will come from the summit and extend down the ridge to the Mid-Mountain Lodge supplying power to the chairlift and the lodge. This utility line could be used in the future to supply power to other developments in Section 7.

Upon completion of the expansion proposed in this Master Development Plan, the Comfortable Carrying Capacity of the resort would be about 4,000 visitors per day – about twice its current capacity.

Change Jurisdiction of Forest Road 4300474: With this decision, the Forest Service will offer to transfer jurisdiction of one mile of Forest Road 4300474 to Stevens County. This road segment begins at Flowery Trail Road and extends south to the private land in Section 7. Stevens County is not obligated to accept jurisdiction for this road, and may require road improvements as a condition of acceptance. This decision does not obligate the Forest Service to improve the road so that Stevens County would accept jurisdiction. Best Management Practices and other mitigation similar to those listed in the FEIS would be required.

Restore the Riparian Area Along Little Calispell Creek: Both alternatives move the vehicle and equipment maintenance function from the building it currently occupies next to Little Calispell Creek, and builds a new maintenance shop away from streams. Both alternatives relocate the fuel station and the chlorinator from their current locations near Little Calispell Creek to new locations farther from streams. The alternatives differ with regard to further reclamation of the Little Calispell Creek riparian area near the Main Lodge. Alternative C will remove most of the buildings within the Riparian Habitat Conservation Area of Little Calispell Creek. In addition to vehicle maintenance, the fuel station, and the chlorinator, Alternative C removes the race building, the Special Ops building, and the Shreave Room from within the riparian area. This alternative will then restore vegetation on about 2 acres of riparian area adjacent to the Main Lodge. Mitigation is included to change the snow plowing regime so that the risk of petrochemicals and other toxic substances entering the streams will be reduced. Monitoring for these substances was also included.

Mitigation is included to prevent the establishment of noxious weeds through prompt and effective revegetation. Our experience on this ski area is that revegetation of disturbed lands is not typically a problem. This alternative also includes Best Management Practices to prevent impacts to water quality, stream conditions, and fisheries. Mitigation is included to protect TES species and heritage sites should these be encountered unexpectedly during project implementation.

Permits and Authorizations

Implementation of this alternative will require the following permits and authorizations.

- **Construction activities** including buildings and parking area will require a National Pollution Discharge Elimination System (NPDES) permit issued by the State of Washington Dept. of Ecology.
- **Buildings** such as the lodges will require building permits issued by Stevens County. This process includes structural, electrical, plumbing and other construction items.
- **Installation and replacement of culverts** will require a permit through the Washington State Joint Aquatic Resources Permit Application (JARPA) process. This process combines various Federal, State and Local permits regarding activities in or near water, into a single application and permit.
- The **water system and the wastewater systems** will require additional permits from Stevens County and Washington Dept. of Ecology.

Why Alternative C was Selected

When compared to the other alternatives Alternative C minimizes adverse effects to wildlife and water quality. Three issues were identified in the FEIS (FEIS pg. 2-2) – recreation, wildlife, and water quality/fisheries. The project needed to balance these needs. Alternative B tends to maximize recreation with less regard for wildlife and water quality. Alternative C retains most of the recreation improvements while reducing the effects of the resort on wildlife, water quality and fisheries.

Alternative C minimizes the impact of the proposed expansion to old growth dependent wildlife species by changing many of the cleared ski runs to gladed skiing, and by relocating the Nordic trail (FEIS pg. 2-34 through 2-35).

With regard to water quality and fisheries, Alternative C removes all of the superfluous buildings and developments that have grown up along the Little Calispell Creek in the base area, and it restores the creek along the base area with reshaping and plantings – both of these are important to minimize the adverse effects of the resort on water quality and fisheries. Alternative C utilizes a different locations for the Nordic trails south of the Nordic Center, reducing the number of stream crossings, and avoiding the steep climb up the ridge proposed in alternative B. The steep ascent proposed in Alternative B would have been difficult for Nordic skiers, and would have been difficult to stabilize against erosion.

Alternative C uses all practical means to minimize adverse resource impacts from the resort.

Alternative C meets all applicable laws, regulations and policies including the Colville National Forest Land and Resources Management Plan. It was not clear that Alternative B met the Inland Native Fish Amendment to the Forest Plan because it did not remove as many incongruous uses currently located within the riparian area along Little Calispell Creek.

Alternative C meets the Clean Water Act through the adoption of Best Management Practices to minimize the impacts of construction and use on water quality (FEIS pg. 2-30). The National Pollution Discharge Elimination System (NPDES) permit, required by the state for certain kinds of construction activities, may identify additional Best Management Practices further ensuring this project continues to meet the Clean Water Act.

Alternative C meets the Endangered Species Act. A Biological Assessment was prepared describing the effects of Alternative C on Threatened and Endangered species. The U.S. Fish and Wildlife Service reviewed this assessment and issued a Biological Opinion on May 5, 2004. The U.S. Fish and Wildlife Service (USFWS) determined the proposed project is not likely to adversely affect grizzly bear, gray wolf, bull trout and proposed bull trout critical habitat. USFWS determined the implementation of the project is likely to adversely affect the Canada lynx, but is not likely to jeopardize the continued existence of Canada lynx. USFWS noted that the proportion of suitable habitat and denning habitat

will continue to meet the levels recommended in the Canada Lynx Conservation Assessment and Strategy. USFWS noted that lynx are unlikely to use the potential denning and security habitat near the ski area because the foraging habitat nearby is generally low-quality. The project may discourage, but would not prevent lynx movement. The project would have minor effects on habitat connectivity for lynx. USFWS did not recommend any additional reasonable and prudent measures to further reduce the impact to lynx, and had no conservation recommendations for the proposed action.

Alternative C meets the Clean Air Act by following state and regional guidelines for slash burning (FEIS pg. 3-22).

Alternative C meets the requirements of the National Historic Preservation Act (section 106) (FEIS pg. 3-75).

Other Alternatives Considered

In addition to the selected alternative, I considered two other alternatives, which are discussed below. Alternative C was the environmentally preferred alternative. A more detailed comparison of these alternatives can be found in the EIS on pages 2-32 through 2-35.

Alternative A – No Action

Under the No Action alternative, current management plans would continue to guide management of the project area. The No Action Alternative retains the 1977 Master Development Plan – no additions to the resort would be approved. No additional lifts would be installed, no new ski terrain developed. The overall size of the Main Lodge would remain as it is, though changes in the interior and use of space could occur. The existing Nordic trail would remain ‘as is’ with no Nordic Lodge or ice rink. Regular maintenance and upkeep activities would continue, which are permitted under the current Master Development Plan. These activities include things like:

- Mowing, weeding, removal of trees invading cleared runs, removal of hazard trees, and other vegetation management activities within the permit area.
- Continued monitoring and treatment of weed infestations. This treatment is included in the Colville National Forest Environmental Assessment of Integrated Noxious Weed Treatment (1998).
- Maintenance of the roads used by the Resort within the permit area.
- Maintenance and replacement of buildings and facilities, as needed.

Alternative B – The Initial Proposal

Alternative B is the initial proposal by Chewelah Basin Ski Corp. Alternatives B and C are very similar.

New ski lift: Both alternatives develop the same 4,600 foot ski lift in the same location in the East Basin.

Cleared ski runs: Both alternatives develop the same cleared ski terrain in the West Basin and Lower Silver Ridge. The alternatives differ with regard to the amount and location of cleared runs in the East Basin. Overall, Alt. B clears 310 acres of new ski runs.

Thinning to create gladed ski terrain: Both alternatives develop the same gladed ski terrain in the West Basin and Lower Silver Ridge area. The alternatives differ with regard to the amount and location of gladed runs in the East Basin. Overall, Alt. B creates 270 acres of new gladed skiing.

Nordic Ski Center, Ice Rink and Nordic Trails: Both alternatives develop a Nordic Center, ice rink and Nordic trails. The Nordic Center and ice rink are in the same location as Alternative C. About 2 miles of the existing Chewelah Mountain Nordic trail, located on Forest Road 4300474, would convert to a county access road and would no longer be available for Nordic skiing. The alternatives differ with regard to the amount and location of the Nordic Trails. Alternative B develops 10 miles of new trail, including a steep climb up the ridge east of the ski area to tie in to the existing trail on Forest Road 4300474.

Flowery Trail Subdivision Trail: Both alternatives would allow Nordic skiing and snowmobiling, as well as summer hiking, biking and horseback riding on an existing primitive road from the base area to the Flowery Trail Community subdivision. This road also passes near the Chewelah Peak Learning Center. A culvert or bridge would be installed on Tenmile Creek for this trail.

Lodges: Both alternatives expand the main lodge from about 21,000 square feet to about 57,000 square feet. Both alternatives would construct a ski-access Mid-Mountain Lodge in Section 7, as well as the Nordic Center described earlier.

Parking: Both alternatives would construct an additional 4 acres of parking, located away from streams.

Water systems, wastewater system, underground utilities: Both alternatives would develop the same water system, wastewater system, and underground utilities.

Forest Road 4300474: Both alternatives would offer to give jurisdiction of Forest Road 4300474 to Stevens County.

Reclamation in Little Calispell Creek: Both alternatives move the maintenance function from the building it currently occupies next to Little Calispell Creek, and build a new maintenance shop away from streams. Both alternatives relocate the fuel station and the chlorinator from their current locations near Little Calispell Creek to new locations farther from streams. Alternative B does nothing further to restore and reclaim the riparian area along Little Calispell Creek.

Public Involvement

As described in the background, the need for this action arose in 1996 when the Eminger family acquired Chewelah Basin Ski Corp, including 49 Degrees North Mountain Resort. The public was first notified of this project in the "Quarterly Schedule of Proposed Actions" for the Colville National Forest (CNF), beginning in the fall of 1999 (Vol. 8, No. 1). A Notice of Intent to prepare an environmental impact statement was published in the Federal Register (April 21, 2000), and legal notices were placed in the local newspapers. The Colville National Forest notified adjacent landowners and other potentially interested parties in a letter sent to 140 individuals, organizations, agencies and media outlets (February 12, 2002). 49 Degrees North mailed the same notice to ski area season pass holders. Public comments were accepted beyond the 30-day scoping period and are available for review in the project file. Seventy-six comments were received through this initial scoping phase. Most comments were supportive of the expansion proposed.

A Draft Environmental Impact Statement (DEIS) was circulated in May 2003. A Notice of Availability appeared in the Federal Register May 16, 2003, beginning a 45 day comment period. The comment period ended June 30, 2003. During that period, an article about the proposal appeared in the Spokane Washington newspaper *The Spokesman-Review*. Twelve comments were received. These comments are addressed in the EIS Appendix B.

Using the comments from the public and the proponent, the interdisciplinary team identified several issues regarding the effects of the proposed action (see FEIS pg. 2-1). Main issues of concern included recreation, wildlife, and water quality/fisheries (see FEIS pages 2-2 through 2-3). To address these concerns, the Forest Service created Alternative C.

Findings Required by Other Laws and Regulations

This decision to adopt a Master Development Plan which expands the resort area from its current size of about 1,200 acres to about 2,300 acres, including private land owned by the Chewelah Basin Ski Corp., is consistent with the Management Area 3C designation in the Colville National Forest Land and Resources Management Plan. The 1988 plan envisioned an eventual expansion of the resort into this area.

The project was designed in conformance with forest plan standards and incorporates appropriate Forest Plan guidelines for Management Area 3C (Forest Plan, pages 4-85 through 4-87), as well as the applicable forest-wide standards and guidelines (Forest Plan pages 4-35 through 4-60).

Implementation Date

This project will be implemented after July 5, 2004.

Administrative Review or Appeal Opportunities

This decision is subject to appeal in accordance with 36 CFR 215. A notice of appeal must be in writing and clearly state that it is a Notice of Appeal being filed pursuant to 36 CFR 215. Appeals must be filed with (or addressed to) Regional Forester Linda Goodman, Appeals Deciding Officer, ATTN: 1570 APPEALS, 333 SW First Ave., P.O. Box 3623, Portland, Oregon, 97208-3623 within 45 days of the date of legal notice of this decision in the Statesman-Examiner newspaper, Colville, Washington. Any written notice of appeal of this decision must be fully consistent with 36 CFR 215.14 "Content of an appeal", including the reasons for the appeal and how the decision fails to consider comments previously provided.

Contact Person

For additional information concerning the Forest Service appeal process please contact James Parker, Forest Environmental Coordinator, 765 South Main, Colville, WA 99114. He may be contacted by phone at (509) 775-7462, by fax at (509) 775-7401, or email at jlpark02@fs.fed.us. For additional information about this project please contact Nancy Glines, Project Leader, Newport Ranger District, 315 North Warren, Newport, WA, 99156. She may also be contacted by phone at (509) 447-7300, by fax at (509) 447-7301, or email at nglines@fs.fed.us.



RICK BRAZELL

Forest Supervisor
Colville National Forest

5-10-04

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