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Forest Service

Lolo National Forest
Superior Ranger District

Environmental Assessment

Nelson Shuttle Service Special Use Permit

May 2014



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INTRODUCTION

In August, 2013, the Forest Service received a request for a special use permit to conduct a commercial bicycle shuttle service on National Forest System lands on the Superior Ranger District, Lolo National Forest.

The Forest Service administers and manages National Forest System lands in accordance with the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C.528-531); the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600-1614); and the National Forest Management Act of 1976. These laws authorize the Forest Service to grant many forms of land and resource uses to the general public through the issuance of permits or leases. This particular request to operate a commercial bicycle shuttle service is considered a “special use” and may be authorized under 36 Code of Federal Regulations (CFR) 251.50(a).

PURPOSE AND NEED FOR ACTION

The purpose of this project is to issue a special use permit for a commercial bicycle shuttle service on National Forest System lands. The permit would authorize the proponent to use a 12-passenger van and trailer to transport clients and their bicycles to approved trailheads or start-points on roads in order to access selected travel routes. These trails and roads are primarily located around the Lookout Pass to Taft area and the towns of Haugan, DeBorgia, and St. Regis, Montana.

Guiding services would not be authorized as part of this special use permit. Clients who use the shuttle service would ride the selected travel routes on their own. The authorized period of shuttle operations would be Memorial Day to Labor Day. The duration of the permit would be for one-year with annual renewal rights dependent upon performance. A longer permit duration could be considered if permit terms and conditions are successfully met over the course of three-years.

The permitted shuttle service would operate on roads that are currently open to public motorized travel. The selected travel routes that the shuttle would provide access to are currently authorized for bicycle and other uses.

The initial Proposed Action which was sent out for public comment in February 2014 included the routes listed in Tables 1 and 2. As described below, this initial proposal was later modified in response to public comments.

Table 1: Initial proposal of roads used by the permitted shuttle service

NorPac Rd. #4208	Ferry Landing Boat Access Road
Dominion Creek Rd. #810	Old Mullan Rd. #2148
Silver Creek Rd. #305	Camels Hump Rd. #3800
Taft Summit Rd. #7709	Boyd Mountain Rd. #6302
Dry Creek Rd. #342	Tamarack Creek Rd. #284
Mill Creek Rd.(1) #439	Twelvemile Creek Rd. #352
Mill Creek Rd.(2) #9113	Mayo Gulch Rd. #4227
CC Divide Rd. #378	Randolph Creek Rd. #286

Table 2: Initial proposal of travel routes the permitted shuttle service would provide access to

Northern Pacific Railroad Grade #4208 (Lookout Pass to Taft)	Flat Rock Creek Trail #253 (Tamarack to Twelvemile)
Storm Peak Trail #255	CC Divide Trail #404
Hawk Mountain Trail #811	Road #16161 to Haugan
Saltese Mountain Trail #808	River Trail #223 (Ferry Landing to St. Regis)
Boyd Mountain Trail #202	Mullan Road #459
Camel’s Hump / Mayo Gulch Trail #213	Dry Creek Divide Trail #203

Public Involvement

On February 6, 2014, a scoping letter describing the proposal was mailed to organizations, other agencies, and individuals who previously requested notification of Lolo National Forest projects. In addition, the project has been listed on the Lolo National Forest Schedule of Proposed Actions since February 2014, which is available on the Lolo National Forest website. Eighteen comments were received. Some comments supported the proposal and other comments expressed concerns, which are described below.

Issue Resolution

As previously stated, some comments expressed concerns, which are briefly addressed below.

The shuttle service would result in an increase in bicycle traffic on travel routes (trails and roads) which could cause conflicts with other trail users: Although bicycle use is legal on the travel routes the shuttle service would provide access to, authorizing a commercial shuttle service could lead to increased bicycle traffic on these routes. Increased bike use could result in conflicts and safety concerns with other trail users, specifically with existing permitted outfitters. In response, the Forest Service worked with the bike shuttle proponent and concerned permitted outfitters to find a workable solution. The initial proposal was modified to drop access to three requested routes that were of specific concern:

- CC Divide Trail #404
- Hawk Mountain Trail #811
- Road #16161

This modification eliminated the need for permitting use of the following roads for the shuttle service:

- CC Divide Road #378
- Taft Summit Road #7709
- Randolph Creek Road #286.

To further minimize potential user conflicts, a Share-the-Trail sign plan would be implemented to inform trail users of proper trail etiquette and that all forms of trail use (e.g. bicycles, horses, motorcycles, and hikers) may be encountered. The shuttle service permit would include a requirement that the permittee educate clients on trail safety and Share-The-

Trail etiquette. The Forest Service would review reported conflicts and/or safety concerns and determine if and how permitted use should be amended.

Additional bicycle use could degrade trail conditions: The potential increase in bicycle traffic on some authorized routes could also result in added trail wear and increase maintenance needs. The Forest Service generally performs annual maintenance to clear fallen trees off of trails. At that time, trail conditions would be evaluated to determine if there are effects from increased bicycle use. Resource damage and safety issues would be addressed. Depending on monitoring findings, permitted use could be amended.

Additional bicycle use could affect the water quality of a permitted surface water diversion and domestic well in the Timber Creek drainage: Due to the modification of the initial proposed action as described above to respond to user conflict concerns, the shuttle service permit would not include access to any routes in the Timber Creek drainage. Thus, this permitted action would have no effect on the identified water source.

Additional bicycle use could increase litter on the trails, which could negatively affect other trail users' experiences: The shuttle service permit would include a requirement that the permittee educate clients about trail etiquette, which would include Pack It In-Pack It Out principles of not littering on trails. In addition, the Forest Service generally conducts annual maintenance on trails and trash is removed. Since the routes the shuttle service would provide access to are open to public use, litter could be encountered whether the shuttle service were permitted or not.

A shuttle service could lead to additional bicycle use on trails which could have negative impacts on deer and elk: Some additional, occasional disturbance to deer and elk could occur as a result of the proposal if trail use by bicycles measurably increases. However, these trails are already open to bicycles and motorcycle use. Permitted use would occur during the summer from Memorial Day to Labor Day. Summer is the least critical season to avoid disturbance to deer and elk because food and weather stress are generally low and dense vegetation provides extensive hiding cover. Potential increased trail use resulting from the shuttle service would not be constant during the day, week, or operating period across the area.

ALTERNATIVES

Section 102 (2)(E) of the National Environmental Policy Act (NEPA) requires the Forest Service to study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources.

Alternative 1 - No Action

This alternative provides a baseline for comparison of environmental consequences of the proposed action to the existing condition and is a management option that could be selected by the Responsible Official. The results of taking no action would result in the following

current and future condition of the project area:

- 1) A commercial bicycle shuttle service would not be authorized.
- 2) There would be no revenue generated from the issuance of a special use authorization.
- 3) There would be no change to the existing bicycle use on these routes.

This alternative proposes no actions that are contained in the proposed action.

Alternative 2 - Modified Proposed Action

This alternative was developed to address public comments that were concerned the shuttle service would result in increased bicycle use on trails which could lead to user conflicts and safety issues, specifically with existing permitted outfitters. In response, the Forest Service worked with the bike shuttle proponent and concerned permitted outfitters to find a workable solution. The initial proposal was modified to drop access to three requested routes that were of specific concern: CC Divide Trail #404, Hawk Mountain Trail #811, and Road #16161. This modification eliminated permitted use of the following roads for the shuttle service: CC Divide Road #378, Taft Summit Road #7709, Randolph Creek Road #286. Tables 3 and 4 display the authorized routes. See Map in Appendix A.

Table 3: Alternative 2 - shuttle service would utilize these listed roads to transport clients

NorPac Rd. #4208	Ferry Landing Boat Access Road
Dominion Creek Rd. #810	Old Mullan Rd. #2148
Silver Creek Rd. #305	Camels Hump Rd. #3800
Dry Creek Rd. #342	Boyd Mountain Rd. #6302
Mill Creek Rd.(1) #439	Tamarack Creek Rd. #284
Mill Creek Rd.(2) #9113	Twelvemile Creek Rd. #352
Mayo Gulch Rd. #4227	

Table 4: Alternative 2 - shuttle service would provide access to these selected travel routes

Northern Pacific Railroad Grade #4208 (Lookout Pass to Taft)	Flat Rock Creek Trail #253 (Tamarack to Twelvemile)
Saltese Mountain Trail #808	Storm Peak Trail #255
Dry Creek Divide Trail #203	River Trail #223 (Ferry Landing to St. Regis)
Boyd Mountain Trail #202	Mullan Road #459
Camel's Hump / Mayo Gulch Trail #213	

Alternative 2, the Modified Proposed Action, includes the following:

- 1) Issuance of a special use permit in accordance with 36 CFR 251.50 that would authorize the following activities on National Forest land:
 - a. A bicycle shuttle service that would utilize roads listed in Table 3 to transport clients and their bicycles during the period from Memorial Day to Labor Day.

- b. For the shuttle service to provide access to the selected travel routes listed in Table 4.
- 2) Issuance of the special use authorization would be for one-year with annual renewal rights dependent upon performance. A longer permit duration could be considered if permit terms and conditions are successfully met over the course of three-years.
- 3) Annual monitoring by Forest Service personnel to ensure that the terms of the permit are being followed. Trail conditions and reported user conflicts would be reviewed to determine if permitted activities should be amended.

Mitigation Measures

1. The permittee would be required to educate clients on trail safety and Share-The-Trail etiquette. Information would also include Pack It In-Pack It Out principles of not littering on trails.
2. The Forest Service would install Share-the-Trail signs to inform trail users of proper trail etiquette and notify them that all forms of trail use (e.g. bicycles, horses, motorcycles, and hikers) may be encountered.

Alternatives Eliminated from Detailed Study – Initial Proposed Action

The Proposed Action, as initially presented to the public during scoping in February 2014, was dropped from detailed study because it was modified in response to public comments. As described above, concerns regarding user conflicts with other permitted outfitters led to the deletion of three routes that the proponent of the shuttle service initially requested access to: CC Divide Trail #404, Hawk Mountain Trail #811, and Road #16161. This modification resulted in the deletion of three roads the shuttle service would operate on: CC Divide Road #378; Taft Summit Road #7709; Randolph Creek Road #286.

ENVIRONMENTAL EFFECTS

This section provides a summary of the environmental effects of the modified proposed action. It provides the necessary information to determine whether or not to prepare an environmental impact statement. Other supporting documents are contained within the project file, which is available at the Superior Ranger District office in Superior, Montana.

Consistent with 36 CFR 220.4(f) and CEQ guidance, the past, present, and reasonably foreseeable actions were considered for analysis of cumulative effects where appropriate for each resource. Past actions considered in cumulative effects analysis include those that contributed to establishing the baseline conditions of the area where permitted shuttle activities would occur. Past and present actions related to the issuance of this permit include

travel management status that identifies the types of travel legally allowed on trails and roads; outfitter and guide permits in the area where shuttle activities would occur; and public use of trails and roads in the area. At this time, there are no reasonably foreseeable future actions that would potentially result in travel management changes or issuance of new special use permits that could affect or be affected by this proposal.

Recreation

The proposed shuttle service would operate on roads currently open to motorized vehicles. The travel routes the shuttle service would provide access to are currently open to bicycle and other uses.

The shuttle service itself would not have any direct effect on recreation resources because it would operate on roads currently open to motorized vehicles. At this time, only one 12-passenger van with trailer would be authorized to use National Forest System roads which would not measurably increase traffic on approved roads.

User Conflicts

Indirectly, the shuttle service could increase bicycle traffic on some authorized routes at various times over the permit operating period from Memorial Day to Labor Day. This added traffic could result in conflicts and safety concerns with other trail users, including hikers, motorcyclists, and people on horseback. Horses particularly could be startled by unexpected encounters with bicyclists.

The trails in the initial proposal that posed the most conflict and safety concerns were dropped and are not included in this modified action (see Issue Resolution section, above). To minimize potential user conflicts, a Share-the-Trail sign plan would be implemented to inform trail users of proper trail etiquette and that all forms of trail use (e.g. bicycles, horses, motorcycles, and hikers) may be encountered. The shuttle service permit would include a requirement that the permittee educate clients on trail safety and Share-The-Trail etiquette. Educational components would include what bicyclists should do if they encounter other trail users. The Forest Service would review reported conflicts and/or safety concerns and determine if and how permitted use should be amended.

Trail Maintenance

The potential increase of bicycle traffic on some authorized routes could also result in added trail wear and increase maintenance needs. The Superior Ranger District addresses trail maintenance needs on annual and deferred maintenance schedules. The Forest Service generally performs annual maintenance to clear fallen trees off of trails. At that time, trail conditions would be evaluated to determine if there are effects from increased bicycle use. Resource damage and safety issues would be addressed. Deferred trail maintenance needs are determined by Trail Assessment and Condition Surveys (TRACS) that are conducted about every five-year on a given trail. These surveys identify and prioritize needed trail work to correct degraded trail conditions. This may include trail reconstruction, rerouting, cleaning and replacing drainage features, and rehabbing adjacent social trails developed by off-trail use. Depending on review of trail conditions, permitted use could be amended.

Threatened, Endangered, and Sensitive Plant Species

The proposal would have no effect on any federally listed Endangered, Threatened, or Forest Service sensitive plants because no ground disturbance would occur outside of existing travelways (roads or trails). The shuttle service would operate on roads currently open to public motorized use. The travel routes the shuttle service would provide access to are already used by recreationists and bicycle use is currently allowed.

Heritage Resources

The issuance of a special use permit would have no direct, indirect, or cumulative effects on heritage resources and would cause no effect to historic properties because the proposal would not change the type of existing uses, provide new access to culturally or historically sensitive areas, or result in ground disturbance outside of existing travelways. The shuttle service would operate on roads currently open to motorized use. The travel routes the shuttle service would provide access to are already used by recreationists and bicycle use is currently allowed. This proposal is consistent with the National Historic Preservation Act.

Fisheries and Water Quality

The proposal would have no measurable direct, indirect, or cumulative effects to water quality, stream beneficial uses, or water yield because the proposed permitted activities are consistent with existing, allowed uses. No ground disturbance would occur outside of existing travelways (roads or trails). The shuttle service would operate on roads currently open to public motorized use. The travel routes the shuttle service would provide access to are already used by recreationists and bicycle use is currently allowed. This proposal is consistent with the Clean Water Act, State water quality laws, and Forest Plan standards.

For these same reasons, the proposed bicycle shuttle would have no direct, indirect, or cumulative effects on bull trout, a federally listed threatened species, or westslope cutthroat trout and western pearlshell mussel identified by the Forest Service Northern Region as sensitive species.

Wildlife

The proposed action is consistent with applicable Lolo National Forest Plan goals, direction, and standards. The proposed activities would have no effect on any federally listed threatened or endangered species or any species identified as sensitive in the Forest Service Northern Region (Wildlife report, 11/5/2013). The proposed action complies with applicable conservation strategies for wildlife species and is consistent with the Endangered Species Act, the National Forest Management Act, and other laws providing direction and requirements for the management of wildlife species and habitat.

Threatened and Endangered Species

Section 7 of the Endangered Species Act (ESA) directs federal agencies to ensure that actions authorized, funded, or carried out by them are not likely to jeopardize the continued existence

of any threatened or endangered species or result in the destruction or adverse modification of their critical habitat. The proposed action is consistent with the ESA. The U.S. Fish and Wildlife Service has determined that Canada lynx and grizzly bear, listed as threatened species, may be present on the Lolo National Forest. The proposed permitted area is currently considered occupied habitat for Canada lynx and unoccupied habitat for grizzly bear.

The proposal would have no effect on Canada lynx or grizzly bear because the proposal would not change the type of existing uses. The shuttle service would operate on roads currently open to public motorized use. The travel routes the shuttle service would provide access to are already used by recreationists and bicycle use is currently allowed. The area proposed for permitted use is not located within a grizzly bear recovery zone or within designated lynx critical habitat. Permitted use would occur during the summer from Memorial Day to Labor Day, when lynx (if present) are the least vulnerable and prey species are abundant.

Sensitive Species

The project would have no direct, indirect, or cumulative effects on sensitive species because:

- the shuttle service would operate on roads currently open to public motorized use;
- The travel routes the shuttle service would provide access to are already used by recreationists and bicycle use is currently allowed; and
- the proposal would not result in any physical changes to habitat characteristics.

Deer and Elk

One public comment was concerned that the proposal would result in additional public use of the trails which could disturb deer and elk. Disturbance is an activity or event which may cause flight or stress responses, or redistribution of wildlife (Joslin and Youmans 1999). The effects of disturbance include changing the amount of time an animal spends traveling, feeding or resting, or the animal avoiding an area over a long period of time. Human activities are not the only source of disturbance. For example, the presence or even the scent of predators can cause elk to move or flee from an area and winter storms can alter the time spent feeding.

Some additional, occasional disturbance to deer and elk could occur as a result of the proposal if trail use by bicycles measurably increases. However, these trails are already open to bicycles and motorcycle use. Permitted use would occur during the summer from Memorial Day to Labor Day. Summer is the least critical season to avoid disturbance to deer and elk because food and weather stress are generally low and dense vegetation provides extensive hiding cover. Potential increased trail use resulting from the shuttle service would not be constant during the day, week, or operating period across the area.

Weeds

The proposal would have a low risk of introducing and spreading weeds within the area because:

- no ground disturbance would occur outside of existing travelways (roads or trails);
- the shuttle vehicle would remain on roads open to public motorized use; and
- the travel routes the shuttle would provide access to are currently open to bicycle and motorized use (Weed report, 11/5/2013).

Soil Resources

The proposal would have no measurable direct, indirect, or cumulative effects to soil because no ground disturbance would occur outside of existing travelways (roads or trails). Region 1 Soil Quality Standards do not apply to system roads or trails because they are a dedicated part of the transportation system. Based on the soils in the area, potential increased bicycle use on trails resulting from the shuttle service would not increase the risk for erosion, mass failure, or landslides (Soil Report, 11/5/2013).

AGENCIES AND PERSONS CONSULTED _____

Confederated Salish and Kootenai Tribes
Nez Perce Tribe
Montana Fish, Wildlife & Parks
Locally permitted outfitter and guides

LITERATURE CITED _____

Lolo National Forest Plan 1986

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APPENDIX A - Map

