



**USDA Forest Service
Pacific Southwest Region
Lake Tahoe Basin Management Unit**



**Documentation of Decision for
Issuance of Homewood Mountain Resort Snow Cat Ski
Outfitter and Guide Permit for Ellis Peak Area
Placer County, California**

BACKGROUND:

In the Winter of 2015, the U.S. Forest Service, Lake Tahoe Basin Management Unit approved a proposal from Homewood Mountain Resort to operate a snowcat ski outfitter and guiding operation in the Ellis Peak area. Due to the low snow year, there was never enough snow to operate.

EXISTING CONDITION:

The proposed project area is currently open to over-snow motorized use under the existing Forest Order # 19-14-16 and is used by the public for snowmobiling and back-country skiing.

DESIRED CONDITION:

There is an opportunity for the public to participate in guided snow cat backcountry ski/snowboard experience in the Ellis Peak area adjacent to the privately operated Homewood Mountain Resort.

PURPOSE AND NEED:

There is a need to respond to a special use proposal from Homewood Mountain Resort requesting to operate guided snow cat ski tours on NFS lands adjacent to the private Homewood Mountain Resort area.

PROPOSED ACTION:

The guided snow cat tours would begin on private land within Homewood Mountain Resort near the top of the Old Homewood Express lift. From that location, a snow cat with a passenger cabin would transport 10 participants and 2 guides along a Southwesterly route, across National Forest System lands into the Ellis Peak area. Participants and guides would ski from the designated drop-off point back to Homewood Mountain Resort via existing open glades, bowls, and treed terrain. A trail in the Rock Garden area would be groomed in order to facilitate traversing the flatter terrain in that area. The trail would be about ½ mile long and the width of the snow cat and would not require any tree removal. Snow cat tours will be provided up to three days per week, usually on Friday - Sundays, weather and conditions permitting. Avalanche control would be limited to ski cutting, and explosives will not be used. Approximately 10 trees less than 8" dbh would be removed to provide safe access along the designated route.

Five (5) trees were removed in 2014 and the remaining trees will be removed this year. The Forest Service will issue a temporary 6 month special use permit, and will evaluate the operation to determine the viability and appropriateness of the use for future seasons.

RESOURCE PROTECTION MEASURES:

Resource protection measures are elements of the project that are applied to the project area as part of the Proposed Action. These measures are developed based on Forest Plan direction and site specific evaluations in order to reduce or avoid negative impacts of the proposed action. Resource protection measures associated with this proposed permit include the following.

- The snow cat must remain on the authorized route.
- Operations shall only occur when there is a minimum of 12 inches of continuous snow cover.
- Avoid or minimize impacts to federally threatened or endangered, LTBMU sensitive, or TRPA special interest aquatic or terrestrial wildlife species identified within the permit area. Any detection of federally threatened or endangered, LTBMU sensitive, or TRPA special interest aquatic or wildlife species or of nests, dens, roost sites, or other areas of concentrated use (e.g., perch or plucking posts) by these species, before or during project activities, within or from the project area, will be reported to the Authorized Officer. Additional protection measures may be implemented to ensure species are not adversely affected by proposed permit activities.
- Any Sierra Nevada yellow-legged frog habitat that is intentionally or unintentionally modified as a result of the proposed permit must be restored to its original condition as determined by the Authorized Officer.
- Activities, including grooming and snowcat operations, will occur at least 82 feet away from all sides of wet meadows, lakes, perennial or intermittent creeks, or pools.
- Retain known forest service sensitive wildlife species' nest/roost trees/snags if they are found within the permit area.
- Cat ski/snow cat activities will avoid any exposed whitebark pine individuals.
- If new sensitive botanical species occurrences are discovered, the permittee will notify the Authorized Officer, and the permit administrator and Forest Botanist will develop a plan to avoid effects to occurrences.
- The snow cat will be maintained so that it is clean and free of invasive plant material.
- All concentrated work areas (e.g. turnarounds, and loading/unloading sites) shall be located prior to snow accumulation and outside of historic property boundaries.
- It is required that the rock ring structure on the western edge of Ellis Peak be avoided during snow cat operation.
- All terms and conditions of the Special-Use Permit and Operating Plan will be met.

REASONS FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION:

CEQ regulations allow Federal agencies to exclude from documentation in an environmental assessment (EA) or environmental impact statement (EIS) categories of actions that do not individually or cumulatively have a significant effect on the human environment, based on the agency's experience and knowledge. The proposed action fits under 36 CFR 220.6 (d)(8), "*Approval, modification, or continuation of minor, short-term (1 year or less) special uses of National Forest System lands.*"

The proposed action would fit within this category because the permit issuance would be for six months.

EXTRAORDINARY CIRCUMSTANCES:

The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion (CE). It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determine whether extraordinary circumstances exist. (36 CFR 220.6(b)).

I have determined through the environmental review that there were no extraordinary circumstances associated with this proposal that might cause the action to have significant effects. The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion (CE). It is the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist. It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determine whether extraordinary circumstances exist. (36 CFR 220.6(b)):

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species –

The potential effects of this decision on listed wildlife, fish, and plant species have been analyzed and documented.

Wildlife and Fish

No effects to threatened or endangered species, designated critical habitat, species proposed for Federal listing or proposed critical habitat will occur as these species and their suitable habitats do not occur in or adjacent to the project area. Forest Service sensitive wildlife species (e.g., bald eagle, California spotted owl, northern goshawk and American marten.) occur, or may occur, in the project area. Project Design Features, described in this memo, are intended to minimize or avoid potential effects to sensitive species (Project Record Documents A1 and B1).

Botany

There will be no effect to any threatened or endangered species, designated critical habitat, species proposed for Federal listing, or proposed critical habitat.

Forest Service sensitive botanical species (e.g., whitebark pine) occur, or may occur, in the project area. Project Design Features, described in this memo, are intended to minimize or avoid potential effects to sensitive species (Project Record Documents A2 and B2).

2. Flood plains, wetlands, or municipal watersheds – There are no flood plains, wetlands, or municipal watersheds located within the project area.
3. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas – There are no congressionally designated areas such as wilderness areas, wilderness study areas, or national recreation areas located within the project area.
4. Inventoried roadless areas or potential wilderness areas – There are no inventoried roadless areas located within the project area.
5. Research Natural Areas – There are no Research Natural Areas (RNAs) located within the project area.
6. American Indians and Alaska Native religious or cultural sites – There will be no effect to American Indian cultural or religious sites (Project Record Document A3). Alaskan sites do not apply to the California region.
7. Archaeological sites, or historic properties or areas – There will be no effect to archaeological sites or historic properties or areas. Resource Protection Measures, described in this memo, are intended to minimize or avoid potential effects to cultural resources (Project Record Document A3).

FINDINGS REQUIRED BY OTHER LAWS:

The proposed action is consistent with direction provided by the Lake Tahoe Basin Management Unit Forest Plan, as required by the National Forest Management Act of 1976. The project is located in the McKinney Management Area and is within the area guided by Management Prescription #2- Alpine Skiing.

The activity is consistent with existing uses and complies with the Endangered Species Act, Migratory Bird Treaty Act, Clean Water Act, and the Historical Preservation Act of 1966.

PUBLIC INVOLVEMENT:

Scoping for these projects included:

1. This project is covered under the local SOPA list (Recreation Special Use Permits (misc.)).
2. A letter was sent to interested parties on October 17, 2014.

3. This proposed action received 26 public comments. A copy of the scoping record has been attached to this document as an appendix (Project Record A4).

The following specialists were consulted in reviewing the proposed action:

Jonathan Cook-Fisher, Recreation Special Uses Program Manager
Matt Dickinson, Land Management Planning
Courtney Rowe, Forest Botanist
Tom Fuller, Cultural Resources Specialist
Shay Zanetti, Ecosystem Conservation Wildlife Biologist, Aquatics Biologist
Theresa Cody, Hydrologist
Gina Thompson, Recreation, Lands, and Heritage Staff Officer

NOTICE, COMMENT AND OBJECTION OPPORTUNITIES:

This decision is not subject to notice, comment and objection requirements as it is a decision for actions that have been categorically excluded from documentation in an EA or EIS.

Homewood Mountain Resort is hereby notified of their right to appeal this decision in accordance with 36 CFR 214.

IMPLEMENTATION DATE:

This decision will be implemented upon issuance of the special use permit.

CONTACT PERSON:

For further information regarding this project, please contact the following:

Jonathan Cook-Fisher, Recreation Special Uses Program Manager
USDA Forest Service, Lake Tahoe Basin Management Unit
35 College Drive
South Lake Tahoe, CA 96150
(530) 543-2741
jcfisher@fs.fed.us

SIGNATURE AND DATE

I have concluded that this decision may be categorically excluded from documentation in an environmental impact statement or environmental assessment as it is within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.8 or one of the categories listed in sections 220.6 (d) and (e) of 36 CFR 220.6. There are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect and the decision is not subject to appeal.

My conclusion is based on information presented in this document, my familiarity with the project area and the entirety of the project file.

APPROVED BY:



JEFF MARSOLAIS
Forest Supervisor, Lake Tahoe Basin Management Unit

11-23-15
Date

APPENDICES

- Map of the project area
- Specialist Reports (PR-A1 through PR-A3 and PR-B1 through PR-B2)
- Scoping Comments (PR-A4)