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Sugarbush Valley House Lift Replacement Project

Decision Memo

**Green Mountain National Forest
Rochester Ranger District
Town of Warren
Washington County, Vermont**

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USDA Forest Service, Eastern Region, Green Mountain National Forest
Rochester Ranger District
Town of Warren, Washington County, Vermont

I. SUMMARY

As District Ranger for the Rochester Ranger District of the Green Mountain National Forest (GMNF), I am approving the implementation of the Sugarbush Valley House Lift Replacement Project. The current lift will be replaced with a new four passenger fixed grip chairlift in the same alignment. The project includes the removal of the existing lift components, including the towers, terminals, and their concrete foundations; constructing the new lift in the same alignment and redesigning the unload area. Individual trees along some portions of the edge of the lift corridor will be removed to accommodate the wider gauge of the new lift. Also, a portion of the Valley House Traverse Trail in the vicinity of the new lift's top terminal will be reconstructed. Blasting is expected to be necessary for the tower foundations and top terminal, and for widening a portion of the Valley House Traverse Trail. The project is located on National Forest System (NFS) lands in the Town of Warren, Washington County, VT on the Rochester Ranger District of the GMNF (see attached map).

II. DECISION TO BE IMPLEMENTED

A. Background and Project Area

The project is located at Sugarbush Lincoln Peak Ski Area on the Rochester Ranger District in the Town of Warren, Washington County, Vermont. Sugarbush Lincoln Peak has ten lifts, including two surface lifts with a total uphill capacity of 12,000 people per hour. The Valley House lift is the oldest lift at the ski area, built in 1960. It provides access to intermediate and expert ski terrain in the south eastern portion of the ski area. While the more modern high speed lifts can travel at 1000 feet per minute, Valley House chair moves at 350 feet per minute with an uphill capacity of 750 people per hour.

The unload area of the existing lift is located at a high traffic multi-trail intersection with beginner, intermediate and expert skier use, resulting in unsafe conditions. Valley House Traverse trail provides access to several lower mountain trails for all ability levels from the top of Super Bravo chairlift. It narrows as it approaches the Valley House lift, and passes just below it's unload area. The Valley House Traverse, Reverse Traverse, Stein's Run, The Mall and Snow Ball trails all intersect in the close proximity to the Valley House Lift unload area.

The Sugarbush Valley House Lift Replacement Project is located in Management Area 7.1, Alpine Ski Areas, as identified in the 2006 Green Mountain National Forest Land and Resource Management Plan (Forest Plan).

B. Purpose and Need

The purpose and need for the lift replacement and the Valley House Traverse trail reconstruction is to provide for a better experience for those riding the lift by shortening the ride

time, and to improve the safety at the busy intersection of several trails and the unload area. Currently the Valley House lift is open on weekends and during holiday periods. Due to its exposure to wind, it closes several times per winter resulting in long lift lines at other lifts. By lowering the elevation of the new lift's unload area, traffic flow will improve, and the lift will be better protected from the wind. The new lift will shorten the ride time, operate more frequently and lessen the demand at adjacent lifts. Trail reconfiguration near the unload area will allow through-skiers to ski around the new Valley House lift unload area.

The GMNF Forest Plan states in Goal 12: Provide a diverse range of high-quality, sustainable recreation opportunities that complement those provided off National Forest System lands (page 15). An objective of that goal is to maintain and enhance high-quality opportunities for downhill skiing in partnership with the private sector (page 15). The desired future condition of Alpine ski areas is that the management and operating practices will be aimed at enhancing permitted recreation activities of the area while protecting the natural resources and visual characteristics (page 63). The replacement of the Valley House lift and the reconfiguration of trails at the busy intersection near the chairlift's unload area, meets the desired future condition of the Forest Plan.

C. Description of Decision

My decision is to allow Sugarbush Resort to replace the existing Valley House double chairlift with a new fixed-grip quad chairlift in the same alignment within The Mall ski trail corridor. The new lift bottom (drive) terminal will be located at the same location as the current terminal, on private lands just below the National Forest boundary at 1700 feet in elevation. The new lift will have 17 new towers with concrete foundations. The top (return) terminal unload area will be located about 50' below the existing unload area at 2850 feet in elevation. The return terminal for the new lift will be larger than the existing terminal, so some tree clearing is likely, and additional ground work will be required, including blasting. Trail reconfiguration in the new unload area will include the reconstruction of a portion of the Valley House Traverse Trail. This will include widening the trail between 10-20 feet for about 250 linear feet just above the lift unload area at an elevation around 2900 feet. This would allow skiers who are skiing on the Valley House Traverse Trail to pass around the unload area on their way to the Snow Ball and lower mountain trails. Those skiers on Valley House Traverse headed for Reverse Traverse, The Mall and Stein's Run trails will access them before they get to the unload area.

The present lift components including terminals, towers, sheave assemblies, operator buildings, wire rope, and tower foundations will be removed by snow groomer, or other equipment from the site. Concrete tower foundations will be removed to at least below grade level, and covered with fill. The lift removal will begin shortly after the end of the ski season in April or early May. Some trees will be removed along the lift corridor (The Mall ski trail) to accommodate the wider lift. These trees will be flush cut, no stump pulling, and left on site, pulled back from trail edge. Tree removal for the Valley House Trail widening will occur before May 1 or after August 1. Blasting is anticipated for the new return terminal, the tower foundations and the Valley House Traverse ski trail widening. Clearing, blasting and grading for the new lift components and trail reconstruction will occur between late spring and October. The existing lift line/ski trail as well as existing work roads and woods roads will be used to access the lift corridor for old lift removal and installation of the new lift. There may be a need for temporary roads, which would be returned to natural conditions following the project. Towers and large components for the new lift will be flown in by helicopter. A small bridge near the bottom of the Mall trail will be replaced by an appropriately-sized culvert.

All earth disturbing activities will be completed by November 1, and will be seeded and mulched before the winter. Additional seeding, if necessary will be completed the following spring.

Prior to project implementation, Sugarbush will submit an erosion control plan addressing mitigation measures to minimize or prevent soil movement, using best management practices. Forest Plan standards and guidelines will be followed.

My decision includes implementation of mitigation measures and monitoring requirements identified in section III.C. This decision is based upon an environmental analysis conducted by an interdisciplinary team of Forest Service specialists. 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(e)(2): *“Additional construction or reconstruction of existing telephone or utility lines in a designated corridor, and 220.6 (e)(1): “trail construction and reconstruction”.*

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

It was determined that there will be no impact/no effect on federally listed animal or plant species or their critical habitats resulting from this project (Burbank, Michael, Wildlife Technician, Wildlife Biological Evaluation, Feb. 14, 2014; Deller, Mary Beth, Forest Botanist,

Plant Biological Evaluation, Feb. 10, 2014). There are no federally listed threatened or endangered plant or animal species on the GMNF (Burbank, Michael, Wildlife Technician, Wildlife Biological Evaluation, Feb. 14, 2014; Deller, Mary Beth, Forest Botanist, Plant Biological Evaluation, Feb. 10, 2014).

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).

This project will have no impact on any of the RFSS or their preferred habitats, and thus will not lead to loss of viability or trend toward federal listing for any plant or animal on the RFSS list. (Burbank, Michael, Wildlife Technician, Wildlife Biological Evaluation, Feb. 14, 2014; Deller, Mary Beth, Forest Botanist, Plant Biological Evaluation, Feb. 10, 2014).

The project lies below minimum elevation preferences for Bicknell's thrush. Recent high elevation surveys for Bicknell's thrush at the Sugarbush resort found the existing habitat was lacking the thick continuous spruce/fir component preferred by Bicknell's thrushes found at other sites in Vermont. For these reasons, the Sugarbush Valley House Trail Lift Replacement will have No Impact on any RFSS animal species or their preferred habitats. (Burbank, Michael, Wildlife Technician, Wildlife Biological Evaluation, Feb. 14, 2014)

2. Floodplains, Wetlands, or Municipal Watersheds

The project is not located within or directly adjacent to any floodplain, wetlands, or municipal watersheds. This has been validated by map and site-review. As a result, no effects associated with these resources are expected from this project (Ketcham, Nance, Fisheries Biologist, Small Projects Day, Nov. 12, 2013).

To further ensure that effects associated with floodplains, wetlands, or municipal watersheds are minimized, National Best Management Practices for sediment entrapment and drainage are incorporated into this decision. A project specific erosion control plan will be submitted, reviewed and approved prior to project implementation.

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. This project, with effects limited to the immediate area of activity, will have no effects associated with the Wilderness resource (Marks, Donna, Recreation Planner, Small Projects Day, Nov. 12, 2013).

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 near these areas

as validated by map and site-review. As a result, there will be no effects associated with the National Recreation Area resource expected from this project (Marks, Donna, Recreation Planner, Small Projects Day, Nov. 12, 2013).

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 near or within the influence of the project. As a result, no effects associated with the AT are expected (Marks, Donna, Recreation Planner, Small Projects Day, Nov. 12, 2013).

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 (Forest Plan, pp. 105 to 109). The project is not located within or near these eligible river segments as validated by map and site-review. As a result, no effects associated with the outstandingly remarkable values identified for any eligible Wild, Scenic, and Recreational Rivers are expected from this project (Marks, Donna, Recreation Planner, Small Projects Day, Nov. 12, 2013).

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 area resource are expected from the project (Marks, Donna, Recreation Planner, Small Projects Day, Nov. 12, 2013).

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 (Burbank, Diane, Forest Ecologist, Small Projects Day, Nov. 12, 2013).

6. American Indian and Alaska Native Religious or Cultural Sites

See Item 7 below.

7. Archeological Sites, or Historic Properties or Areas

There are no cultural or historic resources within the influence of the project. As a result, no effects to these resources are expected (Lacy, David, Forest Archeologist, Small Projects Day, Nov. 12, 2013).

C. Mitigation Measures

Any trail edge cutting of trees and brush will not occur between May 1 and August 1 during migratory bird nesting period.

A project specific erosion control plan using best management practices will be submitted to the Forest Service for review and acceptance prior to project implementation.

Wild chervil is known to occur at Sugarbush on several ski trails. To prevent introduction of additional NNIP, equipment used to implement the project should arrive clean at the site. To prevent the spread of wild chervil from this site elsewhere, the equipment should also be cleaned as well as possible after implementing the project but before leaving the site. It would be best to schedule the work so that equipment does not travel through the existing wild chervil plants while they are in fruit, and capable of easily having seed spread.

D. 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, fisheries, 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, and National Best Management Practices will be implemented (communication with Specialists at Small Projects Day, Nov. 12, 2013).

IV. PUBLIC INVOLVEMENT

This project was listed in the quarterly *Green Mountain National Forest Schedule of Proposed Actions* (SOPA) beginning in January 2014 and will remain in the SOPA until the project is authorized for implementation.

Public involvement included:

- Scoping notice was mailed out on January 9, 2014, to local agencies/government, potentially interested or affected individuals or organizations, Sugarbush Special Use Permit Holder. Scoping period ended February 10, 2014.
- Newspaper legal notice appeared in the *Rutland Herald* on January 9, 2014.

No external issues have been identified.

This project was also internally reviewed by Forest Service staff at small projects day, November 12, 2013. Resource concerns and mitigation measures discussed have been included above in sections B. and C.

V. 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 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 Sugarbush Valley House Lift Replacement Project implements the Forest Plan, and its consideration is guided by direction for the Alpine Ski Area Management Area (Forest Plan, pages 63-65).

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.

Archeological Resources Protection Act

The Archeological 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.

VI. ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

A 2012 court ruling (*Sequoia ForestKeeper v. Tidwell*, 11-cv-00679-LJO-DLB (E.D. Cal.)) requires that actions that can be categorically excluded from an Environmental Assessment or

Environmental Impact Statement using categories found at 36 CFR 220.6(e) be subject to public notice, comment, and opportunity for administrative appeal pursuant to 36 CFR Part 215. Only those individuals or organizations who submitted comments during the formal 30-day notice and comment period, as specified by a legal notice in the Rutland Herald newspaper, may appeal this decision.

No comments expressing concern were received during the comment period for this project. Accordingly, this decision is not subject to appeal (36 CFR 215.12(e)(1)).

VII. IMPLEMENTATION DATE

This decision may be implemented immediately.

VIII. CONTACT PERSON

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

IX. SIGNATURE AND DATE

/s/ Christopher J. Mattrick
CHRISTOPHER J. MATTRICK
District Ranger
Rochester and Middlebury Districts
Green Mountain National Forest

3/4/2013
Date

Attachment(s): Project Area Map