

Chapter 1 - Purpose and Need for Action

1.0 Introduction

This chapter:

- provides a summary of the proposed action;
- describes the project area;
- discusses Forest Plan direction related to this project;
- describes the existing vegetative condition of the area;
- explains why action is needed (referred to as the “purpose and need for action”);
- defines the scope of the analysis;
- identifies the decisions to be made with this project; and
- lists the applicable laws, regulations, and executive orders related to this project.

1.1 Summary of Proposed Action

The Cheat Potomac Ranger District of the Monongahela National Forest (MNF) is proposing to authorize a Special Use Permit (SUP) for Timberline Four Seasons Resort Management Company, Inc. (Timberline). This SUP would allow continued use and maintenance of: a portion of Salamander Run; a portion of an abandoned road (formerly Forest Road 80); and a non-system connector trail that are on National Forest System (NFS) lands. Timberline’s current SUP expires on October 31, 2008. If authorized, the new SUP, as proposed, would likely be for ten years.

The proposed action would include, at the same time, a project-specific amendment to the Forest Plan that would allow a special use permit to be authorized within the habitat of a species (Cheat Mountain salamander) that is listed as threatened under the Endangered Species Act when the special uses may adversely affect a population of this species or its habitat.

Chapter 2 contains details of the proposed action and alternatives.

1.2 Project Area Description

Those portions of NFS land that would be covered by the authorization of the Timberline permit are located on the Potomac portion of the Cheat Potomac Ranger District, MNF. Timberline is located on private land in Canaan Valley, in Tucker County, West Virginia.

Salamander Run is the most easterly ski slope at Timberline, and the proposed action covers the section of the run within the boundaries of the MNF (see Figure 1). Salamander Run is located south of the headwaters of Yokum Run and west of the boundary of Dolly Sods Wilderness area. Elevations on the NFS portion of Salamander Run range from 4,120 feet on the ridge at the Timberline/Forest Service boundary, 3,900 feet in the switchback, and down to 3,800 feet where the ski slope enters Timberline property again. The ridge has an eastern aspect and the slope faces north. The prevailing winds enter from the west.

The NFS portion of Salamander Run is a grass covered opening approximately 3,100 feet long by 80 feet wide (total acreage is approximately 5.1 acres). The grade of the slope is approximately 12 percent.

The connector trail is “Y” shaped, with a single access segment from Salamander Run and two segments entering the abandoned road. The connector trail is not a Forest System trail. The trail is approximately 250 feet long by 4 feet wide on all segments. The trail surface is mostly bare, compacted soil, with scattered leaf litter. Timberline has done minimal maintenance (installation of a water bar) on this trail. No material has been added to harden the surface.

The proposed action covers the use of approximately 4,100 feet of the abandoned road, running from the connector trail south to the boundary of the Canaan Valley Wildlife Refuge. This abandoned road is no longer on the MNF’s official transportation system nor has it been placed officially on the MNF’s trail system. The abandoned road turns into Blackbird Knob trail (TR 511) approximately 200 feet north of the terminus of the connector trail.

1.3 Forest Plan Direction

The Monongahela National Forest began implementing its first Land and Resource Management Plan (Forest Plan) in July of 1986. The 1986 Forest Plan was revised, resulting in the current 2006 Forest Plan. The Record of Decision for the 2006 Forest Plan was signed on July 20, 2006, and implementation of the 2006 Forest Plan began on October 23, 2006.

The 2006 Forest Plan, and its accompanying Final Environmental Impact Statement and Record of Decision, specify direction for managing resources on the Forest. They contain Forest-wide and area-specific desired conditions, goals, objectives, standards, and guidelines that provide for land uses. Forest-wide direction is contained in Chapter II of the Forest Plan. The Timberline proposal would take place in a Management Prescription (MP) 4.1 area. Direction for MP 4.1 areas is contained in Chapter III of the Forest Plan, on pages III-9 through III-16.

In general, management prescriptions for MP 4.1 areas focus on restoration and management of disjunct red spruce and spruce-hardwood communities of the central Appalachians (Forest Plan, page III-9). This, however, does not mean that every acre can or will be managed for spruce restoration.

Goals, Objectives, Standards, & Guidelines Most Applicable to this SUP Application

Guideline SW61. Work with special use permittees to mitigate effects from their operations to soil, water, and aquatic resources within channel buffers. (Forest Plan, p II-14)

Goal VE19. Manage NNIS with an Integrated Pest Management approach, using prevention, education, eradication, containment, and control strategies in a coordinated effort that includes potentially affected resources, users, funding sources, and activities. (Forest Plan, p II-19)

- a) Work to prevent new infestations of NNIS, with emphasis on areas where species have a high probability for establishment and spread. (Forest Plan, p II-19)
- b) Work with WVDNR, utility companies, and special use operators to control NNIS in openings, rights-of way, and other use areas. (Forest Plan, p II-19)

Guideline VE25. Special use permits should include language where appropriate to reduce the risk of NNIS invasion and spread. (Forest Plan, p II-20)

Standard TE07. Special use permits may be authorized in TEP species habitat if the uses do not adversely affect populations or habitat. This standard does not apply to Indiana bat or running buffalo clover. See special uses direction for these species, below (Forest Plan, p II-23).

The authorization of the Timberline SUP would not meet this standard, and a contemporaneous, project-specific amendment to the Forest Plan would be required to provide for Forest Plan consistency related to this direction.

Goal TE57. Identify opportunities to reduce fragmentation of [Cheat Mountain salamander] populations and habitat. (Forest Plan, p II-26)

Standard TE58. Prior to proposed vegetation or ground disturbance in known or potential [Cheat Mountain salamander] habitat, field surveys must be conducted and occupied habitat must be delineated. (Forest Plan, p II-26)

Standard TE59. Ground and vegetation-disturbing activities shall be avoided within occupied [Cheat Mountain salamander] habitat and a 300-foot buffer zone around occupied habitat, unless analysis can show that the activities would not have an adverse effect on populations or habitat. (Forest Plan, p II-26)

The authorization of the Timberline SUP would not meet this standard, and a contemporaneous, project-specific amendment to the Forest Plan would be required to provide for Forest Plan consistency related to this direction.

Goal LS20. During watershed or project-level analysis, identify existing or proposed special uses that may contribute to resource degradation, and implement measures to mitigate or eliminate effects where feasible. (Forest Plan, p II-52)

Guideline LS29. Access to authorized improvements for maintenance needs should be addressed as part of Special Use authorizations. Where appropriate access is not addressed in existing authorizations, the authorizations should be amended to include it. (Forest Plan, p II-52)

Guideline LS36. Negative effects of special use practices or facilities should be mitigated, where feasible, through measures such as changes in management strategy or practices, discontinuance, relocation, closure, or alteration. (Forest Plan, p II-53)

1.4 Vegetative Conditions

Vegetation in the project area is influenced by the elevation, cool temperatures, and high amounts of rain and snow that are typical of the area. The vegetative conditions that dominate the Timberline area today are a product of both human-induced and natural events. The forest type surrounding Timberline is characterized by a canopy and understory predominately of beech, red maple, and scattered red spruce and yellow birch. The forest floor adjacent to the Salamander Run ski slope is mostly open with invading hay-scented fern. The ski slope itself is open with lawn-type grass.

1.5 Purpose and Need for Action

Timberline has requested a 10-year authorization for an SUP. Salamander Run, a portion of which is located on NFS lands, is an important component of Timberline's winter ski program. If the MNF did not authorize an SUP for Timberline, Timberline would not be able to keep the run open. This could have a negative economic impact on Timberline because Salamander Run is important in

attracting beginning skiers. Workers at the resort and area businesses that depend on the ski industry could also be impacted.

Before the MNF can authorize a 10-year SUP, the MNF must complete Endangered Species Act (ESA) consultation with the USDI Fish and Wildlife Service (USFWS) over potential impacts to the Cheat Mountain salamander, which is listed as threatened under the ESA.

1.6 Scope of the Environmental Analysis

National forest planning takes place at several levels: national; regional; forest; and project levels. Analysis for the Timberline project is a project-level analysis. Its scope is confined to addressing the purpose and need of the project and possible environmental consequences of the proposal and alternatives. It implements direction provided at higher levels, but does not attempt to address decisions made at higher levels.

Where appropriate, this Timberline EA tiers to the 2006 Forest Plan Final Environmental Impact Statement (FEIS), as encouraged by 40 CFR 1502.20. This is because the Forest Plan embodies the provisions of the National Forest Management Act (NFMA), its implementing regulations, and other guiding documents, and sets forth in detail the direction for managing the land and resources of the Forest. This EA evaluates and documents the effects caused by the proposed activities and alternatives. The site-specific proposed action and alternatives to it are identified in Chapter 2. The administrative scope of this document can be defined as the laws and regulations that provide the framework for analysis.

1.7 Responsible Official and Decisions to be Made

The Forest Supervisor of the MNF is the Responsible Official for the Timberline decision. The MNF Forest Supervisor or designated representative will answer the following three questions based on the environmental analysis:

- 1) Will the proposed action proceed as proposed, as modified by an alternative, or not at all?
- 2) If it proceeds, what mitigation measures and monitoring requirements will be implemented?
- 3) Will the project require a Forest Plan amendment?

The decision will be documented and made available to the public.

1.8 Applicable Laws and Executive Orders

The following is a partial list of federal laws and executive orders pertaining to project-specific planning and environmental analysis on federal lands that are addressed in Chapter 3 of this EA:

- Multiple-Use Sustained-Yield Act of 1960;
- National Historic Preservation Act of 1966 (as amended);
- Wild and Scenic Rivers Act of 1968, amended 1986;
- NEPA of 1969 (as amended);
- Clean Air Act of 1977 (as amended);
- Endangered Species Act (ESA) of 1973 (as amended);
- Forest and Rangeland Renewable Resources Planning Act (RPA) of 1974 (as amended);

- NFMA of 1976 (as amended);
- Clean Water Act of 1977 (as amended);
- American Indian Religious Freedom Act of 1978;
- Archeological Resource Protection Act of 1979;
- Executive Order 11988 (floodplains);
- Executive Order 11990 (wetlands);
- Executive Order 12898 (environmental justice);
- Executive Order 12962 (aquatic systems and recreational fisheries)
- Executive Order 13112 (invasive species)
- The Eastern Wilderness Act of 1975