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Forest
Service

Pacific
Southwest
Region R5

May 2012

Decision Notice

South Big Bear Trails and Team Big Bear Special Use Permit

Mountaintop Ranger District, San Bernardino National Forest San Bernardino County, California



_____/s/Scott Tangenberg_____5/15/12_____
Scott Tangenberg Date
Mountaintop District Ranger

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DECISIONS AND REASONS FOR THE DECISION

Background

This notice documents my decision for two components of the Team Big Bear – Mountain Bike Race Permit. The Environmental Assessment (EA) was prepared and sent out for public comment in May 2002. Unfortunately, due to major drought and associated vegetation die-off and several large fires, our focus was diverted from completing the Team Big Bear project. Additionally, since the EA was first sent to the public, the San Bernardino National Forest (SBNF) finalized an update to the Forest's Land Management Plan (Forest Plan); that document contains new direction and guidance. Lastly, some of Team Big Bear's proposal has changed in that they no longer have a downhill component within Snow Summit Ski Resort's boundaries and events are staged off of the ski resort.

Because of the new Forest Plan, I directed my staff to review the 2002 analyses prepared for the 2002 EA, to consider any new information/data, new direction included in the updated Forest Plan, and advise me of any insufficiencies in the 2002 EA and associated analysis. After careful consideration, I have determined that the 2002 analysis is still valid and remains in compliance with the Forest Plan direction. As such, I have chosen to move forward with a decision based on the 2002 EA.

This document explains the decision I plan to make and the rationale for my decision. It also documents the public input, other alternatives, and analyses that I am considering in making my decision. Also included in this document is my "Finding of No Significant Impact," which supports my decision.

Purpose and Need

The need to consider permit applications for special uses of National Forest System lands and the need to protect resource values were both identified in the San Bernardino National Forest Land Management Plan (LMP) (U.S. Forest Service 2005). The need to ensure that adverse environmental effects are minimized or mitigated was also directed in the LMP. The need to protect federally-listed species is directed by the Endangered Species Act. The purpose and need for action in this EA is to provide for mountain bike recreation opportunities, while also protecting habitat for Threatened, Endangered, and Sensitive (TES) species and habitats in accordance with regulations.

Decision

I have decided to implement the Proposed Action with these components.

- Designate several non-motorized user-created trails and incorporate them as official trails in the SBNF trail system;
- Change some existing closed roads to non-motorized trails;
- Construct a short re-route of the Pineknot Trail out of sensitive habitats and close and restore the old section of trail.
- Approve a multi-year permit for mountain bike events for Team Big Bear to use the existing system roads and trails as determined in annual operating plans.

Location

The project area is entirely within the boundaries of the Mountaintop Ranger District, San Bernardino National Forest, in San Bernardino County, California. The trail system that will be designated (and used for mountain bike events) lie generally between Big Bear Lake and the Santa Ana River drainage. See the project location maps for more detailed information.

Project Description

Two separate actions are being approved in this decision:

1. The Mountaintop Ranger District will designate a system of user-created bike trails that, combined with Forest Service System roads, will create a bike trail system on the slopes south of Big Bear Lake. Almost all of the trails in the Proposed Action are already in place as user-created trails (the Proposed Action will designate them as Forest System trails). The attached map delineates the routes that will be incorporated into the official Forest Trail System.

Under this action, there will be a short-reroute of the existing Forest System Pineknot trail to address some erosion and rare plant conflicts. The existing trail will be closed and restored to correct erosion problems and allow for revegetation of rare plant habitat.

Trail construction will be accomplished by hand crews and hand tools for the most part. In some places, a small trail excavator may be used to establish the track.

The trail system will be adopted by user-groups and maintained to Forest Service standards by volunteers. Maintenance will include signing, clearing, erosion prevention/control work, and regular monitoring. All maintenance actions will be done under the guidance of Forest Service staff. These trail routes will be included in many types of public recreation opportunities information, including brochures, magazine articles, websites, etc.

The approval also includes monitoring of the trail system for the creation of new user-created trails. Non-system trails, existing and new, will be closed, blocked, disguised, and restored by the Forest Service or volunteer groups in order to discourage continued use and associated resource impacts.

2. The second Proposed Action is the approval of a 5-year Special Use Permit for Team Big Bear mountain bike races. The Special Use Permit will include approval for up to twelve events a year with a maximum of 2000 participants per event using a variety of routes that will include designated trails and roads. Most spectators remain near the race start-finish line near the base area of the Snow Summit Ski Resort. Vehicle parking for race participants, spectators and support vehicles is the paved parking lot located on private land in the resort base area or on other private land as arranged by the race promoters.

Each year at least two months before the first proposed event, Team Big Bear will submit to the Forest Service an annual Operating Plan that includes a schedule of proposed events and a map and list of the system roads and trails proposed for each event. The Forest Service will review the proposed annual Operating Plan to ensure that the level of effects falls within those disclosed in the NEPA analysis and associated reports. If new information has come to light (*e.g.*, rare species, heritage sites, watershed impacts, other user conflicts, etc.), the Forest will work with Team Big Bear to seek alternate routes or incorporation of Design Features to lessen the potential effects.

A typical event weekend consists of:

- Between 150-900 race participants in most event weekends. Occasionally, a National race event is conducted and it has about 2200 participants;
- Between 100 and 2000 spectators, with almost all of them near Snow Summit's base area;
- Participants practicing on Fridays (and sometimes earlier in the week);
- Cross-country races with different class groupings based on age, sex, and ability. There are a total of 48 different groupings. Classes are grouped into starting "waves" with about 30-50 people in each starting "wave". Waves are started 2-3 minutes apart and there are usually about 15 waves during a race.

Design Features for the Project

I am including the Project Design Features and Mitigation Measures listed in Appendix B of this document as part of my decision. This list has been updated since the EA was written to include measures 1) that provide protection for newly-designated Critical Habitat for threatened and endangered plants; 2) that bring the project in compliance with the new Forest Plan; and, 3) provide clarification on how we intend to implement the project.

RATIONALE FOR MY DECISION

My criteria for making a decision on this project was based on how well the management actions analyzed in the EA meet the purpose and need and objectives of the project, and address issues that were raised during the scoping process and the comment period. I have made sure that the project complies with the San Bernardino Land Management Plan and other applicable laws and regulations. I have tried to take into account the competing interests and values of the public while ensuring that the project does the right thing for this piece of ground.

Meeting the Purpose and Need and Project Objectives

The current situation of a proliferation of user-created trails, including new ones appearing very frequently, is unacceptable. It is causing user conflicts, unacceptable resource damage in terms of erosion and water quality issues, impacts to rare plants (including Threatened and Endangered species), and wildlife disturbance by having very high road/trail densities per square mile. Through designation of an official trail system, I expect we will be able to properly maintain the official trails to reduce erosion and other resource impacts as well as close and restore the user-created unofficial trails as they develop. The support and involvement of the mountain bike community has been very strong and enthusiastic and I see their involvement as critical to the success of this project. With the adoption of the trail

system by the trail user groups, I expect that the trails will be properly maintained and signed and monitored to remedy unacceptable impacts (*e.g.*, safety issues, erosion sites, user-created trails, etc.). I expect that having an official well-planned trail system, education, and peer pressure from fellow trail users will help encourage responsible use of this area of the National Forest.

Consideration of the Issues and Other Resource Areas

Comments received during scoping were mostly supportive. No other alternatives were generated during public scoping. There were several issues raised. A concern was raised about the safety of other forest users and mountain bike riders on forest roads and trails during events. I feel that by designating a trail system that will encourage mountain bike riders to use the trails, we will reduce the potential for conflicts (*e.g.*, collisions, near-misses, etc.) between motorized vehicles and mountain bikes and hikers. Another commenter was concerned that the San Bernardino National Forest has difficulty managing the existing roads and trails without adding more to the system. Since the mountain bike trail system has a large advocacy and volunteer groups are willing to adopt the trails and help maintain them, I feel that adding these trails to the system into the official system will allow us to take advantage of those resources. There was also a comment that unofficial trails should not be used in mountain bike events. Under this decision, only official Forest System trails and roads would be approved for use for mountain bike events.

Consideration of Public Comments and Concerns

I have considered all comments and opinions that have been received to date on this project in making my decision. We invited residents that live near the project area, federal, state, and local government agencies, the general public, and other groups and individuals potentially interested in or affected by the project to review and comment on our initial proposal and the purpose and need for the project (EA - Public Involvement). I have reviewed all the public comments and find that all concerns and issues have been addressed. The complete comment analysis is in the project file (also see "Public Involvement Section" below).

ALTERNATIVES CONSIDERED

In addition to the proposed action, the EA considered a No Action alternative that would not have established a trail system or approved events under Special Use permit. No other alternative was developed as a result of public input or internal analysis. I believe the alternatives are adequate for this NEPA analysis and for the complexity of the project.

PUBLIC INVOLVEMENT

On January 11, 2001, the Forest Service sent letters to interested agencies, organizations, and individuals requesting comment on a proposal to issue a multi-year special use permit to Team Big Bear, Incorporated, for the series of mountain bike races they conduct each summer and fall. Request was also made for comments on adding trails to the system. Four letters of comment were received during the comment period.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

The Council on Environmental Quality (CEQ) regulations note that when an environmental assessment has been prepared, the responsible official shall review that document and determine whether the project may have a significant effect on the quality of the human

environment and if an Environmental Impact Statement (EIS) should be prepared (40 CFR 1508.13).

I have reviewed the direct, indirect, and cumulative effects of the proposed activities documented in the EA for the Team Big Bear – Mountain Bike Race Permit project. I have also reviewed the project record for this analysis and the effects of the proposed action and alternatives as disclosed in the EA. Implementing regulations for National Environmental Policy Act (NEPA) (40 CFR 1508.27) provide criteria for determining the significance of effects. Determinations of significance, as defined in NEPA, require consideration of both context and intensity:

a) Context: This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance will usually depend upon the effects in the locale rather than in the world as a whole. Both short-and long-term effects are relevant (40 CFR 1580.27)

b) Intensity: This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27): Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effects will be beneficial.

The effects of the decision to be made are not significant in either the long- or short-term. For this project, the disclosure of effects in the EA found the actions limited in context. For this project, the disclosure of effects in the EA found the actions limited in context. The project area is limited in size and the proposed events are limited in duration. Effects are local in nature and are not likely to significantly affect regional or national resources.

Impacts associated with the project are discussed in the EA. These impacts are within the range of those identified in the Forest Plan. The actions will not have significant impacts on other resources identified and described in the Biological, Physical, and Social Environment sections (EA-Environmental Impacts section).

The EA shows that the beneficial effects and any economic return the designation of trails and the permitting of mountain bike races will not occur at the expense of other resources.

Other criteria to determine significance were evaluated as follows:

1. The degree to which the proposed action affects public health or safety.

Determination of Significance: There will be no significant adverse effects on public health and safety. The completion of a trail system will help improve safety for riders and other Forest users by encouraging bikers to use single-track trails instead of Forest roads.

2. 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.

Determination of Significance: There will be no significant effects on unique characteristics of the area, or ecologically critical areas such as historic or cultural

resources, parklands, prime farmlands, wetlands, inventoried roadless areas, and wild and scenic rivers (EA, Compliance with Regulatory Direction). The new trail system would be maintained properly and user-created trails would be closed and restored. Both of these things will help protect unique characteristics of the area, including rare species habitats and water quality.

3. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Determination of Significance: The effects on the quality of the human environment are not likely to be highly controversial with the majority of the interested and involved public are very supportive of a designated trail system that will improve user satisfaction and decrease conflicts.

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

Determination of Significance: Scoping did not identify highly uncertain, unique, or unknown risks. The possible effects on the human environment are not highly uncertain nor do they involve unique or unknown risks. The technical analyses conducted for determinations of the impacts to the resources are supportable with use of accepted techniques, reliable data, and professional judgment. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (EA, Biological, Physical, and Social Environment sections).

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

Determination of Significance: This project is not setting a precedent for future actions with significant effects. The management practices are compatible with the Forest Plan, and with the capabilities of the land.

6. 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.

Determination of Significance: The analysis discloses a comprehensive list of potential past, ongoing, and foreseeable future actions that may create cumulative effects. In the Biological, Physical, and Social Environment sections of the EA, cumulative impacts are disclosed for each of the resource areas analyzed, and I find that cumulative impacts are not considered significant.

7. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

Determination of Significance: The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources.

8. 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.

Determination of Significance: The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. A biological assessment for threatened and endangered species was completed and "Informal Consultation" with U.S. Fish and Wildlife Service was conducted in 2001. The Consultation will be re-initiated and any new information/direction will be incorporated into the implementation of the project components.

9. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

Determination of Significance: The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. The action is consistent with the San Bernardino National Forest Land Management Plan.

Significance Summary: Based upon the review of the test for significance and the environmental analyses conducted, I have determined that the selected alternative analyzed for this project is not a major federal action. In addition, the implementation of this project will not significantly affect the quality of the human environment. Accordingly, I have determined that an environmental impact statement need not be prepared for this project.

FINDINGS REQUIRED BY OTHER LAWS, REGULATIONS, AND POLICIES

I have determined that my decision is consistent with all the laws, regulations, and agency policies related to this project. A list of federal laws and executive orders are listed in the EA. The EA summarizes findings required by major environmental laws.

Administrative Review and Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 Code of Federal Regulations (CFR) Part 215. Notices of Appeal that do not meet the content requirements of 36 CFR 215.14 will be dismissed.

To be eligible to appeal this decision under 36 CFR Part 215.11, an individual or group must have provided a comment or otherwise expressed interest in this project by the close of the 30 day comment period that began on May 30, 2002. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14. Appeals must be submitted to:

Forest Supervisor
Attn: Team Big Bear Permit Appeal
USDA Forest Service
602 S. Tippecanoe Ave.
San Bernardino, CA 92408
Email: appeals-pacificsouthwest-san-bernardino@fs.fed.us

Their official hours are 8am to 4pm, Monday – Friday. The Appeal Deciding Officer must receive appeals within 45 days following the publication date of the legal notice of decision in

the *Big Bear Grizzly*. The publication date of the legal notice is the exclusive means for calculating the time to file an appeal. An appeal can be dismissed if it fails to meet the minimum content requirements of 36 CFR 215.14.

IMPLEMENTATION DATE

If no appeals are filed within the 45 day appeal period, implementation of the decision may occur on, but not before, five business days from the close of the appeal filing period. When appeals are filed under 36 CFR 215, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

CONTACT PERSON

For further information on this decision, contact Scott Tangenberg, Big Bear Ranger Station, P.O. Box 290, Fawnskin, CA 92333. Email: stangenberg@fs.fed.us.

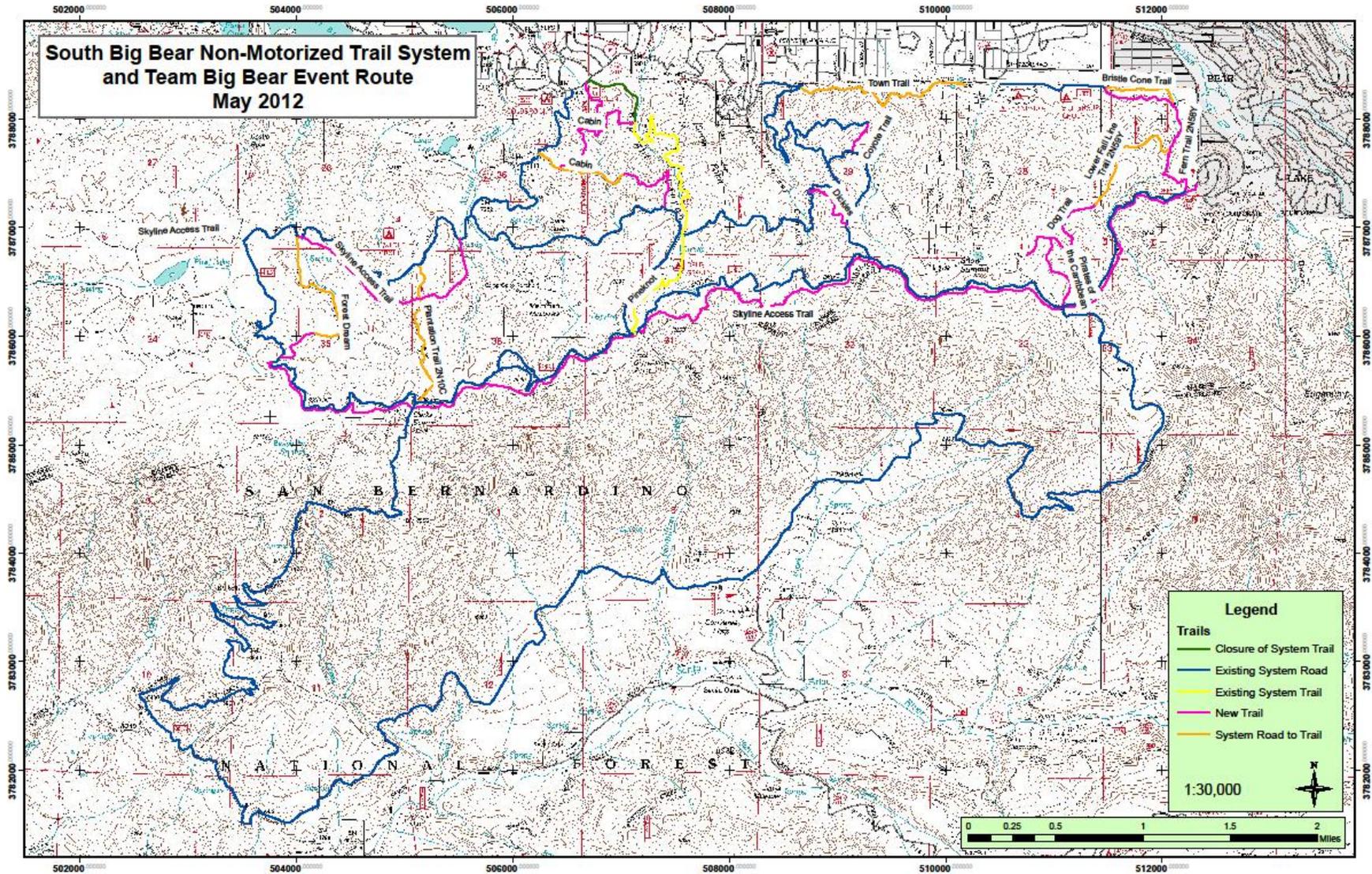


Figure 1. Project Map