

# DECISION MEMO

## Vail Mountain Resort

### Vail Summer 2018 Improvements Project

#### USDA Forest Service Eagle-Holy Cross Ranger District, White River National Forest Eagle County, Colorado

Sections 07, 16, 17, 18, 19, 20, 21, 22, Township 5S, Range 80W

June 2018

## BACKGROUND

Vail Mountain Resort (Vail) has proposed to implement various improvements which include: Game Creek Express (Chair 7) replacement, Bell's Camp concrete pad, Chair 4 re-grade, Adventure Ridge porous pave paths, Family Learning Zone entryway arches and photo stakes, and on-mountain diesel storage. All projects are located on National Forest System (NFS) lands administered by the Eagle-Holy Cross Ranger District with a Special Use Permit (SUP) or on private lands. The attached map (Figure 1 – Selected Alternative Figure) depicts the locations of these projects. For more information, visit the project website at the following link: <https://www.fs.usda.gov/project/?project=53862>.

Total disturbance associated with the Vail Summer 2018 Improvements Projects would be approximately 4.5 acres.

## DECISION

Based on project scoping and analysis conducted, it is my decision to authorize Vail to implement these improvements. These improvements will allow Vail to replace aging infrastructure, address operational inefficiencies, and generally improve guest offerings. The replacement of Chair 7, the Bell's Camp concrete pad, and the Chair 4 re-grade would improve guest offerings by reducing lift lines, upgrading available amenities and addressing skier circulation issues. The Adventure Ridge porous pave paths, Family Learning Zone arch entryways and photos stakes, and on-mountain diesel storage would address operational inefficiencies by improving drainage on existing dirt paths, ensuring that skiers/riders remain on designated paths, and supporting planned infrastructure improvements.

These improvements will allow Vail to provide visitors with the recreational opportunities they expect at the resort, consistent with the intentions of both Vail and the White River National Forest (WRNF).

In conjunction with these projects, my decision includes the requisite project design criteria (PDC) to minimize resource impacts (Table 1: Project Design Criteria and Best Management Practices). The project area has been reviewed by Forest Service specialists for impacts to relevant resources, including cultural resources, vegetation, noxious weeds, soils and watershed resources (including wetlands), wildlife, and scenery. No significant impacts were identified that could not be avoided or mitigated and all practical means have been employed to avoid and/or minimize environmental impact. The analysis for this project is documented in a project file and maintained by the Eagle-Holy Cross Ranger District. Potential disturbance on NFS lands is less than 5 acres. Disturbance footprints will be finalized upon final site and grading plans prepared for implementation of the approved projects. The projects are consistent with management direction provided by the 2002 WRNF Forest Plan as well as the specific standards and guidelines established for Management Area 8.25.

The approved projects are detailed below and on the Figure 1 – Selected Alternative Figures.

#### Game Creek Express (Chair 7) Replacement

The existing Chair 7 is a 1985 detachable quad chairlift. Due to its age and outdated technology, the lift is requiring excessive maintenance and parts are becoming increasingly difficult to replace. Chair 7 currently has a design capacity of 2,400 people per hour (pph). Its replacement would be a detachable six-person lift with a capacity of 3,000 pph.

Chair 7 is the only lift serving the Game Creek Bowl, so lift lines are common, which negatively affects the user experience in this area. The new Chair 7 would follow the same alignment as the existing Chair 7. Existing towers and tower foundations would be used where possible. Both lift terminals would be replaced. This project would require approximately 2.5 acres of ground disturbance on NFS lands to accommodate the wider lift corridor and the top terminal; the bottom terminal is located on private lands.

#### Bell's Camp Concrete Pad

The existing concrete pad supporting the grills at Bell's Camp is large enough for two grills. Vail proposes to reconstruct the existing concrete pad to accommodate two additional grills. The existing concrete pad would be extended by an area totaling 25 feet by 4 feet.

This project would require less than 0.1 acre of ground disturbance.

#### Chair 4 Re-grade

Vail proposes to utilize some of the material generated from the Chair 3 and Chair 4 East Maze re-grade to widen the entrance platform just north of the bottom terminal of Chair 4 by approximately 20 feet. This widening would improve skier circulation within the lift maze.

This project would require approximately 0.2 acre of ground disturbance.

### Adventure Ridge Porous Pave Paths

Vail proposes to replace the existing dirt paths at the following locations with a brown Porous Pave XL material consistent with the existing surrounding paths:

- Between the Simonton Observation Deck and the Forest Flyer Mountain Coaster;
- At the Kids Zipline; and
- Between the Adventure Ridge Pavilion and the Game Creek Canopy Tour

Porous Pave paths improve drainage and reduce the need for maintenance of dirt paths.

This project would require approximately 0.2 acre of ground disturbance.

### Family Learning Zone Entryway Arches and Photo Stakes

Vail proposes to install four Family Learning Zone entryway arches at the following locations:

- Top of Swingsville;
- Top of Overeasy;
- Mid-way on Lost Boy; and
- Top of Practice Parkway

In addition, Vail proposes to replace the existing Blue Sky Basin sign at the top of Chair 11 with a Back Bowls entryway arch, to place a Northwoods entryway arch between the Tech Center building and the top of Northwoods Express, and to place various photo stakes at key locations around the mountain. The photo stakes would be similar to the existing Epic Discovery photo stake located at Adventure Ridge next to the Simonton Observation Deck.

These projects would cause approximately 1.5 acres of ground disturbance.

### On-Mountain Diesel Storage

Vail proposes to install five 5,000-gallon one 12,000-gallon diesel exhaust fluid tanks. Vail is in the process of adding and eventually replacing its entire fleet of grooming machines with Tier 4 emission technology to comply with the Tier 4 final emissions standard for diesel engines. Six locations have been identified for installation of these diesel exhaust fluid tanks, all of which are located within existing fuel sites on the mountain (Snow Central, Eagle's Nest, Snow Summit, Ledges fuel site, PHQ, and the top of Chair 14). These diesel exhaust fluid tanks would be placed underground to minimize exposure to variable temperatures.

This project would cause approximately 0.1 acre of ground disturbance.

To minimize resource impacts, my decision incorporates the following PDC:

**Table 1:  
Project Design Criteria**

<b>General</b>
Prior to construction activities on NFS lands, Vail will prepare a Construction Implementation Plan for Forest Service review and approval. This plan will include the following sections: <ol style="list-style-type: none"> <li>1. Construction Management <ul style="list-style-type: none"> <li>• Include project timelines, contacts, staging areas, required surveys</li> </ul> </li> <li>2. Erosion Control and Drainage Management <ul style="list-style-type: none"> <li>• Erosion control practices and features (wattles, sediment fence, etc.) that will be used to contain sediment onsite.</li> </ul> </li> <li>3. Post-Construction Revegetation and Rehabilitation <ul style="list-style-type: none"> <li>• Seed mixes, soil amendments, revegetation methods</li> </ul> </li> <li>4. Noxious Weed Monitoring and Treatment <ul style="list-style-type: none"> <li>• Cleaning equipment, pretreatment of known infestations, post-construction monitoring</li> </ul> </li> </ol>
<b>Cultural Resources</b>
If undocumented historic and/or prehistoric properties are located during ground disturbing activities or planning activities associated with approved construction activities, all construction in the immediate vicinity must cease and they will be treated as specified in 36 CFR §800.11 concerning Properties Discovered During Implementation of an Undertaking.
<b>Vegetation</b>
If any occurrences of Region 2 Sensitive or SOLC plants are encountered within the project footprint prior to or during project implementation, a Forest Service Botany Representative will be notified to derive suitable mitigation measures to avoid or minimize impacts as appropriate.
Trees proposed for removal must be designated or approved by the Forest Service prior to cutting.
<b>Watershed and Wetlands</b>
Project activities proposed within or directly adjacent to wetlands should be coordinated with the Forest Service Hydrologist prior to implementation.
Ensure that any wetland impacts are avoided or minimized the most practicable extent possible and that no adverse effects to fens would occur.
Utilize Best Management Practices (BMPs) to prohibit sediment migration from ground disturbances into wetlands or streams.
Define grading limits on the ground prior to construction by placing wattles, sediment fence, construction fence, or other physical barrier along the perimeter of the area to be graded.
Locate all construction access routes, staging areas, and tower foundations away from the ephemeral drainage channel to ensure no adverse impacts occur, especially those that might impact the downstream wetlands along Game Creek (i.e. sedimentation). Use of existing culverted crossings for machinery access is highly recommended.
Develop and implement a Stormwater Management Plan to ensure BMPs are employed to prevent any indirect effects to waters of the U.S. including downstream wetlands.
Develop and implement a Revegetation Plan. The plan should include a list of all materials to be used for site stabilization and revegetation (i.e., soil amendments, seed mixes, erosion control blankets). Seed mixes that incorporate native plant species similar to those within the project area are desirable. To prevent soil erosion, sterile annuals may be used while native species become established. Utilize seed mixes approved by the Forest Service Botany Representative. Any mulch used in revegetation efforts must be certified to be free of noxious weeds and cannot knowingly contain other non-native plant seeds. Wood straw, coconut husk products, Excelsior products (shredded aspen), bonded fiber matrix (hydromulch), and other materials not containing seeds are preferred for erosion control.

**Table 1:  
Project Design Criteria**

<b>Wildlife</b>
All construction will be confined to daylight hours.
Construction workers will not be allowed to bring dogs on site during construction.
During construction, workers shall remove all food waste from the project area daily.
During construction, food and other bear attractants should not be kept in vehicles on the job site overnight.
The Forest Service recommends tree removal activities be confined to dates outside of the nesting season, May 1 – July 15, as much as possible. When possible, retain trees with cavities for future nesting sites.
<b>Scenery Resources</b>
Vegetation is retained to screen facilities from key viewpoints.
Facilities should be designed with an architectural theme intended to blend facilities with the natural environment. Facility design, color, reflectivity and accessibility should be consistent with the Built Environment Image Guide (BEIG) Guidelines and agency accessibility requirements.
All structures require a Notice to Proceed through the Facility Design Review process prior to construction.
Any site grading should blend disturbance into the existing topography to achieve a natural appearance. Minimize cut and fill at the transition of approved grading and existing terrain.

**CATEGORICAL EXCLUSION**

Decisions may be categorically excluded from documentation in an environmental impact statement (EIS) or environmental assessment (EA) when they are within one of the categories identified by the USDA in 7 CFR part 1b.3 or the proposed action is within a category listed in 36 CFR 220.6 (d) and (e), and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect. I have determined that the project, as proposed by Vail and described in detail above, is consistent with the category “*approval, modification, or continuation of minor special uses of National Forest System lands that require less than five contiguous acres of land*” at 36 CFR 220.6 (e)(3).

The projects are a permissible use of the land and total disturbance related to implementation of the project is within the five-acre threshold. As discussed below, I find no extraordinary circumstances related to this decision that may result in a significant individual or cumulative environmental effect.

Therefore, I have decided to authorize the projects, as described above, without further analysis and documentation under the National Environmental Policy Act (NEPA). The following resource conditions were considered in determining whether extraordinary circumstances related to the project I am authorizing warranted further analysis and documentation in an EIS or an EA (36 CFR 220.6(b)(i-vii)).

It is my determination that the aforementioned projects within the Vail SUP area will result in minimal impacts to National Forest resources as discussed below. Prior to implementation, Forest Service resource specialists will further review the approved projects for field fitting, as necessary.

#### Federally-Listed Threatened or Endangered Species or Designated Critical Habitat

The Endangered Species Act requires that federal actions not jeopardize the continued existence of any species federally-listed or proposed as threatened or endangered or result in adverse modification to such species' designated critical habitat. No federally listed species occur within the project area.

Forest Service Region 2 Sensitive species were also considered. The project area contains suitable habitat for the following species: Goshawk, Olive-sided flycatcher, Peregrine falcon, White-tailed ptarmigan, American marten, Townsend's big-eared bat, spotted bat, hoary bat, fringed myotis, monarch butterfly, and western bumblebee. However, none of these species were documented within the project area. For the remainder of Region 2 Sensitive species, the proposed projects would have no impact.

No federally-listed or proposed plant species were determined to be located in the project area. Forest Service Region 2 Sensitive plant species were also considered. It was determined that the project area contains suitable habitat for the following species: Upswept moonwort, Paradox moonwort, Plains rough fescue, and Colorado tansyaster. However, none of these species were documented within the project area. For the remainder of Region 2 Sensitive species, the proposed projects would have no impact.

Before implementing any ground disturbing activity, project areas will be surveyed for plants using established protocol to ensure the project will not result in significant impacts to botanical resources, including federally-listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.

#### Floodplains, Wetlands, or Municipal Watersheds

A small ephemeral drainage channel occurs within the project area. In addition, Game Creek, a perennial stream, and its associated wetlands occur below the bottom terminal of Chair 7. There would be no adverse impacts to either the ephemeral drainage channel or to Game Creek. No direct impacts to the wetlands or other waters of the U.S. are expected to occur. The project is not located within a floodplain or municipal watershed.

Existing mountain roads that avoid wetlands will provide construction access to the top and bottom terminals of both chairlifts. Indirect impacts due to construction will be avoided and mitigated through PDC and BMPs that will prohibit sediment migration from ground disturbance into wetlands or streams. In addition, project specific PDC will be implemented to ensure that the project causes no individually or cumulatively significant effects to waters of the U.S. within the project area.

### Congressionally Designated Areas

No actions will occur in Congressionally-designated Wilderness, wilderness study areas, or National Recreation Areas.

### Inventoried Roadless Areas

There are no inventoried roadless areas or potential wilderness areas within the project area.

### Research Natural Areas

No actions will occur in Research Natural Areas.

### American Indians Religious or Cultural Sites, Archeological Sites or Historic Properties

Section 106 of the National Historic Preservation Act (U.S.C. 470 et seq.) requires Federal agencies take into account the effect of a project on any pre-contact or historic district, site, building, structure, or object that is included in or eligible for, inclusion in the National Register. A cultural resource inventory was performed in the area of potential effect, and no cultural resources were identified within the potential disturbance areas. It has been determined that there will be no adverse effect to historic properties as a result of the approved projects. If cultural resources are discovered in the project area, additional measures will be employed such that the resources are not impacted.

### Archaeological Sites, or Historic Properties or Areas

Archaeological sites, and historical properties or areas were studied as a part of several cultural resource inventories previously deemed adequate for the purposes of this project. No sites have been recorded with the Area of Potential Effect.

## **PUBLIC INVOLVEMENT**

A scoping notice dated May 17, 2018, was sent to 49 members of the public and was also published on the WRNF website (<https://www.fs.usda.gov/project/?project=53862>) with the intent of providing information on the proposal. The notice presented the projects as appropriate for categorical exclusion from detailed analysis in an EA or EIS. The categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects, which may significantly affect the environment. One comment was received from a member of the public and it expressed support for the projects.

## **FINDINGS REQUIRED BY OTHER LAWS**

This decision is consistent with the 2002 WRNF Forest Plan (Forest Plan) as required by the National Forest Management Act. The project was designed in conformance with appropriate Forest Plan standards and guidelines for Management Area 8.25, Ski Areas.

## **IMPLEMENTATION AND ADMINISTRATIVE APPEAL**


On January 17, 2014, the President signed into law the Consolidated Appropriations Act of 2014 (Pub. L. No. 113-76). Section 431 of that Act directs that the 1992 and 2012 legislation establishing the 36 CFR 215 (post-decisional appeals) and 36 CFR 218 (pre-decisional objections) processes “shall not apply to any project or activity implementing a land and resource management plan ... that is categorically excluded ... under the National Environmental Policy Act [NEPA].” On February 7, 2014, the President signed into law the Agricultural Act of 2014 (Farm Bill) (Pub. L. No. 113-79). Section 8006 of the 2014 Farm Bill repealed the Appeals Reform Act (ARA) (Pub. L. No. 102-381). The ARA’s implementing regulation was 36 CFR 215. The 2014 Farm Bill also directs that the pre-decisional objection process established in the Consolidated Appropriation Act of 2012 shall not be applicable to categorically excluded projects or activities.

Therefore, this decision is not subject to appeal or objection. Implementation may occur in accordance with PDC referenced above.



## CONTACT PERSON

For additional information concerning this decision, contact Max Forgens, Mountain Sports/Special Uses Administrator, White River National Forest by telephone at (970) 827-5157, or by email at [mforgensi@fs.fed.us](mailto:mforgensi@fs.fed.us).

  
Scott G. Fitzwilliams  
Forest Supervisor  
White River National Forest

  
Date

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# WHITE RIVER NATIONAL FOREST VAIL 2018 CE

## LEGEND

- ADMIN BOUNDARY
- SLIP BOUNDARY
- PRIVATE PROPERTY BOUNDARY
- EXISTING TRAIL
- EXISTING LIFT
- BELLS CAMP CONCRETE PAD
- DIESEL STORAGE LOCATIONS
- ADVENTURE RIDGE PORCUPINE PAVED PATHS
- CHAIR 4 REGRADE
- FAMILY LEARNING ZONE CORBELS AND PHOTO STAKES
- ENTRYWAY ARCH CONSTRUCTION ACCESS



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