



**USDA Forest Service  
Pacific Southwest Region  
Lake Tahoe Basin Management Unit**



**Decision Memo for Implementation of the  
East Shore Beaches Trail Access  
and Travel Management Plan  
Douglas, Carson City, and Washoe Counties, Nevada**

**BACKGROUND:**

The East Shore Beaches Trail Access and Travel Management Plan (ATM) covers the area extending from Spooner Summit north to Chimney Beach and from the water's edge to Nevada State Park lands (see attached map). This entire project is in Nevada and is on National Forest System land within the Lake Tahoe Basin Management Unit (LTBMU). The project is in both the East Shore Beaches and Marlette Management Areas and, while the area surveyed also includes portions of Douglas County, project work will only occur in parts of Carson City and Washoe counties.

The LTBMU 2002 water quality risk analysis effort developed a GIS trail database evaluating each Basin trail for water quality and erosion threat. This data revealed a need to develop an integrated and efficient system of trails and access points to meet user needs while better protecting the East Shore Beach Area's environment. Currently there is a web of system and user created trails which are eroding and contributing sediment into Lake Tahoe.

**PURPOSE AND NEED:**

The East Shore Beaches Management Area receives heavy day recreational use. The Area's popularity has continued to increase and so has the need for sustainable trails to access this dispersed recreation area. Because of this use level and the access opportunities from Highway 28, which runs lengthwise through the area and parallel to the beach, there is a patchwork of system and user created trails and access spurs throughout the area. In order to reduce impacts to the environment and to promote sustainable use of the area, many of these trails are in need of redesign, and the impacted areas in need of rehabilitation.

Decommissioning (closing and rehabilitation) or rebuild of non-system or unsustainable trails to Forest Service standards will provide important water quality improvements. Additionally, decommissioning trails within sensitive ecosystem areas and constructing new trails in areas of higher capability will minimize impacts to natural and cultural resources. This project will correct many soil erosion, SEZ disturbance, and water quality degradation problems resulting from existing user-created trails and roads. New and redesigned trails will minimize impacts to SEZ and wildlife habitat, while not restricting movement of aquatic species. Stream crossings will be designed to facilitate

natural hydrologic function and geomorphic processes. Careful trail design and location will, while accomplishing the above needs, also provide universal access opportunities and accommodate desirable attributes such as scenic vistas. Development of a trail system that is designed and located using the most up to date information and construction standards will improve the quality of the recreational experience, improve recreation access, reduce impacts to resources, reduce future maintenance requirements, and preserve multiple use trail opportunities.

### **PROPOSED ACTION:**

The East Shore Beaches Trail ATM proposes to redevelop the trail system within the project area. Except for emergency and service traffic, all project affected trails and roads are, and shall remain, closed to motorized use. Bicycles are limited to specified routes as indicated below.

Approximately 1.6 miles of ecologically unsustainable pedestrian trail will be decommissioned (generally involves decompacting soil to 8", blocking to all use, and mulching with native material) and replaced by 2.2 miles of sustainable, newly constructed system pedestrian trail (20 - 30" width and constructed to Forest Service Standards). Approximately 3.5 miles of pedestrian trail will be upgraded to improve sustainability (generally involves soil stabilization, drainage features, stairs, and trail definition). All project work is on National Forest System Land.

The following is a list of specific actions (each action is identified on the attached map):

1. Construct a new system trail to replace user created trail 18E22.3 that connects Slaughterhouse Road 14N30 to the Skunk Harbor access road 15N67, and decommission the old trail. Sign Skunk Harbor Road to encourage users to stay on the road.
2. Construct a new system trail to connect the 2nd parking area/turnout north of the Slaughterhouse Road gate on Hwy 28 to the Skunk Harbor access road 15N67. Decommission the three user created trails which drop straight off Hwy 28 to the Skunk Harbor access road 15N67. Avoid disturbance to the proximate historic linear feature.
3. Upgrade (adjust, rebuild, or realign to meet current Forest Service standards for gradient, drainage, tread, stability, signage, and sustainability) user created trails off Hwy 28 from Secret Cove to Whale Beach. Construct a new system trail to replace user created trail 18E27E, and decommission the old trail.
4. Fence environmentally sensitive areas along trail 18E27 from Chimney Beach to Whale Beach where appropriate.
5. Construct a new system trail to replace user created trail 18E27A from the Secret Harbor parking lot down to the Lake, and decommission the old trail.

6. Direct foot traffic onto system trails from Secret Harbor parking lot.
7. Construct a new system trail to replace Chimney Beach Trail 18E27 from Hwy 28 to the beach and eliminate the crossing/bridge over Marlette Creek, and decommission the old trail. Consult with Washoe Tribal representative during tread flagging and construction. Sign sensitive sites with "Area Closed for Resource Protection", and fence where necessary.
8. Construct a new section of system trail to replace trail 18E19 just before the Nevada State Park Boundary, and decommission the old trail.
9. Convert the closed road from Hwy 28 to the beach at the north Thunderbird Lodge boundary into native surface trail. Remove the closed road from the Forest Service Road System. Decommission the short trail segments which fork out just before the beach.
10. Upgrade the upper section of non-system trail 18E27.4 that leads to Whale Beach. Construct a new section of trail away from the creek to the beach, and decommission the lower section of trail which crosses Bliss Creek.

Only trails 1566 and 1566A will remain open to bicycles. Trail 18E19 is currently closed to bicycles due to the steep section of trail that will be rerouted in this decision. Because environmental concerns will be addressed in this decision, 18E19 will be managed as open to bicycles as a result of this decision. The remaining trails will be closed to bicycles.

### **PROJECT DESIGN FEATURES:**

The project will meet Management Area direction and Forest-wide standards and guidelines. Specific design features are listed below.

#### Transportation

1. Stabilize soils along the existing transportation system, obliterate and stabilize unneeded roads (as delineated on attached map and table).
2. To protect watershed resources, meet the following standards for trail construction, trail reconstruction, and trail relocation: (1) design new stream crossings and replacement stream crossings for at least the 100-year flood, including bedload and debris; (2) design stream crossings to minimize the diversion of streamflow out of the channel and down the trail in the event of a crossing failure; (3) design stream crossings to minimize disruption of natural hydrologic flow paths, including minimizing diversion of streamflow and interception of surface and subsurface water; (4) avoid wetlands or minimize effects to natural flow patterns in wetlands; and (5) avoid construction in meadows.

### Recreation

1. All trails receiving significant use will be managed as part of the trail system according to the Trails Management Handbook, or closed and rehabilitated. Trails not meeting construction standards will be reconstructed.
2. Trails will be designed, when appropriate and environmentally feasible, to form "loops" to enhance user enjoyment. In this project, a number of loops will be created, principally in the northern area. Simplistically, trails 1566 and 18E27 are basically parallel trails, with at least seven connections between them creating a large number of loop options. (See attached map)
3. Determine priorities and establish a schedule to rehabilitate system trails to include water quality standards applicable in the basin. The standard requires more cross-drains and protective surfacing than would be typical on system trails. Trails rehabilitation will be accomplished as soon as replacement or rebuilt trails can be opened to receive traffic. Scheduling priorities will be determined by blending the tasks with the most environmental improvement with those that can emplace improvements soonest. In other words, the work plan will be designed to optimize the speed of total erosion reduction.

### Wildlife and Fish

1. For northern goshawk PACs: Maintain a limited operating period (LOP), prohibiting vegetation treatments within approximately ¼ mile of the nest site during the breeding season (February 15 through September 15) unless surveys confirm that northern goshawks are not nesting. If the nest stand within a protected activity center (PAC) is unknown, either apply the LOP to a ¼-mile area surrounding the PAC, or survey to determine the nest stand location.
2. Ensure that culverts or other stream crossings do not create barriers to upstream or downstream passage for aquatic-dependent species. Where possible, maintain and restore the timing, variability, and duration of floodplain inundation and water table elevation in meadows, wetlands, and other special aquatic features. There are three named (Marlette, Secret Harbor, and Bliss Creeks) and three unnamed streams in the project area. (The creek in Slaughterhouse Canyon is also on the periphery of the area.) They are essentially seasonal and intermittent, but flows and durations vary considerably with the snow pack. There is currently a trail bridge over Marlette Creek, which will be eliminated by rerouting the trail to avoid crossing the drainage above the beach. Since crossing the other drainages will either use existing culverts or open crossings, no significant bridging is indicated at this time.
3. For California spotted owl PACs: Maintain a limited operating period (LOP) prohibiting vegetation treatments within approximately ¼ mile of the activity center during the breeding season (March 1 through August 15), unless surveys confirm that California spotted owls are not nesting. Prior to implementing activities within or adjacent to a California spotted owl PAC when the location of the nest site or activity center is uncertain, surveys will be conducted to establish or confirm the location of the nest or activity center
4. Perching trees and nesting sites for Osprey shall not be physically disturbed, nor shall the habitat within the respective disturbance zone be manipulated in any manner, unless needed to enhance habitat quality

5. The project will retain all large (>24 in. dbh) decadent tress and snags during trail construction, unless any such trees are determined to be an imminent hazard to trail users. Hazard trees will be identified and specialists will be consulted before trees are removed.
6. Downed woody material encountered during trail construction will be retained within project areas.
7. Any sightings of threatened, endangered, sensitive, management indicator, or special interest species, or of nests or dens of these species would be reported to the project biologist.

#### Botany

1. Avoid sensitive plants to ensure that species do not become threatened or endangered. Sensitive plants will be flagged, buffered, and avoided during project implementation to eliminate any negative impacts to individuals.
2. Known existing locations of *Rorippa subumbellatata* (Tahoe yellow cress) will be buffered and avoided during project implementation.
3. User created trails to known existing locations of *Rorippa subumbellatata* (Tahoe yellow cress) will be decommissioned if possible to lead visitors away from suitable beach habitat.

#### Noxious Weeds

1. Flag and avoid weed infestations identified before project implementation
2. Equipment, materials, and crews will not be staged in weed infested areas. Off-road equipment will be washed prior to entering the project area to ensure the equipment is free of soil, seeds, vegetative material, or other debris that could contain or hold seeds of noxious weeds. All earth-moving equipment, gravel, fill, or other materials will be required to be weed-free. Only weed-free mulches and seed sources will be used.
3. Minimize the amount of ground and vegetation disturbance in construction areas. Revegetate where feasible, especially in staging areas.
4. After project completion, notify the LTBMU Noxious Weed Coordinator to facilitate subsequent monitoring.

#### Soils

1. Trails will be designed to mitigate impacts to erosive soils and unstable areas by implementing BMPs and designing trails to meet Forest Service Standards. Trail construction plans call for minimizing disturbance during construction activities. Temporary BMPs will be implemented during construction.
2. Compacted trails that are to be decommissioned will be decompacted to 8" and mulched with native materials. In some areas, organic material will be incorporated into soils to improve soil productivity.

### **REASONS FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION:**

CEQ regulations allow Federal agencies to exclude from documentation in an environmental assessment (EA) or environmental impact statement (EIS) categories of actions that do not individually or cumulatively have a significant effect on the human

environment, based on the agency's experience and knowledge. I have determined that this proposed action fits under FSH 1909.15 Chapter 31.2 (1) – Construction and reconstruction of trails.

### **EXTRAORDINARY CIRCUMSTANCES:**

This project is Categorically Excluded because no extraordinary circumstances exist potentially having effects which may individually or cumulatively have a significant affect on the human environment. This is based on the following:

- 1) Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species – Determinations for threatened, endangered, or sensitive species and their habitats are summarized below. Refer to project record document B1 for discussion of effects to wildlife and aquatic threatened, endangered and sensitive species and their habitats and document B2 for discussion of effects to threatened endangered and sensitive plants and fungi.
  - Threatened or Endangered Species – No effects to threatened or endangered species (non-botanical) are expected as these species and their suitable habitats do not occur in or adjacent to the project area. This project may affect *Rorippa subumbellata* (**Tahoe yellow cress**), which has suitable habitat in the project footprint and known occurrences within the vicinity of the proposed project, but it is not likely to result in a trend toward Federal listing or loss of viability for Tahoe yellow cress or any other plant species listed as threatened, endangered, proposed for listing, or candidates under the Endangered Species Act of 1973, as amended.
  - Sensitive Species – This project is unlikely to affect individuals, and may affect foraging habitat, but is not likely to result in a trend toward federal listing or loss of viability for the **California spotted owl** because any reduction in suitable habitat for the spotted owl due to the proposed action will be minimal (< 1 acre). The East Shore Beaches Trail ATM project may affect **northern goshawk** and **American marten** individuals using the project area during implementation, but is not expected to substantially affect their habitat quantity and quality (the project will only potentially result in loss of approximately 2 acres of suitable goshawk habitat (non-nesting habitat), and important habitat elements for this species will be retained); therefore the proposed actions are not likely to result in a trend toward federal listing or loss of viability for the northern goshawk and American marten. This project may effect individuals, but is not likely to result in a trend toward federal listing or loss of viability to the LTBMU sensitive plant species that have suitable habitat within the footprint of the proposed project: *Arabis rigidissima* var. *demote* (**Galena Creek rock cress**) and *Epilobium howellii* (**subalpine fireweed**).

- 2) Flood plains, Wetlands, or Municipal Watersheds – As indicated in the purpose and need, the principal purpose for this project is to correct and improve erosion and sedimentary degradation conditions of trails affecting water quality, wetlands and aquatic resources.
  - a. Floodplains- Careful use of design features and best management practices will ensure that possible short-term effects are minimal. There are no adverse long-term or cumulative effects on Floodplains.
  - b. Wetlands- Careful use of design features and best management practices will ensure that possible short-term effects are minimal. There are no adverse long-term or cumulative effects on Wetlands.
  - c. Municipal Watersheds- There are no Municipal Watersheds within the project area.
- 3) Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas – Project area is not within a Congressionally Designated Area.
- 4) Inventoried roadless areas or potential wilderness areas – Project area is not within an Inventoried Roadless Area.
- 5) Research Natural Area – Project area is not within a Research Natural Area.
- 6) American Indian and Alaska Native Religious or Cultural Sites - There is no adverse effect to Native American Religious or Cultural Sites, as stated in Nevada SHPO's letter dated July 14, 2008 (project record document B4).
- 7) Archaeological Sites, or Historic Properties or Areas –There is no adverse effect to Archaeological Sites, or Historic Properties or Areas as stated in Nevada SHPO's letter dated July 14, 2008 (project record document B4).

The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion (CE). It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determine whether extraordinary circumstances exist (36 CFR 220.6(b)).

#### **FINDINGS REQUIRED BY OTHER LAWS:**

The area under this decision is located in the East Shore Beaches Management Area and the Marlette Management Area as detailed in the 1988 Lake Tahoe Basin Management Forest Plan, and the actions planned are consistent with the Standards and Guidelines of the Plan and all amendments, as required under the National Forest Management Act (project record document E1).

This project is exempt from Tahoe Regional Planning Agency review as project activities are listed in the MOU between the LTBMU and TRPA under: Section III – Exempt Activities; D – Roads and Trails; #2. Trails will be relocated to reduce environmental impacts. Reroutes will avoid, reduce and minimize disturbance to SEZs and no reroutes will exceed 2000 sq. feet in land capability districts 1,2 or 3 nor exceed 10,000 sq feet in all land capability districts. In addition, an equal area or more

environmentally sensitive area will be restored and restoration will occur in the same hydrologically related area.

**PUBLIC INVOLVEMENT:**

East Shore Beaches Trail Access and Travel Management Plan listed in the January 2008 Quarterly Schedule of Proposed Actions (SOPA).

On March 4, 2008, a Scoping letter with Proposed Action and Map was sent to thirty-four interested and affected individuals, agencies, and organizations.

The comment period began March 4, and extended until April 4, 2008. No comments were received during that period. One comment was received on April 14<sup>th</sup>, containing two points, neither of which affected the project as proposed. (One point concerned ensuring that trails are designed and laid out to most effectively prevent short-cutting, an objective which has always been at the center of the project. The other made requests concerning user directing signage, and will be taken into account during sign emplacement following project completion.)

**IMPLEMENTATION DATE:**

This project will begin implementation immediately upon issuance of this Decision Memo.

**ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES:**

This decision is not subject to appeal pursuant to 36 CFR 215.12(f) as it is a decision “for actions that have been categorically excluded from documentation in an EA or EIS in FSH 1909.15, Chapter 30, section 31.”

**CONTACT PERSON:**

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**SIGNATURE AND DATE:**

I have concluded that this decision may be categorically excluded from documentation in an environmental impact statement or environmental assessment as it is within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 sections 31.12 or 31.2. My decision concludes that no extraordinary circumstances exist related to the proposed action



that may result in a significant individual or cumulative effect on the human environment, and that the decision is not subject to appeal.

My conclusion is based on information presented in this document, my familiarity with the project areas, and the entirety of the project file.



**TERRI MARCERON**

Date

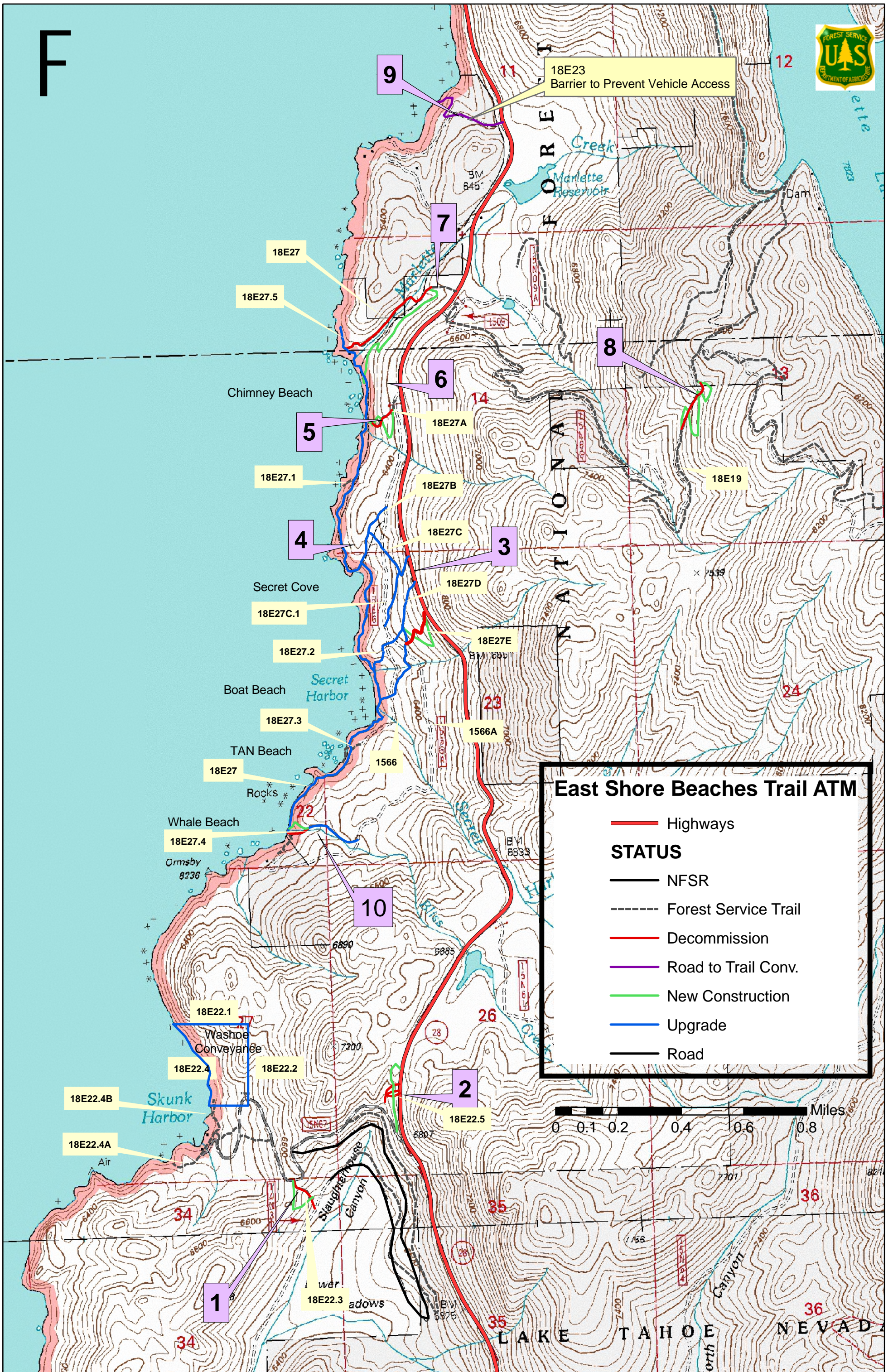
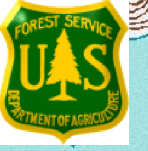
Forest Supervisor, Lake Tahoe Basin Management Unit



**APPENDICES:**

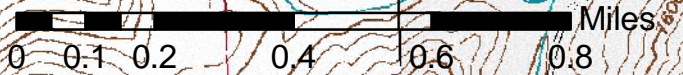
Map  
Table

F



East Shore Beaches Trail ATM

- Highways
- STATUS**
- NFSR
- Forest Service Trail
- Decommission
- Road to Trail Conv.
- New Construction
- Upgrade
- Road



**Table 1: SUMMARY OF PROJECT TRAILS**

<b>Number</b>	<b>Length (ft)</b>	<b>Length(miles)</b>	<b>System Status</b>	<b>New (mi)</b>	<b>Upgrade(mi)</b>	<b>Decomm(mi)</b>
1566			System			
1566A			System			
18E19	3276.299	0.621	System	0.450		0.169
18E22.1			NonSystem			
18E22.2	589.823	0.112	NonSystem			0.112
18E22.3	1513.993	0.286	NS->System	0.166		0.120
18E22.4	453.508	0.086	NonSystem			0.086
18E22.4A			NonSystem			
18E22.4B			NonSystem			
18E22.5			NonSystem			
18E23	2310.472	0.437	NS->System	0.317		0.120
18E27	15173.638	2.874	System	0.756	1.663	0.455
18E27.1	212.282	0.040	NS->System		0.040	
18E27.2	1019.770	0.193	NS->System		0.193	
18E27.3			NonSystem			
18E27.4	1918.347	0.364	NS->System	0.112	0.170	0.082
18E27.5	405.675	0.077	NS->System		0.077	
18E27A	1703.791	0.323	System	0.229		0.094
18E27B	1092.526	0.207	System		0.207	
18E27C	1303.423	0.247	System		0.247	
18E27C1	965.935	0.183	NS->System		0.183	
18E27D	2380.902	0.451	System		0.451	
18E27E	1931.431	0.366	System	0.211		0.155
<b>TOTALS</b>	<b>38433.12</b>	<b>7.279</b>		<b>2.241</b>	<b>3.548</b>	<b>1.562</b>