

Decision Notice
and
Finding of No Significant Impact

Daggett Summit Trail System Project

USDA Forest Service
Lake Tahoe Basin Management Unit
Douglas County, Nevada

Decision and Reasons for the Decision

Background

The 166-mile Tahoe Rim Trail (TRT) is a National Recreation Trail (National Scenic Trail where co-located with the Pacific Crest Trail) traversing six counties (El Dorado, Alpine, Placer, Washoe, Carson City, and Douglas) in two states (California and Nevada). As originally conceived, it was to be a continuous backcountry natural surface trail for non-motorized use encompassing the ridge tops around the Lake Tahoe Basin. From the beginning of the project in 1983, the Forest Service, Nevada State Parks (NSP), and the Tahoe Rim Trail Association (TRTA) sought routings that would separate the TRT from active roadways and motorized vehicular routes. Lack of public property corridors, however, dictated that the TRT in the Daggett Summit area follow 3.4 miles of public streets. The current TRT routing in the Daggett Summit area is paved, on a winding road with short sight lines, and has pitches often exceeding 15%. This alignment degrades the recreational experience and creates conflicts between trail users and local vehicle traffic in areas where there are no sidewalks and steep roadways.

Public land acquisitions since the initial development of the TRT now make forested through trail routes possible in the area. Beginning in 2003, the TRTA has conducted extensive map review and area exploration to determine feasible trail re-route alternatives meeting both property ownership constraints and Forest Service management goals in the Daggett/Kingsbury area. Additionally, requests from NSP for a TRT link to the Van Sickle Unit of Lake Tahoe Nevada State Park (VSSP), and from South Lake Tahoe residents and visitors for additional local recreational use opportunities have been integrated into this trail system planning effort. The TRTA partnered with the Forest Service to design the re-route of the TRT and with NSP to design the TRT-VSSP connector described herein.

Upon completion, the proposed actions under this project will meet the intended character of the TRT and improve the system by creating connections on native surface paths rather than paved roads, and by connecting the TRT system directly to the South Lake Tahoe/Stateline area via VSSP. The proliferation of unauthorized and unmaintained user-created trails in the area will be addressed through creation of sustainable routes, adoption and upgrade where beneficial, and closure and mitigation as indicated in the EA.

The following are the objectives for this Proposed Action:

- Develop a non-motorized trail system that minimizes trail use conflicts. This includes eliminating the last sections of the current TRT alignment on paved roadways.
- Provide an integrated trail system that includes loops and connector trails. This includes adding a link from VSSP to the TRT and providing significant new loop trail opportunities in the Upper Kingsbury and Daggett-Van Sickle areas.
- Provide day use recreation options close to the urban core (including commercial, neighborhood, and casino areas) with vistas of Lake Tahoe and the Carson Valley.
- Promote the use of public transit to access trailheads.
- Provide a natural environment trail experience that is not available while on the paved road section.
- Provide environmentally sound and sustainable trails that meet multi-use, non-motorized needs.
- Decommission (close, decompact, recontour, and camouflage) unnecessary and environmentally unsustainable trails after completion of the reroute.

Decision

Based on the Environmental Assessment (EA) and the Finding of No Significant Impact (FONSI), it is my decision to approve Alternative 1, the Proposed Action, and to implement those portions of the project located on National Forest System or Forest Service easement lands.

Alternative 1 is approved as follows:

- Implement construction of system trail connecting the Kingsbury North and Kingsbury South trailheads of the TRT; provide sustainable scenic trail and loop opportunities accessible to existing and potential non-motorized trail use groups (foot, bike and horse); and connect the TRT with VSSP.
- Create system trail alignments as shown in Figure 3 of the EA. Projected implementation (2009-2012) will connect the Kingsbury North and Kingsbury South trailheads with four TRT segments, each consisting of newly constructed and reconstructed trail; provide scenic trail spurs (to five vista points) and loop opportunities. Connect the TRT to VSSP with one segment of newly constructed and reconstructed trail. Relocate the existing TRT connection through private property to the Kingsbury South Trailhead upon completion of new easement/right-of-way agreements. The approved activities in the Daggett Summit project area include:
 - New Trail Construction and Reroutes – 9.46 miles (99,898 sq. ft).
 - Decommissioning – 7.05 miles (176,887 sq. ft).
 - Reconstruction and Upgrade – 3.50 miles (37,054 sq. ft).
 - Installing and upgrading trail signage.

My decision is based on and supported by the analysis presented in the EA and the supporting documents contained in the Project Record¹. The EA fulfills the requirements of the National Environmental Policy Act (NEPA) at the site specific level. This project is consistent with the Lake Tahoe Basin Management Unit (LTBMU) Land and Resource Management Plan (LRMP) (Project Record Document A1).

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative in detail (Alternative 2, No Action, EA pages 18-19; 29-52, in which no actions would be implemented).

Public Involvement

The LTBMU listed the proposed action in its Schedule of Proposed Actions (SOPA) beginning on July 1, 2006. Copies of the Daggett Summit Trail System Project Proposed Action and maps have been posted on the LTBMU external public website since November 16, 2007. A scoping letter with project area map was sent out to 28 residents, groups, and agencies on November 29, 2007. On December 5, 2007, an informational flyer was hand delivered to 53 homes in the vicinity of the proposed trails (22 of the residents were given personal briefings and 2 taken on trail corridor tours). In addition, a Forest Service news release was published in the *Tahoe Daily Tribune* and the *Mountain News* on December 6, 2007. The Forest Service held a public meeting to gather information and comments to help shape this proposed action on December 11, 2007 at the LTBMU Forest Supervisor's Office in South Lake Tahoe (21 attendees). A separate meeting was held for the Tahoe Village Home Owners Association (8 TVHOA members) on December 12, 2007. The public scoping comment period ended on January 11, 2008. Nineteen emails, letters, comment sheets and phone calls were received in response to these efforts (Project Record Documents D1-D19).

The Federal government has trust responsibilities to Tribes under a government-to-government relationship to insure that the Tribe's reserved rights are protected. This government-to-government consultation was initiated (Scoping Letter, November, 2007, Project Record Document C1). The Washoe Tribal Cultural Coordinator was provided a tour of requested sections of the proposed trail. No traditional cultural properties concerns were identified for this project.

The scoping process identified public comments associated with the Proposed Action and was used by the LTBMU to determine areas where additional assessment, information, or clarification was necessary to address public concerns. Two minor adjustments to the proposed action (adoption of a short vista spur and changes to signage) resulted from these responses. A scoping summary report was prepared and is available as Project Record Document E. This report summarizes the comments received during the public scoping process and presents LTBMU and NSP responses.

A comment period for the completed EA was provided. The period started November 25, 2008 and ended December 26, 2008. No substantive comments were received during the comment period. Only a single expression of support was received and is available in Exhibit G of the Project Record.

¹ Project Record is on file at the Lake Tahoe Basin Management Unit Supervisor's Office.

Finding of No Significant Impact

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

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action (see EA pages 26-50).
2. There will be no significant effects on public health and safety, because trails are planned to minimize safety concerns such as unexpected hazards and use conflicts. This project will reduce trail user/vehicular interface (see EA page 26, Table 4).
3. There will be no significant effects on unique characteristics of the area, because trail system upgrades are designed to avoid, mitigate, and reduce disturbance to areas identified to have unique characteristics (see EA pages 19-26).
4. The effects on the quality of the human environment are neither significant nor likely to be highly controversial, based on the past implementation of similar projects in the Lake Tahoe Basin. There is no known scientific controversy over the impacts of non-motorized trails (see EA pages 1-6).
5. The LTBMU has considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA pages 1-13, 19-50).
6. The action is not likely to establish a precedent for future actions with significant effects because this is the last section of the TRT remaining on paved roads. All future trail actions will be analyzed separately from this project and require their own environmental analysis (see EA pages 1-4).
7. There are no known significant cumulative effects between this project and other ongoing or planned projects in or adjacent to this project. The effects of other foreseeable future actions as well as past actions and ongoing actions were included in the analysis (see EA pages 27-50).
8. 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 (see EA pages 46-47 and Nevada SHPO Letter, 26 June 2008, Project Record Document I1).
9. The action may affect but is not likely to adversely affect Pacific Fisher, Sierra Nevada yellow-legged frog, or slender moonwort or their habitat and will have no effect on any other endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. The project BE/BA (Project Record Document K1) determined no proposed or designated critical habitat exists in or near the project action area (see EA pages 27-36).
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the

EA (see EA page 6). The action is consistent with the Lake Tahoe Basin Management Unit Land and Resource Management Plan (see EA page 6 and Project Record Document A1).

Findings Required by Other Laws and Regulations

As indicated in significance factor number 10 above, this project is in accordance with Federal, State, and local laws. The following specifically apply:

National Forest Management Act – This Act requires the development of long-range land and resource management plans. The LTBMU Land and Resource Management Plan (LRMP) was approved in 1988 as required by this Act. It has been amended several times, including the Sierra Nevada Forest Plan Amendment, (2004). The LRMP provides guidance for all natural resource management activities. The Act requires all projects and activities to be consistent with the LRMP. The LRMP has been reviewed in consideration of this project. The Daggett Summit Trail System Project is within the Genoa and Heavenly Valley Management Areas defined in the LRMP. Since the Van Sickle Connector Trail is near the Tahoe Valley Management Area, guidance for that area was reviewed as well.

A Forest Plan consistency matrix and review for this project was completed in September 2007 (Project Record Document A1). The Daggett Summit Trail System Project is consistent with the standards and guidelines contained in the Forest Plan.

Endangered Species Act – In accordance with Section 7(c) of the Endangered Species Act, the USFWS list of “endangered and threatened species that may be affected by projects in the Lake Tahoe Basin Management Area” (updated on January 31, 2008) was reviewed and documented in a Biological Assessment (Project Record Document K1).

National Historic Preservation Act - Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. Section 106 of the National Historic Preservation Act (P.L. 89.665, as amended) also requires Federal agencies to afford the State Historic Preservation Officer (SHPO) a reasonable opportunity to comment. Surveys were conducted for Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision, with Nevada SHPO written approval of no significant impact findings on 30 July 2008 (Project Record Document I1).

Implementation Date

Since no comments were received during the 30-Day Comment Period, implementation of the decision may occur on, but not before, five business days from the date of this decision.

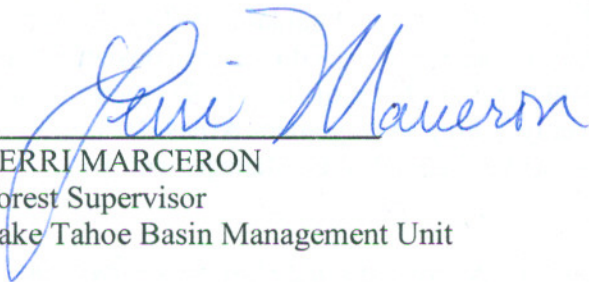
Administrative Review or Appeal Opportunities

This decision is not subject to appeal pursuant to 36 CFR 215.12 because no comments were received.

Contact

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

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DATE 4/13/09