

STANDARD 100: SKI AREA EXPANSION

Objector: Heavenly Resort, **Andrew Strain – Lead Objector**

Summary: Objectors expressed concerns that this standard improperly impedes Heavenly's current rights with regard to terrain inside its established ski area Special Use Permit Boundary." SG100 results in de-facto modification of the permit boundary of existing ski area permits by restricting development inside the permit without following the procedures for modifying or terminating existing permits. The contention is tied to SG100, which limits the expansion of ski area operational boundaries to 200 acres (Forest Plan, p. 199). It is unclear if this expansion limit is Basin-wide or per ski area or exactly how it would be implemented. They also contend this standard and guide displaces the master development plan system set in place by 36 CFR 251.54(e).

LTBMU developed this standard in response to the issues identified in the EIS. The preferred alternative would allow a moderate amount of ski area expansion but not an unlimited amount.

The 200 acre amount corresponds to the other amounts of recreation expansion which are allowed in the preferred alternative (Recreation sites – 5%, overnight accommodation units – 9%, day use parking – 5% and ski areas and slopes – 5%). 200 acres correlates roughly to the amount of expansion at Heavenly Mountain Resort as envisioned in their 2007 Master Development Plan which is calculated to be about 185 acres (see map). Heavenly has the only accepted Master Development Plan with plans for expansion on the LTBMU (Alpine Meadows also has an accepted Master Development Plan, but no plans for expansion on the LTBMU; Homewood and Diamond Peak have no Master Development Plans, but also no plans for expansion on the LTBMU).

Background and Rationale for Standard 100

Permit Area

- Decision Memo to issue a new 40 year Ski Area Permit was signed on May 2, 2002.
- Special Use Permit was issued on May 7, 2002.
- Permit Area is described as 7,050 acres of NFS lands within a larger boundary.
- Appendix B of the Permit includes a map which shows the existing permit boundary and states that the boundary was established in 1990.

PAOTS

- FS uses PAOTs to estimate potential effects on visitor experience *at a given site*. For ski areas this is based on uphill and downhill ski lift and run capacities.
- TRPA uses PAOTS to estimate and regulate *Basin-wide effects* of expansion on things like parking, traffic congestion, and water and sewer use.

- PAOTS assigned by TRPA are not relevant to FS management of a specific site.

TRPA Regulation

- TRPA has jurisdiction over 6,500 of the 7,154 acres of LTBMU lands within the 10,443 acre Heavenly permit boundary.
- Potential projects described in the current Heavenly Master Plan are all outside the area of TRPA jurisdiction.

Natural Resource Considerations for Restricting Expansion

Marten (R5 FS Sensitive Species):

- Ski resorts are considered likely to affect marten populations because they remove and fragment high-elevation fir forest habitat.
- Research suggests a seasonal use pattern where martens occupy ski areas during winter when natural prey is least available and human-supplied food is most plentiful, and then move into unmanaged forests in spring. Thus winter and summer ski area uses may affect populations.
- In a recent PSW study, male and female individuals were observed in the Heavenly Ski area, both within and outside of the operational footprint. The study is complete but unpublished, pending resolution of questions from FS management about interpretation of the results.

Whitebark Pine (Federal Candidate species)

- Some of the best whitebark pine stands (lowest incidence of white pine blister rust) in the Tahoe Basin lie within the Heavenly permit area. Acres of whitebark pine stands mapped in GIS:

Whitebark pine dominant stands:

- 313 acres total within permit boundary
- 306 acres on LTBMU
- 7 acres on H-T

Subalpine Conifers (WBP component):

- 1,492 acres total within permit boundary
- 1,433 acres on LTBMU
- 59 acres on H-T

Whitebark pine may be affected by climate change. Decreasing snowpacks may increase drought stress. Given a synergistic combination of fire exclusion, weakening by white pine blister rust, and climate-related drought events, mountain pine beetle outbreaks can be stand-replacing events that kill 80-95 percent of suitable host trees.

Sierra Nevada Yellow-legged Frog (newly listed federal Endangered)

- Suitable habitat has not yet been fully delineated for this species, so it is not known whether any of the perennial streams or meadows within the permit area may be affected by this listing. There are no known populations within the permit area.

Previous Objectors Remedies

- "Clarify that SG100 and other LTBMU Forest Plan direction does not apply to activities at Heavenly that are outside the LTBMU."
- Delete that portion of SG100 that limits expansion of ski area operational boundaries to 200 acres (Forest Plan, p. 199). State the development proposals inside ski area special use permits will be evaluated pursuant to permit terms and applicable regulations and policy.

New revised Objector Remedy as per June 2, letter

- The Forest Service should delete SG 100 and replace it with a requirement to comply with Tahoe Regional Planning Agency Standards.

Previous Forest Service Instruction

- While there are no changes needed to the record, conversations should continue with Heavenly Resort on future practices to conserve Whitebark pine as outlined in the Plan and in the 2013 MOU.
- Clarify how the Revised Plan will affect the Humboldt-Toiyabe National Forest portion of the Heavenly Ski Area Special Use Permit.
- Clarify in the record the 200 acre limitation on expansion for Ski Areas. Include in this clarification how this limit was derived; the rationale for the limit; and the extent of the current operational footprints.
- LTBMU should state the development proposals inside ski area special use permits will be evaluated pursuant to permit terms and applicable regulations and policy.
- Clarify that any future unit-wide conservation plans for Whitebark Pine or other changes such as additional regulatory direction, will be reviewed, compared to existing agreements, and discussed with Heavenly in regards to any inconsistencies and legal constraints.
- LTBMU should add a brief clarification in the FEIS describing potential impacts to summer recreation activities in ski areas due to Whitebark pine management or restoration.