



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



**Decision Memo for the
Heavenly Mountain Resort Tamarack Project
Douglas County, Nevada
El Dorado County, California**

BACKGROUND:

This project represents the continued implementation of the Heavenly Master Development Plan (MDP). The MDP provides the general framework for the development of Heavenly Mountain Resort. The Tamarack Project activities are consistent with the vision described in Heavenly's accepted MDP. Construction of all proposed activities would be conducted in accordance with applicable portions of the revised Construction Erosion Reduction Program (CERP), as outlined in the MDP and 2015 Epic Discovery EIS. The following project summary describes the proposal in detail, and corresponds with the attached map.

EXISTING CONDITION:

There is existing skiing and snowboarding terrain located at the top of the Heavenly Gondola that is well-suited and has been planned for use as ski school teaching area for beginner and low-intermediate ability levels. The terrain does not presently contain any ski lifts which are necessary for its use as a teaching and development area. The existing Tamarack Return ski trail was not implemented to its full width approved in the MDP when it was first developed in 1997. It provides a critical connection to return to the Gondola area and Tamarack Lodge. Based on use levels and patterns particularly in early-season and low-snowpack conditions, the trail is not sufficiently wide enough to provide a high-quality experience. Currently, on-mountain ticketing for all summer and non-skiing winter activities are done in a temporary facility which does not provide a consistent, high-quality visitor experience. The Blue Streak zipline which is located adjacent to the upper-mountain Tamarack Express lift is not operated during the winter season. The Blue Streak's overhead trolley riding and return lines are removed each year when not in use in order to prevent snow and ice buildup on them. Trees located underneath the lines make this removal difficult and can cause damage to the equipment because the lines must be removed manually and the lines can hang up in the trees.

DESIRED CONDITION:

The desired condition is a high-quality guest experience for visitors to Heavenly in both winter and summer operating seasons. This will be accomplished by improving the quality of existing facilities and by providing a more complete set of facilities for the visitor. The top of the Gondola is a very popular ski school area because of its access from Heavenly Village, consistent snow conditions and its relatively flat slopes. It is a popular area for destination and

other guests who participate in non-skiing and summer activities and access the resort using the Heavenly Gondola from Heavenly Village.

PURPOSE AND NEED:

The Tamarack Project Activities are linked, both directly and indirectly, to the Master Plan - the purpose of which is:

“to improve the overall quality of the visitor experience at the resort, creating an improved, multi-seasonal visitor and skier/snowboarder experience that is competitive with the experience offered by other destination resorts and that reflects current market trends and preferences.” and “to modify and improve existing facilities for more efficient use.”

Heavenly and the Forest Service have identified an opportunity consistent with the Forest Plan and the objectives of Heavenly’s Master Development Plan to improve the quality of the facilities in order to provide a higher quality and more efficient management of ski school facilities and recreation opportunities.

PROPOSED ACTION:

New Activity Ticketing Sales Kiosk

Add a new 300 square-foot permanent sales kiosk to provide Epic Discovery summer and winter non-skiing activity ticketing needs. Currently, activity ticketing is provided in a set of temporary 10' x 10' structures which do not provide the guest with a high-quality point of contact where they can purchase tickets and receive information about participating in the activities. The new structure will be sited adjacent to the existing Bear Cave Ski School building near Tamarack Lodge at the top of the Gondola. Architectural design will be consistent with the Forest Service Built Environment Image Guide. Electrical power and low-voltage utilities will be extended in an underground trench a short-distance of approximately 150' by 3' to the new kiosk from the adjacent Bear Cave Ski School building utility point of connection. The total approximate area of temporary disturbance will be a maximum of 1,000 square feet. No tree removal will be necessary.

Relocation of the Existing Red Fir Handle Tow Lift

The site location for the new Alpine Coaster requires the relocation of the existing Red Fir handle tow lift in order to reduce user conflicts. The Red Fir lift serves beginner and low-level ski and snowboard students. It will be relocated to the skiers' right-hand side of the existing Easy Street trail. The existing lift is approximately 515 feet long. It will be re-installed at approximately 400 feet in length. The manufacturers' one-hour rated uphill capacity of the lift will not increase and may be reduced based on the final length of the lift. Limbing of trees and possible removal of a few individual trees along the right-hand side of the trail will be included for the lift alignment in order to ensure proper clearance from fixed objects. A 10' by 10' operator’s booth that includes the drive control systems for the lift will be included. A new electrical power connection is included and will be extended in an underground trench approximately 500' by 3' from the nearby Bear Cave Ski School building utility point of connection. The total area of temporary disturbance for the lift will be approximately 10,000 square feet.

Addition of New Magic Carpet Ski School Lift

A new Magic Carpet surface lift will be installed on lower Easy Street Trail near the relocated Red Fir lift alignment. As a beginner-level lift, the Magic Carpet will be used primarily for ski school activities. It will serve as a part of the progression sequence of lifts and terrain to move students on to the Red Fir lift as their skills and abilities increase. The Magic Carpet will have a manufacturer's one-hour rated uphill capacity of 600 persons/hour. The lift will be approximately 300 feet in length. A new electrical power connection is included and will be extended in an underground trench approximately 150' by 3' from the nearby Bear Cave Magic Carpet. The total approximate area of temporary disturbance will be approximately 7,000 square feet. No tree removal will be necessary.

For construction of both lifts, a temporary spur approximately 10' x 500' will be developed and then decommissioned following construction.

Tamarack Return Trail Ski Widening

Widen the existing trail to an average width of 125 feet. The widening will remove trees on approximately 1.3 acres, most of which are located on the skiers' right side of the trail where a more consistent natural grade exists. A small number of trees will be cleared on the skiers' left side of the trail near the bottom.

The existing aboveground snowmaking lines will be relocated to near the new right-hand edge of the trail and will remain aboveground. As part of the project, the Easy Street Run Hazard Reduction prescription will be implemented on the entire length of the existing trail in order to reduce obstacles and allow improved surface coverage under natural and manmade snow conditions. The total area of the prescription will be approximately 1.42 acres. Based on the existing ground surface conditions in the widened area, it is not necessary to implement the prescription in that area.

A temporary staging area for the trees that are removed trees as part of both this activity and the Blue Streak zip line tree removal project will be created at the bottom of the Tamarack Return Trail where it intersects the existing summer maintenance road. It will be approximately 0.75 acres in size.

Blue Streak Zip Line Tree Removal

Remove trees underneath the existing Blue Streak Zipline to facilitate the efficient annual removal and reinstallation of the riding and return cables. All efforts will be made to retain trees, especially whitebark pine trees, as part of the project; including small-diameter individuals that do not conflict with the required cable installation and removal procedures. Limbing will be used where feasible. Following tree removal, the cleared area will provide a more consistent, clear work area for the staff. It will remedy the situation where the cables get hung up on trees and may break loose with little to no advance warning. It will not be necessary to remove shrubs or groundcover as part of the project.

The clearing will take place along specific sections of the line but will not be a continuous area of disturbance. The area to be cleared will be closer to 0.5 acres because of the open nature and spacing of the tree canopy in the area.

PROJECT DESIGN FEATURES:

The following design features and construction methods will be utilized in all projects as appropriate. Some of these measures are taken directly from the Master Plan Construction Erosion Reduction Program (CERP).

Specific design features include:

- Installation of temporary water quality Best Management Practices (BMPs). These may include but will not be limited to: silt fences, straw wattles, coir logs, mulching, gravel/sand bags and construction fencing.
- Limited disturbance and construction staging areas.
- Implement all invasive plant management measures in the MDP.
- Limit tree removal to minimum amount necessary, including whitebark pine where present.
- Whitebark pine: To the extent feasible, conduct activities to avoid healthy whitebark pines, in particular, trees greater than 24 inches dbh or clusters containing 2 or more trees greater than 12 inches dbh. Prior to project implementation, trees proposed for removal or limbing will be marked and approved by USFS or biological monitor.
- Utilize over-the-snow tree removal and skidding in areas of known Tahoe draba or habitat.
- In other areas utilize over the snow tree removal and skidding when possible. Trees may be dropped when there is no snow and then removed over snow at a later time. During over-the-snow tree removal, trees will be skidded over a minimum of 12" of compacted snow behind a snow cat to designated staging areas in order to prevent soil disturbance. Trees will be limbed and chipped at the staging area for use for erosion control and soil amendments.
- The easy street run hazard reduction prescription will not be implemented in areas where Tahoe draba have been found. Currently, surveys have not located any in the areas proposed for this treatment.
- No areas of mapped archaeological features will be used. Off-limits areas will be identified and established jointly by Heavenly and Forest Service staff near these sensitive areas and lined with rope barriers in order to prevent access.
- Proper backfilling and compaction of all excavations.
- Separating top soil and duff layers from excavation spoils for later re-use in revegetation where possible.
- Implementing site-specific revegetation, soil erosion and sedimentation plans and specifications.
- Incorporating organic material into soil amendments to promote soil infiltration and plant establishment where necessary.
- Implementing permanent water quality BMPS following project construction.
- Re-establishing vegetation and soil function capacities at staging areas following project completion.
- Dust control measures, at construction sites and on roads.

- Using US EPA Tier 2/Tier 3 level engines and power units to minimize emissions.
- Multi-year, post-construction monitoring and reporting of construction areas as required by the Forest Service BMP Effectiveness Protocol Program.
- Continue to implement long-term Tahoe draba monitoring.
- Conduct pre-implementation pedestrian visual surveys for marten dens in all project areas between two and three weeks prior to project initiation (i.e., ground or tree disturbance) and regardless of season. If dens are positively identified, an LOP would be applied and the project biologist would coordinate with USFS biologist within 24 hours of identification. All survey results would be submitted to USFS biologist prior to project initiation.
- If pacific marten dens are positively identified, the surveyor would coordinate with USFS staff as soon as possible following identification and a limited operating period (May 1 through July 31) may be applied.
- Prior to any projects, implement Mitigation Measure (HMPA FEIS) BIO-2 Active Raptor and Migratory Bird Nest Site Protection Program. BIO-2 states: Pre-implementation/construction surveys, conducted during the nesting season immediately prior to project implementation, shall be conducted to identify any active raptor or migratory bird nest sites within the project. The biological monitor will have the authority to stop implementation near occupied trees if it appears to be having a negative impact on nesting raptors or migratory birds or their young observed within the construction setbacks of the project area. If construction is stopped in areas surrounding occupied nest trees, the monitor must consult with Forest Service staff within 24 hours to determine appropriate actions to continue construction while reducing impacts to identified raptors or migratory birds.
- At this time none of the proposed actions are located inside or within 0.25 mile of a Protected Activity Center (PAC). Annual California spotted owl and northern goshawk surveys will continue to be performed throughout the Heavenly SUP area in accordance with the accepted protocol and the Sierra Nevada Forest Plan Amendment Record of Decision (SNFPA ROD, January 2004). If either species are detected within the project area and determined to be nesting, a Protected Activity Center (PAC) will be delineated in accordance with the SNFPA ROD. If a PAC is delineated with 0.25 mile of a project area prior to construction, a Limited Operating Period would be implemented which would limit construction activities and vegetation treatments during the breeding season (March 1 through August 31 for California spotted owl) and (February 15 through September 15 for northern goshawk). The LOP may be waived if surveys confirm nesting is not occurring or if the activity is of such scale and duration that impacts to breeding California spotted owls or northern goshawks will not occur.
- Refuse containers near or within the Proposed Action Area shall be designed to be wildlife proof to prevent access by wildlife species. Containers should have functioning locks that are secured at all times except when actively being used. Refuse containers will be emptied daily when being used by workers or visitors.

- Species identification, known locations, and all resource protection measures related to terrestrial wildlife would be addressed with implementation crews and by the project biologist during a pre-construction tailgate meeting.
- Any sightings of threatened, endangered, candidate, proposed, or sensitive species would be reported to the project biologist and construction would be stopped immediately if the species is found within any disturbance footprint. If construction is stopped, the monitor must consult with Forest Service staff within 24 hours to determine appropriate actions to continue construction while reducing impacts to special-status species.
- Snags would be retained for wildlife unless deemed a hazard tree.
- Allow low-lying vegetation to be left undisturbed outside of ski runs.
- Unless deemed a safety hazard, leave existing coarse woody debris (i.e., downed logs) and newly created coarse woody debris from tree removal activities in all project areas. Preference would be given to retain the largest possible logs.

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 (e)(3), “Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land.”

These activities fit within this category because the activities are located within the special use permit area for Heavenly Mountain Resort and are under 5 acres in total.

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))

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 in a Biological Assessment/Biological Evaluation (BA/BE; Project Record Documents A1 and A2).

Wildlife and Fish

The proposed Project will not affect cui-ui, Sierra Nevada yellow-legged frog, Yosemite toad, and Lahontan cutthroat trout or its designated or proposed critical habitat because the proposed action is outside the current range of these species or because there is no suitable habitat in or adjacent to the Project area.

The proposed Project will not affect great gray owl, North American wolverine, willow flycatcher, Lahontan Lake tui chub, and Great Basin rams-horn because the proposed action is outside the current range of these species or because there is no suitable habitat in or within 0.5 miles of the project area.

The proposed Project will not affect bald eagle, northern goshawk, California spotted owl, Western bumble bee, fringed myotis, pallid bat, or Townsend's big-eared bat because individuals are not known to nest, den, or roost in the project area and/or suitable habitat will not be disturbed as part of the proposed projects.

The proposed Project may affect individuals, but is not likely to result in a trend toward Federal listing or loss of viability for Pacific marten. (Project Record Document A1).

Botany

The proposed project may affect individuals, but is not likely to result in a trend toward Federal listing or a loss of viability for Tahoe draba (*Draba asterophora* var. *asterophora*). This determination is based on the negligible direct and indirect effects to individuals and areas of suitable habitat.

The proposed project may affect individuals, but is not likely to accelerate the trend toward Federal listing or result in loss of viability for whitebark pine (*Pinus albicaulis*). This determination is based on the following: a) some individual whitebark pine trees will be direct affected, in that they will be permanently removed, but they constitute a very small portion of the LTBMU whitebark pine population; and b) the threats to whitebark pine that contributed to its consideration for federal listing are adequately addressed through resource protection measures.

The proposed project will not affect any other Region 5 Sensitive species or any Threatened, Endangered, or Proposed species. This determination is based on the absence of suitable habitat within the project area for these species and the lack of individuals known or expected to occur within the project area. (Project Record Document A2).

2. Flood plains, wetlands, or municipal watersheds – There are no floodplains, 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, 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 or potential wilderness areas located within the project area.
5. Research Natural Areas – There are no research natural areas located within the project area.

6. American Indians and Alaska Native religious or cultural sites – There will be no effect to American Indian religious or cultural sites because no cultural resources were identified, projects are located in areas that have been previously disturbed, and project design features have been developed to avoid potential effects (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 because no cultural resources were identified, projects are located in areas that have been previously disturbed, and project design features have been developed to avoid potential effects (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 Heavenly Valley 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 this project included:

1. Listing the project on the LTBMU SOPA on December 8, 2015 (Project Record Document A4).
2. A press release was sent out to local news outlets on December 3, 2015 and posted to the LTBMU website (Project Record Document A5).
3. The proposed action document and maps (Project Record Documents A6 and A7) were posted on the LTBMU website at: <http://www.fs.usda.gov/goto/ltbmu/Tamarack>

No comments were received during the scoping period.

REGULATORY AGENCY INVOLVEMENT/PERMITS:

Lahontan Regional Water Quality Control Board /Tahoe Regional Planning Agency – A permit from Lahontan or TRPA may also be required for those portions of the projects in California or within the TRPA Boundary. It is the responsibility of Heavenly Mountain Resort to obtain and follow any additional terms and conditions required by these permits.

ADMINISTRATIVE REVIEW or APPEAL 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.

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

IMPLEMENTATION DATE:

Implementation of this project will begin in spring 2016.

CONTACT PERSON:

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SIGNATURE AND DATE:

I have decided to implement the proposed action. 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.3 or one of the categories listed in sections 220.6 (d) and (e) of 36 CFR 220.6. My decision concludes that no extraordinary circumstances exist related to the proposed action that may result in a significant individual or cumulative effect on the human environment, and that the decision is not subject to appeal.

My conclusion is based on information presented in this document, my familiarity with the project areas and the entirety of the project file. I also based my conclusion on a review of the project record that shows a thorough review of relevant scientific information.



JEFF MARSOLAIS
Forest Supervisor
Lake Tahoe Basin Management Unit

3/3/16
Date

APPENDIX A – Map

Appendix A: Heavenly Mountain Resort Tamarack Project Map

