

**City of Carson City
Agenda Report**

Date Submitted: October 25, 2011

Agenda Date Requested: November 3, 2011

Time Requested: Consent

To: Mayor and Supervisors

From: Parks and Recreation Department

Subject Title: For possible action to accept two reports for the Nevada Stateline-to-Stateline Bikeway Project: 1) The completion of the Feasibility Study, and 2) The Decision Notice and Finding of No Significant Impact for the South Demonstration Project Environmental Assessment. (Ann Bollinger, Natural Resource Specialist)

Staff Summary: In February 2011, staff and Ms. Karen Mullen, Project Manager, presented the above two documents to the Board of Supervisors and requested comments. The Feasibility Study Report, which provides an analysis of alternative alignments for the broader Nevada Stateline-to-Stateline Bikeway, incorporated the public comments accepted through February 15, 2011, and is completed. Comments heard at public hearings on the Draft Environmental Assessment (EA) that address environmental issues or the adequacy of the Draft EA were responded to in writing as part of the Final EA document. The Decision Notice and Finding of No Significant Impact was issued on June 20, 2011, with no appeals.

Type of Action Requested: (check one)

- Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to accept two reports for the Nevada Stateline-to-Stateline Bikeway Project: 1) The completion of the Feasibility Study, and 2) The Decision Notice and Finding of No Significant Impact for the South Demonstration Project Environmental Assessment.

Explanation for Recommended Board Action: Per the Interlocal Agreement among nine agencies, and as approved by the Board of Supervisors in December 2006, staff is providing this progress report on the Nevada Stateline-to-Stateline Bikeway.

Feasibility Study Report: The Feasibility Study Report provides an analysis of alternative alignments for the broader Nevada Stateline-to-Stateline Bikeway particularly focusing on the area between the North Demonstration Project at Sand Harbor and the north end of the South Demonstration Project at Round Hill Pines Beach. The Feasibility Study does not select a specific alignment but does indicate a proposed preferred alignment by segment. This was done so that there was assurance that segments could be connected along the 30+ mile Bikeway. As each segment of the Bikeway moves forward through the environmental analysis process, a final alignment for that segment will be determined.

South Demonstration Project Environmental Assessment (EA) Final Decision: The Tahoe Regional Planning Agency (TRPA) and National Environmental Policy Act (NEPA) environmental review processes mandate that a reasonable range of alternatives be analyzed in the environmental review document. The South Demonstration Project EA met these requirements by analyzing in detail two

alternative alignments and a no project alternative for the 3-mile shared-use path that would extend from the casino core to Round Hill Pines Beach. Comments heard at public hearings on the Draft EA that address environmental issues or the adequacy of the Draft EA were responded to in writing as part of the Final EA document. The Decision Notice and Finding of No Significant Impact was issued on June 20, 2011, with no appeals (Exhibit A). The final alignment for construction will be along Lake Parkway (no narrowing) proceeding along Hwy 50 to Kahle Drive, then using Alignment B through Rabe Meadow connecting with Nevada Beach, crossing Elks Point Road and staying on the west side of Round Mound to Round Hill Pines Beach and Hwy 50 (Exhibit B). The consultant team is working towards final design, and construction is anticipated for Summer of 2012.

The website provides further information, maps, and reports on the project (www.nvtahoebikeway.com). Once on the site, click on Document Library and all documents can be accessed.

Applicable Statute, Code, Policy, Rule or Regulation:

- National Environmental Policy Act
- Lake Tahoe Environmental Improvement Program (EIP)
- Lake Tahoe Bicycle and Pedestrian Master Plan
- Tahoe Regional Planning Agency Regional Transportation Plan
- State of Nevada, Question 1 State Ballot Initiative, Tahoe Path System
- Carson City Unified Pathways Master Plan
- NRS 277.080 – NRS 277.180 Interlocal Cooperation Act

Fiscal Impact: No impact directly to Carson City

Explanation of Impact: The State of Nevada, Question 1 State Ballot Initiative, allocated \$5 million to Douglas County, Washoe County, and Carson City for the Tahoe Bike Path project. Additional grant sources are also funding the study, design, and construction.

Funding Source:

- Federal Highway Administration grant award
- Federal Lands Highway Program grant award
- Nevada Division of State Parks, Recreational Trails Program grant award
- State of Nevada, Question 1 State Ballot Initiative, Tahoe Path System

Alternatives:

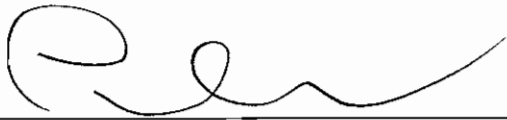
- Not to acknowledge the two reports.

Supporting Material:

- Decision Notice and Finding of No Significant Impact, Nevada Stateline-to-Stateline Bikeway Project, South Demonstration Project in Stateline, Nevada
- South Demonstration Project - Proposed Alignment (map)

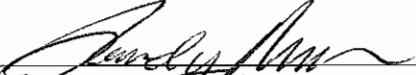
Prepared By: Ann Bollinger Date: 10/25/11
Ann Bollinger

Reviewed By: Roger Moellendorf Date: 10/25/11
Roger Moellendorf, Parks & Recreation Director



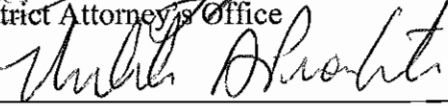
Lawrence A. Werner, City Manager

Date: 10/25/11



District Attorney's Office

Date: 10/25/11



Finance Department

Date: 10/25/11
11

Board Action Taken:

Motion: _____ 1: _____ Aye/Nay

2: _____ _____

(Vote Recorded By)

**Decision Notice
and
Finding of No Significant Impact**

**Nevada Stateline-to-Stateline Bikeway
South Demonstration Project**

**U.S. Forest Service
Lake Tahoe Basin Management Unit
Douglas County, Nevada**

BACKGROUND

Douglas County, Nevada has proposed to construct the South Demonstration Project, a separated shared-use path located on the west side of U.S. 50 between the Stateline casino core on the south and Round Hill Pines Beach on the north. The shared-use path would be approximately 3.2 miles in length, of which approximately 2.2 miles is proposed on National Forest System (NFS) lands managed by the U.S. Department of Agriculture (USDA) Forest Service, Lake Tahoe Basin Management Unit (LTBMU). The remainder of the shared-use path would be constructed on private parcels owned by Edgewood Companies, or within existing public rights-of-way belonging to Douglas County, the Oliver Park General Improvement District (Oliver Park GID), or the Nevada Department of Transportation (NDOT). It is a goal of the project to construct a separated, shared-use path designed to meet American Association of State Highway and Transportation Officials (AASHTO) and Americans with Disabilities Act (ADA) standards to serve a broad spectrum of users. With a few exceptions, the proposed shared-use path would generally consist of a 10-foot-wide, paved path with 2-foot-wide shoulders on both sides. Given the constraints of existing development west of U.S. 50 in the area between 4-H Camp Road and Kahle Drive, the project would include an approximately 0.15 mile (800 foot) on-road section that includes bicycle lanes on Laura Drive. The final trail design would meet ADA design standards, but would require some variances from the AASHTO standards at isolated locations due to topographic and environmental constraints.

Douglas County would be responsible for project construction and for the costs associated with the long-term management, operation, and maintenance of the proposed South Demonstration Project.

The South Demonstration Project is a small part of the larger 30+-mile-long Nevada Stateline-to-Stateline Bikeway Project that would parallel the east shore of Lake Tahoe and connect the California/Nevada border in the south shore casino core to the California/Nevada border in Crystal Bay, Nevada. The Nevada Stateline-to-Stateline Bikeway Project is a joint proposal of local, state, and Federal agencies with responsibilities of implementing the Lake Tahoe Environmental Improvement Program, Regional Transportation Plan, and Lake Tahoe Bicycle and Pedestrian Plan on the Nevada side of the Lake Tahoe Basin. The intent of the South Demonstration Project is to create a shared-use path and to showcase the potential for creating a bikeway circling Lake Tahoe. Bicycle trail expansion has been identified as an important element of the Environmental Improvement Program (EIP) for air quality and recreation purposes and to encourage use of alternative modes of transportation. Although high quality trails exist in the Tahoe Basin, necessary connections for an integrated

network of bicycle trails have been identified as a future need. While the South Demonstration Project is not identified specifically as an EIP project, the project is consistent with the overall goals of the EIP, particularly the following EIP Air Quality and Transportation goal:

- 43 miles of bicycle and pedestrian trails to be constructed to help reduce dependency on the private automobile as directed by the Bi-State Compact.

The USFS and TRPA directed the preparation of a joint Environmental Assessment (EA) pursuant to National Environmental Policy Act (NEPA) regulations, TRPA's Compact, Chapter 5 of the TRPA Code of Ordinances, and Article 6 of the TRPA Rules of Procedure for the Nevada Stateline-to-Stateline Bikeway, South Demonstration Project. The Draft EA, published January 13, 2011 analyzed three alternatives for the South Demonstration Project, identified as Alternative A (Proposed Action), Alternative B, and Alternative C (No Project/No Action Alternative). After receipt of public comments, preparation of responses to comments, and minor edits to the EA, the Final EA was published in March 2011.

DECISION AND RATIONALE

It is my decision to select Alternative B of the South Demonstration Project, as described in detail in Chapter 2, "Alternatives," of the Final Joint Environmental Assessment (EA), as shown in blue on Exhibits 2-2 through 2-5 of the EA (see Attachment A), and as summarized in this Decision Notice (see "Alternatives Considered" discussion, below). My decision to authorize construction only applies to NFS lands as analyzed within the EA (Segments 2 and 3 of Alternative B). An LTBMU special use permit (SUP) will be issued for the approximately 2.2 miles of the Alternative B alignment for the shared-use path that will be located on NFS lands. Segment 1 of the shared-use path is not located on NFS land; rather, it would be constructed on private parcels owned by Edgewood Companies, or within existing public rights-of-way belonging to Douglas County, Oliver Park GID, or NDOT. However, Segments 2 and 3 of Alternative B are located on NFS lands:

Segment 2 - North side of Kahle Drive to the existing shared-use path on the south side of Elks Point Road (Elks Point Bike Path) – approximately 5,450 linear feet (Exhibit 2-4 of the EA, see Attachment A). The affected parcels include APNs 1318-22-002-017 and 1318-22-001-009.

Segment 3 - South side of Elks Point Road (Elks Point Bike Path) to Round Hill Pines Beach – approximately 6,100 linear feet (Exhibit 2-5 of the EA, see Attachment A). Two alignments were considered for this segment of trail. The affected parcels include APNs 1318-22-001-001, 1318-22-001-002, and 1318-15-401-001.

The lower elevation alignment is selected along with Alternative B: From the north side of Elks Point Road, the shared-use path will follow a lower alignment that contours around the west side of Round Mound. The lower alignment will be located within approximately 128 feet of the closest residential structure on the west side of Elks Avenue within the Elks Point Neighborhood, a gated private community.

This lower elevation alignment is selected because it has less trail exceeding 5% grade (AASHTO standard), it traverses less boulders, has approximately 450 feet less of steeper side slopes,

would require about 100 feet less wall, and would be less costly to construct than the upper elevation trail alignment (see Table 2-2 of the EA).

My decision is based on the analysis and determinations presented in the EA as well as the supporting documentation contained in the Project Record. The EA fulfills the requirements of the National Environmental Policy Act (NEPA) at the site-specific level. Alternative B is consistent with the LTBMU's 1988 Forest Plan (as amended).

The key considerations I used in making my decision include:

This alternative meets the purpose and need (EA, Section 1.4), project goals and objectives (EA, Section 1.5), incorporates Project Design Features (See Attachment B), and I believe this project will provide the greatest long term benefit to the community. The project design features will apply to Alternative B (including those segments located on NFS land), except where noted. Many of the design features incorporate context sensitive design elements, monitoring effectiveness, and adaptive management elements to address unanticipated adverse resource effects or effects to sensitive sites.

Throughout public scoping and during the formal comment period, I heard support for this project from the public, key stakeholders, and local partners. Additionally, I heard support expressed for both alternatives. I considered several additional factors which led to my selection of Alternative B.

I recognize that the Stateline-to-Stateline Bikeway Working Group, with representatives from Douglas County, TRPA, Tahoe Transportation District, Nevada Department of Transportation, the Washoe Tribe of Nevada and California, Washoe County, Carson City, the Incline Village General Improvement District, the Nevada Division of State Parks, the Nevada Division of State Lands, and the Federal Highway Administration, has given its support of Alternative B because the alignment is farther from U.S. 50 (the noise and traffic); it would be more scenic through Rabe Meadow; and it would connect users to the Lam Watah trail. In addition, alternative A may be constrained to an approximate 8' total width within the Nevada Department of Transportation right-of-way due to private property constraints, creating a bottle neck effect upon the trail.

I have considered the effects to the Lam Watah trail from both alternatives. I understand that there is concern about use conflicts on that trail. I have tried to minimize the impacts to that trail by providing information to set user expectations, focus bicycle traffic onto the paved bike path and away from the aggregate surfaced Lam Watah trail, and by monitoring the use to determine if additional measures are necessary.

I also recognize the potential impacts to the recreation area at Nevada Beach. In consideration of the increased use of the trail leading to the Nevada Beach Campground (and disturbance of campers), I have incorporated monitoring and adaptive management of that trail. Results of monitoring could lead to additional restrictions on bicycle use of that trail.

The linear nature of the trail requires that it cross riparian areas to connect destinations. Design features have been developed to cross the riparian areas and maintain natural hydrologic function and meadow ecosystem integrity. In addition, Alternative B minimizes riparian zone disturbance over A.. Alternative B would share a portion of the Lam Watah trail and Alternative A would create a new and separate trail while keeping the existing Lam Watah trail.

Alternative B would also has less risk of noxious weeds infestation and mitigation needs which would reduce the risk of spread over alternative A.

The South Demonstration Project is an important component of the overall project which I support. This project is beneficial to the community for economic vitality, alternative transportation, and quality of life. This Project will provide a separated, shared-use path that links recreation areas, community centers, transportation facilities, and neighborhoods from the California/Nevada border at Lake Parkway West in Stateline, Nevada to Round Hill Pines Beach in Round Hill, Nevada. Existing bikeways in the Tahoe Basin are extremely popular and public surveys show that expansion of the bikeway system around the entire Lake is desired (TRPA/Tahoe Metropolitan Planning Organization 2010). The proposed South Demonstration Project of the Nevada Stateline-to-Stateline Bikeway will provide a spectacular recreation opportunity to link the Stateline community and its casino core to public beaches and coves along the east shore to Round Hill Pines Beach. These popular recreation areas are generally accessed by automobile only. Providing bicycle links to recreation areas and the casino core will be an important step toward reducing vehicle impacts, improving the multi-modal options available to residents and visitors, and providing a highly desirable recreation experience in the shared-use path itself. For these reasons, the South Demonstration Project provides high value as an independent facility, but is also a critical first step to completing the planned Nevada Stateline-to-Stateline Bikeway.

While this project is part of the larger Nevada Stateline-to-Stateline Bikeway project, my decision only authorizes permitting and construction on the South Demonstration Project. Additional projects identified through the Nevada Stateline-to-Stateline Bikeway project will need site-specific NEPA analysis prior to their implementation. This decision is a stand-alone decision which is independent of any other proposed bikeway segments.

ALTERNATIVES CONSIDERED

The following is a summary of the three alternatives considered in detail for the South Demonstration Project, identified as Alternative A (Proposed Action), Alternative B, and Alternative C (No Project/No Action Alternative). For a complete description of alternatives, see the EA, Chapter 2, "Alternatives," Section 2.2, "Alternatives Considered in Detail." Five other alternatives were considered, but not in detail. A description of these alternatives and the reasons for not considering them in detail can be found in the EA, Section 2.5, "Alternatives Considered But Not Studied In Detail."

Action Alternatives: Alternatives A and B

Under both action alternatives (A and B), the project would be constructed in three phases. Each phase would consist of one segment of the shared-use path, approximately 1 mile in length. The primary difference between the alternatives is in segment 2, through Rabe Meadow. Alternative A is generally located adjacent to Highway 50 while Alternative B would be located within the meadow and share a portion of the Lam Watah trail. These segments and the affected parcels include:

Segment 1: The California/Nevada state line on Lake Parkway to the north side of Kahle Drive – approximately 5,350 linear feet (Exhibit 2-3 of the EA). This segment includes an option to narrow the width of Lake Parkway

west of U.S. 50 by 7 feet. The affected parcels include Assessor Parcel Numbers (APN) 1318-27-001-001 and 1318-27-001-004. (Note: Segment 1 is not located on NFS lands. Therefore, it will not be addressed in this USFS decision. It is included in this summary to provide a complete description of the South Demonstration Project.)

Segment 2: North side of Kahle Drive to the existing shared-use path on the south side of Elks Point Road (Elks Point Bike Path) – approximately 5,450 linear feet (Exhibit 2-4 of the EA). The affected parcels include APNs 1318-22-002-017 and 1318-22-001-009.

Segment 3: South side of Elks Point Road (Elks Point Bike Path) to Round Hill Pines Beach – approximately 6,100 linear feet. This segment includes upper and lower optional alignments around the west side of Round Mound (Exhibit 2-5 of the EA). The affected parcels include APNs 1318-22-001-001, 1318-22-001-002, and 1318-15-401-001. (Note: The lower alignment is selected along with Alternative B. The upper alignment is not being chosen because it has issues related to rock outcrops, greater area of exceeding the 5% grade, and greater costs to construct with no measurable environmental benefits.)

Segments 1 and 3, including the optional alignments that were considered, would be the same with both Alternatives A and B. Similarly, the proposed expansion and enhancement of the existing parking lot with a restroom facility at the northwest corner of the intersection of U.S. 50 and Kahle Drive and use of a portion of the Elks Point Bike Path in Segment 2 would be the same with both Alternatives A and B.

The difference between Alternatives A and B is the alignment of the shared-use path in Segment 2 through Rabe Meadow, between Kahle Drive and Elks Point Road. The Alternative A and B alignment options in Segment 2 under consideration in the EA are those that would best meet the purpose and need and project goals and objectives (see Sections 1.4 and 1.5 in Chapter 1, "Introduction," of the EA). Generally, the location of these alignments in Segment 2 was intended to minimize effects to cultural and biological resources, stream environment zone (SEZ) areas, and tree removal effects, maximize use of existing disturbed areas, and enhance user experience.

Exhibits 2-3, 2-4, and 2-5 of the EA show the location of major elements of Alternatives A and B and proposed contractor staging areas. (Note: a complete set of 30% preliminary engineering plans for both alignments are available in the Project Record, L-10). Exhibit 2-6 of the EA shows in detail the proposed parking lot expansion and enhancement features. Exhibits 2-7, 2-8, and 2-9 of the EA show path cross-sections and typical details for the various cross slopes, and the boardwalk and bridge crossings discussed below. See Attachment A for copies of EA Exhibits 2-1 through 2-9.

Design Standards

The shared-use path designed for Alternatives A and B would be consistent with ADA standards having a firm and stable surface with resting intervals (landings) between changes in grade over 5%. The majority of both shared-use path alternatives would also meet AASHTO standards by having a 10-foot-wide paved path with graded/cleared 2-foot-wide shoulders on either side. (The specific sections of Alternative A and B that deviate from this standard are discussed below in more detail.) The shoulders would have a maximum slope of 1:6 unless lateral obstructions, such as trees, poles, and fences require that narrower shoulders be constructed in

order to minimize effects (e.g., tree removal). The path would primarily be an asphalt surface, except in specific areas where other materials are necessary, such as on bridges and boardwalks (see detail below).

The final design would require some variances from the AASHTO standards at isolated locations. For example, a small section of Alternative A would include a substandard shared-use path width, grades would exceed the recommended 5% criterion for short distances at locations on and around Round Mound (Exhibits 2-4 and 2-5 of the EA), and shared-use path curves at isolated locations would not meet the recommended standards for minimum design radius for curvature for the purpose of avoiding the removal of trees with a diameter at breast height (dbh) of 24 inches or greater.

Access/Parking and Connectivity

Formal access to the shared-use path would be provided from the casino core, with primary access off Lake Parkway, near the corner of U.S. 50 and Lake Parkway, and the corner of Kahle Drive and U.S. 50. Access to the shared-use path from the casino core would be from one of the existing parking facilities available in that area. The existing parking area at the northwest corner of the Kahle Drive/U.S. 50 intersection on NFS lands would also be expanded to accommodate additional use of the Rabe Meadow area associated with the shared-use path. The existing parking area includes a paved surface with a one-way travel lane and nine parking spaces (includes one handicapped space). An informational kiosk is located next to the parking spaces. This parking lot would be expanded to approximately 12,000 square feet (Exhibit 2-6 of the EA), with 14 additional parking spaces (includes one additional handicapped space). An additional kiosk, two picnic tables, bicycle racks, a bear-proof garbage can, and an up to six-stall restroom building with connections to the Douglas County Sewer Improvement District (DCSID) sanitary sewer lines and Kingsbury General Improvement District (KGID) water lines in Kahle Drive would also be added to the parking lot. Parking for Alternatives A and B would also be available at the Douglas County Transit Center parking structure and at the Kahle Community Center and Park on the east side of U.S. 50.

The southern terminus of the shared-use path would serve as an access point for the casino core. Access to the California Tahoe Conservancy's proposed South Tahoe Greenway shared-use path at Van Sickle CA/NV Bi-State Park on the east side of Lake Parkway at Heavenly Village Way in the near term would be provided by traveling on existing wide shoulders on Lake Parkway/Pine Boulevard and use of the existing signalized crossing at Park Avenue and U.S. 50. The South Tahoe Greenway shared-use path is a proposal to connect Van Sickle CA/NV Bi-State Park with the Sierra Tract residential area west of Al Tahoe Boulevard and continuing to Meyers, California.

At approximately the center point of the alignment, the proposed shared-use path would merge with and use a portion of the existing Elks Point Bike Path in Segment 2. The Elks Point Bike Path is an approximately 0.5 mile path that parallels Elks Point Road from Dorla Court to Nevada Beach. The Elks Point Bike Path is an extension of the Round Hill Bike Path, which extends from the end of Pine Ridge Drive in the Kingsbury Meadows neighborhood on the east side of U.S. 50 (east of Kahle Park) to Elks Point Road east of U.S. 50. Path users wishing to continue onto the Elks Point Bike Path from the Round Hill Bike Path must cross U.S. 50 using existing bicycle lanes or crosswalks.

There are four other future projects that would improve connectivity in the immediate area that include: bicycle lanes and sidewalks on the east side of Lake Parkway; bicycle lanes on U.S. 50 through the casino core; the

Kingsbury Connector that would connect the South Tahoe Greenway shared-use path with Market Street off of State Route (SR) 207 with bicycle route connections to the Round Hill Bike Path; and the Round Hill Bike Path Connector that would connect Kahle Park to the Round Hill Bike Path. These and other potential future bicycle system improvements that would enhance connectivity in the casino core area are mapped and discussed in TRPA's 2010 Lake Tahoe Bicycle and Pedestrian Plan approved by the TRPA Governing Board at its August 25, 2010 meeting. Use of Pine Boulevard, extending south from the Lake Parkway/Stateline Avenue intersection and an approximately 1,000-foot-long section of U.S. 50 would connect the South Demonstration Project to the existing connector trail along the north side of U.S. 50 that heads west in front of the Tahoe Meadows into South Lake Tahoe.

Although no other formal, intermediate access paths are proposed as part of this project, it is recognized that residents of the surrounding neighborhoods (e.g., Kingsbury Grade area and Elks Point neighborhoods) and visitors to nearby recreation areas (e.g., Nevada Beach and Round Hill Pines Beach) could also gain access to the bike path using existing roads or informal paths. In addition, the existing informal access to Nevada Beach would be modified as part of this project to provide signage and more formal access to the beach. Future projects in relation to the broader Nevada Stateline-to-Stateline Bikeway may create additional connections and extend the shared-use path further north; however, these components would be part of separate projects and would be subject to their own independent environmental review and permitting. For the purpose of the EA, future Nevada Stateline-to-Stateline Bikeway elements are considered in the cumulative context in the resource sections of Chapter 3.

Signage

Signage would also be developed and installed at trailheads, connection points, and in other areas where necessary to alert users of possible obstacles or changes in the shared-use path. Other informational and interpretive/educational/way finding signs may also be installed along the shared-use path to provide background information regarding points of interest, such as those related to biological or cultural significance. A detailed signage plan would be prepared as part of the final design consistent with the FHWA's MUTCD. For the purpose of the EA, the analysis of signage would be limited to that which is necessary for path safety based on engineering judgment and associated standards. All proposed signage would be subject to LTBMU and TRPA rules and regulations.

Lighting

For both Alternatives A and B in Segment 1, six existing streetlights along U.S. 50 would be set back from the edge of curb approximately 21 feet and would be located on the west side of the proposed shared-use path. These lights would be placed at 40-foot intervals. The proposed lighting would use LED bulbs and their design would be modeled after more modern light fixtures providing for a more aesthetically pleasing light fixture. A final lighting plan (detailing proposed height, style, and type) would be developed in consultation with and subject to TRPA and NDOT lighting design standards. Aside from exterior lighting for the proposed restroom structure in the expanded parking lot near the northwest corner of U.S. 50 and Kahle Drive, no other new lighting would be added along the length of the shared-use path.

Utilities

Utility modifications would be required in Segments 1 and 2 under both action alternatives (Alternatives A and B). No utility modifications would be required in Segment 3.

In Segment 1, a traffic signal control box would need to be relocated near the corner of Lake Parkway and U.S. 50, in addition to the relocation of the six existing streetlights along U.S. 50 noted above. The option to reduce the width of Lake Parkway by 7 feet would create additional utility modification obligations. For example, the reduced width would require access modifications to existing utility lines (e.g., relocated storm drain inlets and natural gas line access points) located on Lake Parkway.

In Segment 2, with both action alternatives (Alternatives A and B), the proposed restroom facility at Kahle Drive would require connections to existing DCSID and KGID sanitary sewer and water lines in Kahle Drive as described above.

Construction Schedule and Activities

Construction of the South Demonstration Project is expected to occur in three distinct phases (or segments), beginning as early as summer 2011. Construction of the three phases could, however, occur simultaneously if adequate funding were available. If construction funding becomes available, and the required permitting, final design, and construction bid documents can be completed in a timely manner, then project construction could be completed by the end of the 2011 construction season. Because of the potential timing of funding, it is more likely that construction of some portions of the project would extend into the 2012 and possibly the 2013 construction seasons.

Construction activities would include demolition of small areas of existing fence, pavement, curb, gutter, and sidewalk, tree removal, clearing and grubbing, grading, retaining wall construction, placement of aggregate base, asphalt concrete, and culverts, and construction of bridges, a boardwalk, a restroom (including utility connections), benches, picnic tables, and signage. Construction would occur 8 hours per day, 5 days per week within the range of hours permitted by TRPA, with approximately 20 workers on-site for each phase or segment.

Construction equipment that would be used during one or more of the construction phases would include, but not be limited to, the following: Haul trucks, backhoes or small excavators, front loaders, small grader, roller compactor, whacker, concrete truck, pumper truck, small crane, pavement grinder, and a large crane.

Low ground pressure equipment would be used for construction at locations between Kahle Drive and Elks Point Road. A maximum of 10 one-way haul truck trips per day is expected in addition to commute trips for construction workers. The maximum acreage that would be disturbed would be less than 10 acres in total, with a maximum of 0.5 acre disturbed per day.

Long-term Operation and Maintenance

Long-term operation and maintenance of the shared-use path would be the responsibility of Douglas County. For the section of the shared-use path that would cross the Edgewood Tahoe Golf Course property, Edgewood Companies has expressed an interest in negotiating the terms and responsibilities of the long-term maintenance plans particularly as it relates to landscaping along Lake Parkway and U.S. 50. The terms of the long-term maintenance agreement with the LTBMU for use of NFS lands would be articulated in the LTBMU SUP.

Generally, the County would be responsible for the following ongoing operation and maintenance tasks:

- monitor security/safety of the path through routine inspections;
- coordinate with other agencies, such as LTBMU and Douglas County Sheriff's Department, to provide regular law enforcement presence along the path;
- provide spokespersons to interact with the public;
- manage contracts and provide oversight for maintenance and improvements, such as
 - sign replacement/repair;
 - pavement marking replacement;
 - vegetation clearing to maintain clearance and visibility;
 - restroom maintenance;
 - pavement sweeping;
 - crack seal and sealing;
 - trash and illegal dumping disposal;
 - fallen trees removal; and
 - graffiti removal.

Vehicles used for maintenance would typically be light trucks with occasional use of heavy dump trucks and tractors as well as emergency vehicles in the event of an emergency. The shared-use path would be designed to accommodate the loads expected with these vehicle types.

The proposed shared-use path would be maintained for non-winter use at all times, and for winter use as Douglas County's maintenance priorities and funding allow. The portion of Segment 1 that extends along U.S. 50 between Lake Parkway and 4-H Camp Road would be cleared of snow consistent with current practices along this stretch, where snow is removed following snow events. Snow is cleared to the west side of the path using a diesel-powered Bobcat. As funding and priorities permit, Douglas County would clear snow along the remainder of the shared-use path in a similar manner.

No Action Alternative: Alternative C

The No Action Alternative provides a baseline for comparing the effects of the action alternatives. Under Alternative C, the shared-use path as proposed under Alternatives A and B would not be constructed. Under the no project alternative, no bridges, parking areas, or restrooms would be constructed or expanded within the project area. The existing Lam Watah Trail would remain as it is today. Current management plans would continue to guide management of the project area.

PUBLIC INVOLVEMENT

Scoping

Council on Environmental Quality (CEQ) regulations require scoping for all USFS proposed actions (§220.6) (36 CFR 220.4(e)(1)). TRPA requires scoping only for EIS preparation, but completed scoping for the South Demonstration Project as an opportunity to receive early input from interested stakeholders. The public scoping (request for comments) period began on August 21, 2009, and ended on September 21, 2009 (Project Record C-1). Public scoping included a public meeting (with approximately 20 attendees) held from 6:00 to 8:00 p.m. on September 10, 2009 at TRPA's offices in Stateline, Nevada. Scoping notices were mailed to interested parties requesting comments and issues for consideration in the South Demonstration Project joint EA be submitted by September 21, 2009. Parties contacted in the scoping process included outdoor retailers on the southeast shore of Lake Tahoe, property owners within 300 feet of the proposed bicycle path alternatives, individuals requesting to be included on the distribution list for all things project related, and an extensive list of government, public, and community organizations.

Additionally, public notices were placed in both the Tahoe Daily Tribune and the Nevada Appeal on August 21, 2009 and September 4, 2009, respectively. Copies of these notices are available in the project record on file at the LTBMU's offices at 35 College Drive in South Lake Tahoe, California.

Information on the Nevada Stateline-to-Stateline Bikeway could also be obtained at <http://www.nvtahoebikeway.com>. This website was a key public outreach tool for the Nevada Stateline-to-Stateline Bikeway Project, providing information on public involvement, schedule of meetings and presentations, availability of documents, and answers to frequently asked questions.

Most comments received during scoping were supportive or seeking clarification of the project proposal. One comment was received from a nearby homeowner who had concerns about the potential for increased illegal activity and parking. A scoping summary report was prepared for the initial scoping process (Project Record E-1), which summarizes comments received during the public scoping process and includes responses to those comments. The report identifies issues associated with the alternatives and was used by the LTBMU and TRPA to determine areas in the EA where additional assessment, information, or clarification were necessary.

Alternative Development

Throughout the planning process, the LTBMU, Tahoe Transportation District, Douglas County, other agencies and stakeholders have worked closely to develop alternatives and plans that best meet the public and environmental needs. Agency staff and leaders have been involved throughout to address concerns as they arose. Partnership and collaboration have enabled this project to move forward efficiently and effectively and the final plan has become more robust as a result of this planning process. In addition to effective planning, partnerships have resulted in numerous potential funding sources for planning and implementation.

Draft EA Public Comment Period

The legal notice for the 30 day comment period was published on January 12, 2011 in the Tahoe Daily Tribune and the Notice of Availability (NOA) notifying interested parties of the opportunity to comment was mailed to scoping respondents, agencies, and interested public (Project Record Documents A5 through A7). The Draft EA was available for the public to review at the USFS LTBMU, 35 College Drive, South Lake Tahoe, CA; the TRPA, 128 Market Street, Stateline, NV; and the Douglas County Library, 233 Warrior Way, Zephyr Cove, NV. In addition, the document was available on the USFS LTBMU website (under Land & Resources Management, Projects), the TRPA website (under Major Projects and Environmental Documents), and the project website at <http://www.nvtahoebikeway.com> (under Document Library, South Demonstration Project). Three public hearings were held to solicit comments on the Draft EA: the Douglas County Board of County Commissioners meeting on Thursday January 20, 2011, the Tahoe Transportation District Board meeting on January 21, 2011, and the TRPA Public Hearings Officer on February 3, 2011.

I have read all of the 16 written comment letters that were received on the Draft EA. I am also familiar with comments received during scoping. These letters are included in the Project Record (Project Record Documents G1-D16). The LTBMU and TRPA responses to those comments are found in Attachment C. After receipt of public comments, preparation of responses to comments, and minor edits to the EA, the Final EA was published in March 2011.

FINDING OF NO SIGNIFICANT IMPACT

After reviewing the EA, I have determined that implementation of Alternative B of the South Demonstration Project will not, individually or cumulatively, significantly affect the quality of the human environment. The provisions of 40 CFR 1508.27 indicate that project significance must be judged in terms of both context and intensity. Based on a review of these provisions, I have determined that an Environmental Impact Statement (EIS) is not required. I base my findings on the following definitions of *context* and *intensity* as provided in 40 CFR 1508.27.

Context

Context means that the significance of an action must be analyzed in several ways such as society as a whole (human, national), in the affected region, the affected interests, and the locality. The effects of implementing Alternative B are localized, with implications for the immediate vicinity of the project area and the Lake Tahoe Basin. Cumulative effects of past projects, combined with the current proposal and reasonably foreseeable future actions, are described and analyzed in the EA for each resource.

Intensity

Intensity refers to the severity of the anticipated impact. The following ten intensity factors are used to evaluate intensity:

1. *Impacts may be both beneficial and adverse.*

I have considered both the beneficial and adverse impacts associated with Alternative B (specifically Segment 2 and Segment 3, with the lower alignment around Round Mound, located on NFS land) as

presented in the EA and this Decision Notice. Alternative B will provide recreational benefits for residents and visitors in the Stateline area (EA pp. 3.7-7 and 3.7-11) with no significant adverse effects to the human or biological environment. Chapter 3 of the EA discloses the anticipated level of effects to all resources of concern and Section 2.3 of the EA describes the Project Design Features that were developed to reduce or avoid negative environmental effects of the project.

2. The degree to which the proposed action affects public health or safety.

As explained throughout Chapter 2, "Alternatives," of the EA, it is a goal of the project to construct a separated, shared-use path designed to meet AASHTO and ADA standards to serve a broad spectrum of users. Signage will be developed and installed at trailheads, connection points, and in other areas where necessary to alert users of possible obstacles or changes in the shared-use path. Final design of the project will include all safety elements determined necessary by the involved agencies. Long-term operation and maintenance of the shared-use path by Douglas County will include monitoring security/safety of the path through routine inspections and coordinating with other agencies (such as LTBMU and Douglas County Sheriff's Department) to provide regular law enforcement presence along the path.

Per Project Design Feature PS&U-1, to minimize effects on emergency vehicle and existing public vehicular access, the project proponent will prepare a traffic control plan (TCP) that will address locations that will involve construction in existing roadway rights-of-way (i.e., Lake Parkway, U.S. 50, 4-H Camp Road, Laura Drive, Kahle Drive, and Elks Point Road). The TCP will be prepared in accordance with professional traffic engineering standards and in compliance with the requirements of the affected agency's encroachment permit requirements (i.e., Douglas County, Oliver Park GID, and NDOT) and will include measures that provide notification to emergency service providers and adequate circulation around construction sites for emergency vehicle and existing public vehicular access.

As explained in Section 3.13, "Human Health and Risk of Upset," (page 3.13-3) of the EA, construction of the South Demonstration Project will involve the short-term use and storage of hazardous materials typical of a roadway or path construction project (e.g., asphalt, fuel, and paint for striping). All materials will be used, stored, and disposed of in accordance with applicable federal, state, and local laws including Nev-OSHA, and Nevada's Hazardous Waste Management Program regulations, as well as manufacturer's instructions. Transportation of hazardous materials on area roadways is regulated by the Nevada Highway Patrol. As noted in Section 2.3 of the EA, Design Feature BMP-12 has been incorporated into the project requires preparation of a site-specific spill prevention plan that addresses hazardous materials use, storage, transport, and disposal and management and containment of hazardous materials in the event of a spill. These protective regulations and measures incorporated into the project are sufficient to minimize risks associated with hazardous materials use.

Also explained in Section 3.13, "Human Health and Risk of Upset," (page 3.13-4) of the EA, the study area contains lands classified as high and moderate fire hazard areas. The Elk Point/Zephyr Heights/Round Hill area was rated as a high hazard area due to inadequate defensible space, close residential structure spacing, a high number of combustible roofs and unenclosed architectural features,

some inadequate address signage, and fire behavior factors. However, LTBMU completed the Round Hill Fuels Reduction Project in 2010, which treated forested areas on NFS land within the Round Hill and Rabe Meadow areas and reduced the risk of fire in the Elk Point/Zephyr Heights/Round Hill area. Creation of the new shared-use path will bring more people to the project area, which could increase sources of ignition (e.g., improperly extinguished cigarettes). However, implementation of Alternative B will include removal/relocation of vegetation including pines, firs, willow stands, and aspens for construction of the shared-use path. (Trees that will be removed are limited to those that are less than 24 inches dbh.) In addition, once construction is complete, Douglas County will oversee maintenance of the shared-use path, such as vegetation clearing, pavement sweeping, and fallen trees removal. Vegetation removal for construction as well as maintenance of the shared-used path will minimize the extent of fire fuels in the immediate shared-use path corridor. Furthermore, areas where the proposed shared-use path will create new disturbance, will widen an existing trail, or otherwise improve an existing trail, could act as a fire break, which will reduce opportunities for fire to spread. The study area is also sufficiently served with fire protection and emergency services by the Tahoe Douglas Fire Protection District (TDFPD) and LTBMU (a cooperating agency within the TDFPD). Thus, the proposed project will not result in an adverse change in the risk of exposure to wildfires in the project vicinity.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

Alternative B is located within the Lake Tahoe Basin on NFS lands in the Rabe Meadow area and Round Mound area. The project area includes a mix of forest, meadow, riparian-wetland, and aquatic habitat types. A formal wetland delineation of the South Demonstration Project alternative alignments was conducted in July 2010. Potentially jurisdictional waters of the United States were identified, including montane wet meadow and montane riparian scrub wetland in Rabe Meadow, Burke Creek, Edgewood Creek, and the Folsom Spring tributary. A map of wetland locations is provided in Exhibits 3.4-1 and 3.4-2 of the EA.

The final shared-use path will be designed to avoid waters of the United States, including wetlands, to the maximum extent practicable (Design Features BIO-20 and BIO-21). If unavoidable effects on waters of the United States would result, an application for a Clean Water Act (CWA) Section 404 permit would be submitted and a mitigation plan would be developed to ensure no net loss of wetland acreage and function. The project proponent will comply with all conditions of a Section 404 permit. Any disturbed areas within wetland habitats or other waters of the United States will be restored to pre-project conditions following construction, except where permanent structures (e.g., boardwalk and bridge footings) preclude such restoration (Design Feature BIO-21). With implementation of the design features outlined in Chapter 2, "Alternatives," project implementation will not substantially affect stream environment (SEZ) ones or potential waters of the United States. Additionally, effects to SEZ and potential waters of the United States will be mitigated through the CWA permitting process and enhancing or restoring SEZ habitat as needed.

Best Management Practices (BMPs) will be used to treat runoff and to minimize erosion and the transport of sediment and other pollutants of concern to Lake Tahoe. Pursuant to Section 25.5.A of the TRPA Code of Ordinances, all infiltration facilities will be designed to capture and treat the volume of runoff from a 6-hour storm with a 2-year recurrence probability (or a 20-year/1-hour storm, which is approximately 1 inch of precipitation in an hour). Temporary BMPs will be used to keep sediment on-site when an area is disturbed by construction and during the vegetation establishment period (typically a minimum of 2 years following construction.). Permanent BMPs are used to minimize erosion on residential, commercial, and public service properties when they are not disturbed by active construction. A Temporary and Permanent BMP Plan (including maintenance) will be prepared for the proposed project that identifies who will be responsible for ensuring implementation of BMPs and making the necessary updates/modifications. Temporary and permanent BMPs will be implemented, equal or superior to BMP-1 through BMP-20, as listed in Section 2.3 of the EA.

There are 27 prehistoric and historic-era cultural resources documented within and in the vicinity (0.5 mile) of the project site, five of which are located either directly within or immediately adjacent to at least one of the shared-use path alignments. In addition, Alternative B passes through a portion of the NRHP-eligible Round Hill Pines Resort. Fourteen of the existing buildings have been recommended eligible to the NRHP as contributing elements to a historic district. The LTBMU has determined that there would not be adverse affects to the cultural resources in the area and both the Washoe Tribe and the Nevada State Historic Preservation Officer concur. Design Features CUL-1, CUL-2, CUL-3, and CUL-4, which require monitoring of ground disturbing activities, training of construction personnel, signage at Round Hill Pines Resort, and procedures for the discovery of previously undocumented cultural resources or human remains, will be implemented with Alternative B and will minimize the potential for adverse effects to occur in relation to prehistoric/ethnographic sites as well as the NRHP-eligible Round Hill Pines Resort.

By project design, and by my Decision to require the Best Management Practices and Project Design Features identified In Section 2.3 of the EA (and Attachment B), Alternative B will not significantly impact any of the aforementioned unique characteristics.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

As described above, a public scoping period began on August 21, 2009, and ended on September 21, 2009 (Project Record C-1). Public scoping included a public meeting (with approximately 20 attendees) held from 6:00 to 8:00 p.m. on September 10, 2009 at TRPA's offices in Stateline, Nevada. A scoping summary report was prepared, which summarizes comments received during the public scoping process and includes responses to those comments (Project Record E-1). The report identifies issues associated with the alternatives and was used by the LTBMU and TRPA to determine areas in the EA where additional assessment, information, or clarification would be necessary. LTBMU identified the following significant topics during scoping. These issues were included among the analyzed topics in the EA.

- Unwillingness of a private property owner to grant an easement for the proposed action, resulting in a substandard shared-use path section along U.S. 50;
- Concern about impacts to private property, and
- Concern over security in the Elks Point neighborhood.

Scoping comments assisted USFS and TRPA in refining the proposed project alternatives, identifying affected persons, refining issues, and fully analyzing the possible environmental effects. The EA presented a full analysis of potential environmental effects of the proposed alternatives, and determined that there will be no adverse environmental effects and that the project will be consistent with applicable planning documents.

Also described above, a public comment period for the South Demonstration Project Draft EA commenced on Thursday, January 13, 2011 and concluded on Monday, February 14, 2011. Three public hearings were held to solicit comments on the Draft EA: the Douglas County Board of County Commissioners meeting on Thursday January 20, 2011, the Tahoe Transportation District Board meeting on January 21, 2011, and the TRPA Public Hearings Officer on February 3, 2011. A total of 16 written comment letters and verbal comments (given at the three public hearings) were received on the Draft EA. All comments are included in the Project Record (Project Record Documents G1-G20). The LTBMU and TRPA prepared formal responses to those comments, which are provided in Attachment C. In addition, minor text edits were made in the Final EA providing clarifying information for SR-2, Scenic Quality Ratings within Roadway Travel Unit 32, are provided in Section 3.6, "Scenic Resources"; edits providing additional information on existing conditions and the potential effects of usage by path users at Nevada Beach and Round Hill Pines Resort are provided in Section 3.7, "Recreation"; and minor edits in response to comments from the Nevada State Historic Preservation Officer (SHPO) are provided in Section 3.8, "Archaeological and Historical Resources." The comments on the Draft EA did not raise any issues that substantively changed the environmental effects discussion nor the conclusions of the EA such that additional environmental review would be warranted.

I considered all comments received in relation to the analysis presented in the EA, the purpose and need for the Proposed Action, and Forest Plan direction. I find that the project is not highly controversial and issues are adequately addressed in the EA.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The actions for construction and operation of Alternative B are similar to other previously approved actions on NFS lands (Bike trail near Camp Richardson) within the Lake Tahoe Basin and the environmental effects of implementing Alternative B are clearly presented throughout Chapter 3, "Affected Environment and Environmental Consequences," of the EA. Therefore, the environmental effects of implementing Alternative B of the South Demonstration Project are well known. Based on my consideration of the analysis presented in the EA, the comments received on the EA, and the Project Record, I have determined that there will not be significant effects on the human environment which

are highly uncertain or that would involve unique/unknown risks as a result of implementing this decision.

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

My decision does not establish a precedent for future actions. The South Demonstration Project is a near-term component of the Nevada Stateline-to-Stateline Bikeway that would parallel the east shore of Lake Tahoe and connect the California/Nevada border in the south shore casino core area to the California/Nevada border in Crystal Bay, Nevada. However, all proposed segments (components) of the Stateline-to-Stateline Bikeway would be proposed, analyzed, approved, and implemented as stand-alone projects. I have considered all connected actions (i.e., utilities, construction staging) associated with Alternative B and no additional actions, other than those identified in the EA, are required.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

Alternative B, when considered with any past, present, or foreseeable future actions, does not result in cumulatively significant impacts. Cumulative effects are disclosed, by resource, throughout Chapter 3 of the EA.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

There are 27 prehistoric and historic-era cultural resources documented within and in the vicinity (0.5 mile) of the project site, five of which are located either directly within or immediately adjacent to at least one of the shared-use path alignments. In addition, Alternative B passes through a portion of the NRHP-eligible Round Hill Pines Resort; fourteen of the existing buildings have been recommended eligible to the NRHP as contributing elements to a historic district. The LTBMU has determined that there would not be adverse effects to the cultural resources in the area and both the Washoe Tribe and the Nevada State Historic Preservation Officer concur. Design Features CUL-1, CUL-2, CUL-3, and CUL-4, which require monitoring of ground disturbing activities, training of construction personnel, signage at Round Hill Pines Resort, and procedures for the discovery of previously undocumented cultural resources or human remains, will be implemented with Alternative B and will minimize the potential for adverse effects to occur in relation to prehistoric/ethnographic sites as well as the NRHP-eligible Round Hill Pines Resort (Section 3.8 of the EA).

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

No federally listed wildlife or plant species occur within the project area. A federal candidate species, Tahoe yellow cress (*Rorippa subumbellata*), is known to occur in the project area on Nevada Beach and Edgewood Beach but not in the project footprint nor within 100 feet of the project footprint (i.e., area that will be disturbed by the project).

As presented in Section 3.4 of the EA, Alternative B will not adversely affect threatened or endangered species or their habitats (also the BA/BE, Project Record K-1). Alternative B includes implementation of Best Management Practices (BMPs) to treat runoff and minimize erosion and the transport of sediment and other pollutants of concern to Lake Tahoe, and Project Design Features to provide for the viability of native plant and animals that are associated with the existing ecosystems (see Section 2.3 of the EA). Design Features BIO-1 through BIO-21 are specific features to protect fisheries and wildlife and protect and restore native plant ecosystems. Therefore, the Alternative B of the South Demonstration Project will not result in an adverse effect to endangered or threatened species or their habitat.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

I have reviewed the Final EA and the Project Record, and have determined that no Federal, State, or local laws, regulations, or requirements for protection of the environment will be violated with implementation of Alternative B of the South Demonstration Project.

Findings Required by Other Laws and Regulations

As Forest Supervisor for the Lake Tahoe Basin Management Unit, I am required to manage the forest in accordance with applicable laws and regulations. In reviewing the EA, I have concluded that my decision is consistent with the following key laws, regulations, and requirements (Section 1.11, "Other Laws, Regulations, or Policies," of the EA):

- National Forest Management Act
- Federal Endangered Species Act
- Section 4(f) of the U.S. Department of Transportation Act
- Section 106 of the National Historic Preservation Act – On June 9, 2011 the LTBMU received a concurrence letter from the NV SHPO (see project record) for this undertaking.
- Clean Water Act
- Section 10 of the Rivers and Harbors Act of 1989
- Clean Air Act
- Indian Trust Assets and Native American Consultation
- Environmental Justice (Executive Order 12898)
- Migratory Bird Treaty Act of 1918 as amended (16 U.S.C. 703-712)
- Invasive Species (Executive Order 13112)
- Recreational Fisheries (Executive Order 12962)

- Floodplain Management (Executive Order 11988) and Protection of Wetlands (Executive Order 11990)
- Federal Antidegradation Policy
- Special Area Designations
- Tahoe Regional Planning Agency
 - Regional Plan for the Lake Tahoe Basin
 - Goals and Policies
 - Environmental Threshold Carrying Capacities
 - Lake Tahoe Region Environmental Improvement Program
 - Mobility 2030: Lake Tahoe Regional Transportation Plan
 - Lake Tahoe Regional Bicycle and Pedestrian Master Plan
 - Water Quality Management Plan (208 Plan)
 - Scenic Quality Improvement Program
 - Plan Area Statements
 - Code of Ordinances
- Nevada Division of Environmental Protection
- Nevada Division of Wildlife
- Nevada Division of Forestry
- Douglas County Rules and Regulations

PERMITTING

This decision will also include an LTBMU Special Use Permit (SUP) for the 2.2 miles that cross NFS lands and TRPA Project Permit for a Linear Public Facility. The TRPA will take action on the project by the TRPA Executive Director approving or denying the project as presented. The resource sections in Chapter 3, "Affected Environment and Environmental Consequences," of the EA were prepared in accordance with the TRPA Tahoe Regional Planning Compact, Goals and Policies, Code or Ordinances, and Rules of Procedure, and NEPA and CEQ Regulations implementing NEPA contained in 40 CFR Section 1500.

Other potential permit and/or approvals that may be required for development of the project could include, but are not limited to, the following:

- Douglas County Site Improvement Permit.
- Douglas County Building Permit for the Proposed Restroom at Kahle Drive.
- Encroachment Permits (Oliver Park General Improvement District [Laura Drive/4-H Camp Road], Douglas County [Lake Parkway], and NDOT [U.S. 50 and Elks Point Road]).
- Douglas County Sewer Improvement District (DCSID) Sewer Permit for the proposed restroom at Kahle Drive.
- Federal Emergency Management Agency (FEMA) Letter of Map Amendment (LOMA) for Edgewood Creek.
- Kingsbury General Improvement District (KGID) water connection for the proposed restroom at Kahle Drive.
- NDEP Construction General Storm Water Permit.

- NDEP Section 401 Water Quality Certification.
- NDEP National Pollutant Discharge Elimination System (NPDES) Permit.
- USACE Section 404 Regional General Permit No. 16.
- USFWS Section 7 – Endangered Species Act (ESA) consultation.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITY

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. Individuals or organizations who provided comments or otherwise expressed interest in the proposal by the close of the comment period are eligible to appeal this decision pursuant to 36 CFR Part 215 regulations. The notice of appeal must meet the appeal content requirements of 36 CFR 215.14.

The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at:

Randy Moore, Regional Forester
USDA Forest Service
Pacific Southwest Region
1323 Club Drive
Vallejo, CA 94592
Email: appeals-pacificsouthwest-regional-office@fs.fed.us
Phone: (707) 562-8737
Fax: (707) 562-9091

The office business hours for those submitting hand-delivered appeals are: 7:30 a.m. to 4:00 p.m., Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message plain text (.txt), rich text format (.rtf), portable document format (.pdf), or Word (.doc) to the email address listed above. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the Tahoe Daily Tribune, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in the Tahoe Daily Tribune, newspaper of record, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

IMPLEMENTATION DATE


If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, five (5) business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

I am not anticipating further site-specific NEPA to implement this project. Construction of the South Demonstration Project is expected to occur in three distinct phases (or segments), beginning as early as summer 2011. Construction of the three phases could, however, occur simultaneously if adequate funding were available. If construction funding becomes available, and the required permitting, final design, and construction bid documents can be completed in a timely manner, then project construction could be completed by the end of the 2011 construction season. Because of the potential timing of funding, it is more likely that construction of some portions of the project would extend into the 2012 and possibly the 2013 construction seasons.

CONTACT

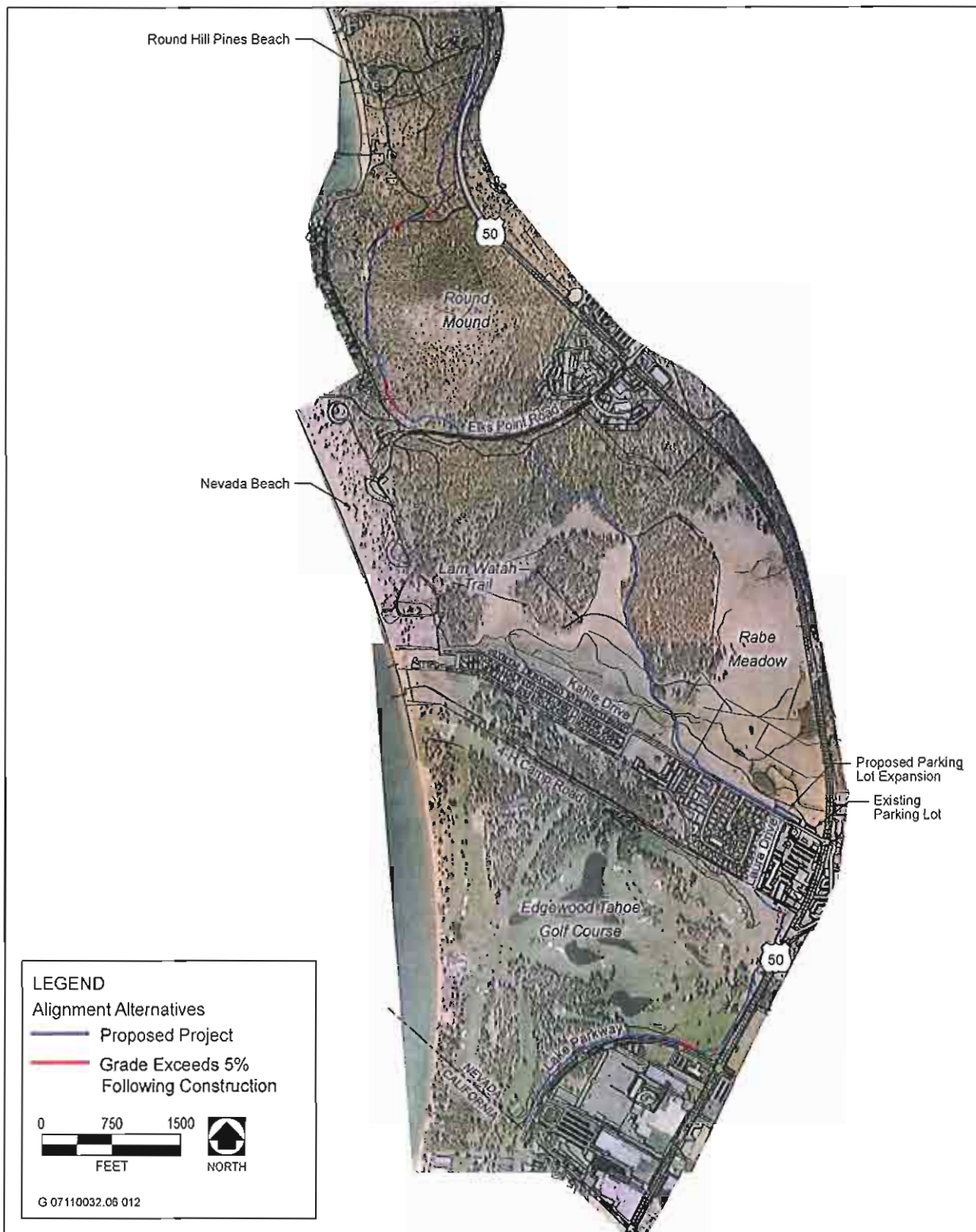
For additional information concerning this decision or the Forest Service appeal process, contact:

Garrett Villanueva
Lake Tahoe Basin Management Unit
35 College Drive
South Lake Tahoe, CA 96150
Phone (530) 543-2600
Fax (530) 543-2693



Nancy Gibson *for*
Forest Supervisor
Lake Tahoe Basin Management Unit

6/20/2011
Date



Source: Adapted by AECOM 2010

South Demonstration Project - Proposed Alignment