Killington Parking Lot Project

Decision Memo

Green Mountain National Forest
Rochester Ranger District
Town of Killington
Rutland County, Vermont

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I. SUMMARY
As District Ranger for the Rochester and Middlebury Ranger Districts of the Green Mountain National Forest (GMNF), I am approving the implementation of the Killington Parking Lot Project. The project includes constructing an approximate fifteen car parking lot adjacent to the approved Killington mountain bike trail network. The project is located on National Forest System (NFS) land in the Town of Killington, Rutland County, Vermont on the Rochester Ranger District of the GMNF (see attached map).

II. DECISION TO BE IMPLEMENTED

A. Background and Project Area
In November, 2014, The Forest Service approved the construction of an approximate 15 mile mountain bike trail network with the signed Killington Bike Trails Addition Project Decision Memo (Mattrick, 11/12/14). At that time, the Town of Killington was in discussion with the Vermont Agency of Transportation in regards to providing a bike lane along Vermont State Route 100 (Route 100) that would connect parking at Gifford Woods State Park to the approved bike network on the Green Mountain National Forest. Since that time, the State of Vermont determined that the Route 100 paving-improvement project would not include the addition of a bike lane.

There is an existing gravel pull-out located on the west side of Route 100, across from the beginner and intermediate trails designed on the east side of Route 100. This pull-out serves as a parking lot with access to the National Forest, frequently as parking for gun enthusiast using an abandoned gravel pit for target shooting. Although this parking area could serve as a parking lot for the mountain bike trail network, the following concerns were expressed by internal and external stakeholders:

- The mountain bike network is designed to accommodate beginner and intermediate riders – including families and children. Designating a parking lot that requires riders to cross and ride parallel to State Route 100 (50 miles per hour speed limit with narrow shoulder) to access the beginner trails is not desirable.
- The existing gravel pull-out is a frequently used, busy parking lot for people accessing an abandoned pit for shooting sports. It is not desirable to co-locate the riding and shooting communities – and potentially displace the shooting enthusiasts.
- The expansion of the existing gravel pull-out would raise more natural resource and safety concerns than constructing a new parking area in a different location due to the wet site conditions and wide, angled entrance at the existing site.

B. Purpose and Need
The purpose and need for this project is to provide parking access for recreational use of National Forest System lands. The Forest Plan provides several key points that provide the basis for the purpose and need for this action:

- The Role of Today’s GMNF: “Our recreation niche will focus on the fact that the GMNF’s large, contiguous blocks of land are well suited to trail-based activities in backcountry settings” (Forest Plan, p. 9).
- Forest-wide Goal 14: “Provide a safe, efficient, and effective Forest transportation system that meets both the needs of the Forest Service and the public” (Forest Plan, p. 16).
- Forest-wide Goal 18: “Maintain and enhance partnerships with communities and organizations” and Objective 1: “Increase the effective use of partnerships to achieve Forest goals.”
C. Description of Decision
This project includes the construction of a new approximate 15 car parking area. The parking area will be approximately 0.2 acres and will have a single curb cut entrance to accommodate two vehicles (enabling one vehicle to enter at the same time that one is exiting). There will be a gate placed approximately 15 feet from the road edge to allow for a car to pull off the traveled surface for winter access when the lot is not plowed or maintained for winter use. The Forest Service will enter into a road maintenance agreement with the Town of Killington for 5 years – permitting the town to clear, level, grub and construct the new parking lot in addition to providing long-term maintenance and plowing (if funding allows). The town will provide gravel and the equipment/maintenance staff to construct and maintain the lot and will coordinate with Forest Service and the Vermont Agency of Transportation on a sign package. The new parking lot location is on the east side of State Route 100 as depicted on the attached map.

This decision is based upon an environmental analysis conducted by an interdisciplinary team of Forest Service specialists with consideration given to public feedback on the proposal. This information is filed in the project planning record located in the Rochester Ranger District office.

III. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION
Decisions may be categorically excluded from documentation in an environmental assessment (EA) or environmental impact statement (EIS) when they are within one of the categories of actions found at 36 CFR 220.6(d) or (e), and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect.

A. Category of Exclusion
Based on the environmental analysis included in the project planning record and on experience with similar activities on the GMNF, I have concluded that this decision can be appropriately categorically excluded from further analysis and documentation in an EA or EIS. I have determined that the selected action is a routine activity within the following category of exclusion found at 36 CFR 220.6(d)(4): “Repair and maintenance of roads, trails, and landline boundaries.”

B. Relationship to Extraordinary Circumstances
Resource conditions that should be considered in determining whether extraordinary circumstances related to the proposed action warrant further analysis and documentation in an EA or EIS may be found at 36 CFR 220.6(b)(1). The degree of any potential effect from the proposed action associated with these resource conditions determines whether extraordinary conditions exist. The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion.

I have considered the potential effects from the project associated with the resource conditions listed at 36 CFR 220.6(b)(1), and conclude that there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment. My conclusion is based on information presented in this document and the entirety of the project planning record. A summary of the project’s potential effects on each resource condition is as follows:

1. Federally Listed Threatened or Endangered Species or Designated Critical Habitat, Species Proposed for Federal Listing or Proposed Critical Habitat, or Forest Service Sensitive Species
The GMNF has historical occurrence records for three threatened and endangered species: gray wolf (Canis lupis), eastern cougar (Puma concolor couguar), and Canada lynx (Lynx canadensis). These species are not known to occur on the GMNF, and their presence on the GMNF or in the project area at any time in the foreseeable future is unlikely. The federally-listed endangered Indiana bat (Myotis sodalis) does occur on and near the GMNF, although it is unlikely to occur in the project area because of the elevation above 1000 feet and the distance from known hibernacula and other areas where Indiana bats are known to occur. The likelihood of occurrence for the four federally-listed threatened and endangered wildlife species in the project area is low. Consequently, the activities covered under the proposed Killington Parking Lot Project would have no effect on the gray wolf, eastern cougar, Canada lynx, or Indiana bat.
Acoustic survey results indicate the federally-listed threatened northern long-eared bat (Myotis septentrionalis) occurs on the GMNF. After consulting with the Vermont Fish and Wildlife Department, it was determined that there are no known northern long-eared bat maternity roost trees within the project area. In addition, there are no known hibernacula within 0.25 miles the project area. Compliance with Section 7 of the Endangered Species Act for this project requires that the Forest Service enter into informal consultation with the USFWS before project activities begin (M. Burbank, & B. Hillman, Wildlife Biological Evaluation, 7/29/16). There are no federally listed threatened or endangered plant species on the GMNF (M. Deller, Plant Biological Evaluation, 8/1/16).

Forest Service Manual (FSM) 2670 direction requires analysis of potential effects to sensitive species, those species for which the Regional Forester has identified population viability is a concern. These species are listed as Regional Forester’s Sensitive Species (RFSS). The actions included under the proposed Killington Parking Lot Project would have no impact on the following Regional Forester Sensitive Species or their preferred habitats:

- **Common loon**  *Gavia immer*
- **Bald eagle**  *Haliaeetus leucocephalus*
- **American peregrine falcon**  *Falco peregrinus anatum*
- **Bicknell’s thrush**  *Catharus bicknelli*
- **Rusty blackbird**  *Euphagus carolinus*
- **Sedge wren**  *Cistothorus platensis*
- **Wood turtle**  *Clemmys insculpta*
- **Jefferson salamander**  *Ambystoma jeffersonianum*
- **Blue-spotted salamander**  *Ambystoma laterale*
- **Four-toed salamander**  *Hemidactylium scutatum*
- **Boulder beach tiger beetle**  *Cicindela anocicosconensis*
- **West Virginia white**  *Pieris virginiensis*
- **Southern pygmy clubtail**  *Lanthus vernalis*
- **Forcipate emerald**  *Somatochlora forcipata*
- **Gray petaltail**  *Tachopteryx thoreyi*
- **Harpoon clubtail**  *Gomphus descriptus*
- **Brook floater**  *Alasmidonta varicosa*
- **Creek heelsplitter**  *Lasmigona compressa*

Three species of woodland bats are RFSS that occur on and near the GMNF and could occur in the project area:

- **Little brown bat**  *Myotis lucifugus*
- **Eastern small-footed bat**  *Myotis leibii*
- **Tri-colored bat**  *Perimyotis subflavus*

The project area includes suitable habitat for these RFSS bats; however, the current low abundance of these three species in Vermont implies that the likelihood of these bats occurring in the project area is low. Given the elevation of the project area and the dramatically reduced local populations of these bat species, the likelihood is low that any cut trees would be occupied as roosts. Consequently, the proposed project may impact individual RFSS bats, but the project is not likely to cause a trend towards federal listing or loss of viability within the project area or on the GMNF for any of these RFSS bat species (M. Burbank & B. Hillman, Wildlife Biological Evaluation, 7/29/16).

No RFSS plant species are known to occur in the project area; however, the site is within a multi-polygon area mapped by the Vermont Natural Heritage Inventory as rich northern hardwoods, which suggests potential habitat for several species on the RFSS list - although none were noted when the site was mapped in 2015. Plants on the RFSS list with potential habitat in the project area are Canada horsebalm (Collinsonia canadensis), large yellow lady’s slippers (Cypripedium parviflorum
var. pubescens), glade fern (Diplazium pycnocarpon), male fern (Dryopteris filix-mas), butternut (Juglans cinerea), American ginseng (Panax quinquefolius), and bog chickweed (Stellaria alsine). Each of these species is known from at least one other site on the Forest, none of which are geographically very close to this site. Project actions will have no impact on RFSS plants with the exception of the plant species listed above. Project actions may impact individuals or habitat but are not likely to contribute to a trend towards Federal listing or loss of viability within the project area or the GMNF for Canada horsebalm, large yellow lady’s slippers, glade fern, male fern, butternut, American ginseng, and bog chickweed (M. Deller, Botanical Biological Evaluation, 8/1/16).

2. Floodplains, Wetlands, or Municipal Watersheds
The project is not located within or directly adjacent to any floodplains, wetlands, or municipal watersheds. As a result, no effects associated with these resources are expected from this project (communication with T. A. Quintana, Soil Scientist, 7/7/16).

3. Congressionally Designated Areas, such as Wilderness, Wilderness Study Areas, or National Recreation Area

Wilderness:
Congressionally designated Wilderness is allocated to the Wilderness Management Area (MA) in the Forest Plan (Forest Plan, pp. 49 to 53). The project is not within or directly adjacent to any Wilderness MA as validated by map and site review. This project, with effects limited to the immediate area of activity, will have no effects associated with the Wilderness resource. As a result, the effects from this project associated with the Wilderness resource are not expected to be adverse (communication with H. Knox, 7/29/16).

Wilderness Study Areas:
There are no Congressionally designated Wilderness Study Areas on the GMNF.

National Recreation Areas:
The GMNF contains two National Recreation Areas: the Robert T. Stafford White Rocks National Recreation Area and the Moosalamoo National Recreation Area (Forest Plan, pp. 79 to 81, and 100 to 102, respectively). The project is not located within or directly adjacent to any of these areas and there will be no effects associated with the National Recreation Area resource expected from this project (communication with H. Knox, 7/29/16).

Appalachian National Scenic Trail:
The Appalachian National Scenic Trail (AT) traverses across the GMNF and is designated and managed as a special area because of its uncommon and outstanding values (Forest Plan, pp. 66 to 72). The AT is not within the influence of the project as validated by map and site-review, and as a result no effects associated with the AT are expected (communication with H. Knox, 7/29/16).

Wild and Scenic Rivers:
Although the GMNF does not contain any Congressionally designated Wild and Scenic Rivers, there are many river segments that are eligible to be further considered for addition to the National Wild and Scenic River System. These river segments and their associated corridors are within the Eligible Wild, Scenic, and Recreational Rivers Management Area. The Killington Parking Lot Project is located within the eligible Recreational River corridor for the Ottauquechee River. The Ottauquechee River is an Eligible Recreational River with outstandingly remarkable values for recreation resources (Forest Plan, page 107).

The activity within this project is consistent with Forest Plan direction for management of this resource (Forest Plan, pp. 105 to 109). As a result, the effects from the project associated with the outstandingly remarkable values identified for this river are not expected to be adverse, and thus will not preclude it from future consideration for addition to the National Wild and Scenic River System (communication with H. Knox, 7/29/16).
4. **Inventoried Roadless Areas or Potential Wilderness Areas**
The project is not within any inventoried roadless area (2001 Roadless Area Conservation Rule or 2006 Forest Plan inventoried roadless areas). As a result, no effects associated with the inventoried roadless areas resource are expected from the project (communication with M. Reichert, 6/13/16).

5. **Existing and Candidate Research Natural Areas**
There are no existing or candidate Research Natural Areas (Forest Plan, pp. 90 to 93) within or directly adjacent to the project area. This project, with effects limited to the immediate area of activity, will have no effects associated with any existing or candidate Research Natural Area resource (communication with J. Strand, Forest Planner, 5/18/16).

6. **American Indian and Alaska Native Religious or Cultural Sites**
See Item 7 below.

7. **Archeological Sites, or Historic Properties or Areas**
This project will have no effect on historic resources (T. Watkins, Archaeologist, 9/13/16).

**C. Other Resources**
In addition to resource conditions that could lead to extraordinary circumstances, I have also considered the direct, indirect, and cumulative effects to other resources such as soil, water, visuals, recreation, and vegetation. The project is not expected to result in any adverse effects associated with these resources, particularly because all applicable Forest Plan standards and guidelines in addition to the mitigation measures listed in Appendix A will be implemented (communication with specialists, 5/17/16).

**PUBLIC INVOLVEMENT**
This project was listed in the quarterly *Green Mountain National Forest Schedule of Proposed Actions* (SOPA) beginning in July 2016, and will remain in the SOPA until the project is authorized for implementation. Public involvement included personal contact with interested and potentially affected members of the public. This project was also internally reviewed by Forest Service staff at Small Projects Day on May 17, 2016. No additional external or internal issues have been identified.

**IV. FINDINGS REQUIRED BY OR RELATED TO OTHER LAWS AND REGULATIONS**
My decision will comply with all applicable laws and regulations. I have summarized some pertinent laws and regulations in this section.

- **National Environmental Policy Act**
The National Environmental Policy Act (NEPA) requires public involvement and consideration of environmental effects. The entirety of documentation for this decision supports compliance with this Act.

- **Forest Plan Consistency (National Forest Management Act)**
The National Forest Management Act (NFMA) requires development of long-range land and resource management plans, and that all site-specific project activities to be consistent with direction in the plans. The GMNF Land and Resource Management Plan (Forest Plan) was completed and approved in 2006 as required by the NFMA and provides direction for all management activities on the Forest. The Killington Parking Lot Project implements the Forest Plan, and its consideration is guided by direction for the Diverse Forest Use and Eligible Wild, Scenic, and Recreational Rivers Management Areas (Forest Plan, pp. 47-48 and 105-109). All of the expected environmental effects from this project are anticipated to be within the range of the effects disclosed in the Final Environmental Impact Statement for the 2006 Forest Plan. My decision is based on the best available science, including a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk. As required by the NFMA Section 1604(i), I find this project to be consistent with the Forest Plan including goals, objectives, desired future conditions, and Forest-wide and Management Area standards and guidelines.
Endangered Species Act
The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species’ designated critical habitat. In accordance with Section 7(c) of this Act, a report of the listed and proposed, threatened or endangered species that may be present in the project area was reviewed. See Section III, Item B.1 of this decision document.

Clean Water Act
The intent of the Clean Water Act is to restore and maintain the integrity of waters. The Forest Service complies with this Act through Forest Plan standards and guidelines, specific project design criteria, and mitigation measures to ensure protection of soil and water resources.

Wetlands (Executive Order 11990)
Executive Order 11990 directs the agency to avoid to the extent possible the adverse impacts associated with the destruction or modification of wetlands, and to avoid support of new construction in wetlands wherever there is a practical alternative. See Section III, Item B.2 of this decision document.

Floodplains (Executive Order 11988)
Executive Order 11988 directs the agency to avoid to the extent possible the adverse impacts associated with the occupancy and modification of floodplains, and to avoid support of floodplain development wherever there is a practical alternative. See Section III, Item B.2 of this decision document.

Wilderness Act
The Wilderness Act established a National Wilderness Preservation System to be composed of federally owned land designated by Congress as “wilderness areas”. These areas are administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness. The Act provides for the protection of these areas, the preservation of their wilderness character, and for gathering and dissemination of information regarding their use and enjoyment as wilderness. See Section III, Item B.3 of this decision document.

National Trails System Act
The purpose of the National Trails System Act includes the designation of the Appalachian National Scenic Trail to help institute a national system of trails for the ever-increasing outdoor recreation needs of an expanding population. It also promotes the preservation of, public access to, travel within, and enjoyment and appreciation of outdoor areas and historic resources of the Nation. See Section III, Item B.3 of this decision document.

Wild and Scenic Rivers Act
The Wild and Scenic Rivers Act institutes a national wild and scenic rivers system that includes selected rivers which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values. It provides for them to be preserved in a free-flowing condition, and that they and their immediate environments will be protected for the benefit and enjoyment of present and future generations. See Section III, Item B.3 of this decision document.
Native American Graves Protection and Repatriation Act
The Native American Graves Protection and Repatriation Act addresses the discovery and protection of Native American human remains and objects that are excavated or discovered on federal lands. The Act encourages avoidance of archaeological sites that contain burials or portions of sites that contain graves through "in situ" preservation, but may encompass other actions to preserve these remains and items. See Section III, Item B.6 of this decision document.

National Historic Preservation Act
Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. It also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. See Section III, Item B.7 of this decision document.

Archaeological Resources Protection Act
The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered on federal lands. This Act affords lawful protection of archaeological resources and sites that are on public and Indian lands. See Section III, Item B.7 of this decision document.

Federal Noxious Weed Act and Executive Order 11312 (Non-native Invasive Species)
The Federal Noxious Weed Act requires cooperation with State, local, and other federal agencies in the management and control of non-native invasive species (NNIS). Executive Order (EO) 11312 requires all pertinent federal agencies (subject to budgetary appropriations) to prevent the introduction of NNIS. This project’s decision meets the intent of this law and EO by incorporating all pertinent Forest Plan standards and guidelines, and mitigation measures to ensure the management and control of NNIS.

Environmental Justice (Executive Order 12898)
Executive Order 12898 requires consideration of whether projects would disproportionately impact minority or low-income populations. This decision complies with this order. Public involvement has occurred (see Section IV), the results of which I have considered in the decision-making process for this project. No adverse impacts to local minority or low-income populations were identified.

V. ADMINISTRATIVE REVIEW AND OBJECTION /APPEAL OPPORTUNITIES

This decision is not subject to an administrative review or objection pursuant to 36 CFR 218.

The decision is also no longer subject to an administrative review or appeal pursuant to pursuant to 36 CFR 215.

On January 17, 2014, the President signed into law the Consolidated Appropriations Act of 2014 (Pub. L. No. 113-76). Section 431 of that Act directs that the 1992 and 2012 legislation establishing the 36 CFR 215 (post-decisional appeals) and 36 CFR 218 (pre-decisional objections) processes “shall not apply to any project or activity implementing a land and resource management plan … that is categorically excluded …under the National Environmental Policy Act [NEPA].” On February 7, 2014, the President signed into law the Agricultural Act of 2014 (Farm Bill) (Pub. L. No. 113-79). Section 8006 of the 2014 Farm Bill repealed the Appeals Reform Act (ARA) (Pub. L. No. 102-381). The ARA’s implementing regulation was 36 CFR 215. The 2014 Farm Bill also directs that the pre-decisional objection process established in the Consolidated Appropriation Act of 2012 shall not be applicable to categorically excluded projects or activities.
VII. IMPLEMENTATION DATE

This decision may be implemented immediately.

VIII. CONTACT PERSON

Further information about this decision can be obtained from Holly Knox during normal office hours (weekdays, 8:00 am to 4:30 pm) at the Rochester Ranger District office located at: 99 Ranger Road, Rochester VT 05767; phone: 802-767-4261 x 530; fax: 802-767-4777; or email: hknox@fs.fed.us.

IX. SIGNATURE AND DATE

_/S/ Christopher Mattrick  9/15/2016_
CHRISTOPHER MATTRICK
District Ranger
Rochester and Middlebury Ranger Districts
Green Mountain National Forest

Date

Attachment(s): Project Area Map
APPENDIX A – Mitigation Measures

The Green Mountain National Forest Land and Resource Management Plan (Forest Plan) established Forest-wide and Management Area Standards and Guidelines (S&Gs) to mitigate potential adverse effects of management activities (Forest Plan, Chapter 2, Section 2.3; and Chapter 3). The Killington Parking Lot Project has been designed to be consistent with all pertinent Forest-wide, and Diverse Forest Use and Eligible Wild, Scenic, and Recreational Rivers Management Areas S&Gs. Although S&Gs are usually implemented without any need for repetition in site-specific NEPA documents, there are occasions when their emphasis specific to a project is needed to ensure compliance with the Forest Plan. Mitigation measures have also been developed specifically for the Killington Parking Lot Project to address resource concerns beyond those addressed by Forest Plan S&Gs.


Non-Native Invasive Plants: To prevent spreading non-native invasive plants to other areas, do not move any dirt or vegetation from this site to anywhere else, and clean all equipment after finishing work and before moving equipment to another site. To prevent introducing other species, all equipment should be cleaned before arriving on site.

Cultural Resources: Any cultural or paleontological resource (historic or prehistoric site or object) discovered during project implementation shall be immediately reported to the Forest Service and GMNF Archaeologist. The project implemented shall suspend all operations immediately in the immediate area of such discovery until written authorization to proceed is issued by the GMNF Heritage Staff.