



STEAMBOAT SKI RESORT FINAL ENVIRONMENTAL IMPACT STATEMENT RECORD OF DECISION



SEPTEMBER 2018

USDA Forest Service
Medicine Bow-Routt National Forests
and Thunder Basin National Grassland
Hahns Peak/Bears Ears Ranger District



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**USDA FOREST SERVICE
ROCKY MOUNTAIN REGION
MEDICINE BOW-ROUTT NATIONAL FORESTS
AND THUNDER BASIN NATIONAL GRASSLAND
HAHNS PEAK/BEARS EARS RANGER DISTRICT**

ROUTT COUNTY, COLORADO

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RECORD OF DECISION

1. INTRODUCTION

This Record of Decision (ROD) documents my decision to approve proposed projects and activities within Steamboat Ski Resort's (Steamboat) Special Use Permit (SUP) boundary on the Routt National Forest in Routt County, Colorado. My decision is based on, and supported by, the *Steamboat Ski Resort Final Environmental Impact Statement* (FEIS) and the project file.

Steamboat is located in the Hahns Peak/Bears Ears Ranger District of the Medicine Bow-Routt National Forests and Thunder Basin National Grassland (MBRTB), in Steamboat Springs, Colorado. Steamboat is approximately three hours driving time from the metropolitan Denver area via Interstate 70 (I-70) and Highway 40 (refer to **Figure 1-1** of the FEIS). It can be accessed via Highway 40 from the north through the City of Steamboat Springs or from the south from Rabbit Ears Pass.

Steamboat is owned by Steamboat Ski and Resort Corporation (SSRC), a subsidiary of Alterra Mountain Company, and operates under a United States Forest Service (Forest Service) Ski Area Term SUP. Steamboat's SUP covers approximately 3,738 acres of National Forest System (NFS) lands, which encompass most of Steamboat's on-mountain operations; however, the base area and portions of the terrain network are located on private lands.

2. PURPOSE AND NEED

In order to address existing constraints and conditions and further improve the skiing experience at Steamboat, the Forest Service, through its acceptance of Steamboat's 2011 Master Development Plan Amendment (MDPA), has identified a need to:

- Improve Steamboat's teaching terrain for beginner ability level guests to provide for an effective and comfortable learning/teaching progression.
- Address operational inefficiencies and circulation of existing terrain.
- Provide additional lift-served terrain to meet guest expectations for diverse terrain offerings.

3. THE DECISION AND RATIONALE FOR THE DECISION

After thoroughly considering the project Purpose and Need, issues, alternatives, and extensive analyses presented in the *Steamboat FEIS*, as well as the public and agency comments submitted, my decision is to approve Alternative 2 – Proposed Action Alternative. All of the projects approved by my decision are on NFS lands within 1998 *Routt National Forest Land and Resource Management Plan* (Forest Plan) Management Area 8.22 – Ski Based Resorts (Existing/Potential) and occur within SSRC's SUP boundary.

3.1 THE SELECTED ALTERNATIVE

My decision to approve the Selected Alternative provides SSRC with the authorization to implement activities analyzed in detail in the FEIS. In particular, the Selected Alternative is the Proposed Action Alternative as presented in **Section 2.4** of the FEIS (pp. 23–35) with one modification as detailed below,

and includes the following elements: expansion of Steamboat's operational boundary; construction of the Rough Rider Learning Center including Bashor Gondola, Bashor Children's Facility and Restaurant, several moving carpets, and replacement of the Rough Rider platter lift; improvements within the Bashor Bowl area, such as realignment and replacement of the Bashor chairlift, relocation of Mavericks Superpipe, and expansion of Rabbit Ears Terrain Park; improvements within the Pony Express area, including substantial trail improvements, construction of a patrol hut and restroom, and the addition of chairs to Pony Express chairlift; and development of the new Pioneer Ridge area, including glading and hazard tree removal, ski trail construction, and construction of the Pioneer Ridge chairlift. All approved projects will be located within Steamboat's existing SUP area. The Selected Alternative is depicted in the Selected Alternative **Figure ROD-1**.

I am modifying the Selected Alternative from the Proposed Action Alternative by removing a portion of the access road/ski trail (Trail G) from my decision. Specifically, the removed portion begins where Trail G originates at *Lariat* and ends where Trail G reaches the bottom terminal of the Pioneer chairlift. During analysis I determined that this project has independent utility for skier safety regardless of future development in the Pioneer Ridge area or other purposes the access road/ski trail may serve. This project was analyzed in a separate Categorical Exclusion and a Decision Memo was issued approving the project in May 2018.

A Forest Plan amendment is a component of the Selected Alternative. A Forest Plan Consistency Analysis was prepared, which considers the alternatives in the context of the applicability and relevance of each standard and guideline contained in the Forest Plan. The Forest Plan Consistency Analysis is provided in **Appendix B** of this FEIS. An inconsistency has been identified between the Selected Alternative and *Threatened, Endangered, Sensitive Species, and Wildlife Standard 6*, which is:

Protect known active and inactive raptor nest areas. Extent of the protection will be based on proposed management activities, human activities existing before nest establishment, species, topography, vegetative cover, and other factors. A no-disturbance buffer around active nest sites will be required from nest-site selection to fledging (generally March through July). Exceptions may occur when animals are adapted to human activity.¹

Detailed analysis regarding the Forest Plan amendment is provided in **Appendix C** of the FEIS.

In accordance with the National Forest Management Act and its implementing regulations at 36 CFR § 219 (2012 Planning Rule), I am approving this Forest Plan amendment which removes the applicability of this standard during the construction phase of the Selected Alternative; the amendment will not apply to Northern goshawks, the operation or maintenance phase of the Selected Alternative, or to future projects not included in the Selected Alternative. In accordance with the 2012 Planning Rule, I have determined that the change to the Forest Plan is not significant. Furthermore, the Forest Plan amendment is a site-specific, one-time exemption from *Threatened, Endangered, Sensitive Species, and*

¹ USDA Forest Service, 1998

Wildlife Standard 6 at Steamboat. Thus, the action will not significantly alter the multiple-use goals and objectives for the long-term land and resource management of the Routt National Forest.

These projects will allow Steamboat to better meet guest expectations and address the project Purpose and Need. Implementation of the projects in the Selected Alternative will also respond to long-term goals and objectives of the Forest Plan, and to the management direction for Management Area 8.22 – Ski Based Resorts (Existing/Potential), the management area for the Project Area.

3.2 DECISION RATIONALE

The Steamboat Ski Resort analysis and public involvement processes were both thorough and informative in making my decision, and provided a foundation for my decision and the project design criteria (PDC) identified in **Table ROD-1**. I have carefully reviewed the FEIS and the environmental impacts of this project. The FEIS discloses, using the best available science and information, the qualitative and quantitative effects on the human and biological environment that are anticipated to result with the implementation of the approved projects. My rationale for choosing the Selected Alternative is based on careful consideration of several key elements addressed during the public involvement and analysis process, including resource issues, consistency with the project Purpose and Need, the Forest Plan, and Steamboat's 2011 MDPA.

3.2.1 CONSISTENCY WITH THE PROJECT PURPOSE AND NEED AND THE FOREST PLAN

I am approving the Selected Alternative because it best meets the project Purpose and Need to address existing constraints and conditions and further improve the skiing experience at Steamboat.

The Forest Service first recognized the potential for ski area development in Pioneer Ridge when the area was identified as potential developed ski area terrain in the *1983 Routt National Forest and Resource Management Plan*. Later, the area was included in Management Area 8.22 – Ski Based Resorts (Existing/Potential) in the 1998 Forest Plan. This potential was further acknowledged when the area was included within Steamboat's SUP, and when the construction of a chairlift and associated terrain in Pioneer Ridge were analyzed and approved in the *1996 Steamboat Ski Area Expansion Final Environmental Impact Statement and Record of Decision*. Additionally, the accepted 2011 MDPA included development within the Pioneer Ridge and Bashor areas; these improvements have been previously screened by the Forest Service and deemed to be acceptable, potential projects within the SUP. Adjusting Steamboat's operational boundary to include this area of their SUP, along with installing the Pioneer Ridge chairlift and developing the associated terrain, meets the intent of prior approvals, Management Area 8.22, and the overall Forest Plan.

I recognize that the area of Pioneer Ridge is popular side country, primarily accessed by riding up the existing Pony Express chairlift, for local and visiting skiers alike. Its proximity to Steamboat's current operational boundary, but difficult egress, has resulted in advanced ability terrain with lower skier densities than other areas of Steamboat. I also understand that incorporating the Pioneer Ridge area into Steamboat's operational boundary is frustrating to some members of the public because of their recreational preferences.

I understand that development of this terrain will impact wildlife and in anticipation of potential impacts, the Forest Service engaged the United States Fish and Wildlife Service (USFWS), Colorado Parks and Wildlife (CPW), and United States Environmental Protection Agency (USEPA) early and throughout the EIS process. I appreciate the issues these agencies brought to the EIS process, and for their collaboration in developing PDC to address these issues. Their involvement has only improved the analysis, process, and decision to be more informed of key resources.

In particular, the project has the potential to impact raptors and their habitat, and I have approved a Forest Plan amendment for *Threatened, Endangered, Sensitive Species, and Wildlife Standard 6* as part of the Selected Alternative. This amendment removes the applicability of this standard during the construction phase of the Selected Alternative; the amendment will not apply to the operation or maintenance phase of the Selected Alternative, or to future projects not included in the Selected Alternative. Additionally, this amendment does not apply to sensitive, threatened, or endangered species such as Northern goshawk. This is further explained in **Section 3.2.3** of this decision. I also recognize that raptor nests identified within the Project Area have been inactive since 2009, and that without this amendment, the development of this area would be difficult.

Conflicts between moose and residents of Steamboat Springs are of increasing concern. Moose are known to be present within the Pioneer Ridge area, as are skiers and other recreationists. The MBRTB, CPW, and SSRC have committed to design a moose management plan. While it is not practical to assume that no future conflicts between moose and guests will occur within Pioneer Ridge, I believe that this project will approach these conflicts in a way that both reasonably considers the current and intended use of Pioneer Ridge while actively minimizes adverse impacts to moose.

3.2.2 A COMMITMENT TO MINIMIZING RESOURCE IMPACTS

I recognize that there is a constant balance to be met between environmental resources and land management. Throughout the EIS process, the Forest Service refined and adjusted project designs and locations to minimize impacts to forest resources such as raptors and wetlands. Mitigation and monitoring for hydrologic resources, including wetlands, are a component of the Selected Alternative and are detailed in **Section 2.5.1** and **Section 2.5.2** of the FEIS. This, in combination with numerous BMPs and PDC (refer **Table 2-1** of the FEIS), will ensure that impacts are minimized during implementation.

3.2.3 ENVIRONMENTAL AND SOCIAL IMPACTS

Potential resource impacts were addressed throughout the EIS process through modified project designs and the requirement for additional PDC. The overall range of alternatives considered during the planning and EIS process, including the alternatives considered but dismissed from detailed analysis, was informative (refer to **Section 2.6** of FEIS). Ultimately, the Selected Alternative, coupled with required PDC, mitigation, and monitoring, reduced environmental impacts compared to the initial proposal considered in scoping. I carefully reviewed the FEIS and the environmental impacts associated with all alternatives when making my decision.

There are indeed impacts, as disclosed in the FEIS and the supporting documentation. My decision accounts for all anticipated impacts, positive and negative, that will result from implementation of the

Selected Alternative. Overall, I am responsible for balancing the environmental and social impacts with the benefits the project will provide, including the conservation measures and design elements developed to reduce impacts. The following discussions provide additional detail on my considerations.

Effects to Wildlife and Fisheries

The effects to wildlife and fisheries (including threatened, endangered, and proposed species; Forest Service Region 2 sensitive species; Species of Local Concern; and migratory birds) are disclosed in **Section 3.9** of the FEIS. The MBRTB coordinated throughout the process with CPW, and I have included additional timing restrictions and monitoring to reduce, minimize and avoid impacts to a variety of species. I have considered the impacts to federally threatened and endangered species, Forest Service Region 2 sensitive species, and Species of Local Concern in making this decision.

Raptors

Two historically active nests are known to exist in the Pioneer Ridge area. After carefully reviewing the FEIS and supporting materials, I have determined the Selected Alternative would not be feasible should no-disturbance buffers be applied around active raptor nests in proximity to the projects, as required in *Threatened, Endangered, Sensitive Species, and Wildlife Standard 6*. A Forest Plan amendment is necessary and approved to allow for the construction of the authorized projects should these nests become active during the construction phase. The amendment does not apply to Northern goshawks, the operation or maintenance phase of the Selected Alternative, or to future projects not included in the Selected Alternative.

As presented in **Section 3.9.4** of the FEIS, if construction and/or tree clearing activities are conducted adjacent to an active raptor nest, habitat effectiveness would likely be impaired during construction. It is likely that during construction, affected nesting raptors will experience reduced recruitment (young being added to the population). Such impacts will be temporary in scope and limited to a low number of individual birds. Over the long term, non-cleared and thinned forest will continue to provide habitat for nesting raptors; the approved projects will not measurably affect long-term raptor abundance or community composition in the Steamboat SUP area. The Forest Plan amendment will not allow active or inactive raptor nest trees to be removed; therefore, direct mortality of raptors is not anticipated with the Selected Alternative. Additionally, raptor nest surveys will be conducted at known raptor nests between June 15 and July 31 of each year of construction to identify active nest sites. Project-related construction activities are permitted prior to the beginning of the June 15 survey window, unless active goshawk nest sites were previously identified within 0.25 mile of the construction activity.

Effects to Wetlands and Water Influence Zones

The Crux grading and blasting project as well as several Bashor Bowl grading projects would occur within wetlands and water influence zones (WIZ) that are tributary to Burgess Creek and the Yampa River watersheds. The Forest Service modified the Proposed Action Alternative to minimize impacts to watershed resources within this area, including adjusting the Bashor Bowl projects and considering alternatives to avoid wetlands.

A total of 0.1 acre of direct permanent impacts to wetlands and 0.7 acre of direct temporary impacts to wetlands will occur under the Selected Alternative. With implementation of best management practices

(BMPs) and PDC, including compensatory wetland mitigation and/or restoration, these effects will not jeopardize the wetland functioning condition. As described in **Section 3.12.4.2** of the FEIS, indirect effects to wetland resources include forest overstory removal, snow compaction, wetland dewatering, noxious weed invasion and erosion/sedimentation. It is anticipated that potential changes to wetland structure, species composition, and function could potentially occur; however, with implementation of the BMPs and PDC, these changes will not be of sufficient magnitude or scale to cause a significant effect.

Impacts to the WIZ associated with the Selected Alternative will account for 6 acres of tree clearing including 1.7 acres of grading. Adverse effects to Burgess Creek stream health will occur; however, the stream will remain (maintain) in the 'at risk' category.

Effects to Recreation and Backcountry Skiing

As discussed in **Section 3.1** of the FEIS, as well as my Decision Rationale above, the projects included in the Selected Alternative will allow Steamboat to continue to provide a high-quality recreation experience and meet guest expectations and visitation demands into the foreseeable future.

Desirable trail densities will be maintained throughout the SUP area and project components that include changes to lift capacity, snowmaking improvements, and terrain modifications will address circulation issues associated with Christie Peak Express Pod and near the base area, portions of Rough Rider/Bashor Bowl area, and throughout the Pony Pod.

There will be enough out-of-base capacity to stage the full comfortable carrying capacity onto the mountain in less than an hour and a half time period. Additionally, through the incorporation of the Pioneer Ridge area into the operational boundary, egress in the Project Area will be improved. The location of backcountry access points and adequate return routes to the proposed Pioneer Ridge area are expected to reduce the number of issues related to skiers being unable to navigate to the operational boundary or getting stranded in high consequence terrain.

The majority of terrain previously accessed as backcountry adjacent to the Pony Pod in the Pioneer Ridge Area, will be incorporated into Steamboat's operational boundary. This will not encapsulate all the terrain one could access from the existing Pony Express chairlift; however, the 355-acre operational boundary increase will include the popular *Golf Course Fields* and *Outer Outlaw*. The *Upper* and *Lower Fish Creek Canyon* areas will remain as backcountry beyond the proposed operational boundary. New access points will be constructed to provide backcountry users with entry to this area; however, the number of access points and locations will be determined in the ski area's winter operating plan.

Throughout the public involvement process I have listened to the concerns of several members of the public that value the existing characteristics of the Pioneer Ridge terrain, in general. I acknowledge that my decision may change the experiences that you may have within this area. However, I have also heard from users of this terrain that have explained the reality of this area, which is that the vast majority of people using this area ride the Pony Express chairlift, ski the side country terrain, and return to the ski area by the "100 steps" across Burgess Creek to *BC Skiway*. I understand that 50 to 500 users on any given day access this terrain depending on conditions, so the use is apparent. The Forest Plan clearly

identified 8.22 Management Areas as appropriate for ski area development. The Selected Alternative is within SSRC's SUP boundary and Management Area 8.22. I realize this is of little consequence to the people who currently use the Pioneer Ridge terrain within Steamboat's SUP boundary for backcountry skiing.

3.3 CONCLUSION

My decision is a culmination of a detailed planning and analysis process; many factors have been evaluated over the past two years through the EIS processes. I am thankful for the partnership the Forest Service maintains with Steamboat and the collaboration Steamboat and the community has demonstrated through this process and the commitments that have resulted. The Selected Alternative best meets the multi-point Purpose and Need while minimizing resource impacts.

4. MANAGEMENT REQUIREMENTS

All BMPs and PDC that are included in **Table ROD-1** are hereby incorporated into the Selected Alternative.

Table ROD-1: Best Management Practices and Project Design Criteria

Recreation
All improvement projects will follow Forest Service accessibility guidelines as outlined by the Forest Service Outdoor Recreation Accessibility Guidelines, and Forest Service Accessibility Guidelines for Ski Resorts, and Forest Service Trail Accessibility Guidelines.
Visual Resources
Infrastructure should imitate landscape character with natural appearing materials and colors to minimize impacts to scenery.
The scenic character will be protected through appropriate siting of buildings and the use of low-impact materials and colors (e.g., indigenous construction materials, such as stone and wood, as well as low-reflective glass and roofing materials).
Facilities or structures including buildings, chairlift terminals and chairs need to reduce reflectivity. This includes any reflective surfaces (metal, glass, plastics, or other materials with smooth surfaces), that do not blend with the natural environment. They should be covered, painted, stained, chemically treated, etched, sandblasted, corrugated, or otherwise treated to reduce solar reflectivity. The colors should be muted, subdued colors because they blend well with the natural color scheme.
Re-grade to restore a natural terrain appearance. Where there is disturbed ground for new structures include new buildings, lifts, and associated terminals, towers and foundation placements, road realignments, and water storage ponds and structures, including culverts and bridges, put any excess material back to the area with grading to avoid stockpile of material and maintain a natural appearance at transitions. Any site grading should blend disturbance into the existing topography to achieve a natural appearance and minimize cuts and fills at the transition with proposed grading and existing terrain.
All disturbed areas shall be revegetated after the site has been satisfactorily prepared. Reseed with a native seed mixture using a variety of native seed grasses, wildflowers, and forbs. Any seed mixes should be approved by the Forest Service Botanist. Seeding and planting should be repeated until satisfactory revegetation is accomplished, avoid straight edges where removing trees. The edges of ski trails, lifts and any newly created openings where

Table ROD-1: Best Management Practices and Project Design Criteria

the vegetation is removed, needs to use a variable density cutting (feathering) technique applied to create a more natural edge that blends into the existing vegetative. Edges should be non-linear, and changes in tree heights along the edges of opening should be gradual rather than abrupt. Soften hard edges by selective removal of trees of different ages and heights to produce irregular corridor edges where possible.
When removing trees or other vegetation, stumps should be cut as low as possible to the ground to lessen scenery impact.
Submit building designs, grading, erosion control, pre-construction erosion control/drainage management plans, post-construction revegetation plans for Forest Service review prior to implementing approved construction activities on NFS lands. For sites that would require grading in excess of 2,000 square feet, the grading plan should portray existing topography and cut/fill areas on large scale site plans.
Cultural/Heritage
If unidentified archeological resources are discovered, work shall cease until the resources have been evaluated by the Forest Service Archeologist and consultation with the SHPO has been completed.
Botany, including Timber and Forest Health
Re-seeding/revegetation plans need to be developed, discussed, and implemented with the Forest Service Botanist. Create a revegetation plan that includes measures to adequately establish desirable vegetation.
Reclaim disturbed areas promptly after construction to prevent erosion and invasion by weeds. Ensure proper drainage, rip compacted areas, apply biodegradable erosion control blanket or mulch, and apply a Forest Service-approved noxious weed-free seed mix to facilitate revegetation. Incorporate native vegetation into site plans as much as possible.
Travel routes accessing the Project Area prior to and during project construction will be treated for noxious species. Travel routes include ski area access roads, after leaving county administered roads.
Where possible, pretreat existing infestations within the Project Area with approved herbicides prior to project implementation.
Clean construction and logging equipment prior to and when leaving NFS lands. Within the Project Area, construction and logging equipment shall be cleaned prior to entering weed free areas. Specifically, equipment should be cleaned between use in the Bashor Bowl/Rough Rider, Pony Express, and Pioneer Ridge areas. Cleaning includes removing all soil, mud, plant parts, seeds, vegetative matter, or other debris that could contain or hold seeds.
Monitor for and treat any new invasive botanical species for a minimum of three years after project completion.
All herbicide choices for pre- and post-treatment of invasive plant species, application rates for treatment, and required resource protection measures shall follow the <i>Final Environmental Impact Statement for Invasive Plant Management for the Medicine Bow-Routt National Forests and Thunder Basin National Grassland and Record of Decision (ROD)</i> dated August 2015 (August 2015 Invasive Plant Species ROD). As per the ROD, special protection measures would be implemented for weed control near occupied Forest Service sensitive plant habitat (August 2015 Invasive Plant Species ROD, pages 38 and 41) and in environmentally sensitive management zones (aquatic zones, streamside zone, wetland zone, groundwater vulnerable zone, woodland zones) (August 2015 Invasive Plant Species ROD, page 42).
A Pesticide Use Proposal shall be reviewed and approved by the District/Forest Weed Program Manager prior to herbicide application to ensure SSRC weed control activities are in compliance with the August 2015 Invasive Plant Species ROD.

Table ROD-1: Best Management Practices and Project Design Criteria

Before implementing any approved project activities not included in the 2016 botanical and wetland survey area, the specific project areas will be surveyed using established protocols. Surveys will be conducted for threatened, endangered, proposed, and candidate species; Forest Service Region 2 sensitive species; and wetland/riparian habitats. Such areas may include, but are not limited to, staging areas that were not originally identified prior to botanical field reconnaissance.
The acreage of Rabbit Ears gilia directly impacted will be replaced in kind within the Planning Area (i.e., Routt National Forest). Replacement may include, but is not limited to, seeding and live planting of Rabbit Ears gilia into appropriate habitat elsewhere within the Planning Area.
In areas of proposed glading (40% tree removal), retain a higher density of trees within 100 feet of rare plant occurrences, where possible.
When cutting trees in gladed areas, prioritize the removal of dead/unhealthy trees over live, healthy trees and only remove trees that are necessary to facilitate a quality recreational experience.
Fire/Fuels
To meet <i>Forest Plan Fire and Fuels Standard 1</i> for Management Area 8.22 Ski Based Resorts, fuel load reduction and/or fuel manipulation must be utilized in hazard tree removal areas, Trail F, lift lines, and road corridors. This can be accomplished through pile burning, tree removal, and/or mastication.
If mastication is used, chips must be spread out and less than 6 inches in depth. No piling of chips for burning is to be allowed.
If pile burning is used, limit the size of the piles to 20 feet high by 20 feet wide by 12 feet long. This would result in approximately 30 to 35 piles and would allow for more opportunities to burn and reduce possible smoke issues.
To allow direct attack, treat management activity fuels to reduce fire intensity levels within three years after management activities cease.
Fish and Wildlife
To protect the CRCT, restrict construction activities within 50 feet of live water in the Pioneer Ridge area until after August 1, unless first coordinated with the Forest Service Fish Biologist.
All sampling gear, waders, and tools must be washed daily and also prior to entering a stream segment with CRCT with an approved biocide to prevent spread of diseases and non-native organisms.
Any new stream crossings on fish bearing streams or near amphibian breeding sites must meet Forest Service standards for aquatic passage as outlined in <i>Stream Simulation: An Ecological Approach to Providing Passage for Aquatic Organisms at Road-Stream Crossings</i> .
Maintain adequate snag habitat by preserving a minimum of 1 tree per acre for cavity nesting species such as woodpeckers, owls, purple martin, and bats as outlined in the Forest Plan Biological Diversity Standards (pages 1–8).
Discovery Clause: If specific impacts to threatened, endangered, and Region 2 sensitive species and/or their habitats, including nests, are identified during project implementation, project operations in the immediate vicinity will be suspended until the Forest Service Wildlife or Fish Biologist or Botanist are contacted. Project implementation may be adjusted, and timing restrictions may be applied, as determined by the Forest Service, to reduce those impacts. The species of interest include any USFWS TES species, goshawks, raptors, pygmy shrews, amphibians, CRCT, and rare plants.

Table ROD-1: Best Management Practices and Project Design Criteria

<p>Active Northern Goshawk Nest Site Seasonal Buffer: If northern goshawks are discovered nesting during pre-project surveys, a no disturbance buffer and timing restrictions will be set forth in the vicinity of the active goshawk nest stand up to 0.25 mile from April 15 through July 31, unless a shorter distance or lesser time is approved by a Forest Service wildlife biologist or Forest Service Responsible Official.</p> <p>If northern goshawks are discovered in the historical raptor area beside the <i>Outlaw</i> ski trail after pre-project surveys, including during the construction phase of the project, then construction of the following projects will be delayed up to 0.25 mile from April 15 through July 31.</p> <ol style="list-style-type: none"> 1. Trail corridor enhancements projects: <i>the Crux</i> 2. Ski-way construction: Trail E 3. Glading and hazard tree removal 4. Snowmaking 5. Pioneer Chairlift: Trail G construction, Trail H construction <p>If goshawk nests are identified following construction of Trail G and within the historical raptor area beside the <i>Outlaw</i> ski trail, limited administrative use of Trail G during the nesting period will be authorized for use of this road specifically to complete construction of the Pioneer chairlift and Burgess Creek bridge. This may require reducing the number of passes and/or trips past the nest area, no stopping vehicles, and workers cannot spend time on maintenance activities on this road within 0.25 mile of the nest during the nesting period.</p>
<p>Northern Goshawk Nest Site Habitat Protection: Where tree removal management actions are proposed within a 3/8-mile radius of a goshawk nest site,</p> <ul style="list-style-type: none"> • A consultant and Forest Service wildlife biologist will delineate a total of no less than 90 mature forest acres of protected northern goshawk nest habitat, in three or less areas inside and/or outside of the permit area. One protection area shall be centered on the stand where northern goshawk nesting is currently active or where nesting occurred most recently. Two protection areas would preserve nearby alternate stands that are structurally and compositionally suitable for northern goshawk nesting. • Trees within the nest protection areas and/or reserve nest stands shall not be marked for removal unless approved by a Forest Service wildlife biologist or Forest Service Responsible Official. <p>This design criterion shall stay in place for active or inactive northern goshawk nest stands, or until nests are determined to be inactive by northern goshawk for more than ten years.</p>
<p>Consult with Forest Service wildlife biologist prior to timber management actions in units 1798, 1799, 1800, 1801, 1805, or 1819 to conserve key elements of the known raptor nest areas. This is not applicable if northern goshawks are determined to be nesting within these units, as northern goshawk require further protection as sensitive species as outlined in the PDC immediately above.</p>
<p>No active or inactive raptor nest trees shall be removed within the Project Area.</p>
<p>Raptor nest surveys will be conducted at known raptor nests between June 15 and July 31 of each construction period to identify active nest sites. Project-related construction activities are permitted prior to the beginning of the June 15 survey window, unless active goshawk nest sites were previously identified within 0.25 mile of the construction activity.</p>
<p>Minimize the loss of suitable lynx habitat by: 1) minimizing tree and vegetation removal, b) limiting the extent (percentage) of glading and tree removal within the Pony Express and Pioneer Ridge areas, and c) phasing in improved tree skiing over a five- to ten-year period as forest health improves across the Mount Werner Lynx Unit. This does not preclude hazard tree removal in any of the project areas included in this analysis.</p>
<p>SSRC, in concert with the Forest Service and Colorado Parks and Wildlife (CPW), will develop a moose management plan.</p>
<p>SSRC will continually communicate with CPW and the Forest Service to monitor any increases in big game pressure and human-big game conflicts as a result of the project.</p>

Table ROD-1: Best Management Practices and Project Design Criteria

Construction workers will not have dogs on site.
All food and garbage will be secured in a bear proof manner on site and not left on site overnight.
Soils
Site-specific erosion control plans must be approved by the Forest Service prior to implementation.
Prepare and implement a Spill Prevention, Control, and Countermeasure Plan, per the requirements of 40 CFR Part 112.
Dispose of chemicals and containers in state-certified disposal areas.
Install contour berms and trenches around vehicle service and refueling areas, chemical storage and use areas, and waste dumps to fully contain spills. Use liners as needed to prevent seepage to ground water.
Inspect equipment used for transportation, storage or application of chemicals daily during use period for leaks.
Report leaks and spills. Install emergency traps to contain them and clean them up. Contaminated soil and other materials shall be removed from NFS lands and disposed of in a manner according to state and federal laws, rules and regulations. Take other appropriate clean-up actions in accordance with applicable federal and state laws, rules, and regulations.
Locate vehicle service and fuel areas, chemical storage and use areas, and waste dumps and areas, on gentle upland sites. Mix, load, and clean on gentle upland sites.
Prepare detailed site plans where uses would concentrate foot traffic or ground transport into high traffic areas. Design sites for proper drainage and to be resistant to erosion associated with the intended traffic.
Define grading limits on the ground before construction by placing stakes, flagging, wattles, sediment fence, construction fence or some physical barrier along the perimeter of the area to be graded. Ensure that all grading is confined within the specified grading limits.
Before grading, existing topsoil resources should be removed and stockpiled in an upland area where soils storage will not cause a resource impact. Subsequent to the grading activities, this topsoil should be re-spread, mulched, and seeded, unless the Forest Service determines that seeding is not necessary.
Limit roads and other disturbed sites to the minimum feasible number, width, and total length consistent with the purpose of specific operations, local topography, and climate.
Avoid locating roads, trails, or other disturbed areas on slopes that show signs of instability, such as slope failure, mass movement, or slumps. If avoidance is not possible, obtain approval from the Forest Service Engineer and Hydrologist prior to implementation and provide drainage and/or stabilization measures.
Stabilize and maintain roads and other disturbed sites during and after construction to control erosion.
Avoid soil-disturbing activities during periods of heavy precipitation or wet soils.
Operate heavy equipment only when soil moisture is below the plastic limit or protected by at least 1 foot of packed snow or 2 inches of frozen soil. Soil moisture exceeds the plastic limit if the soil can be rolled into 3-millimeter threads without breaking or crumbling.
To minimize erosion and sedimentation to waterways, new access roads should have appropriately spaced cross drains. New ski trails should utilize cross drains to direct water off trails into the forest and away from

Table ROD-1: Best Management Practices and Project Design Criteria

waterways. Cross drain spacing should not exceed 120 feet for very highly erodible soils on a 15% slope, and 220 feet for a highly erodible soil on a 15% slope but should be reduced if warranted by onsite factors.
Track up and down on final graded slopes with dozer to minimize erosion.
Compact fill slopes in 6- to 12-inch layers using appropriate compaction equipment.
Provide surface drainage, such as trenches, to intercept surface flow that affects slope stability.
Direct concentrated surface runoff away from cut and fill slopes and unstable slopes.
Provide subsurface drainage to lower groundwater or to remove seepage that affects slope stability.
Perform an on-site slope stability examination on slopes over 30% prior to design of roads or activities that remove most or all of the timber canopy. Limit intensive ground-disturbing activities on unstable slopes identified during the examinations. Conduct slope stability analyses by a licensed geotechnical engineer in areas to be graded that also have high mass movement potential.
When lift tower locations are identified, ensure there are no mass movement concerns (i.e., on slopes less than 60% and not in or below nearby wetlands).
Hydrology and Wetlands
SSRC will follow all requirements from their site State Storm Water Management Plan.
Maintain 100-foot vegetative buffers adjacent to intermittent or perennial drainages on each side of drainage and wetlands, as practicable (consistent with WIZ).
Do not remove naturally occurring debris from stream channels unless it is a threat to life, property, or important resource values, or otherwise covered by legal agreement.
The Burgess Creek Bridge must be designed as a channel-spanning structure with abutments located above the high-water mark.
Thirty percent design plans for the Burgess Creek Bridge and North Fork Burgess Creek crossing will be submitted to the Forest Service for review and approval. Final design plans will be submitted to the Forest Service for review and approval prior to construction.
Prior to and following implementation, assess sediment loading to Burgess Creek using Colorado's Narrative Sediment Water Quality Standard, Regulation 31, Section 31.11 (I)(a)(i), to evaluate the difference between current conditions and impairment based on the sediment standard.
Prior to implementation, submit grading plans for projects greater than 1 acre and for all new temporary and permanent roads, for review and authorization by the Forest Service. At a minimum, these documents should meet the basic requirements for stormwater permitting through the State of Colorado Stormwater Management Program.
Install stream crossings on straight and resilient stream reaches, as perpendicular to the flow as practicable. Install stream crossings to sustain bank full dimensions of width, depth, and slope and keep streambeds and banks resilient. Favor bridges, bottomless arches or buried pipe-arches for those streams with identifiable floodplains and elevated road prisms, instead of pipe culverts. Favor armored fords for those streams where vehicle traffic is either seasonal or temporary, or the ford design maintains the channel pattern, profile and dimension.

Table ROD-1: Best Management Practices and Project Design Criteria

During winter operations, maintain roads as needed to keep the road surface drained during thaws and break-ups. Perform snow removal in such a manner that protects the road and other adjacent resources. Do not use riparian areas, wetlands or streams for snow storage or disposal. Remove snow berms where they result in accumulation or concentration of snowmelt runoff on the road or erodible fill slopes. Install snow berms where such placement will preclude concentration of snowmelt runoff and will serve to rapidly dissipate melt water.
For projects that would increase road traffic or require road use by heavy construction equipment, apply road surfacing near stream crossings, as needed, to harden the road surface in order to minimize rutting and sediment delivery to streams.
Construct roads and other disturbed sites to minimize sediment discharge into streams, groundwater dependent ecosystems, wetlands, and other riparian areas. Reduce sediment sources and connected disturbed areas by minimizing the number of stream crossings. Construct trail approaches to stream crossings such that drainage is relieved onto the hill slopes, as opposed to entering the channel.
Keep all debris generated by project activities out of perennial, intermittent, and ephemeral streams.
Avoid altering the stream bed and banks to maintain the natural character of the stream.
Avoid relocating natural stream channels. If relocation is necessary, it will require the Forest Service Fish Biologist and Hydrologist's approval before implementation. Return flow to natural channels where practicable. Where reconstruction of stream channels is necessary, construct channels and floodways with natural stream pattern and geometry, stable beds and banks, and provide habitat complexity.
Do not encroach fills or introduce soil into streams, wetlands, groundwater dependent ecosystems, or riparian areas. Protect these features from sediment by installing sediment waddles, sediment fencing, retention basins, or other applications as appropriate before ground-disturbing activities begin.
Keep heavy equipment out of streams, swales, wetlands, and ponds, except to cross at Forest Service approved and designated points or if the area is protected by at least 1 foot of packed snow or 2 inches of frozen soil. Exception may occur for performing restoration work or to build crossings, with Forest Service Soils Scientist, Hydrologist, and Fish Biologist approval. For approved temporary stream or wetland crossings, lay down construction mats or other physical barriers to protect against soil displacement and minimize the number of passes.
Add or remove rocks, wood, or other material in streams only if such action maintains or improves stream health. Leave rocks and portions of wood that are embedded in beds or banks to prevent channel scour and maintain natural habitat complexity.
Out-slope roads to shed water rather than concentrate water on the road surface or in ditches whenever possible. Construct rolling dips to facilitate maintenance-free drainage. Install and maintain ditch relief culverts wherever in sloped roads are necessary.
Do not install culverts or conduct ground-disturbing activities near streams during spring runoff. Ground disturbances in or adjacent to streams/wetlands should occur during baseflow conditions to protect water quality and minimize impacts to wetland soils/vegetation, and with sufficient time to revegetate before the winter season.
For ground-disturbing activities near perennial, intermittent, and ephemeral streams, minimize CDAs by ensuring that roads, road ditches, and other disturbed areas drain to undisturbed soils rather than directly to streams and ephemeral draws. Manipulate drainage from disturbed areas as necessary using natural topography, rolling dips, waterbars, ditch-relief culverts, etc., to disconnect disturbed areas from streams.

Table ROD-1: Best Management Practices and Project Design Criteria

In the Burgess Creek watershed, limit connected CDAs to the total stream network is not expanded by more than 10%. Progress toward zero connected disturbed area as much as practicable. Where it is impossible or impracticable to disconnect a particular connected disturbed area, minimize the areal extent of the individual connected disturbed area as much as practicable. In watersheds that contain stream reaches in diminished stream health class, allow only those actions that will maintain or reduce watershed-scale Connected Disturbed Area.

Apply the following measures to disconnect existing CDAs.

- **M-1:** Evaluate the feasibility of improving soils and revegetating the area adjacent to the Thunderhead Express bottom terminal.
- **M-2:** Disconnect approximately 420 linear feet of existing road and graded terrain that currently drains into an order 1, perennial tributary to Burgess Creek. The creek downslope from this graded area is covered with half-corrugated metal pipes (CMP) but field observations show that surface runoff flows into the stream.
- **M-3:** Disconnect 570 feet of Mountain Road #7, near the bottom terminal of the Burgess Creek chair lift. This road crosses over the main-stem of Burgess Creek, an order 2, perennial stream at this location. Installation and maintenance of BMPs for sediment control (e.g. sediment trap) near the discharge of the existing road-side ditch and road waterbar would disconnect this graded terrain from the stream network.
- **M-4:** Disconnect approximately 900 linear feet of Mountain Road #7 and Creekside Connector bike trail near the Pony Express bottom terminal. These sections of road and trail cross over and run parallel to Burgess Creek and are currently connected to the stream. Improve trail drainage by, for example, outslipping the road surface to promote sheet-flow type drainage. Install sediment control BMPs at discharge of trail waterbars. Snowmaking pipelines are proposed to be installed along the road and trail at this location. Ensure that proper BMPs for erosion and sediment control are implemented during construction phases of the snowmaking pipeline project; design, install, and maintain long-term BMPs to minimize or avoid sediment discharge into the stream.
- **M-5:** A 100-foot section of the Gunsmoke bike trail near the bottom terminal of the Bashor lift is within 90 feet of an intermittent tributary to Burgess Creek (located in private lands). Soils and the stream channel in this area are impacted by snowmelt from the terrain park features located upslope (gully erosion and headcutting). Grading and tree removal are proposed in this area to construct the new Bashor chairlift and install snowmaking pipelines. Ensure that proper BMPs for erosion and sediment control are implemented during construction phases of these projects; design, install, and maintain long-term BMPs to disconnect the Gunsmoke bike trail and new lift terminal from the stream channel.
- **M-6:** Disconnect approximately 1,300 feet of mountain roads #9 and #10 located near an intermittent tributary to Burgess Creek (within private lands). Stream channel in this area is covered by half-CMP but the road-side ditch discharges directly into the stream. Grading projects proposed for this area include the Rough Rider Learning Center and Bashor Gondola top terminal. Implement proper BMPs for erosion and sediment control during construction phases of these projects; design, install, and maintain long-term BMPs to disconnect these road segments, and the proposed graded area, from the stream channel.

Table ROD-1: Best Management Practices and Project Design Criteria

Apply the following measures to projects within the WIZ.

PDC Common to all Projects:

- Up to 1.7 acres of WIZ restoration may be required as determined by the Forest Service Responsible Official.
- Prior to implementation, submit grading plans for projects greater than 1 acre, and for all new temporary and permanent roads for review and authorization by USFS. At a minimum, these documents should meet the basic requirements for stormwater permitting through the State of Colorado Stormwater Management Program.
- Prior to construction, clearly flag tree clearing and/or grading limits.
- Avoid soil disturbing activities during periods of heavy rain or excessively wet soils.
- Make cuts, fills, and road surfaces strongly resistant to erosion (MM-9 Design Criteria).
- For ground-disturbing activities near perennial and intermittent streams and ephemeral draws, CDA should be minimized by draining roads, road ditches, and other disturbed areas to undisturbed soils rather than directly to streams and ephemeral draws. Drainage from disturbed areas should be modified as necessary using natural topography, rolling dips, waterbars, ditch relief culverts, etc., to disconnect disturbed areas from streams.
- Trees should be felled into inter-trail islands to improve large woody debris density. In areas adjacent to a WIZ, tree should be felled in a way that protects vegetation in the WIZ.
- For projects involving excavation and/or grading, stockpile topsoil so that it may be used for revegetation projects.
- Ground disturbances in or adjacent to streams/wetlands would occur during baseflow conditions to protect water quality and minimize impacts to wetland soils/vegetation, and with sufficient time to revegetate before the winter season.
- Construction practices and operations should not introduce soils, debris, or other pollutants into streams, channels, swales, lakes, or wetlands. BMPs adequate for erosion and sediment control should be installed before ground-disturbing activities begin. If natural or biodegradable materials are not used and left on site, all non-natural and non-biodegradable materials should be removed at the end of construction.
- Grade bottom terminals to drain surface runoff into well vegetated areas and away from stream channels.
- Properly compact fills (MM-11 Design Criteria).
- Where appropriate, revegetate disturbed terrain (including staging areas, log landings, skid trails, etc.) immediately after completion of grading using USFS-approved, native seeds. Install temporary BMPs for sediment and erosion control until planted vegetation provides erosion control (MM-11 Design Criteria).
- Where necessary, import certified weed-free topsoil or organic amendments (based on approval by the Forest Service soil scientist) to re-establish an O-horizon capable of supporting plant growth. Monitor and manage these areas for weeds.
- Revegetation monitoring: SSRC shall review with the USFS, the success of project revegetation and site restoration annually for the first five years following construction. Details of the revegetation plan shall be adjusted in response to any deficiencies identified in follow-up monitoring.
- Areas compacted by construction activities will require mechanical subsoiling or scarification to the compacted depth to reduce bulk density and restore porosity.
- Where possible, utilize existing roads and trails to access construction sites.
- To the extent possible, avoid operating heavy equipment on slopes steeper than 30%.
- Prior to disturbance of any waters of the U.S., including wetlands, SSRC shall coordinate with the U.S. Army Corps of Engineers to determine if the activities require a permit.
- Excavated material should not be stored in the WIZ.
- Tree removal, excavation and grading should be minimized in the WIZ.

Table ROD-1: Best Management Practices and Project Design Criteria

BC Skiway Snowmaking:

- Implement BMPs for erosion and sediment control during installation of the snowmaking infrastructure; design, install, and maintain long-term BMPs along the BC Skiway to minimize erosion of the trail surface and prevent sediment to reach Burgess Creek.

Proposed Mountain Roads, Burgess Creek Bridge, and at-grade crossing of North Fork Burgess Creek:

- In the vicinity (approximately 200 feet) of the proposed bridge and stream crossing, in-slope road surfaces (2 to 4% cross-slope) to drain surface runoff into road-side ditch. Minimize erosion in road-side ditch by implementing and maintaining standard BMPs for erosion control. For example, line ditch with proper size rock and/or install check dams at adequate intervals.
- Design road ditches and cross drains to limit flow to ditch capacity and prevent erosion and failure (MM-10 Design Criteria). Install road-relief culverts or road waterbars at a spacing adequate for the road slope and ditch characteristics (MM-10 Design Criteria).
- Design, implement, and maintain standard sediment control BMPs (e.g., sediment traps) at the discharge of road-side ditches and culverts. Where possible, discharge runoff into well vegetated areas, away from the WIZ.
- Construct road to minimize sediment discharge into Burgess Creek. Avoid down-road flow and ponding by cross sloping road surface 2 to 4%. Construct road with crown fill or in-slope road cross sections (based upon final grading plan).
- Inspect and maintain BMPs a minimum of twice annually: (1) in the spring, as soon as conditions allow; and (2) in the fall season, before snow covers the ground.
- Design and construct bridge over Burgess Creek and at-grade crossing of North Fork Burgess Creek to provide for passage of flow and sediment, withstand expected flood flows, and allow free movement of aquatic life (MM-4 Design Criteria). Obtain all necessary State and Federal permits.
- Construct both stream crossings on straight and resilient stream reaches, as perpendicular to flow as possible (MM-4 Design Criteria).
- Design and construct both stream crossings to sustain bankfull dimensions of width, depth, and slope and keep streambeds and banks resilient (MM-4 Design Criteria).
- Construct both stream crossings during periods of low stream flow, typically late summer or early fall.
- Keep construction equipment out of streams, except if specifically authorized by the USFS or if protected by 1-foot packed snow minimum. This measure sustains stream integrity (MM-3 Design Criteria). If construction equipment is required to access the stream channel for construction of the proposed bridge over Burgess Creek, SSRC will obtain all necessary local, State, and Federal permits.

Proposed Ski Trails:

- Prior to ski trail construction, clearly flag tree clearing limits.
- To the extent practicable, ski trail waterbars must be designed and constructed to discharge surface runoff originating within the proposed ski trails away from the WIZ and into well vegetated areas, effectively disconnecting disturbed areas from the stream network.
- In instances where, due to terrain conditions, water bars discharge within 100 feet of a stream channel, the downstream end of water bars will include BMPs for sediment separation and dispersion of flow, such as sediment traps and fiber logs.
- Waterbars and associated BMPs must be installed immediately after construction of the ski trail.

Inspect water bars during the first snowmelt season following construction to ensure surface runoff is being conveyed and discharged adequately. Modify waterbars/construct additional waterbars as necessary.

Table ROD-1: Best Management Practices and Project Design Criteria

Wetlands proximate to the potentially disturbed areas will be identified and flagged prior to the initiation of approved construction-related activities. Construction limits will be clearly defined so as to avoid or minimize disturbance to those identified wetlands.
Any identified wetland will be completely avoided unless approved by the Forest Service and a CWA Section 404 permit, where applicable.
Obtain any necessary CWA Section 401, 402, and 404 permits prior to project implementation.
Avoid disrupting water supply or drainage patterns into wetlands. If this is not possible, obtain Forest Service Hydrologist's approval before implementation of disturbance and provide compensatory mitigation.
In order to prevent the proposed snowmaking and drainage pipelines from dewatering wetlands, clay cutoff walls or a similar type structure will be installed in the pipeline trench. Such cutoff walls shall be installed where the excavated pipeline trench encounters high groundwater adjacent to or in the direct vicinity of the wetlands.
To the greatest extent practicable, the disturbance width for temporary snowmaking and other utility lines should be a maximum of 20 feet wide through wetlands and other aquatic resources.
Flush-cut and leave stumps and root wads intact within riparian areas and wetlands, except in areas identified for grading activities.
Keep roads and trails out of wetlands unless there is no other practicable alternative. If roads or trails must enter wetlands, use bridges or raised prisms with diffuse drainage to sustain flow patterns. Set crossing bottoms at natural levels of channel beds and wet meadow surfaces. Avoid actions that may dewater or reduce water budgets in wetlands.
Contribution to a wetland bank or to the Forest Service for wetland enhancement work to offset wetland impacts and ensure compliance with EO 11990 will be required. There will be no net loss of wetlands.

5. PUBLIC INVOLVEMENT

A scoping notice, dated August 19, 2016, was sent to 77 individuals and organizations. The scoping notice included a brief description of the Proposed Action Alternative, the Purpose and Need for action, and one illustrative map. This notice was specifically designed to elicit comments, concerns, and issues pertaining to the proposal. A legal notice was also published in the Laramie Boomerang on August 24, 2016. The Notice of Intent (NOI) was published in the Federal Register on September 6, 2016, which initiated the scoping comment period. A public scoping meeting was held on August 25, 2016 at the Steamboat Springs Community Center in the City of Steamboat Springs, Colorado. Comments were accepted from the following sources: email, web submission, letter, public meeting, fax, and telephone. During the scoping period, the MBRTB received seven comment submittals.

A Notice of Availability (NOA) for the Draft Environmental Impact Statement (DEIS) was published in the Federal Register on January 19, 2018, initiating the DEIS comment period that remained open until March 5, 2018. Additional information was available on the MBRTB website (<https://www.fs.usda.gov/project/?project=48246>) and comment submissions were accepted via this website. Comments were accepted from the following sources: email, web submission, letter, fax, and phone. During the DEIS comment period, the MBRTB received 30 comment submittals. One comment was received following the close of the comment period. This comment was reviewed and processed;

however, the commenter would not have standing to object as their comments were received outside of the 45-day comment period as initiated by publication of the NOA in the Federal Register. In response to these comments of the DEIS, the FEIS was modified to include additional PDC and BMPs (refer to **Table 2-1** of the FEIS), an alternative considered but eliminated from detailed study (refer to **Section 2.6.9** of the FEIS), and to clarify the analysis. Federal, state, and local agency comment letters on the DEIS are provided in **Appendix D** of the FEIS. A report summarizing the public comments received on the DEIS and responses to these comments is included in **Appendix E** of the FEIS.

On June 2, 2018, a legal notice was published in the Laramie Boomerang, which initiated a 45-day pre-decisional objection period under 36 CFR Part 218. On June 8, 2018, an NOA was published in the Federal Register for the FEIS and *draft* Record of Decision. Objections were received from three individuals and organizations on the *draft* Record of Decision. The Objection Reviewing Officer's responses were provided to all objectors with standing in accordance with 36 CFR Part 218.

6. CONSIDERATION OF OTHER ALTERNATIVES

NEPA requires that a range of reasonable alternatives to the Proposed Action be developed and analyzed. By definition, alternatives must meet the Purpose and Need while responding to issues identified during scoping.² Therefore, in response to internal and external scoping, the Forest Service Interdisciplinary (ID) Team considered issues that will generate alternatives to the Proposed Action. Both CEQ Regulations and Forest Service Handbook direction emphasize that alternatives must meet the "reasonableness" criteria in order to warrant detailed analysis.

I am confident that the ID Team considered a reasonable range of alternatives early in the NEPA process, and that the two alternatives, including the required No Action Alternative, analyzed in the FEIS are adequate for the scope and scale of this project. Consideration of the full range of alternative considered, including those dismissed, with rationale, is included in **Section 2.6** of the FEIS.

6.1 ALTERNATIVE 1 – NO ACTION

As required by NEPA, a No Action Alternative was included in this analysis for review alongside the action alternatives.³ By definition, the No Action Alternative represents a continuation of existing management practices without changes, additions, or upgrades to existing conditions. The No Action Alternative is depicted in **Figure 2-1** on page 22 of the FEIS.

The No Action Alternative provides a baseline for comparing the effects of the action alternatives. The No Action Alternative essentially reflects a continuation of existing management practices without changes, additions, or upgrades. No new facilities or recreational activities are included.

² USDA Forest Service. 2012. Forest Service Handbook 1909.15: National Environmental Policy Act Handbook, Chapter 10, Section 12.33 and 14.

³ 40 CFR § 1502.14(d). 1978. Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, as amended July 1, 1986.

7. ENVIRONMENTALLY PREFERABLE ALTERNATIVE

In accordance with CEQ regulations, I am required to identify the alternative or alternatives that could be considered environmentally preferable (40 CFR § 1505.2[b]). Forest policy (FSH 1909.15, Section 05) defines “environmentally preferable” as:

“... the alternative that will best promote the national environmental policy as expressed in NEPA’s section 101 (42 USC 4321). Ordinarily, the environmentally preferable alternative is that which causes the least harm to the biological and physical environment; it also is the alternative which best protects and preserves historic, cultural, and natural resources. In some situations, there may be more than one environmentally preferable alternative.”

Based on the review of the alternatives, Alternative 1 (the No Action Alternative) is the environmentally preferable alternative. Alternative 1 is identified as the environmentally preferable alternative because, by its nature, it is not accompanied by any of the acknowledged impacts to the human or biological environment associated with Alternative 2.

8. FINDINGS REQUIRED BY LAWS, REGULATIONS AND AGENCY POLICY

This approval is consistent with the intent of the Forest Plan’s long-term goals and objectives. A Forest Plan amendment is approved and is permissible under the National Forest Management Act. The project was designed in conformance with Forest Plan forest-wide management direction and incorporates appropriate Forest Plan guidance for Management Area 8.22 and the Steamboat SUP.

As Forest Supervisor for the MBRTB, I am required to manage the Forest in accordance with applicable laws and regulations. This authority, which includes approval of ski area projects, is delegated to me through agency policy described in FSM 1200. In reviewing the FEIS, I have concluded that my decision is consistent with all relevant laws, regulations and requirements. This includes, but is not limited to:

- Americans with Disabilities Act of 1990
- American Indian Religious Freedom Act of 1978
- Archaeological Resource Protection Act of 1978
- Clean Air Act of 1990, as amended
- Clean Water Act of 1977, as amended
- Endangered Species Act of 1973, as amended, including consultation resulting in a Biological Opinion signed April 27, 2012
- Fish and Wildlife Coordination Act of 1934, as amended
- Forest and Rangeland Renewable Resources Planning Act of 1974
- Multiple-Use Sustained Yield Act of 1960
- National Environmental Policy Act of 1969, as amended

- National Forest Management Planning Act of 1976
- National Forest Ski Area Permit Act of 1986, as amended
- National Historic Preservation Act of 1966, as amended
- Organic Administration Act of 1897, as amended
- Protection of Wetlands Executive Order 11990

In addition to requisite Forest Service approvals, consultation with the following entities, or permits, may be required to implement any approved projects:

- United States Corps of Engineers CWA Section 404
- State of Colorado, Stormwater Management Plan
- State of Colorado, Burn Permit

9. OBJECTION PROVISIONS AND IMPLEMENTATION DATE

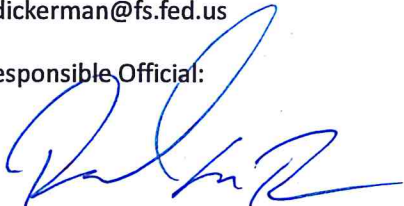
As discussed previously under Public Involvement, the draft Record of Decision was subject to the pre-decisional objection process pursuant to 36 CFR Part 218. Objections were received from three individuals and organizations during the 45-day pre-decisional objection period and the Objection Reviewing Officer's responses were provided to all objectors with standing in accordance with 36 CFR Part 218. This decision may be implemented immediately upon signing of the Record of Decision.

10. CONTACT PERSON

For additional information concerning this Record of Decision, the FEIS, or the Forest Service objection process, contact:

Erica Dickerman, Project Leader
Medicine Bow-Routt National Forests
and Thunder Basin National Grassland
925 Weiss Drive
Steamboat Springs, CO 80487
edickerman@fs.fed.us

Responsible Official:



RUSSELL BACON, FOREST SUPERVISOR
Medicine Bow-Routt National Forests
and Thunder Basin National Grassland

9/10/18
Date

