



DECISION NOTICE
and
FINDING OF NO SIGNIFICANT IMPACT

***CAMP RICHARDSON RESORT CAMPGROUND AND
VEHICLE CIRCULATION BMP RETROFIT PROJECT***

U.S. FOREST SERVICE
LAKE TAHOE BASIN MANAGEMENT UNIT (LTBMU)
EL DORADO COUNTY, CALIFORNIA

BACKGROUND

Camp Richardson Resort is a publicly owned recreation facility that is managed by the Forest Service, Lake Tahoe Basin Management Unit (LTBMU) and operated under a special use permit. The resort dates back to the 1930s but was purchased by the Forest Service in 1965.

All facilities proposed for rehabilitation are Forest Service properties located on National Forest System (NFS) lands. Rehabilitation of this facility is an identified need on the Tahoe Regional Planning Agency (TRPA) Environmental Improvement Program (EIP) list.

The project is located on approximately 79 acres of NFS lands within the Camp Richardson Resort special use permit area. Camp Richardson Resort is located on Highway 89, approximately 2 miles west of the City of South Lake Tahoe. The resort is bounded by Pope Beach Road to the east, the Tallac Historic site to the west, Lake Tahoe to the north, and general forest area to the south. Refer to Figure 1-1 in the Environmental Assessment (EA) for the project area location. The Camp Richardson Corral is located outside of the resort special use permit and Proposed Action project area.

A Vision Plan for Camp Richardson Resort (Project Record Documents E-13, E-14, and E-15) was recently completed and is available on the LTBMU's website at: http://www.fs.usda.gov/detail/ltbmu/landmanagement/projects/?cid=fsm9_046806. The Vision Plan provides a framework for improvements to environmental resources and facilities at the resort and is consistent with the LTBMU Land and Resource Management Plan (Forest Plan) as well as TRPA environmental thresholds and Plan Area Statement direction. It identifies issues facing the resort and strategies for resolving them. The Vision



Plan itself is not a proposal, but provides the foundation for proposals such as the one described in the EA.

The Environmental Assessment was published for comment on July 8, 2011.

DECISION

I have reviewed the Camp Richardson Resort Campground and Vehicle Circulation BMP Retrofit Environmental Assessment (EA), the Project Record, and the Response to Comments (DN/FONSI, Appendices C and D).

I have decided to implement Alternative 4 as fully described in the EA (Section 2.3). In summary, the selected alternative will reduce the environmental impacts and improve the recreational opportunities and associated infrastructure in the Camp Richardson campground and the resort area by retrofitting the three existing campground areas with water quality protection Best Management Practices (BMPs) and upgrading facilities. The selected alternative also upgrades facilities to make them responsive to current and projected recreational demands and are compliant with legal requirements for accessibility. The selected alternative also improves vehicular and pedestrian traffic patterns. The proposed BMP retrofit activities fall into four categories:

- a. Install water quality protection BMPs.
- b. Retrofit the campground facilities (circulation routes, improved utilities, upgraded camping facilities, improved emergency access).
- c. Reduce congestion along Highway 89 and within Camp Richardson Resort (improved intersections, improved parking).
- d. Upgrade resort parking (reconfigured and improved day use parking).

I am selecting Alternative 4 with the following instructions that pertain to the two decision components discussed below:

1. Implementation of the Forest Plan Amendment component. This component amends the LTBMU Forest Plan in the following way: increase the identified day use Persons At One Time (PAOT) number to accurately reflect current use levels associated with the resort for comparative purposes in the future. This plan amendment is not intended to increase use levels, but rather to be more reflective of existing conditions and use levels. The day use PAOT number is proposed to be amended from 350 to 825. This number is based in part on the number of day use parking spaces currently at the resort (see EA, Table 2-1). The number of day use parking spaces is not proposed to change with this project. This number does not include parking associated with the private marina.
2. Implementation of the Campground and Vehicle Circulation BMP Retrofit component (see EA, Section 2.3), with the following refinements. I have determined that these

Camp Richardson Resort Campground and Vehicle Circulation BMP Retrofit Project

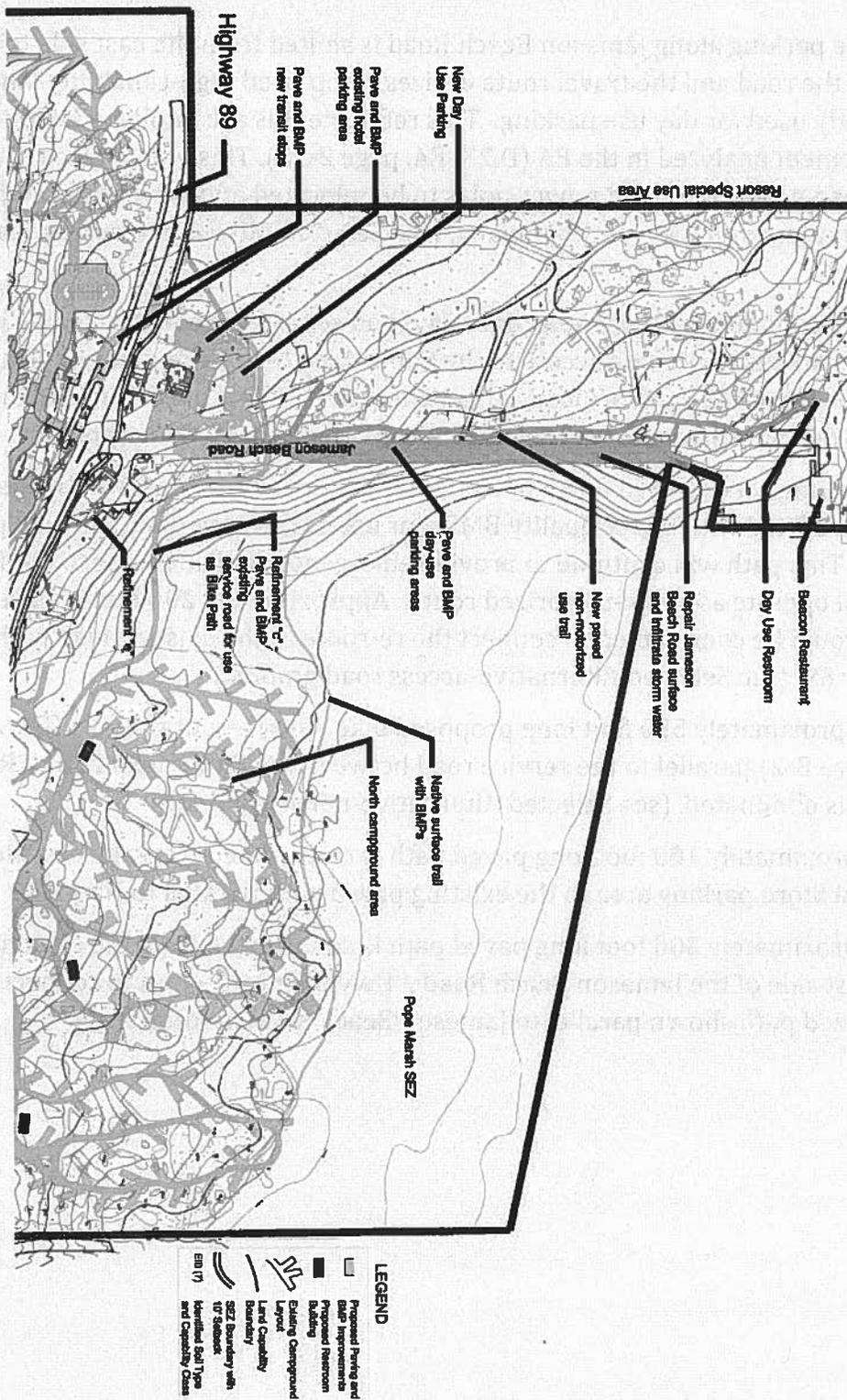
— Decision Notice and Finding of No Significant Impact —

refinements would not result in any additional effects and would further improve the vehicle and pedestrian circulation at the Resort (see attached "Selected Alternative" graphics):

- a. Day use parking along Jameson Beach Road is shifted from the east side to the west side of the road and the travel route utilizes compacted high-capability lands currently used for day use parking. This refinement is accomplished within the area of pavement analyzed in the EA (D.23; EA, page 2-13). This would also require overhead power lines and power poles to be relocated and/or undergrounded in coordination with the utility company. (see Selected Alternative-access road graphic)
- b. An approximately 150 foot long, one-way road segment is constructed on high capability soils to provide access to the Cabin Area road from Jameson Beach Road north of the traffic control kiosk. Approximately 150 feet of existing Cabin Area road is decommissioned. (see Selected Alternative-access road graphic)
- c. The existing service road north of the General Store and Richardson House is paved and retrofitted with water quality BMPs for use as the Pope-Baldwin bike path re-route. This path will continue to provide emergency vehicle access to the Resort, but will operate as a non-motorized route. Approximately 200 feet of paved bike path would be constructed to connect the re-route to the existing bike path parallel to Hwy 89. (see Selected Alternative-access road graphic)
- d. The approximately 550 foot long proposed bike path re-route shown (EA, Appendix B, Figure B-2) parallel to the service road between the General Store and Richardson House is eliminated. (see Selected Alternative-north graphic)
- e. An approximately 100 foot long paved path is constructed from the east side of the General Store parking area to the existing paved path parallel to Hwy 89.
- f. An approximately 300 foot long paved path is constructed from the existing path on the west side of the Jameson Beach Road / Hwy 89 intersection to connect the non-motorized path shown parallel to Jameson Beach Road in Alternative 4.



**Selected Alternative - north
Camp Richardson Resort Campground
and Vehicle Circulation BMP Retrofit**



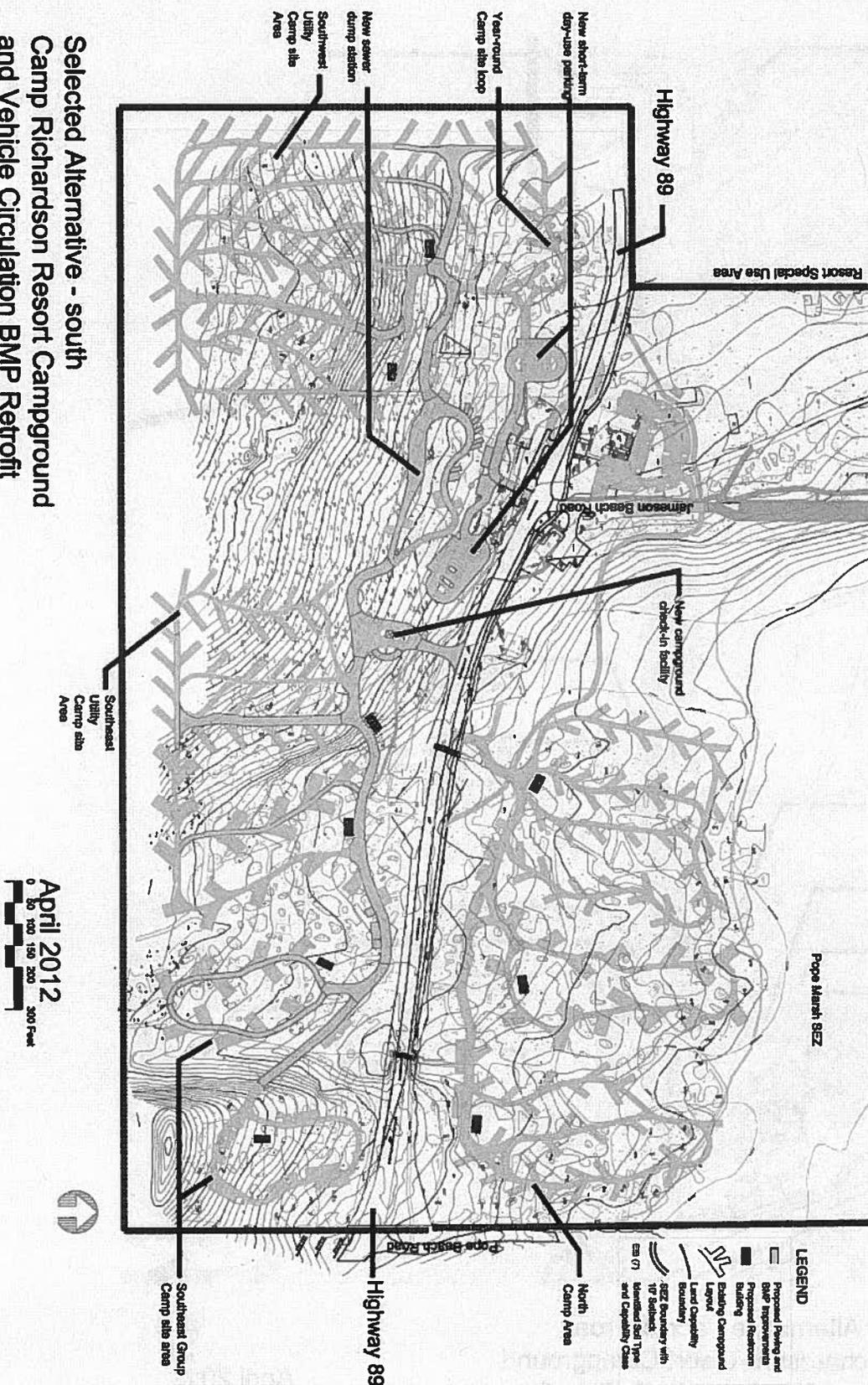
April 2012
 0 50 100 200 300 Feet

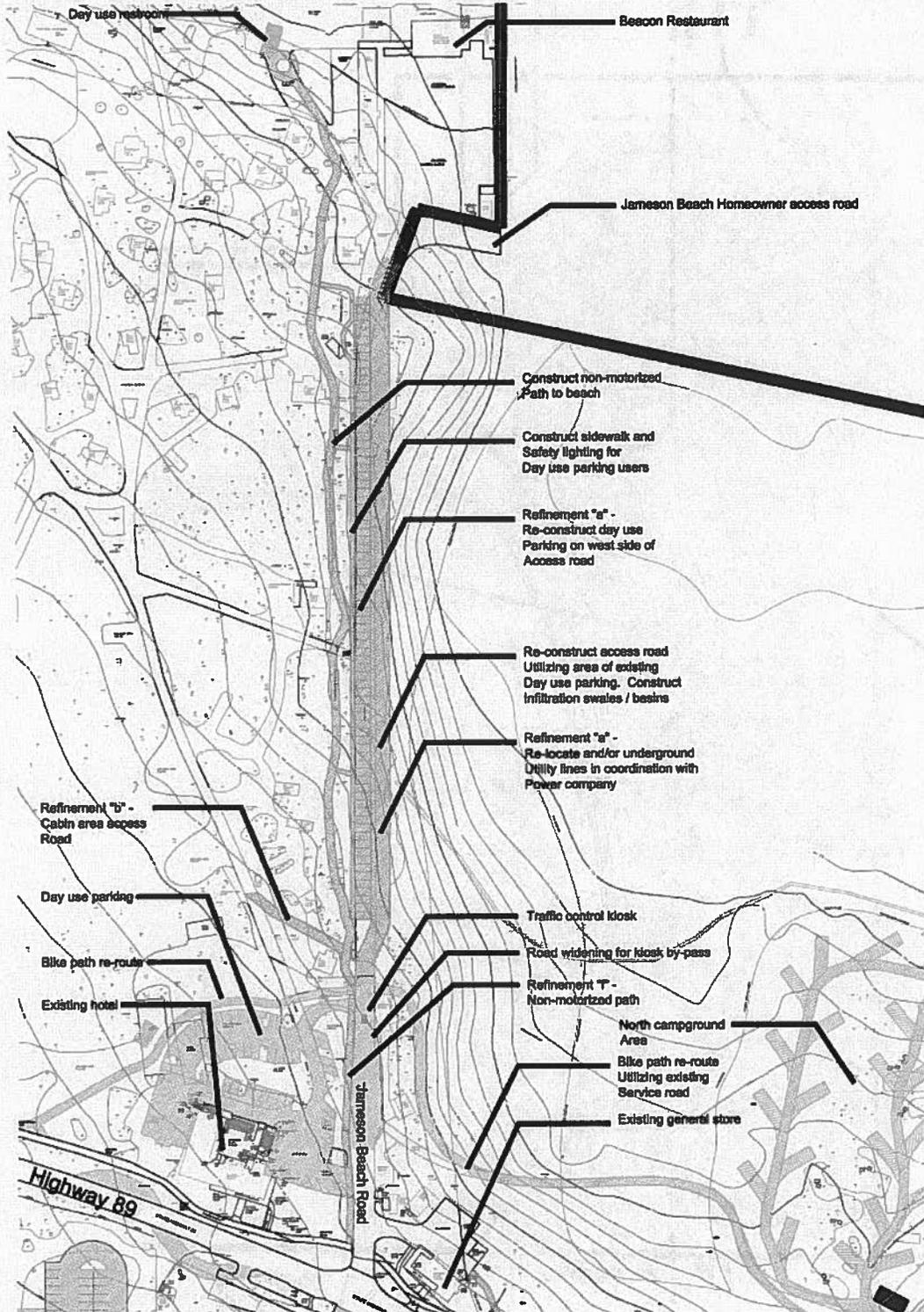


LEGEND

[Symbol]	Proposed Parking and BMP Retrofits
[Symbol]	Proposed Restroom Building
[Symbol]	Existing Campground Layout
[Symbol]	Land Capability
[Symbol]	SEZ Boundary with 1/2 Mile Buffer
[Symbol]	SEZ Boundary with 1/4 Mile Buffer and Capacity Class

**Selected Alternative - south
Camp Richardson Resort Campground
and Vehicle Circulation BMP Retrofit**





**Selected Alternative - access road
Camp Richardson Resort Campground
and Vehicle Circulation BMP Retrofit**



April 2012

DECISION RATIONALE

I have decided to implement Alternative 4 (as refined) for the following reasons:

1. **It is fully responsive to the Purpose and Need (EA, Section 1.5).**
2. **The Selected Alternative meets the desired conditions (EA, Section 1.4).**
3. **The selected alternative provides a comprehensive, rigorous, and thorough set of project design features and Best Management Practices (see Appendices A and B) that are specifically designed to minimize adverse environmental effects.** These measures have been demonstrated to be effective in mitigating effects. The selected alternative and the design features and BMPs reflect a cooperative effort by the Forest Service, other public agencies, and interested publics as to the appropriate actions to be taken in order to meet the need for action.
4. **The selected alternative best balances the social and environmental concerns regarding the public's concerns with the Proposed Action and the need to upgrade the resort facilities.**

Environmental concerns that were brought up by the public involve coverage and large tree removal. I have considered those concerns along with balancing the recreation opportunity. While the selected alternative does result in more coverage than alternative 3 (Alt 3 - 800,000 sq. ft. compared to 851,054 sq. ft.), there is still a reduction of coverage of almost 296,000 sq. ft. compared to the existing condition. The selected alternative also will provide the most campsites and extra vehicle parking of all the alternatives studied in detail while reducing the number of trees over 30" dbh to be removed from 40 down to 4. This will keep the camping opportunity close to current levels.

I heard concerns regarding an increase in year round camping opportunities resort-wide with Alternative 2. The Selected Alternative limits year round camping opportunities to 18 campsites, a reduction from allowing year round camping resort-wide as proposed in Alternatives 2 and 3. While this decision does not prohibit opening up more campsites to year round camping opportunities in the future, depending on the demand, I felt that it was prudent to start small with a new use in this area.

The Selected Alternative also responds to safety concerns regarding Jameson Beach Road by moving parking from the east side of the road to the west side of the road, eliminating the need for pedestrians to cross the road in order to access the beach.

ALTERNATIVES CONSIDERED

In addition to the Selected Alternative (Alternative 4), I also considered the following alternatives:

1. **No Action:** Under this alternative, no improvements would be made and the existing campground and day use levels would remain unchanged.
2. **Alternative 2:** the Proposed Action: This alternative retrofits the resort campground, vehicle circulation system, and day use parking. It would result in a reduction in the number of campsites and a shift toward utility campsites and group use campsites. Day use parking spaces would be relocated to Jameson Beach Road, increasing the number of parking spaces that are currently in this location. As a result of this alternative, up to 40 trees over 30 inches in diameter at breast height would be removed. The proposal to amend the Forest Plan is also included.
3. **Alternative 3:** This alternative is designed to respond to public concerns about the removal of trees larger than 30 inches in diameter, and the continued safety concerns related to congested traffic and pedestrian traffic, particularly along Jameson Beach Road. Under this alternative, day use parking and pedestrian walkways would be improved as compared to the Proposed Action, and approximately 9 trees over 30 inches in diameter at breast height would be removed as compared to 40 trees in the Proposed Action. The proposal to amend the Forest Plan is also included.
4. **Alternatives Considered but Dismissed from Detailed Analysis**

Scoping respondents had several suggestions for an alternative to the Proposed Action. Several of these suggestions were considered but dropped from detailed consideration for the reasons presented below.

1. *Eliminate all parking along Jameson Beach Road and construct a parking lot northwest of the hotel.*

Forest Service Response: Elimination of day use parking along Jameson Beach Road would not meet the purpose and need of providing BMP compliant parking for visitors to the resort. Development of alternate parking northwest of the hotel is interconnected with actions in the cabin area and historic district because it would affect these resources and require relocation or removal of cabins. A preliminary design was developed that would have resulted in the removal of trees with a 30-inch dbh or greater and the relocation of five cabins. These actions could be considered in future proposals and analysis. Alternatives 3 and 4 include some reduction of day use parking along Jameson Beach Road (approximately 74 spaces vs. 101 in the Proposed Action) and relocation of those spaces to a small parking area northwest of the hotel.

2. *Significantly reduce the number of RV utility hookup campsites allowed by not constructing RV sites in the area that is currently open space between the existing Eagle's Nest campground and the existing RV sites.*

Forest Service Response: Proposed campsites are not identified as "RV" or "non-RV" sites, but are described based on their spur length and availability of utility

amenities. The suggested alternative would not necessarily reduce the number of RVs that could use the campground, but would limit the spur length in these areas to 40 feet rather than 60 feet. These sites would not be provided with utility hookups, but would still allow for camping with self-contained vehicles. In addition, reducing the number of utility hookup campsites below current numbers would not be consistent with, nor would it meet, the Purpose and Need (#4 in the EA).

3. *Limit the overall allowed size of RVs that the campground will be able to accommodate (i.e., up to 26 feet in length). In addition, do not allow oversized RVs to park in the extra-vehicle parking area.*

Forest Service Response: Size of vehicles would only be limited by the paved spur provided at the campsite. Limiting campsite spurs to 26 feet long would not meet the project purpose and need because many visitors have vehicles longer than 26 feet and/or have tow vehicles. Campsite extra vehicle parking spaces have been reduced in size in Alternatives 3 and 4.

4. *Designate the non-utility hookup sites as tent-only camping sites.*

Forest Service Response: This is an operational issue. Analysis will assume that all sites are occupied by Class "A" RVs. Many tent sites are often occupied by campers choosing to sleep in their vehicle, regardless of vehicle length. The Proposed Action designates campsites by parking spur length, amenities, and availability of utility hookups, not by use. Campers would continue to have a choice regarding which amenities they wish to use at their campsite.

5. *Reduce the number of parking sites in the extra-vehicle campground parking area. Limit the size of the extra vehicle for the parking sites so as not to facilitate parking of large trailers.*

Forest Service Response: The project purpose and need calls for providing BMP-compliant parking for resort guests. Elimination of parking for guests does not meet the project purpose and need. Reducing the number of extra vehicle campground parking spaces would likely result in un-managed parking off of paved surfaces. This would not be consistent with the purpose and need of providing BMP compliant parking. Campsite extra vehicle parking spaces have been reduced in size in Alternatives 3 and 4.

6. *No year-round operations of the campground.*

Forest Service Response: The No Action Alternative would maintain the current operational season of the campground. The Forest Service considered not allowing year-round operations and determined that this would not meet the Purpose and Need (#5). Alternative 4 reduces the number of year-round campsites to one campground loop.

7. *Increase the number of highway parking sites that are to be removed from the Camp Richardson Resort/Tallac Historic area. Do not move the parking sites to other areas of the resort.*

Forest Service Response: The Proposed Action would remove all highway shoulder parking within the resort corridor in coordination with Caltrans. Removal of highway shoulder parking beyond the resort area (including the Tallac Historic Site) is outside the scope of this project.

All of the highway parking spots are proposed to be removed from the project area in the Proposed Action, and relocated in BMP-compliant parking areas within the resort. The purpose and need calls for providing BMP-compliant parking for resort guests. Elimination of guest parking does not meet the project's purpose and need.

8. *Remove the emergency access and maintenance roads out of sensitive classes of land and restore those areas.*

Forest Service Response: The Proposed Action improves the condition of this existing road, bringing it into compliance with BMP standards. This road provides alternative access for emergency vehicles and resort maintenance vehicles. Rather than moving the road from its current location to a non-disturbed area, BMPs would be applied to the existing roadway in order to meet water quality standards. Alternative 4, as refined, retrofits this existing route as part of the non-motorized bike path re-route.

9. *Increase the capacity of the stormwater BMPs to accommodate 100-year flood storm events.*

Forest Service Response: Proposed BMPs will be designed to prevent erosion during a 1 inch in one hour, and 2 inch in 24 hours storm event, meeting TRPA requirements. Forest Service regulations mandate that culverts be designed to pass a 100-year storm event, so any culvert replacement would be designed to the 100-year storm event standard.

10. *Use lighting standards recommended by the Dark Skies Initiative throughout the resort area.*

Forest Service Response: Proposed lighting would be designed to current standards and in keeping with the resort's historic character, not necessarily those recommended by the Dark Skies Initiative. These standards include minimizing light pollution from light fixtures.

11. *Use Cabin Road as the Main Entrance to the Resort*

Forest Service Response: This would not meet the purpose and need of reducing traffic congestion on Hwy 89 because it would add an additional intersection.

12. *Develop an access road for private home owners that did not require shared use with public vehicles and pedestrians or controlled access through a parking kiosk.*

Forest Service Response: Providing a road on National Forest System lands that was dedicated for use by private individuals and not accessible to the general public would not be consistent with Forest Service policy. While it is possible that such a road could be designated for resort maintenance and operations staff, emergency vehicles, and private home owners it is not feasible to construct such a road. The road would need to be constructed parallel to and east of the existing Jameson Beach Road and day use parking. This area has been delineated as Stream Environment Zone (SEZ) associated with Pope Marsh.

The presence of a traffic control kiosk is needed to ensure safety and the smooth flow of traffic for resort guests and operators as well as private property owners. Development of a new highway intersection adjacent to the current Jameson Beach Road intersection at Hwy 89 would not be consistent with CalTrans safety standards for separation of intersections.

Each Action Alternative and the Decision include widening of the existing Jameson Beach Road alignment in the area of the traffic control kiosk to facilitate a “bypass lane” intended for use by private property owners, resort staff, and emergency services. The logistics related to operation of this “bypass lane” are to be determined in collaboration with the Forest Service, Resort operators, and Jameson Beach home owner representatives, and are outside of the scope of this Decision.

PUBLIC INVOLVEMENT

During preliminary review of the project with Forest Service personnel and with other interested agencies and stakeholders, several concerns were identified and were addressed in the final Proposed Action that was part of the formal scoping process. These preliminary concerns included:

- **The presence of noxious weeds within the project area.** Design features will be implemented to prevent the spread of these plants during project construction.
- **Known locations of heritage resource sites should be protected.** These sites will be avoided during project implementation.
- **TRPA has expressed concern regarding the proposed reduction in campsite capacity and its potentially negative effect on its Recreation Environmental Threshold.** The preliminary proposal reduces peak-season capacity, and increases capacity during nonpeak-season periods. Additionally, implementation of the Proposed Action would result in higher quality recreation opportunities compared to existing conditions. Therefore, while there would be a decrease in the number of sites, campsites would be of higher quality with better amenities than previously provided and would be consistent with TRPA's 2-part recreation threshold.
- **The need for water quality protection BMPs to address fine particles that could affect Lake Tahoe's water clarity, especially as these BMPs relate to proposed opportunities for year-round camping.** The final Proposed Action provides extensive BMPs that apply to the design, implementation, and operational phases of the project in order to ensure that benefits to water quality continue to accrue over time.

The project was listed on the LTBMU's quarterly "Schedule of Proposed Actions" on April 1, 2005. A scoping letter was mailed to interested parties on March 13, 2009. A press release was submitted to the Tahoe Tribune, Tahoe Mountain News, and Sacramento Bee regarding the scoping of this project and identifying how the public could learn more about the proposal. The press release was published in the Sacramento Bee on April 5, 2009. A total of 19 written or electronic comment letters were submitted (Project Record Documents D-1 through D-19) and a total of 125 comments were identified and evaluated for significance. These comments and their disposition are summarized in Project Record Document C-3. The Environmental Assessment was released to the public on July 8, 2011 for a 30-day comment period. A total of 24 comment letters were received during the 30-day scoping period and two comment letters were received after the close of the comment period. The Forest Service responded to the comment letters (see Appendices C and D).

FINDING OF NO SIGNIFICANT IMPACT

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment

considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. **Beneficial and adverse impacts** – My finding of no significant environmental effects is not biased by the beneficial effects of the action (EA, pp. 3.3-1 through 3.10-6). Design features and BMPs implemented will mitigate effects to less than significant levels (DN/FONSI, Attachments A and B).
2. **The degree to which the proposed action affects public health or safety** – There will be no significant effects on public health and safety, and design features address public health and safety. The project involves routine work that has occurred and continues to occur within and near the project area. Signs will be used warning public users of project activities such as vehicles using the road, vegetation cutting, and equipment usage. A short-term forest order closing a portion of the project area during implementation could occur depending upon visitor use and the timing of implementation activities.
3. **Unique characteristics of the geographic area** – The project area includes forested areas and a streamside environment zone (SEZ) which are considered common characteristics of the geographic area adjacent to Lake Tahoe. There will be no significant effects on the forest and SEZ environments or on Lake Tahoe (EA, section 3.6.5).
4. **The degree of controversy over environmental effects** – Public involvement with interested and affected individuals and agencies throughout the environmental analysis identified concerns regarding the environmental effects of implementing the proposed actions, particularly with regard to tree removal and the SEZ associated with Pope Marsh. The EA adequately addresses these concerns and discloses the environmental effects.
5. **The degree to which the possible effects on the human environment are highly uncertain or involves unique or unknown risks** – The LTBMU has considerable experience and success with the types of activities to be implemented (i.e. tree removal and facility improvements within existing campgrounds. The effects analysis in the EA shows the effects are not uncertain, and do not involve unique or unknown risk (EA, Chapter 3).
6. **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.** The action will not establish a precedent for future actions with significant effects. No significant effects are identified (EA, Chapter 3), nor does this action influence a decision in principle about any future considerations.
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts** – There are no known significant cumulative effects

between this project and other ongoing or planned projects in or adjacent to this project. The effects of other foreseeable future actions as well as past actions and ongoing actions were included in the analysis (EA, Chapter 3).

8. **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historical resources** – Although the project area encompasses the Camp Richardson Historic District, which has been determined eligible for listing on the National Register of Historic Properties, 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 (EA, Section 3.3.4) and Project Record Documents E-12 and E-13).
9. **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** – The action will have a “no effect” on any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. No federally-listed endangered or proposed species were identified by the US Fish and Wildlife Service (FWS) within the analysis area. No critical habitat for federally-listed threatened or endangered species is designated within the Lake Tahoe Basin. The project BE/BAs (Project Record Documents E-1 and E-5) determined no proposed or designated critical habitat exists in or near the project action area (EA, Section 3.4.4).
10. **Whether the action threatens a violation of Federal, State, or local law or other requirements imposed for the protection of the environment** – 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 (EA, Section 1.10). The action was designed to be consistent with the LTBMU LRMP (EA Section 1.10; Project Record Document B-1).

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

National Forest Management Act

This Act requires the development of long-range land and resource management plans. The LTBMU LRMP was approved in 1988 as required by this Act. It has been amended several times, including the Sierra Nevada Forest Plan Amendment, (2004). The LRMP provides guidance for all natural resource management activities on National Forest System lands in the Lake Tahoe Basin. The Act requires all projects and activities are consistent with the LRMP. The LRMP has been reviewed in consideration of this project. I find that this decision is consistent with the Lake Tahoe Basin LTBMU Land and Resource



Management Plan (LRMP). I also find that the proposed Forest Plan amendment is consistent with the current Forest Plan. The consistency check is documented in the project planning record (Project Record Document B-1).

Endangered Species Act

I find that this decision is consistent with Section 7(c) of the Endangered Species Act, the United States Fish and Wildlife Service list of “endangered and threatened species that may be affected by Projects in the Lake Tahoe Basin Management Area” (updated on April 29, 2010). The list was reviewed (Project Record Documents E-5 and E-10). The action will have a “no effect” on any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

National Historic Preservation Act

I find that this decision is consistent with Section 106 of the National Historic Preservation Act, which requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in, the National Register of Historic Places. Section 106 of the NHPA (Public Law 89.665, as amended) also requires federal agencies to afford the State Historic Preservation Officer a reasonable opportunity to comment. The State Historic Preservation Officer has concurred with the determination that there would be no adverse effect on the Camp Richardson Historic District from the project (Project Record Documents E-12 and E-13). No other cultural sites or archaeological sites would be affected.

Clean Water Act (Public Law 92-500)

I find that this decision is consistent with the Clean Water Act, which requires all Federal agencies to comply with the provisions of the Clean Water Act. The Clean Water Act regulates forest management activities near federal waters and riparian areas. I find that the Best Management Practices (Appendix B) and project design features (Appendix A) associated with this decision will ensure that the terms of the Clean Water Act are met, primarily pollution caused by erosion and sedimentation (Project Record Documents E-8 and E-10).

Clean Air Act (Public Law 84-159)

I find that this decision is consistent with the Clean Air Act. The project area lies within the Lake Tahoe Air Basin and the El Dorado Air Quality Management District. The Traffic Study (Project Record Document E-11) identifies a net reduction in vehicle trips of approximately 11% from the improvements associated with the project. Chapter 93.3.B of the TRPA Code of Ordinances (TRPA 1987) requires that a project provide an air quality impact analysis only if the project is expected to significantly increase vehicle trips. This project is



predicted to reduce vehicle trips and is compliant with the TRPA ordinances. In addition, project design features (Appendix A) provide for the control of fugitive dust associated with the implementation of the project.

Environmental Justice (Executive Order 12898)

I find that this decision is consistent with Executive Order 12898, which requires that all federal actions consider potentially disproportionate effects on minority and low-income communities, especially if adverse effects to environmental or human health conditions are identified. Analysis determined that there would be no adverse environmental or human health conditions created by any of the alternatives considered that would affect any minority or low-income neighborhood disproportionately.

The activities proposed in all alternatives were based solely on the existing and desired conditions of the project site, sensitivity of the environment, and practical treatment access in response to the purpose and need. In no cases were the proposed activities based on the demographic makeup, occupancy, property value, income level, or any other criteria reflecting the status of adjacent non-federal land. Reviewing the location of the proposed treatments in any of the alternatives in relationship to non-federal land, there is no evidence to suggest that any minority or low-income neighborhood would be affected disproportionately. Conversely, there is no evidence that any individual, group, or portion of the community would benefit unequally from any of the actions in the proposed alternatives.

Migratory Bird Treaty Act of 1918 as amended (16 USC 703-712)

I find that this decision is consistent with the Migratory Bird Treaty Act. The original 1918 statute implemented the 1916 Convention between the United States and Great Britain (for Canada) for the protection of migratory birds. Later amendments implemented treaties between the United States and Mexico, Japan, and the Soviet Union (now Russia). Specific provisions in the statute include the establishment of a federal prohibition, unless permitted by regulations, to "pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention...for the protection of migratory birds...or any part, nest, or egg of any such bird." Because forestlands provide a substantial portion of breeding habitat, land management activities within the LTBMU can have an impact on local populations. The Camp Richardson Project would not adversely impact any populations or habitat of migratory birds (Project Record Documents E-7 and E-10).



Invasive Species, Executive Order 13112 of February 3, 1999

I find that this decision is consistent with Executive Order 13112. The EA covers botanical resources and noxious weeds. The project's design features are designed to minimize risk of new weed introductions (Project Record Documents E-3 and E-4).

Recreational Fisheries, Executive Order 12962 of June 6, 1995

I find that this decision is consistent with Executive Order 12962. The effects to fish habitat from the project are expected to be positive, as reductions in potential sedimentation and impervious surfaces will reduce the current impacts to the project site and to the adjacent streamside environment zone (Project Record Documents E-8 and E-10).

Architectural Barriers Act

I find that this decision is consistent with the Architectural Barriers Act (ABA), which requires that facilities designed, built, altered, or leased with funds supplied by the United States federal government be accessible to the public. The ABA provides uniform standards for the design, construction, and alteration of buildings so that persons with disabilities will have ready access to and use of them. These standards have been incorporated into the design of this project.

Floodplain Management, Executive Order 11988 of May 24, 1977, and Protection of Wetlands, Executive Order 11990 of May 24, 1977

I find that this decision is consistent with Executive Orders 11988 and 11990. These executive orders provide for protection and management of floodplains and wetlands. Compliance with these orders will be ensured by adhering to the project design features, including the implementation of BMPs (Project Record Documents E-8 and E-10)

Special Area Designations

There are no specially designated areas that would be affected by the Camp Richardson Project (e.g., Research Natural Areas, Inventoried Roadless Areas, Wilderness Areas, and Wild and Scenic Rivers).

Tahoe Regional Planning Agency

I find that this project will be consistent with requirements associated with TRPA. This project will be reviewed by TRPA consistent with the terms of the 1989 MOU between TRPA and the Forest Service. Depending on the extent of implementation phases, project permits may be required (see below).

Local Agency Permitting Requirements and Coordination

I find that this project will comply with all local agency permitting requirements. This finding is based upon the past record of the LTBMU working closely with all local agencies



to ensure proper permitting of projects. There would be no planned ground-disturbing project activities that occur between October 15 and May 1. In the event that circumstances require resource protection work during this period a grading exemption from TRPA and Lahontan Water Board would be required. In addition, any required permits will be obtained from TRPA and / or the Lahontan Water Board prior to project implementation. Appropriate permits will be obtained with Caltrans prior to implementation affecting the right-of-way along Highway 89.

IMPLEMENTATION DATE

If an appeal is filed, implementation may occur on, but not before fifteen business days from the date of appeal resolution. If no appeal is filed, implementation may begin five business days from the close of the appeal period.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. Individuals or organizations who provided comments or otherwise expressed interest in the proposal by the close of the comment period are eligible to appeal the decision pursuant to 36 CFR part 215 regulations. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at:

Randy Moore, Regional Forester
USDA Forest Service
Pacific Southwest Region
1323 Club Drive
Vallejo, CA 94592

Email: appeals-pacificsouthwest-regional-office@fs.fed.us

Phone: (707) 562-8737

Fax: (707) 562-9091

The office business hours for those submitting hand-delivered appeals are: 7:30 AM to 4:00 PM Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) to the email address listed above. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the Tahoe Daily Tribune, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in the Tahoe Daily Tribune, newspaper of record, is the exclusive means for calculating the time to file



an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

CONTACT

For additional information concerning this decision or the Forest Service appeal process, contact:

Daniel Cressy or Matt Dickinson, Lake Tahoe Basin Management Unit
 35 College Drive
 South Lake Tahoe, CA 96150
 Phone (530)543-2600, Fax (530)543-2693

Nancy J. Gibson

NANCY J. GIBSON

6/14/12

DATE

Forest Supervisor
 Lake Tahoe Basin Management Unit

Appendices:

- Appendix A – Project Design Features
- Appendix B – BMP's
- Appendix C – Response to Comments

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

APPENDIX A: PROJECT DESIGN FEATURES

The project direction from the Forest Supervisor was for the interdisciplinary team to prevent negative effects up-front, rather than include mitigation measures to correct effects after they occur. These prevention measures are termed “design features” because they are part of the design of the project to minimize or prevent negative environmental effects.

Project design features were developed in response to community input during scoping and interdisciplinary team discussion and analysis. Project design features are elements of the project design that ensure consistency with the Forest Plan. These features are included as part of the selected alternative based upon past experience with similar projects in the Lake Tahoe Basin area and have been proven to be effective based on monitoring and professional observations.

Activities associated with implementation of this project could have localized, short-term effects. The following design features have been incorporated into the Selected Alternative and are intended to minimize or avoid effects on soils, water, vegetation, wildlife, fisheries, heritage resources, recreational resources, and air quality. In addition to the following design features, applicable BMPs are identified in *Water Quality Management for Forest System Lands in California* (USDA Forest Service 2000a). Adherence to these BMPs ensures compliance with the Clean Water Act. These specific BMPs are listed in Appendix B. Detailed specification for these BMPs would be incorporated into the final design plans and SWPPP which will be approved by the Lahontan Water Board prior to issuance of the General Permit.

Air Quality

- AIR-1 Require watering of exposed road surfaces to minimize fugitive dust during implementation.
- AIR-2 Water all exposed stockpiled materials (soils, mulch) during construction to avoid dry material conditions that may be prone to wind erosion during storage. Cover exposed stockpiled materials between periods of active construction to prevent wind and water erosion.

Botany

Species of Concern

- BOT-1 No sensitive, threatened, or endangered plants were found during botany surveys for the proposed project. Prior to implementation, the project site will be surveyed for new populations that may have become established since the previous survey. If any sensitive, threatened, or endangered plants are found (either during surveys or during project implementation), they would be reported to the Forest Service botanist and standard management practices would be applied, including flagging, buffering, and avoiding

populations to the extent practicable. New sensitive plant populations would also be documented, and there may be an amendment to the project file.

Noxious Weeds

- BOT-2** Botany surveys for the proposed project were completed, and no noxious weed infestations were identified (as defined in the Sierra Nevada Forest Plan Amendment, part 3.6). Any additional noxious weed infestations found during implementation would be treated or flagged and avoided.
- BOT-3** Wash all off-road equipment used before moving into the project area to ensure that the equipment is free of soil, seeds, vegetative material, or other debris that could contain or hold seeds of noxious weeds. *Off-road equipment* includes all tree removal and construction equipment and such brushing equipment as brush hogs, masticators, and chippers; it does not include materials transportation trucks, chip vans, service vehicles, water trucks, pickup trucks, and similar vehicles not intended for off-road use. Equipment would be considered clean when visual inspection by Contracting Officer's Representative does not reveal soil, seeds, plant material, or other such debris. When working in known noxious weed infested areas, equipment would be cleaned before moving to other NFS lands.
- BOT-4** Ensure that all earth-moving equipment, gravel, fill, or other materials would be free of noxious weeds. Use onsite sand, gravel, rock, or organic matter when possible; otherwise, obtain materials free of noxious weeds from gravel pits and fill sources that have been surveyed and/or approved by a botanist or ecologist at the Lake Tahoe Basin Management Unit.
- BOT-5** Minimize the amount of ground and vegetation disturbance in the construction areas. Reestablish vegetation on disturbed bare ground (such as staging areas and access road footprints) at the end of project implementation to minimize noxious weed establishment and infestation. Soils lacking adequate ground cover because of exposure or other disturbances caused by the proposed action will be mulched with available forest materials such as pine needles, tree bark, and branches; or with imported mulch such as certified weed-free straw. In addition, areas denuded during construction will be actively revegetated with appropriate native plant species, using plant materials (i.e., seed, container stock, transplant plugs, pole cuttings) collected from local sources, see Appendix F: Re-vegetation Plan. Slash and logs from the site may also be distributed over the disturbed area to provide additional soil cover, retain sediment, provide a microclimate to speed up the soil development and re-vegetation process.
- BOT-6** Use noxious weed-free mulches and seed sources. Salvage topsoil from project area for use in onsite revegetation, unless contaminated with noxious weeds. All activities that require seeding or planting would use locally collected native seed sources when possible. Plant and seed material would be collected from or near the project area, from within the same watershed,

and at a similar elevation when possible. Persistent nonnatives such as *Phleum pratense* (cultivated timothy), *Dactylis glomerata* (orchard grass), or *Lolium spp.* (ryegrass) would not be used. This requirement is consistent with the Forest Service Region 5 policy that directs the use of native plant material for revegetation and restoration for maintaining “the overall national goal of conserving the biodiversity, health, productivity, and sustainable use of forest, rangeland, and aquatic ecosystems.” Seed mixes must be approved by the Forest Service botanist.

- BOT-7 Do not site staging areas for equipment, materials, or crews in noxious weed infested areas.
- BOT-8 After the project is completed, monitor areas disturbed during implementation to ensure additional noxious weed species do not become established in the areas affected by the project and to ensure that known noxious weeds do not spread.

Heritage Resources

- HR-1 Flag and avoid any known Washoe heritage sites.
- HR-2 Provide advanced notice to Washoe Tribal site monitors to observe ground disturbing activities, including trenching and tree stump removal at specified locations.
- HR-3 In the event any historic or prehistoric properties are discovered during the implementation of this undertaking, stop all project-related work in the area of discovery immediately, notify the LTBMU Heritage Resources personnel immediately, and implement the procedures as set forth in Section 800.13 of the Advisory Council on Historic Preservation’s regulations in accordance with the guidance as stated in this subsection.

Recreation

- REC-1 Prepare a traffic safety and control plan prior to commencing project implementation. The plan will provide for public safety on Forest Service controlled roads and trails open to public travel.
- REC-2 Phase implementation over more than one year in order to minimize impacts to recreationists and recreational opportunities. Maintain a portion of the campground open to public camping throughout implementation. Initiate temporary forest closure only during the project activity period to ensure public safety. Closure should be as limited as possible to reduce restrictions to public access.
- REC-3 Prohibit vegetative slash and construction burning.
- REC-4 Provide advanced notice to the public to ensure that the public is aware of proposed project activity. Post signs in project areas near public access points to highlight the proposed action and impacts to public access.

- REC-5 Maintain recreational facilities in a usable condition to the extent possible as long as human health and safety is not compromised and project implementation is unimpeded.

Soil and Water

- SOI-1 Implement erosion control and prevention of sediment transport in accordance with: *USDA Water Quality Management for National Forest System Lands in California - Best Management Practices* (USDA Forest Service 2000a).
- SOI-2 Coordinate construction to occur between May 1 and October 15. If grading or movement of soil becomes necessary between October 16 and April 30, a standard grading exemption request will be submitted to TRPA and the Lahontan Water Board prior to October 15.
- SOI-3 During and after periods of inclement weather, consult with an LTBMU hydrologist to determine if soil conditions are sufficiently dry and stable to allow construction to continue without the threat of substantial erosion, sedimentation, or offsite sediment transport. Incorporate language in the construction contract to ensure the contractor is aware of this requirement and potential work limitation. Incorporate language in the construction contract and adjust the allowable time for construction if necessary to reduce the likelihood of construction after October 15.
- SOI-4 Include provision for hazardous materials (i.e., hydraulic fluids, oil, gas) spill kits in contract specifications.
- SOI-5 Restore areas disturbed during construction activities after construction has ended (such as staging areas and access road footprints). Restoration could include decompacting soil and/or mulching (BMP 2-2).
- SOI-6 Buffers for equipment in SEZ/wetland/ephemeral stream.
- SOI-7 Staging of materials and equipment will be limited to existing disturbed areas (where soils are already compacted and vegetation has been cleared). No new disturbance will be created for staging and stockpile areas, and no trees or other vegetation will be removed.

Wildlife

- WILD-1 Limited operating periods (LOPs) restrict the type, spatial extent, and timing of project activities to minimize disturbance to breeding pairs. No LOPs currently apply to this project. If special-status wildlife species are detected in the project vicinity, LOPs would be implemented as determined by the project biologist (USDA Forest Service 2004: standards and guidelines 57, 62, 76, 77, 78, 79, 83, 85, 88; TRPA 1987: Chapter 78). See Table 2-2 for a list of current species and dates of LOPs on the LTBMU. LOPs would be posted in advance by forest order and would be as short as possible. LOPs would be implemented as necessary, based on the most current wildlife data from pre-project field surveys, or habitat suitability as determined by the project

biologist (USDA Forest Service 2004; TRPA 1987).

Table 2-2. Limited Operating Periods on the LTBMU

Species	Date Range
Bald eagle nest area	March 1 through August 31
Bald eagle winter area	October 15 through March 15
Golden eagle	March 1 through July 31
Osprey	March 1 through August 15
Peregrine falcon	April 1 through July 31
Northern goshawk	February 15 through September 15
California spotted owl	March 1 through August 15
Great gray owl	March 1 through August 15
Willow flycatcher	June 1 through August 31
Waterfowl	March 1 through June 30

WILD-2 Any sightings of threatened, endangered, candidate, sensitive, management indicator, or special-interest species would be reported to the project biologist. Nests, dens, and sensitive plants would be protected with flagging, fencing, or limited operating periods in accordance with management direction. Species identification, known locations, and protection procedures for both plants and animals would be brought up during a preconstruction tailgate meeting.

WILD-3 Removal of larger trees, as required for an efficient road system and campground, would be minimized. Species retention preference would be given to large cedars, then pines, and finally to firs.

WILD-4 Ground and vegetation disturbance would be minimized to avoid the loss of native vegetation and wildlife habitat.

WILD-5 Bear-proof garbage dumpsters would be used or all trash associated with the project would be removed daily.

WILD-6 All existing downed logs would be retained on site. Downed logs may be relocated to accommodate improvements to infrastructure.

APPENDIX B: BEST MANAGEMENT PRACTICES

The following management requirements are designed to address the watershed management concerns. BMPs are derived from the Forest Service publication *Water Quality Management Handbook* (USDA Forest Service 2011) which provides updates to some BMPs identified in *Water Quality Management for National Forest System Lands in California* (USDA Forest Service 2000). All applicable water quality BMPs would be implemented. Final application of these BMPs is based on the selected alternative and integration (further refinement) with project design features (DN, Appendix A; EA, Section 2.1.2.3.).

PSW Region 2011 BMPs	Best Management Practice Description
BMP 2.2: General Guidelines for Location and Design of Roads Replaces former BMP 2-1 and 2-7	Location, design and construction of roads will be agreed upon by the IDT in order to result in minimal resource damage. This includes design and location of drainage features and road surfacing.
BMP 2.3: Road Construction and Reconstruction Replaces former BMP 2-3, 2-9, 2-10, 2-11, and 2-13	Temporary road construction and road re-construction activities will be conducted during the dry season, when rain and runoff are unlikely and weather and ground conditions are such that impacts to soils and water quality will be minimal. This also includes construction of drainage structures, erosion control measures on incomplete roads prior to precipitation events, and providing groundcover or mulch on disturbed areas. The operator shall limit the amount of disturbed area at a site at any one time, and shall minimize the time that an area is left bare.
BMP 2.4: Road Maintenance and Operations Replaces former BMP 2-7, 2-22, 2-23, and 2-24	Assess road maintenance needs periodically as it relates to water quality effects. Provide the basic maintenance required to protect the road and to ensure that damage to adjacent land and resources is prevented. At a minimum, maintenance must protect drainage structures and runoff patterns. This also includes road surface treatments and drainage structure improvements as needed based on road use.
BMP2.7: Road Decommissioning Replaces former BMP 2-26	Decommissioning may include re-contouring or outsloping to return the road prism to near natural hydrologic function, blocking the road to vehicle access, removing crossings and restoring natural drainage, and stabilizing road surfaces with ripping and/or revegetation.
BMP 2.8: Stream Crossings Replaces former BMP 2-13, 2-14, 2-15, 2-16, 2-17, and 2-20	Crossing locations shall be identified by the IDT to limit the number of crossings to minimize disturbance to the waterbody. During crossing installation, minimize streambank and riparian area excavation, ensure imported fill materials are free of toxins and invasive species, divert streamflow around work site as needed, dewater work areas, and stabilize streambanks and other disturbed surfaces following crossing installation or maintenance. The diverted flows shall be returned to their natural stream course as soon as possible after construction or prior to seasonal closures.

	Restore the original surface of the streambed upon completing the crossing construction or maintenance. Provide soil cover on exposed surfaces and revegetate disturbed areas. Remove temporary crossings and restore waterbody profile and substrate when the need for the crossing no longer exists.
BMP 2.11: Equipment Refueling and Servicing Replaces former BMP 2-12	Service and refueling sites shall be located away from wet areas and surface water. If the volume of stored fuel at a site exceeds 1,320 gallons, project Spill Prevention, Containment, and Counter Measures (SPCC) plans are required. Operators are required to remove service residues, waste oil, and other materials from National Forest land following completion of the project, and be prepared to take responsive actions in case of a hazardous substance spill, according to the Forest SPCC plan.
BMP 2.13: Erosion Control Plan Replaces former BMP 2-2 and 2-9	Effectively plan erosion control measures to control or prevent sedimentation. Prior to initiation of construction activities, prepare a general erosion control plan for limiting and mitigating erosion and sedimentation from land disturbing activities.

PSW Region 2000 BMPs	Best Management Practice Description
BMP 2-4: Stabilization of Road Slope Surfaces and Spoil Disposal Areas	Contract specifications will prescribe how stabilization of road slope surfaces and spoil disposal areas will occur. Vegetative measures are generally a supplementary device, used to improve the effectiveness of mechanical measures, but can be effective and complete by themselves. They may not take effect for several seasons, depending on the timing of project completion in relation to the growing season. Mechanical and vegetative surface stabilization measures will be periodically inspected to determine effectiveness. In some cases, additional work will be needed to ensure that the vegetative and/or mechanical surface stabilization measures continue to function as intended. Project road inspectors and their supervisors monitor work accomplishment and effectiveness, to ensure that design standards, project plan management requirements, and mitigation measures are met.
BMP 2-5: Road Slope Stabilization Construction Practices	Include erosion prevention considerations in planning for all road construction contracts. Application is commonly in conjunction with practice 2-4. Complete most, if not all, of the stabilization measures prior to the first winter rains. At especially critical locations, with a high erosion and/or sedimentation potential, extensive and reliable remedies will be necessary. Compliance with contract specifications during implementation will be handled by the project COR.
BMP 2-6: Dispersion of Subsurface Drainage from Cut and Fill Slopes	Dispersion of Subsurface drainage will be designed by the project engineer where needed. Compliance with contract specifications during implementation will be handled by the project COR.

PSW Region 2000 BMPs	Best Management Practice Description
BMP 2-18: Surface Erosion Control at Facility Sites	Erosion control will be accomplished through applying seed to disturbed areas, paving road surfaces, installing drainage features and basins, and retaining walls.
BMP 4-2: Provide Safe Drinking Water Supplies	<p>Location, design, sampling and sanitary surveys will be performed by qualified individuals who are familiar with drinking water supply systems and guidelines. Coordination and cooperation will be pursued with State or local Health Department representatives in all phases of drinking water system management. Sampling and testing frequencies vary depending on the water source, the number and type of user, and the type of test.</p> <p>If State or local Health Departments do not perform the water sample analysis, State Certified laboratories must be used.</p>
BMP 4-4: Control of Sanitation Facilities	State and local authorities will be consulted prior to the installation of new sanitation facilities, or modifications of existing facilities to assure compliance with all applicable State and local regulations. All phases of sanitation management (planning, design, inspection, operation, and maintenance) will be coordinated with State and local Health Departments and RWQCB representatives.
BMP 4-5: Control of Solid Waste Disposal	A public education effort to control refuse disposal will be a continuing process accomplished through the use of signs, printed information, mass media, and personal contact. Solid waste disposal methods, which define and describe collection, removal, and final disposal methods are described in the operating plan. Garbage containers are planned in areas that are convenient for recreationists.
BMP 4-8: Sanitation at Hydrants and Water Faucets Within Developed Recreation Sites	The public will be informed of their sanitary responsibilities by posting signs, on recreation site bulletin boards and at hydrants or faucets, and by personal contact.
BMP 4-9: Protection of Water Quality Within Developed Recreation Areas	In the campground, the public is encouraged through the use of signs, pamphlets, and public contact to conduct their activities in a manner that will not degrade water quality.

**APPENDIX C: RESPONSE TO PUBLIC COMMENTS ON
ENVIRONMENTAL ASSESSMENT
FROM 30-DAY COMMENT PERIOD (JULY/AUGUST 2011)**

In response to the legal notice for the 30 day comment period for the Environmental Assessment (EA), twenty four (24) comment letters were received. Two additional letters were postmarked a day after the comment period ended. Though not required to be considered since they were received after the end of the comment period (36 CFR 215.6 (a)), comments from the Lahontan Water Board were considered and responded to in a separate document (see Appendix D) because they are a permitting agency for this project. Comments contained in the Response to Comments reflect references to numbers that are contained in the July EA (such as design feature numbers). These numbers have since changed in the Final EA due to document editing, therefore Forest Service responses that include number references may not directly reference the same number but do reference the same topic from the commenter. All references to the EA in this document refer to the Final EA unless otherwise noted. In the event that commenters re-iterate comments made to and responded to earlier in this document, these duplicated comments are noted and reference to previous responses are provided. The comments and the Forest Service (FS) responses are as follows:

Comment Letter A – Sharon Sawyer

Comment 1: There is very heavy vehicle and pedestrian traffic during holiday/weekends or special events and the Forest Service should provide a responsible and reasonable traffic plan that serves both visitor and local users.

Forest Service Response: Both the Proposed Action and Alternatives 3 and 4 provide improvements to the current configurations for parking, intersections, pedestrian flow, and the local transit system. Based on the analysis in the EA, both pedestrian and vehicle traffic safety will be improved by providing additional walking paths and improved parking for day users. The intersection configurations along Highway 89 will be improved through the overall reduction of intersection numbers and the re-routing of the bike path north of the general store. Elimination of highway shoulder parking is anticipated to result in improved traffic flow within the Resort core area. We acknowledge that during high-use periods such as holidays, weekends, and special events, traffic congestion will still be high.

Comment Letter B – Walter Stevens

Comment B-1: The Right-of-Way (ROW) along Jameson Beach Road will be obstructed by the proposed parking lot along this road. The commenter recommends an alternative location for the parking lot that is northwest of the road and which would not impact the ROW.

Forest Service Response: The Forest Service has reviewed land title associated

with the federal purchase of properties surrounding Camp Richardson Resort and has determined no legal restriction exists to implementing the Decision within areas associated with Jameson Beach Road or any other area within the resort special use boundary. Jameson Beach home owners have a clear right to access their private property utilizing this road, and the Decision will not alter this right. Homeowners do not have the responsibility for operation or maintenance of this road, and will not be liable for any accidents or injuries related to federal operation and maintenance of this road. These operations, maintenance, and liability issues fall to the federal government and the operator of the Camp Richardson Resort.

The suggested alternative location for day use parking was considered (though not in detail) in section 2.6 of the EA.

Comment B-2: The commenter approves of the proposal to improve the campgrounds.

Forest Service Response: The Proposed Action and Alternatives 3 and 4 would all improve the campground in various configurations.

Comment B-3: The commenter objects to the sign that states “No Public Access Cabin Guests Only”. He feels that access should not be restricted to public lands unnecessarily.

Forest Service Response: Signage in the cabin area is outside the scope of this NEPA analysis, however, our administrative staff will discuss this matter with the permittee of the resort to ensure that public access and associated signing is consistent with both public rights of access and resort use.

Comment Letters C and L – Daniel Rogers

Comment C-1: There will be impacts to the Jameson Beach Road ROW and associated safety concerns between pedestrians and vehicles. He recommends that parking be provided at the snow park areas and visitors be shuttled to the resort area.

Forest Service Response: See the response to Comment B-1 for a response to concerns regarding the ROW. Alternatives 3 and 4 respond to concerns regarding safety and conflicts between pedestrians and vehicles by eliminating day use parking from the west side of the road as shown in the proposed action. Alternatives 3 and 4 improve safety conditions compared to the no-action alternative by providing pedestrian walkways east of the proposed parking that lead to identified crosswalks allowing pedestrians to access the dedicated non-motorized path parallel to and west of Jameson Beach Road. Parking at snow parks is outside the scope of this analysis, however, the proposed action and action alternatives all plan for trolley pull-outs near the resort hotel. The proposed action and alternatives do not preclude a separate transit opportunity that could consider this suggestion in the future.

Comment C-2: The project may put the historical designation of the resort area at risk.

Forest Service Response: The Forest Service has consulted with the State Historic Preservation Officer (SHPO) to ensure that the project will not adversely affect the historic designation. The SHPO has provided a letter of concurrence to this effect (see EA, page 1-7, or Project Record Document E-12).

Comment C-3: An EIS should be prepared.

Forest Service Response: The commenter does not provide any specific justification regarding a lack of adequacy or identification of potential significant resource impacts.

Comment C-4: Any blockage of the Jameson Beach Road cannot occur without the approval of all homeowners, as the homeowners own the Right-of-Way.

Forest Service Response: See the response to Comment B-1.

Comment C-5: The proposed parking to the east of Jameson Beach Road is within the Right-of-Way and also will worsen congestion along this road.

Forest Service Response: See the response to Comment B-1. Parking to the east of Jameson Beach Road is an existing condition.

Comment C-6: *(Comment content captured above in C-1. Comment C-6 placeholder retained for tracking)*

Comment C-7: He thanks the Forest Service for their efforts to upgrade the resort area.

Forest Service Response: All of the action alternatives would be considered an upgrade to the resort area in various configurations.

Comment C-8: The Camp Richardson resort area should remain a “family” experience, and improvements to it should not add to the “bar crowd” atmosphere at and near the Beacon restaurant.

Forest Service Response: The proposed project is intended to improve the traffic and pedestrian circulation conditions and to reduce resource impacts from the existing campground infrastructure and parking. The project is not intended or expected to affect the current “family oriented” resort experiences or the area at or near the Beacon restaurant. The Forest Service understands the concern that some members of the public have regarding the activities and behaviors that occur along the beach facilities; however this concern is beyond the scope of this analysis.

Comment Letter D – Douglas Calkin

Comment D-1: The commenter is concerned about the safety of the pedestrians and vehicles along Jameson Beach Road. Pedestrians who exit their vehicles on the east side of the road will continue to be at risk. He suggests that the pathway on the west side of

Jameson Beach Road will not solve the problem.

Forest Service Response: Alternatives 3 and 4 respond to concerns regarding safety and conflicts between pedestrians and vehicles by eliminating day use parking from the west side of the road as shown in the proposed action. Alternatives 3 and 4 improve safety conditions compared to the no-action alternative by providing pedestrian walkways east of the proposed parking that lead to identified crosswalks allowing pedestrians to access the dedicated non-motorized path parallel to and west of Jameson Beach Road.

Comment D-2: Additional environmental analysis is needed regarding the effects of paving and road placement over the natural stream zone.

Forest Service Response: The proposed road placement and BMP retrofits do not occur over designated Streamside Environment Zone (SEZ). The existing service road north of the General Store and Richardson House does cross the identified SEZ and is proposed for retrofit to minimize potential existing impacts to water quality and hydrologic connectivity. The commenter does not provide any specific information regarding the inadequacy of the analysis of environmental effects in the EA.

Comment D-3: The commenter reminisces about the resort setting in his younger years. He feels the current resort setting is not consistent with a “family resort” experience, as it was previously and wonders if it fits with how the USFS would like it managed.

Forest Service Response: See the response to Comment C-8.

Comment D-4: The current relationships and lines of communication between the Jameson Beach property owners, the Forest Service, and the permittee are not as they have historically been, and there appears to be a confrontational rather than cooperative nature to the relationships. The commenter suggests that the Forest Service and permittee work cooperatively with the Jameson Beach Homeowners to address the conflicts with the Jameson Beach Road.

Forest Service Response: The Forest Service continues to seek ways to improve communications between interested parties and agrees that improved communications are important to proper management of the resort area. However, this comment is outside the scope of this analysis. Please see the response to Comments C-1 and D-1 regarding safety concerns between pedestrians and vehicles along Jameson Beach Road.

Comment D-5: Additional environmental analysis should be conducted and an EIS be prepared.

Forest Service Response: See response to Comment C-3.

Comment Letters E and I – Kim McCarl

Comment E-1: The commenter is opposed to the plan that includes any changes to Jameson Beach Road, as commenter contends that this road is privately owned and the approval of the owners is required.

Forest Service Response: Please see the response to Comment B-1.

Comment E-2: The commenter reflects about the resort setting in the past and that the current resort setting and vision is not consistent with a “family resort” experience, as it was previously and should still be.

Forest Service Response: Please see response to Comment C-8.

Comment E-3: The “boardwalk” proposal through Pope Marsh should be eliminated. The boardwalk will encourage use in the sensitive environment, particularly by unsupervised young people and that wildlife and plants will be damaged.

Forest Service Response: The proposed “boardwalk” within the Pope Marsh Streamside Environment Zone is expected to reduce existing impacts by controlling and consolidating existing foot traffic. As a result of the overall project, the impervious surfaces in the SEZ would be reduced by almost 50%, from 11,959 to 5,971 square feet (from 0.27 acre to 0.14 acre) (EA, page 3.6-7), leading to improved conditions (protects vegetation and soils). If no action is taken, the SEZ is expected to continue to degrade (EA, pages 3.6-4 and 3.6-5). We understand that the public (adults and children) will continue to explore the SEZ environment and utilize it as the most direct walking route to the beach; however the net effect will be a reduction in impacts compared to the current and less-controlled condition. All action alternatives are anticipated to reduce SEZ disturbance as the existing network of user created trails are consolidated. Implementation of this project element could result in minor potential for disturbance to individual wildlife during construction, and improved habitat conditions in the long term.

Comment Letter F – Laura Johnson

Comment F-1: The commenter is very concerned about the proposed changes to Jameson Beach Road, particularly adding more parking areas along the road. She encourages the use of the existing parking near the historic homes.

Forest Service Response: Please see the response to Comments C-1 and D-1. The EA identifies a need for improved parking in the resort area and documents that the project will improve pedestrian and vehicle safety issues and circulation patterns. It is assumed that the commenter is referencing parking at the Tallac Historic Site. Use of this parking area is outside the scope of this project. While it is available for parking it is not a part of the Camp Richardson Resort or special use permit.

Comment F-2: The commenter reflects about the resort setting in the past and that the

current resort setting, safety, and vision are not consistent with a “family resort” experience, as it was previously and should still be.

Forest Service Response: Please see response to Comment C-8.

Comment Letter G– Lock Richards

Comment G-1: The commenter takes exception to the “Vision Plan” as a legitimate foundation for the project. He describes the current situation at the resort as being inconsistent with the historic nature and setting of the resort and that the future of the resort does not appear to be consistent with a family-oriented setting.

Forest Service Response: The Vision Plan was not the exclusive foundation for the Purpose and Need for Action, but helped to inform challenges facing the stewardship of the Resort and potential strategies to address them. The Vision Plan is not a federal proposal for action by itself and is outside the scope of the analysis in this EA. The LTBMU consulted with the State Historic Preservation Officer regarding the proposed action to ensure that the identified historic nature of the property is maintained. Please see the response to Comment C-8 regarding the concern with the historic and current family-oriented setting.

Comment G-2: The commenter requests that the EA: 1) study the noise impacts of the Resort’s current use (and any proposed changes including parking, transit roundabout, pedestrian routing, etc.); 2) implement restrictions on the noise pollution caused by CRR’s regular loud amplified music; and 3) bring back the historical *operating* marina to the south shore; and 4) embrace the goal of making the resort truly “family-oriented”.

Forest Service Response: The commenter does not provide any specific foundation for the need to study the noise impacts of the current setting or the proposed action and alternatives. The noise levels associated with the vehicle traffic are expected to be slightly less than the current levels due to the projected reductions in vehicle trips. A daily reduction of 163 vehicle trips is anticipated (see EA, page 3.8-3) which will help to alleviate congestion and improve safety conditions for pedestrians and vehicles alike. Noise levels associated with the campground use are not expected to change measurably since use levels are expected to be very nearly the same. Camp Richardson Resort is required to comply with noise level regulations of the TRPA under the terms and conditions of their special use permit. The noise levels associated with the music emanating from the beach area are beyond the scope of this analysis. The future status of an operating marina along the south shore of Lake Tahoe is also beyond the scope of this analysis because they are not owned by the Forest Service. Please see the response to Comment C-8 regarding the concern with the “family-oriented” experience associated with the resort.

Comment G-3: The commenter requests that an alternative be considered that removes the 75 parking spaces from the eastern side of Jameson Beach Road, removes the parking kiosk within Jameson Beach Road, eliminates the parking on the west side of

Jameson Beach Road, reduce the removal of such a large number of older growth trees, and pay for mitigation. The commenter also requests that the Resort use the old entrance and provides pictures.

Forest Service Response: Please see the EA, Section 2.3. The Forest Service has analyzed an alternative that removes all parking from Jameson Beach Road. Removing all parking along Jameson Beach Road would not meet the purpose and need (12). Alternatives 3 and 4 remove fewer trees (approximately 8 and 4 trees respectively) larger trees than the Proposed Action (approximately 40) and reduce the number of parking spaces on Jameson Beach Road compared to the Proposed Action.

The Forest Service is not required to pay mitigation for tree removal on National Forest System lands. Consideration of routing vehicle traffic through the old resort entrance is discussed in Section 2.6 of the EA.

Comment G-4: The commenter requests that the 25' ROW be returned to its original purpose and eliminated from any plans for parking, traffic control, etc.

Forest Service Response: See response to comment B-1.

Comment G-5: The commenter contends that the proposed increase in the "PAOT" (persons at one time) figure is inappropriate and that the proposed change should be pursuant to determination of the final action to take place (and all parking should be located on environmentally appropriate lands).

Forest Service Response: The proposed Forest Plan Amendment to increase the day use PAOT number is an administrative action that will not affect current or proposed use levels. All proposed parking is located on high capability soils.

Comment G-6: The commenter states that the Proposed Action does not meet the goals of the Vision Plan, which is the foundation for the purpose and need. He requests that additional alternatives be considered, with additional input from the Jameson Beach residents.

Forest Service Response: The proposed action was developed to respond to the purpose of and need for action as described on pages 1-3 and 1-4 of the EA. It was not the intent that the project explicitly meets the goals of the Vision Plan. The Vision Plan was one source of information that helped formulate and specify the project's purpose and need. Other sources of information included: The Tahoe Regional Planning Agency's Environmental Improvement Program (EIP) list, which identified this site as in need of rehabilitation (EA, page 1-1); site visits by Forest Service specialists to evaluate existing conditions; desired conditions as identified in the EA (page 1-3), which are consistent with the Forest Plan; guidance in the Forest Plan requiring that facilities be upgraded to be consistent with current Best Management Practices (EA, page 1-3). The proposed project was listed in the LTBMU's quarterly "Schedule of Proposed Actions" in April 2005. Public scoping for the proposed action was initiated on April 19, 2009 and a notification was sent to an

Camp Richardson Resort Campground and Vehicle Circulation BMP Retrofit Project

extensive list of interested members of the public and agencies, including several homeowners on Jameson Beach and the Homeowner's Association. All public comments received were considered in the final design of the proposed action and for possible alternatives to the proposed action.

Comment G-7: The commenter states that the EA does not address noise impacts and is inadequate to support a Finding of No Significant Impacts.

Forest Service Response: See the response to Comment G-2. The commenter does not provide any specific information or analytical foundation regarding the inadequacy of the analysis. The Proposed Action and Action Alternatives do not change any of the existing uses at the Resort. The campground capacity is proposed to be reduced, and re-configuration of traffic flow would reduce traffic congestion. Day use capacity is not proposed to increase. As the actions will not increase use or change existing use patterns, noise levels at the resort are not anticipated to increase as a result of implementing any of the alternatives. Decisions related to changing existing uses are outside of the scope of this analysis. Changes to the operation of the Marina are also outside of the scope of this analysis as the Marina is privately owned.

Comment Letter H – Tom and Janet McManus

Comment H-1: The commenters are very concerned with the safety of pedestrians and vehicles along Jameson Beach Road, and that the proposed trail on the west side of the road will not alleviate this safety problem for users who approach from the east side of the road.

Forest Service Response: See the response to Comment D-1.

Comment Letter J – Suzanne McCarl

Comment J-1: The commenter expressed concern regarding the impacts to the Jameson Beach Road right-of-way and associated safety concerns between pedestrians and vehicles. She also states that the current resort setting is not consistent with a "family resort" experience, as it was previously.

Forest Service Response: See the responses to Comments B-1, C-1, C-8 and D-1.

Comment Letter K – Sheilah Rogers

Comment K-1: The commenter expresses concern that the proposed parking along Jameson Beach Road will exacerbate the congestion already there. She suggests a parking lot and shuttle close by to reduce congestion. She also states that the current level of development is not consistent with its historic setting.

Forest Service Response: Implementation of an off-site parking location and shuttle transit program is outside of the scope of the current project and

environmental analysis, however is not precluded from being proposed at a potential future date. The LTBMU consulted with the State Historic Preservation Officer regarding the proposed action to ensure that the identified existing historic nature of the property is maintained. The current level of resort development is consistent with the LTBMU Forest Plan and the resort's special use permit.

Comment Letter M – Guy Denues

Comment M-1: The commenter expresses concern that the proposed changes along Jameson Beach Road will not resolve the congestion problems along the road. He also comments that the homeowners own the Right-of-Way along the road and changes to the road cannot be made if they adversely affect their access to their homes.

Forest Service Response: Please see responses to Comments B-1 and D-1

Comment Letter N – Helen O'Brien

Comment N-1: The commenter expresses concern that the proposed changes along Jameson Beach Road will exacerbate the congestion already there and that the parking areas should be moved to more suitable locations. She also requests that an EIS be prepared to provide more analysis.

Forest Service Response: See the response to Comment D-1 and C-3. The commenter does not provide any specificity with regard to the potential inadequacy of the effects analyses to support her request that an EIS be prepared.

Comment Letter O – Marlene Weibel

Comment O-1: The commenter expresses concern with the current level of traffic congestion that makes it difficult for her as a homeowner to come and go easily.

Forest Service Response: Both the Proposed Action and Alternatives 3 and 4 provide parking and circulation improvements that will reduce the level of congestion and also improve vehicle and pedestrian safety. Alternatives 3 and 4 reduce the number of day use parking spaces along Jameson Beach Road compared to the proposed action. A daily reduction of 163 vehicle trips to and from the Resort is anticipated (see EA, page 3.8-3) which will help to alleviate congestion and improve safety conditions for pedestrians and vehicles alike. We understand that during peak traffic hours such as holidays, weekends, and special events, traffic congestion will continue for homeowners and visitors alike, however conditions are expected to improve compared to existing conditions.

Comment Letter P – Matt Painter

Comment P-1: The commenter is opposed to the proposed parking changes along Jameson Beach Road. He requests that a parking lot be developed west of the hotel and a shuttle system be instituted. He also feels that the homeowners have been excluded

from the development of the Vision Plan and the plan does not reflect homeowners' interests.

Forest Service Response: See the response to Comments C-1 and D-1. Development and adoption of the Vision Plan is outside of the scope of the current project and environmental analysis. The LTBMU met with Jameson Beach homeowners during the development of the proposed action to refine it based on their input prior to NEPA scoping period. Comments received from Jameson Beach homeowners during the scoping period helped shape Alternatives 3 and 4.

Comment Letter Q – Ari Birger

Comment Q-1: The resort staff is incompetent and has demonstrated rude and harassing behavior to me. The Forest Service does nothing to improve this situation.

Forest Service Response: See the response to Comment D-4. This comment is outside the scope of this analysis.

Comment Q-2: The proposed changes along Jameson Beach Road will not resolve the congestion problems along the road and may make the situation worse. He comments that the homeowners own part of the Right-of-Way along the road. He also comments that the current resort setting and experience is not consistent with a “family resort” experience, as it was previously, given the apparent emphasis on alcohol sales and permittee profits. No actions should be taken until home owners are consulted regarding the use of the road.

Forest Service Response: See the response to Comments B-1, D-1, and C-8.

Comment Q-3: The footpath west of Jameson Beach road will still be unsafe.

Forest Service Response: The footpath west of Jameson Beach road is anticipated to reduce vehicle and pedestrian interaction when compared to the existing condition. Low level lighting of this path is proposed to address pedestrian safety concerns at night.

Comment Q-4: A pedestrian crossing guard at Highway 89 would alleviate some of the traffic concerns.

Forest Service Response: This comment is beyond the scope of this analysis and decision. The authority to approve of and provide for any traffic controls on Highway 89 rests with the California Department of Transportation. However, this project does not preclude implementation of this type of traffic control in the future.

Comment Letter R – George Martin

Comment R-1: The resort staff, as agents of the Forest Service, has demonstrated rude and hostile behavior on several occasions and has denied me full and unfettered access

to my property, to which I am legally entitled (a description of several 'incidents' was attached).

Forest Service Response: See the responses to Comments B-1, D-4 and Q-1

Comment Letter S– Gene Landen

Comment S-1: The proposed changes in parking and circulation will make congestion worse, particularly at the entrance of Jameson Beach Road and Highway 89. The proposed parking on the east side of Jameson Beach Road will not alleviate pedestrian traffic hazards from people using the west side of the road. In addition, the resort staff has been rude and not provided us residents with appropriate access to our properties.

Forest Service Response: See the response to Comments D-1, C-1, O-1, D-4, and Q-1.

Comment S-2: Stripe the roadway on both sides with designated walking and bike paths to provide safe travel and minimize risk of injury.

Forest Service Response: The proposed action and action alternatives provide a dedicated path for pedestrian travel off of the road in order to minimize congestion and the risk of injury. The suggestion to stripe the pavement with dedicated bike and walking paths might reduce vehicle-pedestrian conflicts but would not be as effective as the dedicated pathway proposed in the proposed action and alternatives. There may not be adequate space for two-way vehicle traffic in addition to striped non-motorized travel lanes on both sides of the road.

Comment Letter T– Bryan Morrison

Comment T-1: The Camp Richardson Resort area does not provide a safe, harassment-free, and family-oriented experience. The current congestion compromises the access of emergency vehicles. Much of the undesirable behavior is associated with an alcohol-centered experience along the marina and at the Beacon restaurant. If the project is approved, the situation will get out of control and there is inadequate law enforcement presence to control this type of behavior.

Forest Service Response: Please see the response to Comment C-8. The LTBMU works closely with the resort permittee to ensure that the provided public recreation experiences are safe and free of harassment. Concerns regarding social interactions at the resort and the level of law enforcement presence are beyond the scope of the current facility retrofit project. The proposed action and alternatives are anticipated to reduce traffic congestion compared to current conditions which will result in a corresponding increase in ease of access to the resort and private properties for emergency vehicles.

Comment Letter U– Nancy Proano

Comment U-1: The resort staff has demonstrated rude and hostile behavior on several occasions over many years as I have used Jameson Beach Road. Both the permittee and the Forest Service have taken numerous actions over several years that have denied me full and unfettered access to my property, to which I am legally entitled (e.g. installing a kiosk on the road, roping off of the road, allowing parking along the edges).

Forest Service Response: Please see the response to Comments D-4, Q-1, and R-1.

Comment Letter V – Linda Lannon

Comment V-1: The project will violate our property rights as owners of the Jameson Beach Road.

Forest Service Response: See the response to Comment B-1.

Comment V-2: The project may adversely affect biological resources, such as eagles and other wildlife. In addition, 48% of the streamside environment zone will be eliminated. An EIS should be prepared to address these significant impacts.

Forest Service Response: The EA adequately discloses the potential effects to all special status species (see EA, pages 3.4-1 through 3.4-21), including the bald eagle, which is a TRPA species of concern. No foundation was provided that indicated the current analysis is inadequate. The EA discloses that conditions in the Pope Marsh SEZ will be improved by reducing the impervious coverage in the SEZ by almost 50% from its current amount. See the response to Comment E-3.

Comment V-3: Providing parking on both sides of Jameson Beach Road will worsen the congestion in this area. In addition, the project is expected to promote traffic and bring in thousand more people in the resort area, leading to major impacts.

Forest Service Response: Alternatives 3 and 4 would reduce the amount of parking along Jameson Beach Road as compared to the proposed action leading to less congestion. Please see the response to Comment D-1. The project is not expected to increase visitor use or campground use levels. The EA documents the expected improvements in traffic and pedestrian circulation and there is an expected decrease in daily vehicle trips. See the response to Comments G-2 and O-1.

Comment V-4: Traffic and noise studies should be conducted at the intersections along Highway 89.

Forest Service Response: See response to Comment G-7. A traffic study was completed for this project (Project Document E-11). The traffic study projected reductions in vehicle trips (a daily reduction of 163 vehicle trips is anticipated (see EA, page 3.8-3). Traffic and noise associated with traffic levels are not anticipated to increase compared to existing conditions. See the response to Comment G-2.

Comment V-5: The decision by the Forest Service (a Finding of No Significant Impact) is pre-determined, as work is planned to commence less than 30 days from the end of the comment period.

Forest Service Response: In Section 1.7 (Decision Framework) of the EA, it states that BMP and other work could commence as early as September 2011, and that campground work could commence in 2012. This statement is not binding, and was a reflection of the earliest possible date of implementation in order to fully inform the public. The timing and nature of the decision, as well as obtaining all appropriate permits, would dictate the actual date of implementation.

Comment V-6: How can you move dirt after October 15 if you adhere to TRPA regulations?

Forest Service Response: No ground disturbance between October 15th and May 1st is proposed. However, the TRPA can authorize project specific waivers of the October 15th and May 1st dates if conditions allow.

Comment Letter W – Richard Helman, California Department of Transportation

Comment W-1: The proposed project should reduce congestion in the project area. All further design work should be coordinated with the Caltrans Design Department. All work performed in the State right-of-way must be in conformance with Caltrans' standards and require an encroachment permit prior to construction.

Forest Service Response: The Forest Service will ensure that all appropriate agencies are involved in the final project design work, the final design is consistent with required agency standards, and that all required permits will be obtained, including the encroachment permit with Caltrans.

Comment Letter X – Charles McCarl

Comment X-1: As homeowners in Jameson Beach, the commenter reflects on the dramatic change in the experience that he and his wife have witnessed at the resort and beach areas. The area now seems to have a criminal element of public drunkenness and loud music and the over-crowding is no longer conducive to providing a family experience.

Forest Service Response: Please see the response to Comment C-8.

Comment Letter Y – Jacqueline Middelstadt

Comment Y-1: The Vision Plan requires an environmental review, as it is a concrete proposal that is a commitment to action by the Forest Service. The Proposed Action is essentially Step 1 of the Vision Plan.

Forest Service Response: The Vision Plan is a conceptual document and does not constitute an agency decision to undertake a proposed action. The Vision Plan was one source of information that helped formulate and specify the project's purpose and need. Other sources of information included: The Tahoe Regional Planning Agency's Environmental Improvement Program (EIP) list; site visits by Forest Service specialists to evaluate existing conditions; desired conditions as identified in the EA (page 1-3); guidance in the Forest Plan requiring that facilities be upgraded to be consistent with current Best Management Practices (EA, page 1-s3). The EIP identified this site as in need of rehabilitation (EA, page 1-1). The Vision Plan is different than other agency vision plans and does not require environmental analysis because it is a general planning tool.

Comment Y-2: The EA is insufficient, as the proposed mitigations have been shown to fail. The commenter refers to a history of non-compliance by the marina permittee (1998) and a "Permittee Non-Compliant with Permit Requirements" document.

Forest Service Response: No information has been presented by the commenter to substantiate the allegation that the mitigation measures and project design features would be ineffective. These mitigation measures and design features have been used effectively in such areas as Pope Beach and Nevada Beach. In addition, the marina is a private facility, not owned nor operated by the Forest Service.

Comment Y-3: The proposed action violates the constitutional rights of the homeowners at Jameson Beach by proposing changes to privately-held portions of the project area without just compensation or adequate consultation. The proposal is a "land grab" by the federal government.

Forest Service Response: See response to Comment B-1.

Comment Y-4: The homeowners' right to due process has been violated by denying them access when parking lots are full.

Forest Service Response: This comment relates to the resort permittee's current plan of operation and administration of that plan. Discussions have been initiated between the Jameson Beach Homeowners Association and the Resort Permittee to develop a process by which homeowners and their guests can be identified and more quickly allowed to pass the parking control kiosk. Those discussions are independent of this analysis.

Comment Y-5: The Forest Service has created unsafe and hazardous conditions along the privately-held Jameson Beach Road.

Forest Service Response: See response to Comment B-1. The purpose of the Proposed Action is, in part, to improve the safety conditions for pedestrian and vehicle traffic throughout the entire resort.

Comment Y-6: The Forest Service is implying that the Special Use Permit (SUP) will be

renewed in 2015 and plans to renew it without environmental review. It appears that the Special Use Permit was approved without environmental review.

Forest Service Response: The Forest Service is not proposing to renew the SUP. This is a separate administrative action which will undergo appropriate environmental review at a later date. The current SUP underwent environmental review and was approved on July 19, 1995.

Comment Y-7: The Forest Service needs to prepare an Environmental Impact Statement to address the effects of creating a conflict between the typically noisy resort day-use activities and the resort's destination experiences, which are centered around "peace and quiet".

Forest Service Response: The proposed action and action alternatives do not fundamentally alter the existing uses or their locations at the Resort. No information has been presented by the commenter to substantiate the statement that an EIS is required and the EA is insufficient. Please see the Finding of No Significant Impact.

Comment Y-8: The staff of the current permittee fails to comply with the requirements of the permit. The Forest Service needs to enforce the terms of the permit. This action will meet one of the goals of the proposed action to improve the management of peak season usage.

Forest Service Response: The intent of the proposed action is to improve the ability of the permittee to manage this site. Enforcement of the SUP is independent of this analysis. The Forest Service works with the permittee annually to improve operations and appreciates input to improve the quality of operations.

Comment Y-9: The Proposed Action will only worsen the existing problems associated with parking, pedestrian and bicyclist safety, and mass transit opportunities.

Forest Service Response: No information has been presented by the commenter to substantiate this allegation. An independent traffic analysis was conducted for this project which shows that the proposed improvements will improve the safety and congestion conditions that currently exist.

Comment Y-10: The Vision Plan is a proposal for a major federal action. An EIS should be prepared.

Forest Service Response: See the response to Comment Y-1.

Comment Y-11: The Forest Service failed to provide adequate scoping for the Proposed Action by not contacting the homeowners at Jameson Beach.

Forest Service Response: Scoping for the Proposed Action included the Jameson Beach Homeowner's Association.

Comment Y-12: The Forest Service failed to adequately involve the homeowners at Jameson Beach during development of the draft Vision Plan.

Forest Service Response: See the response to Comment Y-1.

Comment Y-13: The EA fails to analyze an adequate range of alternatives. The Forest Service should evaluate an alternative that focuses the entrance to the resort where it has always been – on Cabin Road. Cabin Road should be the “Activity Spine” of the resort.

Forest Service Response: Regulations require federal agencies to evaluate a “reasonable range of alternatives” in an Environmental Assessment. Alternatives must be consistent with the project purpose and need, and be technically and legally feasible. This project analyzes four alternatives including the Proposed Action and No Action. Additionally, nine alternatives were considered but not in detail, See EA Section 2.6. See Comment Response G-3.

Comment Y-14: The environmental effects are significant.

Forest Service Response: The commenter does not provide any substantive information that point out any inadequacies or disputes in the effects analyses. The Decision Notice and Finding of No Significant Impacts document the Forest Supervisor’s rationale for the decision and address the ten significance factors.

Comment Y-15 (page 15 of 206): The commenter requests the following:

a) Perform an EA on the Vision Plan

Forest Service Response: See response to comment Y-1.

b) Enforce the current permit requirements and then determine if there is still a need to reduce environmental impacts. This determination should include a discussion of whether four liquor licenses and “for fee” parking are required in exchange for free existing off-site resort parking.

Forest Service Response: See response to comment Y-8. The Forest Service has determined that there is a need to reduce environmental impacts. This EA was done to determine the best way to reduce the environmental impacts of the existing condition. Licenses and fees are administratively controlled and do not require environmental analysis.

c) *Additional specific alternative design features are suggested on pages 15 and 16 in the commenter’s letter. A Forest Service response is included for each of the suggestions:*

1) *Return the entrance to the resort to Cabin Road*

Forest Service Response: This specific action was evaluated in the EA (Section 2.6 Alternatives Considered, But Not in Detail).

2) *Remove parking from the unimproved area east of JBR (and the chalking)*

Forest Service Response: Please see the response to Comment B-1.

- 3) *Remove the existing traffic kiosk from JBR and place it on Cabin Road*

Forest Service Response: Please see the response to Comment B-1.

- 4) *Perform a traffic analysis of the current JBR configuration and place traffic controls if necessary*

Forest Service Response: The circulations facilities and flow patterns of both vehicles and pedestrians were evaluated as part of the design of the Proposed Action. In addition, see response to comment B-1.

- 5) *Add a walking path down Cabin Road for resort guests*

Forest Service Response: The current proposal places a pedestrian path along the parking provided on JBR.

- 6) *Place any needed new parking along Cabin Road rather than along JBR*

Forest Service Response: An alternative was considered that would remove all parking from JBR (see EA, Section 2.6). This action would not be consistent with the purpose and need due to its impacts to the historic district.

- 7) *Construct the SEZ boardwalk only after environmental review*

Forest Service Response: The proposed SEZ boardwalk has been evaluated in the EA. See the response to Comment E-3.

- 8) *Place any new roundabouts or public transit facilities along Cabin Road rather than JBR*

Forest Service Response: There is no proposal for a roundabout or public transit facility along JBR. New public transit stops are proposed along Hwy 89.

- 9) *Develop a parking lot nearby and shuttle visitors*

Forest Service Response: See the response to Comments C-1 and K-1.

- 10) *Use the Flexible Use Area for parking instead of current and proposed new parking along JBR.*

Forest Service Response: There is no new parking proposed along JBR. The proposal would be to pave the currently unpaved spaces along JBR. Removing parking spaces from JBR would not meet the purpose and need of

providing BMP compliant parking. An alternative was analyzed that moved the parking to the west side of JBR to reduce impacts to pedestrians and motorists.

Comment Y-16: The comment period should be extended until the Forest Service complies with the FOIA requests that have been submitted.

Forest Service Response: Freedom Of Information Act (FOIA) requests are being addressed and are a separate process from the NEPA process. We understand your concern about extending the comment period, however comment periods on EA's cannot be extended per regulation(36 CFR 215.6 (iv)).

Comment Y-17: *[Note: this comment is not explicitly stated in the commenter's letter, however, there is an implied issue of inadequacy of cumulative effects – that since this proposed project allegedly represents implementation of Stage 1 of the Vision Plan, then the rest of the VP actions should have been considered]*

Forest Service Response: Any future actions in the project area are highly dependent upon funding and prioritization with other projects. The EA analyzed cumulative effects from the following projects: Angora Fire Restoration, Taylor Creek Environmental Education Center replacement, South Shore Fuel Reduction, Fallen Leaf Trail ATM, Tallac Site Historic Facilities BMP Retrofit, and The California Department of Transportation Highway Improvement Projects.

RESPONSE TO COMMENTS FROM LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD

In response to the legal notice for the 30 day comment period for the Environmental Assessment (EA), twenty four (24) comment letters were received. Comments from the Lahontan Regional Water Quality Control Board were received after the comment period had closed. Though not required to be considered (36 CFR 215.6 (a)), comments by the Lahontan Regional Water Quality Control Board were considered and responded to below because they are a permitting agency for this project. Comments contained in these responses reflect references to numbers that are contained in the July EA (such as design feature numbers). These numbers have since changed in the Final EA due to document editing, therefore Forest Service responses that include number references may not directly reference the same number but do reference the same topic from the commenter. All references to the EA in this document refer to the Final EA unless otherwise noted. The comments and the Forest Service (FS) responses are as follows:

Comment #1: A California Environmental Quality Act (CEQA) checklist will be required for this project, including public circulation.

Forest Service Response: The FS will apply for project specific permits as required

before any project activities are implemented. The FS will coordinate with the water board to meet CEQA requirements identified for project permitting.

Comment #2: This project fits the intent of the Basin Plan prohibition exemptions for a water quality improvement project.

Forest Service Response: The Forest Service will continue to work closely with Lahontan staff to ensure full compliance with permitting requirements.

Comment #3: Language in the EA is not acceptable or enforceable in the CEQA or Storm Water Pollution Prevention Plan (SWPPP) documents.

Forest Service Response: The Forest Service will continue to work closely with Lahontan staff to ensure full compliance with permitting requirements. EA language related to project design feature specificity has been altered based on Lahontan comments. Following a decision, project permits will be applied for and a SWPPP will be developed.

Comment #4: Tree removal activities can be covered under the project's general permit as long as all of the details required by the 2009 Timber Waiver are included in the SWPPP.

Forest Service Response: The Forest Service will continue to work closely with Lahontan staff to ensure full compliance with permitting requirements.

Comment #5: Multiple examples are listed of design features which need more specificity for the CEQA and SWPPP documents. Some details of these design features can be deferred by stating what will be done "at a minimum" and that specific details "will be incorporated" into the SWPPP.

Forest Service Response: The Forest Service will continue to work closely with Lahontan staff to ensure full compliance with permitting requirements. EA language related to project design feature specificity has been altered based on Lahontan comments. Following a decision, project permits will be applied for and a SWPPP will be developed.

Comment #6: The SWPPP must include a Construction Site Monitoring and Reporting Plan.

Forest Service Response: The SWPPP will include all of the specific information requested. The Forest Service will continue to work closely with Lahontan staff to ensure full compliance with permitting requirements.

Comment #7: Include additional, specified mitigation measures for protecting non-target riparian vegetation during construction activities in the CEQA and SWPPP documents.

Forest Service Response: Riparian vegetation would be enhanced as campsites are removed from the SEZ and user-created trails are consolidated. The SWPPP will include details of how riparian vegetation will be protected during construction activities. The Forest Service will continue to work closely with Lahontan staff to ensure full compliance with permitting requirements.

Comment #8: Specific requirements of the SWPPP are listed. These include: 1) include maps of all water bodies and a description of buffers and flagging procedures; 2) describe all construction and restoration activities that would occur in the buffers; 3) describe the gully re-grading methods, the equipment and materials to be used and BMPs which would

be employed to stabilize soils.

Forest Service Response: It is a standard operating practice to ensure SEZ buffer flagging is in place during all project activities. The SWPPP will include all of the specific information requested.

Comment #9: The area between the RV and Eagle's Nest campground is recognized as having an impact on vegetation but is not discussed further. This must be discussed further in the CEQA document.

Forest Service Response: Only a portion of the area between the RV and Eagle's Nest campgrounds is proposed for improvement. Any identified hazard trees will be mitigated during implementation. Portions of this area not proposed for project activities are not discussed further.

Comment #10: Ensure the design features used to address the PSW BMPs are specific enough for CEQA.

Forest Service Response: Design features used to address the PSW BMPs will be detailed in the SWPPP.

