



Decision Notice & Finding of No Significant Impact

Cathedral Rock Picnic Area Rehabilitation Project

**United States
Department
of
Agriculture**

**Forest
Service
Intermountain
Region (R4)**

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**Spring Mountain National Recreation Area
Humboldt-Toiyabe National Forest
Clark County, Nevada**



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I. Decision Summary

This Decision Notice (DN) and Finding of No Significant Impact (FONSI) documents my decision to authorize the Cathedral Rock Picnic Area Rehabilitation Project. The Forest Service (FS) has prepared an Environmental Assessment (EA) in compliance with the National Environmental Policy Act (NEPA) and other relevant federal and state laws and regulations. The EA discloses the direct, indirect, and cumulative environmental impacts that would result from implementation of the Modified Proposed Action (Alternative 2) and Alternative 3 (Increased Picnicking). The EA documents consideration of a no-action alternative through the effects analysis by contrasting the impacts of the Modified Proposed Action and Alternative 3 with the current condition and expected future condition, if they were not implemented. This range of alternatives meets the Purpose and Need and responds to issues raised by the public.

I have selected Alternative 3, with modifications, to meet the need for increased picnicking to meet public demand and provide parking for hikers to access trailheads. The modifications include changes to entrances to the picnic area and changes to the road locations and configurations that are outlined in Alternative 3 in the EA.

I am authorizing all other elements of Alternative 3 to accommodate picnicking, with adjustments to single, double, group, and host site locations that are within the areas analyzed in the EA, removal of two interior trailheads, removal of trailhead parking on State Route (SR) 157, and the addition of a trailhead and parking area for hikers with a separate entrance at the southeast end of the picnic area. The specifics of the modifications to Alternative 3 are further described in detail in the Decision and Rational section of this DN/FONSI.

I am authorizing two project-specific, nonsignificant amendments to the General Management Plan (GMP) for the Spring Mountains National Recreation Area (SMNRA) to address two exceptions to the project's consistency with the GMP—construction of facilities in rough angelica habitat and construction of facilities in the Griffith Peak avalanche path.

II. Introduction

Location

The Cathedral Rock Picnic Area is located approximately 40 miles to the west of Las Vegas, Nevada, in upper Kyle Canyon at the end of SR 157 above the town of Mount Charleston in the Spring Mountains National Recreation Area on the Humboldt-Toiyabe National Forest (HTNF). The legal description is as follows: the North ½ of Section 36, Township 19 S., Range 56 E., MDB&M, of Clark County, Nevada. The project area is approximately 35 acres in size.

Background and Existing Conditions

The Cathedral Rock Picnic Area (picnic site) and adjacent Lower Cathedral Rock Trailhead parking and restroom on SR 157 are the most heavily visited picnic site and trailhead in the SMNRA. The picnic site is currently managed by a concessionaire.

The picnic site was originally constructed as a campground in 1930, and was reconstructed as a picnic site in 1968. The picnic site consists of 74 single picnic units, a 60-person capacity group picnic unit, and a 75-person capacity group picnic unit, which amounts to approximately 430 Persons at One Time (PAOTS). All units have picnic tables and pedestal grills. The site and facilities do not meet facility condition standards. Restrooms are over 40 years old and show signs of heavy use. Septic tanks and leach fields are nearing the end of their operational life. The site does not meet the SMNRA Built Environment Image Guidelines and is not compliant with FS Outdoor Recreation Accessibility Guidelines (FSORAG). The Griffith Peak avalanche path terminates in the southern portion of the picnic site. In 2005, a powerful avalanche occurred destroying all but the largest trees, along with two restrooms and five picnic units.

The picnic site does not have enough parking. Parking spurs are inadequate for larger vehicles and too short for multiple-car use patterns. As a result, visitors park on surrounding vegetation. The group use areas accommodate very large groups, with 60- and 75-person capacities, and are located on the side of a steep slope with parking for only 23 cars. The asphalt roads are in poor condition.

The Lower Cathedral Rock Trailhead parking area located on SR 157 outside the picnic site accommodates only 12 vehicles. The area frequently attracts 50 to 60 vehicles at one time, resulting in traffic congestion and illegal parking along SR 157 and on adjacent private property. Two trailheads in the picnic site—the South Loop Trailhead and Upper Cathedral Rock Trailhead—are accessed from an eight-car parking lot within the picnic site.

Vegetation in the project area, represented primarily by white fir and Ponderosa pine, is declining. White fir trees are dense and in need of thinning to improve the health and reduce stress on the larger, older, and more desirable trees such as Ponderosa pine. Trees are dying from bark beetles at higher than natural levels due to the amount of white fir in the area, and Ponderosa pine are also infested and at risk. In addition, understory hardwoods, shrubs and other vegetation are declining in vigor.

III. Purpose and Need

There is a need to (1) improve facility and accessibility standards to provide for customer satisfaction and safety; (2) protect investments by locating facilities outside of avalanche paths; (3) eliminate traffic and parking congestion at the existing trailhead parking on SR 157; (4) provide increased parking at trailheads and picnic units; and (5) reduce natural resource damage in the picnic area.

The purpose for the project—to reconstruct facilities to meet future recreation demands and improve safety and accessibility, provide trailhead parking, and help protect and interpret the rich cultural and natural resources in the area—is derived from the desired future conditions described in the GMP for the Spring Mountains National Recreation Area, an Amendment to the Land and Resource Management Plan, Toiyabe National Forest (1996). The project will align with the goals, objectives and desired future conditions in the GMP by providing a high quality recreation experience in a forested setting, with safe, comfortable, fully accessible facilities that preserve and reflect the historic themes of the site. Trailheads will be easily identifiable and provide informational and way-finding signage. The recreation experience at Cathedral Rock Picnic Area will be in a roaded natural setting where forest stand conditions consist of a canopy and tree structure resilient to insect and disease outbreaks and recreation impacts, and understory conditions are conducive for conservation of sensitive plants and sensitive wildlife habitat.

To meet the identified needs, the project proposes, in summary, to (1) reconstruct the Cathedral Rock Picnic Area by removing and replacing all roads, utilities, restrooms and other infrastructure of the picnic site; (2) close and rehabilitate the existing Lower Cathedral Rock Trailhead and parking on SR 157 in accordance with state standards; (3) construct a new trailhead with adjacent trailhead parking; and (4) implement a vegetation management plan that will serve as a guide during project implementation.

IV. Decision and Rationale

I have selected Alternative 3 to the Proposed Action, with modifications. My decision includes the following modifications to entrance gates and interior roads as proposed in Alternative 3:

- Locate the entrance to the fee booth for picnicking at the east end of SR 157 and construct a loop turn around area just inside the picnic area to provide egress for those who do not wish to enter the picnic area.
- Realign one road located near the entrance to the picnic area to follow topographic contours to conform to road engineering specifications, construct a turning lane at the entrance on SR 157 to

state standards, and design interior roads to FS standards to follow current road layouts except where topography and/or road engineering requirements necessitate realignment.

- Reconstruct approximately 1.26 miles of road, construct approximately 0.19 mile of new road, and decommission approximately 0.12 mile of existing roads, including the Lower Cathedral Rock Trailhead parking area on SR 157.
- Construct an area dedicated to parking for trailhead access on an old road bed at the northwest section of the project area.
- Develop the west gate on SR 157 as the entrance for trailhead parking, extend the west gate entrance road for approximately 900 to 1,000 feet to its terminus, and construct a turn-around area at this point.
- Construct a turn-around and parking area on one developed road in the picnic area to provide separation between parking for picnicking and parking for trailhead access.

A map of these modifications to Alternative 3 is attached hereto as Appendix 1.

I am authorizing all other elements of Alternative 3 to accommodate increased picnicking and parking opportunities, with adjustments to single, group, and host site locations that are within the disturbed areas analyzed in the EA. Topographic and natural features may affect changes to numbers and other elements described in the final design. Any necessary changes to design have been analyzed as potential construction disturbance within the perimeters of a construction zone. The Biological Assessment/Biological Evaluation (BA/BE) prepared for the project assumes species located in the construction zone will be lost or negatively impacted by infrastructure construction. Picnicking PAOTs will decrease from the 552 (identified for Alternative 3 in the EA) to approximately 482, calculated at four persons per unit (one table) with approximately 68 single units, approximately 20 double units (two tables), and two or more group sites with 15-20 PAOTS per unit. This represents an increase of approximately 59 PAOTS over the current condition. Hiking PAOTs will increase from 182 (identified for Alternative 3 in the EA) to approximately 190. Parking spaces for picnicking will be limited to the number of spaces necessary to accommodate the final number of picnic units, calculated at 1.5 spaces per single unit, three spaces per double unit, and approximately 15 stalls to accommodate all group sites. There will be an additional 73 to 75 parking spaces dedicated to trailhead access, which represents an increase of approximately 60 parking spaces over the current condition.

My decision also includes authorizing construction of only one new trailhead adjacent to the parking area dedicated to trails access. A separate trails project will provide the connections between the new trailhead and the Cathedral Rock Overlook and South Loop Trails.

I am authorizing all of the following design specifications common to Alternatives 2 and 3:

1. Remove and replace all of the roads, utilities, restrooms and other infrastructure of the picnic site with the exception of identified historic sites.
2. Provide approximately 68 single units (one table) and 20 double units (two tables) with the intention of maximizing small group picnicking opportunities.
3. Provide two or more group units with picnic and utility tables to accommodate approximately 15-20 people per unit.
4. Provide restrooms in numbers necessary to meet appropriate standards for the number of PAOTS, with flush toilets where leach field placement permits.
5. Construct all site furniture and restroom buildings to be accessible and meet current FSORAG accessibility standards.
6. Provide pedestrian pathways to picnic units and restrooms that comply with FSORAG.

7. Design all new facilities to comply with the SMNRA Built Environment Image Guidelines and FS Built Environment Design Criteria.
8. Develop aboveground permanent facilities, i.e. restrooms, outside the existing and reasonably foreseeable Griffith Peak avalanche path to the extent practicable. Locate restrooms close enough to parking and picnic areas for maximum visibility and easy public access. If restrooms must be located within the avalanche path, construct to standards for greater protection from avalanche flows. I will consider constructing picnic tabletops, bench seats and grill tops, located in the avalanche path, to be removable from their support poles.
9. Provide animal-resistant garbage cans at each picnic unit.
10. Abandon the underground utilities, including water lines and sewer system, in place.
11. Close and rehabilitate the existing Lower Cathedral Rock Trailhead and parking area on SR 157 in conformance with state standards.
12. Provide one new trailhead with restroom facilities in the vicinity of the parking area dedicated to hiking activities. The new trailhead will provide access to the Cathedral Rock Overlook Trail and the Little Falls and South Loop Trails.
13. Construct roads to current road and parking standards:
 - a) Construct a turning lane off SR 157 at the entrance, in conformance with state standards.
 - b) Design traffic flow and gate locations to maximize management options.
 - c) Provide pads for large dumpsters with accessibility for garbage trucks.
 - d) Install naturally appearing barriers to control parking.
14. Provide utilities including telephone, electricity, water and sewer to the site and to facilities as described below.
 - a) Water Facilities – Install a new system, following roads where possible to minimize disturbance. Abandon the old system in place.
 - b) Wastewater Facilities – Install septic tanks and leach fields where possible. Use the best system and design for possible future sewer hook-up to a municipal treatment system.
 - c) Lighting – Provide a minimum of low-level safety and security lighting around the entrance station that complies with night-sky standards.
15. Provide an accessible-design entrance station (fee booth) along the entrance road with appropriate utilities, which may include telephone, heat, sewer, electricity, and water, to accommodate spring and fall seasonal use. The picnic site will not be open in winter.
16. Develop and implement an environmental education theme and infrastructure for the site, interpreting the natural and cultural aspects of Cathedral Rock Picnic Area and its setting.
17. Install fencing where appropriate to manage users, and post signs at National Forest and private property boundaries.
18. Develop a pedestrian trail system consisting of short loops and/or destination trails, at least one of which will be graded and paved as a fully-accessible loop trail. Locate pedestrian trails so alignments avoid sensitive plants after infrastructure construction is complete. Close and restore user-created trails that are not improved into pedestrian trails.
19. Develop and implement a Vegetation Management Plan addressing the forest and understory vegetation resources of the site.
20. Maintain suitability of the site for sensitive plants and butterfly host/nectar species by protecting existing populations and encouraging plant colonization in disturbed areas.

21. Implement weed management strategies, in accordance with FS Noxious Weed Management policies.

22. Allow disturbance-dependent vegetation communities to continue to exist in avalanche paths.

In making my decision, I considered all of the alternatives, the environmental analyses, and public input. I based my decision on the following factors:

Purpose and Need. I considered how well each of the alternatives responded to the Purpose and Need for the project. The needs defined the purpose for the project, which is to replace, renovate, and reconstruct facilities and infrastructure of the Cathedral Rock Picnic Area to better meet future recreation and trailhead parking demands, improve safety and accessibility, and help protect and interpret the rich cultural and natural resources in the picnic site. The project's purpose aligns with the goals, objectives, standards and guidelines designed to meet the desired future conditions for the Spring Mountains National Recreation Area, as outlined in the management direction in the *Toiyabe National Forest Land and Resource Management Plan* and the *General Management Plan for the Spring Mountains National Recreation Area*, an amendment to the Toiyabe National Forest Plan (1996). I concluded that Alternative 3, as modified, is responsive to the Purpose and Need.

Key Issue. The one key issue that was derived from public scoping was that the Proposed Action would reduce the amount of picnic use allowed in Cathedral Rock Picnic Area and would not be commensurate with public demand. The Proposed Action allows for 184 picnicking PAOTs, which is a decrease from the existing picnic use of 423 PAOTs. Alternative 3, which increases the amount of picnicking PAOTs to 552, was developed in response to this issue.

General Management Plan. I considered how well each of the alternatives was responsive to the SMNRA GMP, in particular the key goals and desired future conditions for forest-wide management—to increase the quality and quantity of developed and general recreation opportunities, within the parameters of protection of resources (GMP, pp. 3 and 15). I concluded that Alternative 3, as modified, is responsive to GMP direction.

No Action Alternative. Alternative 1 will not meet the Purpose and Need for the project, nor meet the goals, objectives, and desired future conditions set out in the SMNRA GMP to “maintain facilities to prevent deterioration, protect investments, minimize resource damage, and ensure customer satisfaction” (SMNRA GMP, Management Area 11 Standards and Guidelines 11.21, p. 32).

Alternative 2. I determined Alternative 2 will not meet the need to provide increased recreation opportunities to meet future demands and customer satisfaction. Alternative 2 proposes to reduce current picnicking PAOTs from 423 to 184 and increase hiking PAOTs from 53 to 275. Cathedral Rock Picnic Area is the most popular recreation site on the SMNRA. Throughout the season while it is open, it is often at capacity with the concessionaire turning away visitors. Alternative 2 does not address the key issue.

Alternative 3. I determined Alternative 3, as modified, would meet the demand for increased parking to access trailheads, while providing a significant increase in picnicking opportunities. Alternative 3 was developed in response to the key issue derived during the scoping period—the need for increased picnicking use to remain commensurate with public demand. Compared to Alternative 2, Alternative 3, as modified, would provide an increase in hiking PAOTs from 53 to 190 and an increase in picnicking PAOTs from 423 to 482.

I determined we would need to make some adjustments to the internal road configurations to accommodate the need to designate parking dedicated to trailhead access. I based my determination on comments received from the public relating to the need to provide parking for hikers to access trailheads. As a consequence, the modifications I am authorizing to Alternative 3, as described earlier in

this document, will meet this need by providing clear separation between parking for picnicking and parking for trailhead access. Parking to access trails for hiking activities will initially be free; however, the design allows for fee collection in the future. Resource specialists evaluated the road realignments in the final BA/BE for the project. Their determinations resulted in no change to the determinations made specific to the regulatory framework outlining species considered and evaluated in the preliminary BA/BE that analyzed all alternatives. A cultural resource specialist surveyed the road modifications for effects to historic and cultural resources and included the road modifications in the area of potential effects that was considered in consultation with the Nevada State Historic Preservation Office.

Forest Plan Amendments

My decision also includes the following two site-specific, nonsignificant Forest Plan Amendments:

(1) Construction of facilities in rough angelica habitat. There are populations of rough angelica throughout the project area, making the project inconsistent with GMP SMNRA-wide Standard 0.31 (GMP, p. 18), which states that new roads and developed recreation sites will be outside a 100-yard buffer zone around known Clokeys eggvetch and rough angelica populations or potential habitat. In order to implement the Alternative 3 with modifications, I am authorizing a project-specific nonsignificant Forest Plan amendment in response to this exception to the project's consistency with the GMP. A nonsignificant project-specific Forest Plan amendment is required because construction will occur within the 100-yard buffer zone of potential habitat for rough angelica. Clokey's eggvetch does not occur in the project area. There will be no other impacts on rough angelica consequential to implementing Alternative 3 with modifications. Conservation and restoration measures for rough angelica are outlined in the Design Criteria attached hereto as Appendix 2.

I took into consideration Forest Plan direction and the potential to expand the infrastructure footprint in rough angelica habitat. My decision to modify Alternative 3 is made, in part, to reduce impacts to rough angelica habitat. I am authorizing a reduction in the number of picnic units from what is proposed in Alternative 3 and directing that project designs utilize existing roadways and hardened surfaces.

(2) Construction of facilities in the Griffith Peak avalanche path. Construction of restroom facilities within the Griffith Peak avalanche path is inconsistent with GMP SMNRA-wide Standard 0.137, which states that new picnic areas will be located outside 50-year floodplains, riparian areas, and avalanche hazard zones (GMP, p. 25). Restrooms should be located at or near parking areas and picnic sites to discourage deposition of human waste in the picnic area. In the event it is necessary to construct restrooms in the Griffith Peak avalanche path to ensure restroom locations are visible and easily accessible to the public, I am authorizing a project-specific, nonsignificant Forest Plan amendment in response to this exception to the project's inconsistency with the GMP. Any restrooms located in the avalanche path will be constructed to standards necessary to provide greater protection from avalanche flows. There are no facilities proposed for construction in floodplains or riparian areas. I determined the potential need to locate restroom facilities within the Griffith Peak avalanche path outweighs one of the stated needs in the EA—to protect investments by locating facilities outside of avalanche paths. In 2008, we commissioned an avalanche assessment that determined a one to three percent probability of an avalanche damaging recreation facilities.

A Forest Plan standard is a constraint that must be followed when planning for projects, or amended through the NEPA process to allow for implementation of the project. I determined that the aforesaid Forest Plan Amendments are nonsignificant because they are minor changes to standards that do not significantly alter the multiple-use goals and objectives for the long-term management of the resources. These amendments are specific to this project and will not apply to other projects.

Design Criteria. Project Design Criteria, as outlined in Appendix 2 to this Decision, will provide short- and long-term conservation and monitoring measures designed to reduce the potential for impacts to wildlife and

plants and other resources, in balance with the practical rehabilitation of the picnic area. Some design criteria will be followed in all cases, such as in noxious weed prevention, while other criteria will be implemented “where possible,” meaning, if a preferred option might result in impacts to resources of concern, alternate options that will result in fewer or no impacts will be considered. The goal is to employ the least impacting method to accomplish tasks during implementation. In all cases, design criteria to reduce impacts to resources will employ Best Management Practices, as outlined in the FS manuals and handbooks or in compliance with state standards, as in the case of sedimentation and erosion control (EA, p. 31 and Appendix B, pp. 63-67).

Conclusion. I concluded that Alternative 3, as modified, would best achieve GMP objectives and goals to increase the quality and quantity of developed recreation opportunities, while providing additional multiple use trail opportunities (GMP, pp. 3, 15 and 28). Additionally, Alternative 3 will meet the standards and guidelines set for Management Area 11 in the GMP by allowing expansion of existing recreational facilities in upper Kyle Canyon within existing developed site boundaries, and authorizing facilities maintenance to prevent deterioration, protect investments, minimize resource damage, and ensure customer satisfaction (GMP, Management Area 11, Standards and Guidelines 11.21 and 11.23, p. 32). When compared to Alternative 2, the design of Alternative 3, as modified, is more conducive to meeting the need for increased recreation opportunities in the picnic area and the demand for additional parking opportunities for access to trailheads.

I have included all of the project design features and mitigation measures that I believe are necessary to avoid, minimize, or rectify impacts on resources affected by implementation of this project. My conclusion is based on a review of the record that indicates a thorough review of impacts from project activities using best available science. The resource analyses identify effects analysis methodologies, reference scientific sources that informed the analyses, and disclose limitations of the analyses. I based my findings on information contained in the project record, the EA, the BA/BE, and the Specialists’ Report that analyzes species that are not evaluated in the BA/BE.

V. Public Involvement

The proposal has been listed as “Cathedral Rock Day Use Area Reconstruction EA” since the fourth quarter (July-September) of 2007 on the Humboldt-Toiyabe National Forest Schedule of Proposed Actions (SOPA). A scoping notice describing the Proposed Action was mailed to individuals, organizations, Tribal governments, and other agencies having an interest in the project. A scoping notice was published in the *Las Vegas-Review Journal* and *Las Vegas Sun* newspapers on August 24, 2007, and a scoping notice describing the Proposed Action was mailed to addressees on the SMNRA mailing list. Ten scoping responses were received in the form of letters or conversation records and those comments and responses thereto are outlined in Appendix A of the EA. The scoping notice, mailing list and comment letters are maintained in the project file.

From the comments received during scoping, I identified one key issue—the need for more picnicking facilities, which drove development of Alternative 3 – Increased Picnicking.

A private resident requested and was granted a field trip on September 4, 2007, to discuss the proposal with Spring Mountain National Recreation Area staff. I personally conducted meetings with the concessionaire who currently manages the Cathedral Rock Picnic Area, the owners of the Mt. Charleston Hotel and the Mt Charleston Lodge, and an outfitter and guide who is permitted to use the Cathedral Rock Picnic Area for sleigh rides.

A legal notice of the opportunity to comment on the EA was published on April 6, 2009, initiating the 30-day period for receipt of public comments. A list of individuals and groups to whom notification letters concerning the Notice and Comment period were directed is contained in the project file. Six responses were received from individuals, groups, Indian tribes, and government agencies. During the

30-day notice and comment period, my staff and I also conducted meetings with the concessionaire for the picnic area and a special use permittee for sleigh rides in the picnic area. In summary, responses from the public and other government agencies included statements about the need for increased picnicking opportunities, free parking for hikers to access trailheads, and ensuring that environmental conflicts are minimized. A summary of the comments on the EA and FS responses are attached hereto as Appendix 3.

VI. Government-to-Government Tribal Consultation

I briefed Tribal members about this project and other proposed FS projects at a meeting with the Southern Paiute tribal members in March 2008.

In advance of publication of the 30-day public notice and comment period, we sent letters to the tribes informing them of our intent to provide an opportunity for public comment on the final EA. A list of tribal groups to whom notification letters were directed is contained in the project file.

The Southern Paiute/Chemehuevi Tribal Work Group responded within the timeframe established for opportunity to comment on the EA. In summary, the Tribal Work Group requested further explanation of perceived unclear or conflicting information contained in the EA. More specifically, the Work Group requested the FS consider the maintenance challenges of constructing facilities within the Griffith Peak avalanche chute, evaluate the effects of vandalism in the picnic area, consider holy land and cultural survival tribal rights, amend and expand some of the verbiage in the EA for the sake of clarification, and ensure government-to-government consultation. A summary of their comments and the FS's response can be found in Appendix 3.

VII. Alternatives

The IDT developed alternatives based on the Purpose and Need of the project, and the key issue identified as the result of public scoping. The team incorporated FS management objectives into the alternatives by following the standards and guidelines of the SMNRA GMP.

Alternative 1 - No Action

No rehabilitation or other project activities will be implemented to accomplish the Purpose and Need for action or to meet project goals. Ongoing uses such as firewood gathering for campfires, and various recreation uses will continue to occur. Current direction would continue to guide management of the project area.

Alternative 2 – Modified Proposed Action

The action proposed in the scoping notice dated August 24, 2007, was changed during development of this alternative to modify the entrance road design, provide specific interpretive trail locations, develop a Vegetation Management Plan, refine the design criteria for botany, wildlife and recreation, and add design criteria for watershed and heritage resources.

The Modified Proposed Action would renovate, replace, and reconstruct the facilities and infrastructure in the picnic area. Under this alternative, parking for trailhead access would increase from accommodating 53 PAOTs to accommodating 275 PAOTs, a figure based on 110 parking spaces at 2.5 persons per car (68 for Cathedral Rock and 42 for South Loop Trails). Parking for picnicking would decrease from the current PAOT of 423 to 184 PAOTs, based on the number of picnic units (46 at four persons per table) proposed under this Alternative. Trailhead parking on SR 157 would be closed and rehabilitated in accordance with state standards. Approximately 1.65 miles of roads would be reconstructed to current FS road standards and would closely align with existing roadways. There would be 92 designated picnic unit parking spaces—24 single-family units with parking for two cars, and 11 double-family units with parking for four cars. There would be approximately 202 parking

spaces total under this Alternative, subject to the number of accessible stalls necessary and site limitations.

Each of the 24 single-family units would have one picnic table and one cooking surface; each of the 11 double family units would accommodate approximately 16 to 20 people per unit and have two tables and two fire grills. Fully accessible site furniture would be provided in about 46 picnic units (subject to grade restrictions). There would be eight accessible double-toilet facilities, for a total of 16 stalls, using a mix of flush and vault toilets. The buildings may be equipped with heat, lighting, potable water, and sewer hook-ups. Walking paths leading to all toilet facilities would comply with the FSORAG. There would be two host sites that may include electricity, telephone, potable water and sewer connections.

Alternative 3 - Increased Picnicking

This alternative addresses the key issue regarding the need for additional picnicking facilities. This alternative is proposed with heavy emphasis on recreation development.

Under this alternative, hiking PAOTs would increase from 53 to 182 and picnicking PAOTs from 423 to 552. Roads would be constructed to current road and parking standards and provide a maximum of approximately 294 parking spaces with no distinction between parking spaces for picnicking and trailhead use. Road alignments would be consistent with much of the existing roadway, with approximately 1.80 miles of road. Road modifications would include a new exit road to improve safety and circulation and changing roadways from one-way to two-way in some locations. All roads would be designed to FS standards with inter-visible turnouts. Of the 94 parking spaces, approximately 73 would be located near the two proposed Cathedral Rock Overlook and South Loop Trailheads, but would not be designated as “trailhead” parking spaces. At 2.5 persons per car, this would provide for approximately 182 hiking PAOTs.

This alternative would provide for fully accessible site furniture in picnic units, about 103, with accessibility subject to grade limitations. There would be 94 single-family units, each with one picnic table and one cooking surface per unit, 9 group units with tables and grills to accommodate approximately 40 people per unit. The two existing group units would be modified to include new site furniture, paths, and safety rails.

Paths connecting units and toilet facilities would comply with the FSORAG. With the exception of three fully accessible units, all units would be walk-in with no designated parking space. There would be four double, and six single accessible toilet facilities consisting of a mix of flush and vault toilets (10 buildings equaling a total of 14 stalls) with heat, lighting, potable water, and sewer.

Three host sites, which may include electricity, telephone, potable water and sewer connections, would be provided at appropriate locations to facilitate efficient management of the site.

Other Alternatives Considered

Federal agencies are required by the NEPA to rigorously explore and objectively evaluate a range of reasonable alternatives, and to briefly discuss the reasons for eliminating any alternatives that were not considered in detail (40 CFR 1502.14). In addition to the alternatives studied in detail, the EA identifies the following alternatives considered but eliminated from detailed study.

- Snow Play. The need for safe snow play areas on the SMNRA drove consideration of this alternative.
- Enlarge Trailhead Parking Area on SR 157. This alternative also included improving the existing restroom facilities at their current location.

The rationale for eliminating these alternatives from detailed consideration can be found in the EA on page 9.

VIII. Climate Change

The heavy equipment used for excavation proposed for this project will be operated by commercial contractors; heavy equipment will be licensed to comply with state air quality standards. Given the scope of this project, it is not possible to quantify nor qualify the direct or indirect effects from heavy equipment emissions, nor establish a cause-effect relationship between this single project and global climate change. However, it is expected that this project may improve the resilience or adaptive capacity of soil, vegetation, and wildlife over time once picnic sites and pedestrian trails are located and hardened. Improved forest health will improve the forest's ability to withstand climate change stresses.

IX. Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that this project will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Consequently, an environmental impact statement will not be prepared. I base my finding on the following:

1. **Impacts that may be both beneficial and adverse.**

The EA identifies no direct, indirect, or cumulatively significant effects associated with any of the actions. My finding of no significant environmental effects is not biased by the beneficial effects of the selected action.

2. **The degree to which the Proposed Action affects public health or safety.**

Public health and safety would be enhanced in the project area. Project activities include the following: hazard tree removal to provide for public safety; road configurations that will reduce traffic congestion at the entrances and on interior roads and improve safety and circulation; improved safety and standards of facilities; improved accessibility of facilities; improved trailheads that are safe and identifiable with clear signs and information for users about safety.

3. **Unique characteristics of the geographic area.**

There will be no significant effects on unique characteristics of the geographic area. Archeological surveys for historic cultural resources indicated no significance effects from project activities, with concurrence from the State Historic Preservation Office. The project area is not located in an ecologically critical area, although in the project area there are FS sensitive species, species of concern as listed in the Conservation Agreement between federal and state agencies, including the FS, and covered species as listed in the Clark County Multiple Species Habitat Conservation Plan. Resource specialists determined there will be no significant effects to any of these species. The project area is not located in or near park lands, prime farmlands, wetlands, or wild and scenic river corridors.

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

The effects on the quality of the human environment are not likely to be highly controversial. Comments received during scoping and the public notice and comment period related to the need to increase picnicking opportunities, provide free parking for hikers to access trailheads, and ensure that environmental conflicts are minimized. Most comments related to project design, and since determinations in the BA/BE indicate no significant effect to the natural or human environment, there are no known controversies over the effects of the project on the quality of the human environment. Forest Service policy defines key issues as “unresolved conflicts about effects of the Proposed Action on the human environment, which therefore warrant consideration of one or more reasonable alternatives” (FSH 1909.15 § 41.2). One key issue was identified as the result of scoping efforts—to provide increased picnicking

opportunities. This potential unresolved conflict was addressed through development of Alternative 3 – Increased Picnicking (EA, p. 8).

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

The effects on the human environment are not uncertain, nor involve unique or unknown risks because the picnic area has been a developed recreation site since 1930. Uncertainties relating to effects to sensitive species do not exist, based on determinations outlined in the BA/BE and Specialists' Reports for the project; therefore, there are no unique or unknown risks associated with the project.

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 is not likely to establish a precedent for future actions with significant effects. As a stand-alone decision, the action is not dependent on past projects; however, a future trails project is in the planning stages to provide connections from the new trailhead to existing trails in the area. Surveys for biological resources on the trails proposed for construction as part of the Cathedral Rock Trails project have been completed. Survey results indicate effects from trail construction are expected to be minimal. While this project and decision will obligate analyses and considerations of resources in a future project in an adjacent area, the effects of the future project are not anticipated to be significant.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.**

The effects analysis in the EA discloses the direct, indirect and cumulative effects of the Proposed Action and alternatives, as directed by FS NEPA procedures (36 CFR part 220). The cumulative impacts of the selected action, when added to those of past, present, and reasonably foreseeable future actions will not be significant (see EA, Ch. 3 and Appendix C). The action is not related to other actions with individually insignificant but cumulatively significant impacts. There are no connected actions associated with this project.

An Avalanche Mapping and Hazard Analysis Report (2008) for the project revealed there would be no increased risk of avalanches into the existing picnic site and town located below the site from the cumulative actions of reconstruction of the picnic site and resulting greater impervious surface from tree thinning.

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 cause loss of destruction of significant scientific, cultural, or historic resources.**

The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The site has not been evaluated for National Register of Historic Places significance. The project area was evaluated by archaeological specialists who determined that historic features found in the picnic area should be left intact and undisturbed during the reconstruction project. The USFS determined that the proposed project would not pose an adverse effect to historic properties and the State Historic Preservation Office (SHPO) concurred with that determination in a letter dated April 22, 2010. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources. Historic sites that do occur in the project area will be protected pursuant to the Design Criteria in Appendix B of the EA and Appendix 2 to this decision, pending additional review by SHPO.

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.**

There will be no effects to threatened or endangered listed species or species proposed for listing (TEP) under the Endangered Species act of 1973. There are five TEP species that have the potential to occur on the Toiyabe National Forest; however, only three of them have the potential to occur on the SMNRA. None of these species will be affected by this project because they do not have suitable habitat in the project area (EA, pp. 21 and 32; BA/BE, pp. 15 and 20).

By letter dated October 29, 2010, the U.S. Fish and Wildlife Service concurred with USFS findings contained in the following documents: 1) the Biological Assessment/Biological Evaluation that evaluates TEP species and FS Region Four (R4) Sensitive Species; and 2) the Specialists' Report that evaluates species of concern listed under the Conservation Agreement (CA) for the SNMRA and Clark and Nye Counties, Nevada (4/13/1998), covered species listed under the Clark County Multiple Species Habitat Conservation Plan (MSHCP 2000), Management Indicator Species listed in the GMP, and species protected under the Migratory Bird Treaty Act of 1918 and Executive Order 13186. The BA/BE and Specialists' Report concluded there would be no effect to three federally listed species and no impact to eight CA species. The BA/BE and Specialists' Report indicated the project may impact individuals but is not likely to cause a trend toward Federal listing or loss of viability for 19 other species, based on project area knowledge, analysis, design criteria, conservation measures, and restoration and mitigation for loss of habitat for individuals of *Angelica scabrida* (rough angelica), a FS sensitive species.

10. **Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27).**

As outlined in the Section IX of this Decision Notice, the selected action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered for this project. The action is consistent with the Land and Resource Management Plan for the Toiyabe National Forest (1986). A discussion of the nonsignificant, project-specific Forest Plan amendments necessary to implement this decision is outlined in the Decision and Rationale Forest Plan Amendments section of this Decision Notice.

X. Findings Required by Other Laws and Regulations

My decision is consistent with and meets requirements of the National Environmental Policy Act, as amended (42 USC 4321-4347; 40 CFR 1500, et seq.) and all laws, regulations, and USFS policies. The most relevant of these include the following:

- National Forest Management Act, as amended (16 USC §§ 1600-1614,) (EA, pp. 6 and 32)
- National Historic Preservation Act (16 USC 470) and its parallel authority, Protection of Historic Properties (36 CFR 800) (EA, pp. 29-30)
- Endangered Species Act (16 USC 1531-1543) (EA, pp. 21 and 32)
- Migratory Bird Treaty Act of 1918, as amended (16 USC 703-712) and Executive Order 13186 (EA, pp. 35-37)
- Noxious Weed Act, as amended (7 USC. 2801, et seq.) (EA, pp. 16 and 65)
- Executive Order 12898, Environmental Justice (Feb. 11, 1994, 59 Fed. Reg. 7629) (EA, pp. 22 and 52)
 - The physical effects to surface resources from the ground disturbance itself would be localized to the disturbance footprint; therefore, there will be no disproportionately high or adverse human health or environmental effects that would fall disproportionately on

low-income, minority populations, American Indian tribes, women, or affect the civil rights of any United States citizen.

- General Management Plan for the Spring Mountains National Recreation Area (10/1996), an amendment to the Toiyabe National Forest Land and Resource Management Plan (EA, pp. 3-7 and 63)

Other applicable laws, regulations and USFS policies and guidance that were considered in the EA relating to the implementation of this project include:

- Southern Nevada Public Lands Management Act (SNPLMA) (EA, p. 9)
- Spring Mountains National Recreation Area Act (16 U.S.C. §460hhh; Pub. L. 103-63, Aug. 4, 1993, 107 Stat. 297)
- USFS Handbooks and Manuals (EA, p. 1)
- Conservation Agreement for the Spring Mountains National Recreation Area, 4/13/1998 (EA, pp. 7 and 33)
- Clark County Multiple Species Habitat Conservation Plan (EA, pp. 7 and 33)

XI. Public Notification, Administrative Appeal Process, Implementation

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215.11. Only those individuals or organizations that submitted comments during the comment period specified at 36 CFR 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

The appeal must be filed by regular mail, facsimile transmission, email (Microsoft Word (.doc) or rich text format (.rtf)), hand-delivery, express delivery, or messenger service. The appeal must have an identifiable name attached and verification of identity will be required when requested. A scanned signature may serve as verification on electronic appeals. The office business hours for those submitting hand-delivered appeals are 8:00 a.m. to 4:30 p.m. Monday through Friday, excluding holidays.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the *Las Vegas Review Journal*, the newspaper of record for this decision. Attachments received after the 45-day appeal period will not be considered. The publication date in the 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 (36 CFR 215.15).

Appeal filing information:

USDA Forest Service
c/o Planning, Appeals and Litigation
324 25th Street
Ogden, UT 84401
Facsimile: (801) 625-5277
Electronic mail: appeals-intermtn-regional-office@fs.fed.us
Office hours: Monday through Friday 8:00 a.m. through 4:30 p.m.

Implementation Date

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

Contacts

Copies of the Environmental Assessment are available at the Spring Mountains National Recreation Area Office, 4701 North Torrey Pines Drive, Las Vegas, NV 89130, or on the website: <http://www.fs.fed.us/r4/htnf>. For additional information concerning this decision or the USFS appeal process, contact:

Stephanie Phillips
Deputy Forest Supervisor
4701 North Torrey Pines
Las Vegas, Nevada 89130
(702) 515-5400

or

Jane A. Schumacher
ID Team Leader
4701 North Torrey Pines
Las Vegas, Nevada 89130
Phone: 702-839-5576

s/Stephanie Phillips

Stephanie A. Phillips

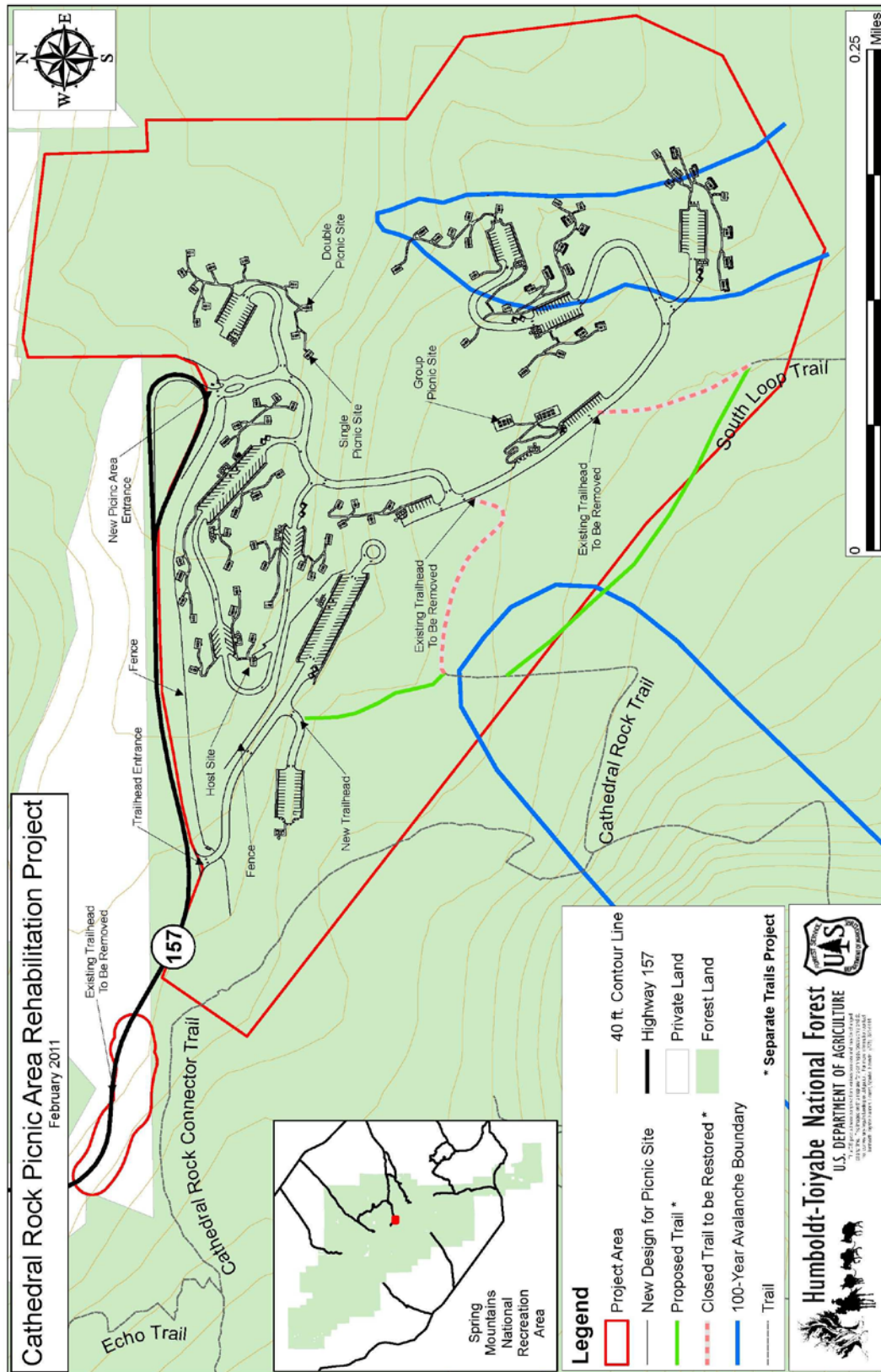
Deputy Forest Supervisor
Humboldt-Toiyabe National Forest

March 7, 2011

Date

Appendix 1

Map of Selected Action–Alternative 3 with Modifications



Appendix 2

Project Design Criteria and Conservation Measures to Minimize Short- and Long-term Impacts

The design criteria for botany and wildlife were developed to conserve and to reduce the potential for impacts to wildlife and plants from the reconstruction and operation of the Cathedral Rock picnic site. Any previously undetected species located during the project layout will have the same design criteria applied to them.

Potential impacts may include altered areas resulting from constructing buildings, roads, picnic sites, parking lots, and installation of underground infrastructure (i.e., water and power lines); changes to use (i.e., increases in human use or changes in pattern of use in the area); and temporary impacts from short-term uses such as supply storage areas and access roads used during construction.

Design Criteria	Species and Potential Impacts Addressed
<p>1. Limited Operating Periods designed to Protect Raptors, Other Migratory Birds, and Bats.</p> <ul style="list-style-type: none"> • Prior to July 1, hand tools and vehicular trucks may be used in the project area to disassemble picnic site furniture, bathrooms, and fee station. The use of a generator to power hand tools will not be allowed until after July 20. • Raptors. If construction activities will occur before July 20, raptor surveys will be initiated within the picnic area and within 0.5 mile of the proposed project boundaries. Trained observers will conduct surveys using standard USFS protocols. <ul style="list-style-type: none"> • If northern goshawks or flammulated owls are detected, then a limited operating period (LOP) will be initiated during which no building or road demolition, blasting, vegetation removal, or silvicultural prescriptions (including tree cutting) will be conducted within 0.5 miles of the nest until nestlings fledge (July 20) (based on SMNRA GMP Guideline # 0.60). All other activities may begin on July 1 if limited to existing paved areas. If nests are not located, but individuals are found, then the 0.5 miles buffer will be set around the locations of the recorded individual. • Migratory Birds. Building demolition, blasting, vegetation removal, and silvicultural prescriptions (including tree cutting) will not occur during the breeding season for migratory birds (May 20 – July 20). If the contractor requests an exception, it may be made if a nest search is conducted and substrates (i.e., trees or bushes) upon which nests are found are avoided until nestlings fledge. A qualified biologist who is familiar with the birds of southern Nevada and can accurately identify nesting and breeding behaviors will conduct all nest searches. • Bats. Buildings will be inspected for bat guano prior to demolition. If bat guano is observed, and a qualified 	<p>Reduce nest abandonment and loss of young for northern goshawk, flammulated owl, other migratory birds, and bats</p>

<p>biologist determines that the buildings are currently in use by bats, then buildings will only be demolished between August 15 and November 15. If demolition must occur outside of these dates, the USFS may proactively exclude bats from structures that are free of bat guano the previous year. If these exclusionary structures are maintained, and a qualified biologist determines that no sensitive bat species are roosting in the buildings, demolition may proceed after July 20.</p>	
<p>2. Demolition and Construction Activities</p> <ul style="list-style-type: none"> • Pre-work Meeting. A USFS biologist will attend the pre-work meeting with the contractor's crews to explain the rationale behind all project design criteria and teach the crew to identify rough angelica and Charleston violet. • USFS Biologist or Botanist on Site. The project COR will notify the USFS biologist or botanist assigned to the project when activities are scheduled to occur in sensitive areas (Griffith Peak and Cathedral Rock Avalanche Chutes). • Staging areas. Temporary equipment staging areas will be located in previously disturbed (e.g. roads, parking) areas and will not be located in occupied habitat for rough angelica or Charleston violet. • Construction Boundaries. All construction boundaries will be fenced. No disturbance will be allowed outside these boundaries. • Posts: Hollow posts of any material or color, used to mark boundaries at construction sites, will be capped if open-ended. Exposed holes near the top of posts will be closed to prevent raptor talons and birds' feet from being trapped. • Building Construction: Holes, gaps, or hollow spaces in the facilities or structures as small as 0.75-inch in diameter will be closed during construction to prevent bird, bat, and small mammal entry. • Implementation during Daytime Hours. Building demolition, construction, and maintenance activities will occur during daylight (sunrise to sunset) to prevent disturbance to wildlife. • Escape Structures in Trenches. Construction trenches will be equipped with escape structures with a textured surface for gripping and a slope of less than 45 degrees spaced no greater than 500 linear feet for use by small mammals and reptiles. Escape routes will be installed in all construction trenches for the period the trench remains open. Check trenches, holes, or other confining spaces prior to infilling to ensure entrapment of small mammals and reptiles have not occurred. • Weed Prevention. USFS and Humboldt-Toiyabe NF Best Management Practices (Humboldt-Toiyabe Supplemental FSM 2080) will be employed for weeds. 	<p>Ensure successful implementation and evaluation of design criteria for botany and wildlife.</p> <p>Minimize loss of individuals and degradation of suitable habitat for rough angelica and Charleston violet.</p> <p>Reduce loss of individuals of Palmer's chipmunk and other small animals.</p> <p>Reduce disturbance to wildlife.</p> <p>Reduce the introduction and spread of weeds and reduce the alteration and degradation of suitable habitat.</p>

<p>3. Post-Construction Restoration</p> <ul style="list-style-type: none"> • Restoration Plan for Rough Angelica. To offset losses due to development, a rough angelica restoration project, written by the USFS botanist and approved by the FWS, will be included in the contract for work. The plan will detail procedures for restoring a minimum of three acres of rough angelica of equal density. The contractor will implement the plan within one calendar year of project completion. • Monitoring to determine effectiveness of restoration/revegetation techniques. Because restoration efforts of rough angelica by seed are untested and levels of success are unknown, the USFS will monitor the restoration prior to project implementation and for three years after completion. If the restoration is unsuccessful, USFS biologists will attempt other methods of restoring rough angelica. • Monitoring to determine Impacts from Recreation. A USFS botanist, in coordination with the recreation staff, will obtain baseline information on recreation impacts to rough angelica and aspen prior to project implementation and then once a year (minimum) for three years following completion of construction. If recreation impacts on rough angelica and/or aspen are found to be increasing, natural resources and recreation staff will work together to develop methods for reducing impacts (e.g., installing barriers to movement). • Plant Materials. Contractors will follow FS Policy (FSM 2070) and use genetically appropriate native materials for rehabilitation and restoration when possible. The use of sterile, non-native grasses will be limited to the most erosive areas. • Weed Prevention Monitoring. Post-implementation, the project area will be monitored for 3 years for introduced weeds. Any introduced weeds observed will be treated. 	<p>Reduce long-term loss of individuals of rough angelica.</p>
<p>4. Nocturnal wildlife-friendly lighting.</p> <ul style="list-style-type: none"> • Lighting installed will be downward-shielded and designed so as to reduce impacts to nocturnal animal behavior. National Park Service has developed guidelines for lighting in campgrounds and trailheads that reduce light pollution, enhance the "dark night sky" experience for visitors, reduce impacts to wildlife, and provide for safety. Examples of fixtures may be found at the International Dark-Sky Association's web site www.darksky.org. 	<p>Reduce impacts to nocturnal birds and mammals.</p>
<p>5. Wildlife-resistant garbage cans.</p> <ul style="list-style-type: none"> • Garbage cans provided at picnic sites and dumpsters located in the project area will be wildlife-resistant to reduce 	<p>Reduce alteration of behavior and loss of individuals of Palmer's</p>

foraging behavior modification of the species as well as loss of individuals who may become trapped.	chipmunk and other small animals.
6. Interpretive Trails Construction <ul style="list-style-type: none"> • Rough angelica and Charleston violet will be avoided during the layout of interpretive trails in high quality habitat. A USFS botanist or trained biologist will assist in locating and avoiding individuals of rough angelica and Charleston violet during the layout of interpretive trails in the project area. 	Minimize loss of individuals and suitable habitat for sensitive plants and butterflies.
7. Silviculture Prescriptions - Vegetation Management <ul style="list-style-type: none"> • Follow the design criteria numbers 1 and 2 listed above. • Aspen. Aspen is a desirable component in the picnic area. Vegetation management will protect, enhance and regenerate this species. • Slash Treatment. Piles will not be created closer than 1 ½ times the height of the tallest live or dead aspen in the clone (group of aspen). Pile sizes may range from 5 feet in diameter and 4 feet high to 10 feet in diameter and 6 feet high, depending on proximity to trees (smaller piles in closer proximity to trees). Piles near conifers and mountain mahogany will be created outside the drip line of the trees to prevent scorching of the canopy and bole. Locate burn piles outside of the Griffith Peak Avalanche Chute and Charleston violet locations and on already disturbed sites such as dirt roads, clearings, or parking areas where feasible. Prior to burning slash piles, disturb the piles to encourage animals to move out of the piles. When possible, light piles directionally to encourage wildlife to exit. • Hand Treatments in Sensitive Areas. In the Griffith Peak and Mazie Canyon Avalanche Chutes occurrences of rough angelica, vegetation treatments will be performed by hand and materials will be removed by hand. Chipping woody material and blowing back over these areas is okay up to a maximum depth of 2 inches. However, this action may suffocate plants in other areas, so contractors must be made aware of exactly where distributing chips may occur. Wood chip materials will cover no more than 50% of the area. When chipping near aspen, do not place chips near the aspen clone (group of aspen); place chips no closer than 1 ½ times the height of the tallest live or dead aspen in the clone. Chips are best spread in travel routes or other heavy traffic areas where vegetation is unlikely to live and some ground cover is desired. 	<p>Minimize loss of aspen and suitable habitat for butterfly species.</p> <p>Reduce loss of suitable nesting and roosting habitat for birds and bats.</p> <p>Reduce loss of cover sites for Palmer's chipmunk and small animals, including prey base for raptors.</p> <p>Reduce loss of individuals of Palmer's chipmunk and small animals.</p> <p>Reduce loss of individuals of rough angelica and Charleston violet.</p> <p>Reduce loss of individuals and minimize impacts to suitable habitat for rough angelica.</p>
8. Education and interpretation of the sensitivity of different habitats in the area. <ul style="list-style-type: none"> • A well-designed interpretive program in the picnic area is currently being developed by the Interpretation and 	Minimize long-term impacts to

Education staff that will inform recreationists how to enjoy these areas while minimizing their impacts to the sensitive communities.	rough angelica, aspen, and butterflies' habitat from increase in picnickers and hikers and changes in patterns of use.
9. Historic Sites <ul style="list-style-type: none"> Avoid features and remnants at Civilian Conservation Corp-era sites (existing group picnic sites and wading pool) during construction and implementation of vegetation management plan. 	Protect two unevaluated sites (26Ck8818 and 26Ck6347) pending additional review by Nevada State Historic Preservation Office.

Appendix 3

Summary of Comments Received during the Notice and Comment Period Cathedral Rock Picnic Area Rehabilitation Project Environmental Assessment

Name of Commenter	Date Submitted	Public Comment	Forest Service Response
Pubic Involvement			
Steve Werner, American Land & Leisure	4/8/2009	Voiced concern about increase in hiking PAOTS (persons at one time) versus decrease in picnicking PAOTS.	We developed Alternative 3 in response to the key issue derived from scoping— increase the amount of picnicking Persons at One Time (PAOTS). The selected action is Alternative 3 with modifications. Topography and sensitive plant species limited road alignments and the number of picnic sites identified in Alternative 3. The selected action represents an increase of approximately 59 picnicking PAOTS over the current condition.
Steve Werner	4/8/2009	Recommends fee structures be the same for both uses.	Parking to access trails for hiking activities will initially be free; however, the design allows for fee collection in the future. If the concessionaire manages the parking area then the fee is established in coordination with the FS, and if the FS manages the parking area a fee can be charged if the required amenities are provided.
Steve Werner	4/16/2009	Voiced concerns that the fee booth at the entrance gate be placed near the main road.	The location of the fee booth will be near the entrance to the picnic area, just off State Route 157. Subsequent to the notice and comment period, changes were made to the design to provide for one entrance for picnickers and a separate entrance for hiker parking.
Steve Werner	4/8/2009 and 4/16/2009	Voiced concern over how picnic tables and pedestal grills will withstand avalanches and suggested tables with removable tops.	We will consider constructing picnic tabletops and grills that are removable from pedestals for winter storage.
Steve Werner	4/8/2009	Recommended placing additional picnic sites along the north side of the road in the southern end of the picnic area.	Topography limits placement of picnic sites, a restroom, and a centralized parking area in this location. Picnic sites and restrooms are located in proximity to centralized parking areas.
Steve Werner	4/16/2009	Recommends incorporating as many	The existing larger capacity group sites of 60-75 PAOTS are replaced with two

		15-20 PAOT group sites as possible.	or more group units that accommodate 15-20 PAOTS; also approximately 20 double (two-table) units are planned to better meet the need for family gatherings.
Steve Werner	4/16/2009	Recommends a combination of flush and vault toilets so if the water systems is turned off, the recreation site will not be unusable.	A combination of flush and vault will be constructed. Topography limits the number of leach fields necessary to provide all flush toilets.
Steve Werner	4/16/2009	Recommends locating host sites in one area to lessen cost of utility installation. Also provide full hook-up host sites with phones and a small storage facility for supplies.	Due to limited space, we can provide only one host site, which will have full hookups. A small amount of storage will be available in the entrance fee booth and in the restroom buildings.
Steve Werner	4/16/2009	More picnic sites at Middle Kyle Complex are not a fair trade for shrinking site numbers at Cathedral because Middle Kyle will never be as popular.	Alternative 3 responds to the key issue derived from scoping—increase the amount of picnicking Persons at One Time (PAOTS). The selected action is Alternative 3, with modifications. Resource constraints and topography played a role in the final design, which reduced picnic site numbers from those identified in Alternative 3. However, the selected action represents an increase of approximately 59 picnicking PAOTS over the current condition.
Steve Werner	4/16/2009	Recommends selecting Alternative 3 to provide more picnic sites. Currently, there are hundreds of people turned away each weekend.	The selected action is Alternative 3 with modifications.
Robert Humphries	4/20/2009	Recommends parking be located adjacent to picnic sites for easier access to tables.	Topography and resource concerns limited where we could locate parking; therefore, we located and centralized parking areas where topography allowed and clustered the picnic sites around the parking areas.
Robert Humphries	4/20/2009	Recommends there be more public exposure for the recreation site.	We agree and we are actively looking into ways to provide additional public exposure.
Stephanie Myers	4/28/2009	Voiced concerns that people should not have to pay to park and hike.	Initially parking at the new trailhead will be free. However, we need the flexibility to charge fees in the future to

		Favors leaving the trailhead on State Route 157 in place to allow free parking for hikers.	maintain the restrooms and other amenities offered at the parking area. We are able to increase the parking capacity to between 73 and 75 parking spaces by relocating the parking area off of Highway 157.
Nevada Department of Wildlife	5/6/2009	Prefers Alternative 2 to reduce PAOTs to 459. Recommends shifting use from picnicking to hiking for fewer impacts to surrounding habitat.	The selected action is Alternative 3 with modifications, which will reduce picnicking PAOTs from the 552 (identified for Alternative 3 in the EA) to approximately 482, calculated at four persons per unit. Resource constraints and topography played a role in the final design, which reduced picnic site numbers from those identified in Alternative 3. The selected action will reduce impacts to surrounding habitat by providing hardened sites and trails. Hiking opportunities will increase with additional parking at the new trailhead.
Nevada Department of Wildlife	5/6/2009	Recommends ensuring visitors are respectful of natural resources and facilities by providing personnel and law enforcement to monitor and manage visitor activities.	The picnic area is managed by a concessionaire. We will be providing environmental education and interpretive programs at Cathedral Rock Picnic Area to promote an understanding of and respect for the natural resources.
Southern Paiute and Chemehuevi Tribes	5/6/2009	Recommend that the Preferred Alternative be selected first so a thorough analysis can be conducted by the Tribes.	There is no requirement to identify a preferred alternative in an EA. The notice and comment period provides tribal governments, other agencies and the public an opportunity to review the EA. Comments received during this period assist the line officer in determining which of the alternatives or combinations thereof will best meet the Purpose and Need for the project. In the future, if it would be useful to the tribes, we would identify a preferred alternative in an EA.
Southern Paiute and Chemehuevi Tribes	5/6/2009	There is insufficient information to address the safety concerns relating to future avalanches in the area that could potentially affect the project infrastructure.	In 2008, we commissioned an avalanche assessment that determined a one to three percent probability of an avalanche damaging recreation facilities. The report states that protection of facilities is not warranted because the avalanches capable of damaging facilities are rare events and human exposure is very unlikely if the

			facilities are closed in the winter. The picnic area will be closed in the winter.
Southern Paiute and Chemehuevi Tribes	5/6/2009	There is no reference to the age or data in which to compare or support the amount of deterioration of the picnic site and its furnishings.	There are no standard measures for deterioration of recreation infrastructure; however, the EA mentions the picnic site was reconstructed from a campground in 1968. There have been no renovations since that time. The average life expectancy of picnic infrastructure is 20 years.
Southern Paiute and Chemehuevi Tribes	5/6/2009	There is reference to the Forest Service Outdoor Accessibility, but does not include reference to the American with Disabilities Act. Please expand the text to include the ADA.	The Americans with Disabilities Act is not referenced in the EA because the act applies to state and local governments. The federal government must adhere to Section 504 of the Rehabilitation Act of 1973. To comply with this section, the Forest Service worked with the U.S. Access Board to develop specific guidelines, which are listed in the FS Outdoor Recreation Accessibility Guidelines.
Southern Paiute and Chemehuevi Tribes	5/6/2009	The tribes believe it is necessary to provide supporting data and clarification to properly evaluate the condition of traffic volume and parking conditions.	The FS commissioned a traffic study (completed in November 2009) to analyze existing and proposed highway access along Nevada State Highway 157. The purpose of the study was to provide a sufficient level of traffic analysis to satisfy NDOT's requirement to support a right-of-way occupancy permit application. It was concluded that acceptable levels of service can be achieved in the area under future traffic conditions.
Southern Paiute and Chemehuevi Tribes	5/6/2009	The level of deterioration of the asphalt in the project area needs to be clarified.	There are no standard measures for deterioration of asphalt. The life expectancy of asphalt is approximately 20 years and the asphalt in the picnic area was laid in 1968. Patchwork repairs since that time do not address the underlying foundation, which are cracked and crumbling.
Southern Paiute and Chemehuevi Tribes	5/6/2009	The level of degradation of the area's natural resources due to parking needs clarification.	There is no standard definition as to the level of degradation of natural resources due to parking. Observations of areas where visitors park off the asphalt reveal denuding of vegetation where there once was vegetation.
Southern Paiute and Chemehuevi Tribes	5/6/2009	Additional information from systematic	A systematic analysis was performed for threatened, endangered, and

		botanical analyses is needed for proper analysis of the impacts to vegetation.	sensitive species and is included in the project Biological Evaluation. A vegetation management plan is being developed for the project and will incorporate conservation measures outlined in the project Decision Notice.
Southern Paiute and Chemehuevi Tribes	5/6/2009	The replacement of “all” road, utilities, restrooms, and other infrastructure is unclear. Therefore, the Area of Potential Effect is unclear.	The project replaces all roads, utilities, restrooms and other infrastructure within the Cathedral Rock Picnic area. Each alternative presents a different configuration of the new roads, utilities, restrooms, and other infrastructure; therefore, each alternative has a different Area of Potential Effect as shown on Figures 1, 2 and 3 of the EA.
Southern Paiute and Chemehuevi Tribes	5/6/2009	The Tribes acknowledge being “briefed” on this project in 2008, but the tribes do not consider this government-to-government consultation.	We are currently working with the Tribes to develop a guide for consultation that will ensure that expectations are met. In the future, we will reformat meetings to provide greater opportunities for discussion of projects.
Southern Paiute and Chemehuevi Tribes	5/6/2009	The Indian Tribes are not considered members of the general public. The EA should be changed and omitted from this section.	We recognize the Indian Tribes should be distinguished from the general public. This distinction is recognized in the decision with a separate heading entitled Tribal Consultation. We will ensure tribal consultation is addressed under a separate government-to-government section in future environmental documents.
Southern Paiute and Chemehuevi Tribes	5/6/2009	The Tribes were not offered an opportunity to view the project site as was conducted for a private citizen.	The site visit was requested by the private citizen. District personnel are happy to arrange a field trip to look at the site and discuss the proposal at the Tribes’ request.
Southern Paiute and Chemehuevi Tribes	5/6/2009	The presence of the Chemehuevi Tribes was not mentioned in the meeting of 2008.	We apologize for this omission and will include the Chemehuevi Tribe’s participation at the 2008 meeting in the final decision.
Southern Paiute and Chemehuevi Tribes	5/6/2009	There is not a clear definition of “reasonably foreseeable” with respect to the Griffith Peak avalanche path, making it difficult to evaluate safety conditions within the Area of Potential Effect.	The wording of “reasonably foreseeable” with respect to the Griffith Peak avalanche path relates to the fact that a portion of Alternative 3 sits within the avalanche path that experienced avalanche events in 2005. There is a 1 to 3 percent probability of a future avalanche damaging recreation facilities, according to the avalanche study conducted in 2008.

Southern Paiute and Chemehuevi Tribes	5/6/2009	Alternative 3 does not adequately consider maintenance challenges as identified in Alternative 3.	The EA acknowledges there will be maintenance challenges under Alternative 3 because increased PAOTs result in increased visitor use distributed over more site furniture. Maintenance costs are increased in the long run as furniture weathers and ages. Facility protection and maintenance is a topic analyzed under each alternative in the EA.
Southern Paiute and Chemehuevi Tribes	5/6/2009	The term “heritage resources” in accordance with NEPA requires identification and analysis of “cultural resources” that may be impacted. Please amend this term.	The Heritage Resources Report describes protection of American Indian cultural uses and heritage resources as one of the goals of the Spring Mountains MNRA General Management Plan. In the EA, resource specialists used the term “heritage resources” rather than “cultural resources.” In the future, we will include the term “cultural resources.”
Southern Paiute and Chemehuevi Tribes	5/6/2009	Provisions should be made to include a “No Action Alternative.”	The No Action Alternative (Alternative 1) was described and analyzed throughout the EA as part of the effects analysis.
Southern Paiute and Chemehuevi Tribes	5/6/2009	Alternative 1 indicated that ongoing vandalism would go “unchecked,” but no similar analysis of “unchecked” vandalism is present in Alternatives 2 and 3.	Given our experience managing other campground facilities, we find that high quality, well-maintained facilities experience minimal vandalism. We expect less vandalism to occur once the project has been implemented and the new facilities are properly maintained. Alternative 1 is the no action alternative, which does not provide for facility improvements
Southern Paiute and Chemehuevi Tribes	5/6/2009	The alternatives do not consider any adverse effects to cultural resources or landscape dynamics that have been previously identified by the culturally affiliated Indian Tribes. Please expand the text to include these important elements.	We recognize that the Spring Mountain Range, in its entirety, holds sacred value to the Southern Paiute and Chemehuevi people. Furthermore, we recognized that recreation and other activities can conflict with the cultural and spiritual values of these nations. Unfortunately, this comment does not provide specific concerns as to the adverse effects on cultural resources to allow adequate discussion of these issues specific to this site.
Southern Paiute and Chemehuevi Tribes	5/6/2009	There was no consideration of the Las Vegas Paiute or Pahrump Paiute Tribes	The site was first used as a campground, constructed by the Civilian Conservation Corps circa 1934-1940. It has undergone two renovations since

		in regard to Environmental Justice.	that time. Consequently, cultural impacts from the project were not determined to be considerably different from existing impacts. Therefore, there were no environmental justice issues identified in the EA. The decision states there will be no adverse human health or environmental effects that would fall disproportionately on American Indian tribes.
US Fish and Wildlife Service	5/5/2009	It is unclear whether or not the facilities would be open during the winter. Use of facilities during the winter could result in a different suite of impacts.	The Cathedral Rock Picnic site will not be open to the public during the winter months due to risk of avalanches.
US Fish and Wildlife Service	5/5/2009	It is unclear if there will be connector trails from the new trailheads. If new connector trails are being proposed, this should be included in the BA/BE .	New connector trails are proposed and analyzed in the Cathedral Rock Trails project and effects analyses will be completed in separate biological analysis documents.
US Fish and Wildlife Service	5/5/2009	Ensure that the appropriate standard was used to determine the number of bathrooms needed for the site.	The number of restroom facilities needed for the site is based on Forest Service guidelines of one toilet per 35 persons at one time.
US Fish and Wildlife Service	5/5/2009	Suggest including a loop trail near the group site in Alternative 3 to avoid damage to sensitive species habitat from dispersed use from picnic sites if topography and safety conditions allow.	The selected action provides for two or more group sites. There will be hardened trails connecting all facilities within the picnic area. Loop trails will be located to minimize impacts to the sensitive species.
US Fish and Wildlife Service	5/5/2009	State in project or analysis whether smaller loop trails have been surveyed for sensitive species.	The entire project area was surveyed for sensitive species during the 2009 field season. Loop trails will be located to minimize impacts to the sensitive species.
US Fish and Wildlife Service	5/5/2009	Include in future summary tables whether species were present in the project area or only their habitat was present in the project area.	Discussion of species and habitat presence or absence is contained in the BA/BE and Specialists' Report for the project.

US Fish and Wildlife Service	5/5/2009	Limited amount of species information and impacts were reviewed in the EA. Some of the species determinations should be reviewed and potentially revised for the BA/BE and Specialist Report, as the EA may have portrayed impacts that are highly unlikely to occur.	Impacts to sensitive species and their habitat were disclosed in detail in the BA/BE and the Specialist Report, which revise species determinations and provide more detailed analyses of effects specific to the selected action.
US Fish and Wildlife Service	5/5/2009	Placement of cover sites for small mammals and reptiles (design criteria W1) should be strategically placed to avoid removal of materials by users and/or there should be rules regarding wood collection.	When we revised species determinations in the BA/BE specific to the selected action, we determined that design criteria W1 was not appropriate for a developed picnic site.
US Fish and Wildlife Service	5/5/2009	Would like to review the vegetation management plan and re-vegetation plan if appropriate.	The vegetation management plan is not complete at this time; however, we will ensure you are provided a copy upon completion.
US Fish and Wildlife Service	5/5/2009	Seed from sensitive plant species should be collected in areas targeted for construction of the facilities and later used for re-vegetation efforts.	The design criteria attached to the decision provides for restoration of rough angelica, which may include seed collection for revegetation efforts, which will be monitored.
US Fish and Wildlife Service	5/5/2009	Host plant for Morand's checkerspot should be strategically reseeded rather than broadcast seeded throughout the disturbed area (design criteria B2).	The species determinations were revised and the species and its habitat do not occur in the project area; therefore, the design criteria for this species are no longer necessary.
US Fish and Wildlife Service	5/5/2009	Is it necessary to thin bristlecone pine (design criteria S5)?	We revised the design criteria for the BA/BE and Specialist Report and removed criteria S5. The revised design criteria are not species-specific, with the exception of aspen. Bristlecone pine is not prevalent in the area.
US Fish and Wildlife Service	5/5/2009	Should discuss priority order of species in design criteria B1.	Design criteria B1 was removed and the revised design criteria was more specific as to species to avoid. The

			revised design criteria addresses avoidance through construction boundaries and location of staging areas.
US Fish and Wildlife Service	5/5/2009	Ensure consistency between design criteria, especially S1 which protects mountain mahogany and B6, which targets its removal.	We revised the design criteria for the BA/BE and Specialist Report and removed criteria S1 and B6. The revised design criteria are not species-specific, with the exception of aspen. The inconsistency has been resolved.
US Fish and Wildlife Service	5/5/2009	Be sure to include all appropriate BMPs or conservation measures for the construction portion of the proposed project.	In all cases, design criteria to reduce impacts to resources will employ Best Management Practices, as outlined in the FS manuals and handbooks or in compliance with state standards. Design criteria and conservation measures are included as part of the decision.
US Fish and Wildlife Service	5/5/2009	Combine W3 with B4 or include measure from W3 in B4 about disturbing piles before they are burned to allow wildlife to escape.	The revised design criteria for the selected action includes direction to disturb slash piles prior to burning to encourage animals to move out of the piles and when possible light piles directionally to encourage wildlife to exit.
US Fish and Wildlife Service	5/5/2009	On page 33, change Neotropical Migratory Bird Act to Migratory Bird Treat Act.	The wording was revised for the BA/BE and Specialist Report, as well as the decision.