



March 17, 2015

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Re: Lakes Basin Paved Path - Lake George Connector #45541

Dear Jon –

The signatories to this letter appreciate the opportunity to provide comments on the scoping letter distributed by District Ranger Jon Regelbrugge on February 9, 2015 regarding the “Lake George Multiple Use Path Trail Construction Project”. The signatories further appreciate that the District Ranger expects the project to be categorically excluded from documentation through more detailed analysis under NEPA, making for a potentially more direct analysis of the project’s potential impacts and a more efficient assignment of potential mitigations to offset identified impacts.

The comments that follow are intended to assist the District Ranger in the crafting of his decision. They are offered in a spirit of collaboration and partnership and from a shared desire to ensure the success of the project, which the signatories support. Cooperation and collaboration on a project that will potentially impact a wide cross section of the public across all seasons of the year is deserving of a thorough analysis of its potential impacts and documentation of necessary mitigation measures and the best management practices necessary for successful implementation. Prior to crafting and finalizing his decision, the signatories encourage the District Ranger to consider convening stakeholders, permittees and interested parties for additional review of concepts and comments that may further inform his decision. There are a variety of resources available to the project from the local community, and we encourage the District Ranger to engage with those resources in the interests of crafting a fully informed and defensible decision document with broad community buy-in and support that will enhance the opportunities for the project’s success.

### **Support for NEPA Comments by the Town of Mammoth Lakes**

On March 4, 2015 the Town Council of the Town of Mammoth Lakes considered and approved comments to be included in a letter of comment on this same NEPA process. The Town has included several statements that the signatories also support with regards to this project, including:

“We (the Town) recognize the proposed projects appear to be in keeping with the 1988 Inyo National Forest Management Plan, specifically for Management Areas #8 and #9. Among other items, specific to Management Area #8, Mammoth Escarpment, the Management Area Direction notes:

## *“Recreation*

*“Develop recreation composite plans to inventory, coordinate, and program the full summer and winter recreation potential in the area in Prescription #12 (Lakes Basin). Construct programmed facilities as funds become available.*

“We (the Town) reference that Recreation section for several other statements, not restated here, that also serve to provide a solid basis for the proposed projects as well as the overall approach to management of resources in the Lakes Basin. We also reference the Mammoth Lakes Trail System MOU as a guiding document for these discussions.”

### **Comments on Scoping Letter Dated February 9, 2015**

**SCOPING LETTER TEXT:** “The USDA Forest Service, Inyo National Forest (INF) has initiated National Environmental Policy Act (NEPA) analysis for the Lake George Multiple Use Path Trail Construction project and for the issuance of special use permits to the Town of Mammoth Lakes for 1. The construction, operation, and maintenance of the proposed path and 2. The maintenance of public roads within the Mammoth Lakes Basin. The project is located within the Mammoth Ranger District on the Inyo National Forest. See the enclosed vicinity maps and project area detail maps for more information.”

### **COMMENTS**

1. For the purposes of establishing responsibility and accountability for the maintenance, operations, and programming of the proposed project, it is important to clearly identify the project proponent. The assumption is that the proponent is the Town of Mammoth Lakes, and if so, it would be helpful to plainly state this in the decision document.
2. The terms and conditions of the proposed special use permits should be publicly available as part of the decision process as well as with the publication of the final decision.
3. Documents of authority and planning materials that inform the decision should be cited, as they will help the public better understand the rationale for the District Ranger’s final decision. These may include the INF Forest Plan (1988), the “Mammoth Lakes Trail System” MOU between the Town and the USFS, any adopted USFS operating plans or special use permits, and data or statistical analysis documents such as the “Lake Mary Road Multimodal Transportation Concept Alternatives Evaluation” from the Lakes Basin Special Study (2012)

### **Project Location**

**SCOPING LETTER TEXT:** “The proposed Lake George Multiple Use Path Trail Construction project would be located in the Mammoth Lakes Basin with beginning and ending termini at the "Main Lake Mary Road/Pokenobe Resort" intersection (adjacent to the bus stop across from Pokenobe Resort) and at the Lake George/Crystal Crag trailhead and parking area. The proposed trail would run parallel to the road departing

from the Pokenobe intersection, cross the outlet of Lake Mary adjacent to the existing bridge, cross the road and climb up the north facing slope below Lake George and end just below the stop sign at the Lake George parking lot. There would also be a spur that drops from the main trail and connects to the Lake Mary Road, designed for users wanting to travel around the "Lake Mary Loop."

## **COMMENTS**

1. The identification of the "Lake Mary Loop" by its facility type (road, system trail, etc.) and primary purpose would be helpful, as well as clarification of its current status.

## **Purpose and Need for Action**

**SCOPING LETTER TEXT:** "INF and TOML work cooperatively to deliver the Mammoth Lakes Trail System (MLTS), a network of trails on the Inyo National Forest and on municipal lands in and near the Town of Mammoth Lakes. The INF and TOML share an interest in enhancing the MLTS to provide diverse recreation experiences that promote the use and enjoyment of public lands in the Eastern Sierra. The INF and TOML also share a goal of promoting public land access and transportation networks that reduce vehicle congestion and carbon emissions."

## **COMMENTS**

1. Acknowledgement of the "Mammoth Lakes Trail System" MOU as executed between the Town and the INF in June of 2013 and the role it may have played in the District Ranger's decision should be acknowledged.
2. Documentation of "shared goals" between the Town and the INF – such as those stated above - should be documented and acknowledged as well.

**SCOPING LETTER TEXT:** "The Mammoth Lakes Basin (Lakes Basin) is a heavily used recreation area, both in summer and winter seasons. In the summer, the Lakes Basin is used for camping, lodging, fishing, equestrian riding, biking, cycling, running, paddling, and several other recreation activities. In many places, these uses overlap, causing congestion and potential safety issues. From July 4th through Labor Day, all campsites and lodging are often full and it can be very difficult to locate an available parking spot. Providing walkers, runners, and bicycle users additional mileage of developed surface to travel on will reduce pedestrian/vehicle conflicts within the project area and encourage users to travel on foot or bicycle to visit one of the premiere destinations within the Lakes Basin."

## **COMMENTS**

1. Examples should be provided to document how the design and the implementation of the proposed project will "... reduce pedestrian/vehicle conflicts within the project area and encourage users to travel on foot or bicycle to visit one of the premiere destinations within the Lakes Basin." Measures for success, starting with baseline data regarding pedestrian use of roadways and documentation of historic conflicts available to the District Ranger would be

helpful in setting expectations for project outcomes. In addition to data uniquely available to the District Ranger, the Lakes Basin Special Study (LABSS) produced a significant amount of information that may be useful, including vehicle turning movement data, a recreation survey including trip data specific to recreation activities, traffic count data, and detailed parking counts by identified road segments.

2. Given the “Mammoth Lakes Trail System” MOU between the Town and the INF, it is assumed that the project will be implemented consistent with “Section 600 – Mammoth Lakes Trail System (2012)” of the Town’s adopted Public Works Manual and the Town’s adopted “Trail System Master Plan (2011)”. This could be confirmed by the District Ranger in his decision.
3. Consideration by the District Ranger regarding the desirability of future implementation of the project’s design strategy throughout the Lakes Basin to reduce pedestrian/vehicle conflicts and encourage pedestrian travel would be valuable.
4. Clarification as to whether the District Ranger anticipates that the proposed project will address user conflicts in addition to those between “pedestrian/vehicle” would be valuable as well.
5. Data resources such as the “Traffic Study: Turning Movement Count”, “Traffic Study: Parking Counts” or the “Lake Mary Road Multimodal Transportation Concept Alternatives Evaluation” from the Lakes Basin Special Study (2012) could serve as useful statistical resources and rationale for the “need for action”.
6. The appropriateness of considering developed surface alternatives to asphalt could provide the public with direction as to the District Ranger’s understanding of the character of the Lakes Basin that may be useful for future projects.

**SCOPING LETTER TEXT:** “In 2011, with support from the INF, the TOML applied to and received a Federal Highways Administration grant to plan, design, and construct a paved multiple use trail in the Lakes Basin that would improve pedestrian and bicycle access, reduce the demand for vehicle use, and improve road safety for vehicles and pedestrians alike. The INF and TOML have been working cooperatively to study trail options, vehicle use patterns, parking, recreation access, natural and cultural resources, and other uses and issues within the project area. Cooperatively, the INF and TOML have developed this proposal for a multiple-use path trail project.”

## **COMMENTS**

1. A “Paul S. Sarbanes Transit in the Parks” grant, as awarded to the Town, is presumed to be the “Federal Highways Administration grant...” referenced in the text. The District Ranger could clarify the grant’s identity in his decision, and could also provide insight into the balance of any anticipated deliverables from the grant and the ways in which the District Ranger anticipates that they may complement or otherwise enhance the proposed project.
2. The most recent effort to gather and study “...trail options, vehicle use patterns, parking, recreation access, natural and cultural resources, and other uses and issues within the project area...” was the Town’s “Lakes Basin Special Study (LABSS)” grant as awarded by the Sierra Nevada Conservancy. LABSS is an acknowledged data and planning resource for the “Paul S. Sarbanes Transit in the Parks” grant awarded to the Town. While not an adopted document of local agencies, acknowledgement of the LABSS grant’s objective to “...build

necessary interagency collaborative capacity for the long term benefit of the Mammoth Lakes Basin by engaging agencies in a collaborative planning effort with specified near term goals and deliverables..." could reinforce community support and the degree to which local interagency collaboration and cooperation will be necessary for the project's success.

## **Proposed Action**

**SCOPING LETTER TEXT:** "The INF proposes to authorize, under special use permit to the TOML, the construction and maintenance of 0.75 miles/3850 feet of multiple use path/trail to Trail Development Class 5 standards (high level of development). The new trail would begin at the "Pokenobe" intersection of Lake Mary Road and travel on the west side of the road towards the "Lake George/Lake Mary" intersection, crossing the Lake Mary outlet adjacent to the existing bridge, just below the spillway. The trail would continue by crossing the Lake George Road at the intersection and climbing the north facing slope below the Lake George Campground, ending at the road just below/north of the stop sign in the Lake George parking lot and Crystal Lake trailhead. A short spur would connect back to the Lake Mary Road for those traveling around the "Lake Mary Loop." The entire trail would be paved and approximately ten feet in width with pullouts for users to rest and to provide opportunities for interpretive and educational signs. Benches would be placed in pullouts. At both termini, trailhead kiosks and 20'x20' kiosk plazas would be constructed to orient visitors and allow users to gather. The kiosk plaza at Lake George would include bike racks for those wanting to bike to the trailhead, secure their bicycles, and continue on foot along one of the several area trails. Adjacent to the kiosk plazas, picnic tables and other day use infrastructure will be placed to accommodate the anticipated recreation use. The shoulder of the road near the Lake George stop sign would be widened at the crossing to accommodate bicycle and pedestrian traffic."

### **COMMENTS – "LAKE MARY ROAD TO LAKE GEORGE ROAD MULTI USE PATH"**

1. As previously stated, the District Ranger could provide valuable and useful information to the public by identifying the following:
  - a. The funding source for the construction of the project.
  - b. The funding source for the maintenance of the project.
  - c. The funding source for the development, implementation and maintenance of information systems associated with the project including wayfinding signage, interpretive signage and programming, and integration of the project into the Mammoth Lakes Trail System (MLTS) website at mammothtrails.org. The MLTS website is managed through an MOU between the Town and the INF ("Maintenance and Operation of MLTS Website") and it would be useful to the public for the District Ranger to acknowledge the MOU and any role it may have played in his decision.
2. How the Special Use Permits (SUPs) will ultimately be issued, whether as unique SUPs or as amendments to existing SUPs, will be useful information for the public and collaborating agencies.
3. The signatories would appreciate if the District Ranger could discuss the appropriateness of including the incorporation of conduit for the distribution of fiber optical cables to potentially enhance the distribution of Digital 395, a

federally funded project through the American Recovery and Reinvestment act as part of the project construction, and any implications this may have to his analysis and decision under NEPA.

4. As previously discussed, “Section 600 – Mammoth Lakes Trail System (2012)” of the Town’s adopted Public Works Manual establishes standards for the widths of multi use paths for the Mammoth Lakes Trail System. The Town’s adopted “Trail System Master Plan (TSMP)” also provides design guidelines that may be helpful given the stated goals of the project and which could be considered by the District Ranger as part of his decision. For example, Design Guideline 6.1 of the TSMP recommends the following with regards to width:
  - a. “10 feet is required by the Town of Mammoth Lakes as the minimum width of new multi-use paths. This requirement exceeds existing standards and will be adequate for moderate to heavy use. This provides an unobstructed right-of-way wide enough to accommodate typical trail grooming equipment. However, shoulders wider than two feet should be considered in areas that will receive regular winter grooming.
  - b. “12 feet is recommended for heavy use areas with high concentrations of multiple users such as joggers, bicyclists, rollerbladers and dog walkers and may also be appropriate for safety reasons in areas with limited sight lines or where speeds may be high (steep grades).
  - c. “The 10’ minimum clearance should be exceeded as necessary to account for winter snow pack.”
5. It would also be helpful if the District Ranger could provide further detail of construction alternatives at the intersection of Lake Mary Road and Lake George Road with specific regard to the “widening of the shoulder”.

**COMMENTS – “LAKE GEORGE PATH PROJECT”**

1. Signatories to these comments understand that the design of this second segment of the proposed project as funded by the Paul S. Sarbanes Transit in the Parks grant is not yet at 100%, and may only be at 30%, and therefore encourage the District Ranger to take advantage of this opportunity to consider potentially less impactful alignments including an alignment to the west of Lake George Road as well as just to the east of Lake George Road but to the west of the current proposed alignment.
2. To maintain consistency with the project’s stated goals to “ ... reduce pedestrian/vehicle conflicts within the project area ...”, the District Ranger should reconsider relocating the southerly termination of the “Lake George Path Project” to coincide with the existing bathroom on the north side of the Lake George Parking area and not pursue termination at new intersection with Lake George Road as indicated in the project map.
3. Mitigation of the impacts of a stated purpose of the project, which is to “... encourage users to travel on foot or bicycle to visit (Lake George) one of the premiere destinations within the Lakes Basin...”, will be an important component of the District Ranger’s decision. Trail counters along the Lakes Basin Path, a similar piece of pedestrian/bicycle infrastructure that will serve as a primary “feeder” of bicycle and pedestrian traffic for the proposed project, documented an increase of year over year traffic ranging from 23% – 39% in its initial years of operation (2011 to 2012). If the current project is successful, similar increases in the delivery of pedestrians and bicycles to Lake George can be reasonably

anticipated. The signatories to this comment letter request the District Ranger to include in his decision an acknowledgement of his desire to work with local agencies and partners to initiate and complete collaborative planning and implementation efforts that he believes will be necessary to mitigate the anticipated impacts that increased visitation will have to Lake George and its surrounding current non-conforming use trails, including those that pass through sensitive riparian areas, as a result of the project's anticipated success. The signatories to this letter encourage the District Ranger to make good use of readily available data resources produced by the Lakes Basin Special Study (LABSS) documenting use-trails and non-conforming parking conditions in the Lake George area as well as the public's desires for formalized trail infrastructure as developed through the collaborative efforts of LABSS.

4. Signatories to this letter would further encourage the District Ranger to consider the cumulative impacts that recent projects in the Lakes Basin, including the current project, the Lakes Basin Path, and future deliverables from the Paul S. Sarbanes Transit in the Parks grant, are having on the public's expectations for year-round recreation use in the Lakes Basin and the ancillary effects that these evolving expectations are having on permittees that make use of Lakes Basin during the Winter. The District Ranger may want to consider further mitigation measures including the adaption of summer oriented signage to a winter program that can assist the public in better understanding the role that the Lakes Basin plays in a variety of seasons as well as the different travel and use patterns from summer to winter.
5. To further assist in the mitigation of anticipated additional visitation at Lake George, it would be helpful for the District Ranger to identify the role that he sees for enhanced public transit options and their role in mitigating potential impacts of the project.

#### **COMMENTS – "POTENTIAL CONFLICTS WITH WINTER TRAILS"**

1. A cursory analysis of the proposed project indicates that several existing winter Nordic trails of the "Tamarack Cross Country Ski Center", a permittee operating in the Lakes Basin, may be impacted by the project. Using the naming conventions of the Tamarack Cross Country Ski Center, these trails include "Mamie Cutoff", "Watertank", and "Voodoo". The signatories to this letter strongly encourage the District Ranger to work closely with the permittee to identify opportunities to successfully incorporate the project's goals into the existing winter trails and winter program of the Tamarack Cross Country Ski Center. The District Ranger should be willing to consider potential realignments of the proposed project in order to successfully achieve a holistic integration of both summer and winter uses. Winter uses of the Mammoth Lakes Basin are an important part of the Lakes Basin experience, and have their own unique sets of challenges, which should be fully considered by the District Ranger in his decision. Signatories to this letter encourage the District Ranger to further consider comment #4 (above) in this context as well, including opportunities that the proposed project may have to address the challenges of the management of the Lakes Basin in winter.

**SCOPING LETTER TEXT:** "The proposed trail would take over the alignment of existing day ride trails used under special use permit by the Mammoth Lakes Pack Outfit. As a

result, the day ride trails will be relocated, necessitating the reconstruction of 0.35 miles of class 2 (low level of development) trail and amendment of the special use permit to include the newly added trails. In addition, boulders, logs, and other obstacles will be placed along the paved multiple use path, adjacent to existing roadways, and in other locations required to keep bicycles from riding on trails used by commercial pack stock.

## **COMMENTS**

1. The District Ranger could assist the public's understanding of this component of the project by identifying the location of the relocation of the identified trail.
2. The District Ranger could also clarify for the public the nature of the distinction of the special use permits of the Mammoth Lakes Pack Outfit and the Tamarack Cross Country Ski Center, if such distinctions exists. It is not clear why the trails of the "Mammoth Lakes Pack Outfit" have been identified for specific consideration, while the trails and facilities of other permittee in the project area have not, including the winter trails of the "Tamarack Cross Country Ski Center". Through his decision, the District Ranger could provide this valuable information to the public.
3. The District Ranger could clarify for the public his understanding of the value of "... boulders, logs, and other obstacles (to) be placed along the paved multiple use path, adjacent to existing roadways, and in other locations required to keep bicycles from riding on trails used by commercial pack stock...." and his desire to retain these tools for future projects in the Lakes Basin consistent with design features used in the Lakes Basin Path and the Town's adopted public works standards.

**SCOPING LETTER TEXT:** "Along the Lake Mary Road, in front of the Lake Mary Campground, construction of the proposed trail will require realignment of the existing road. The existing road was constructed in manner that created a gentle bend and narrowing of the road corridor to climb a slight hill and use natural terrain features. The realignment of the road will serve both purposes of accommodating the newly constructed multiple use path and improving vehicle safety along the road corridor. The U.S. Forest Service proposes to issue to the TOML a ten year permit to maintain up to nine miles of publicly traveled roads within the Lakes Basin, including this section of road that will require realignment. Issuance of a multi-year road maintenance permit will, over time, help TOML and the INF collaborate and leverage funding to repave and maintain the public road network within the Lakes Basin and seek funding to support trail development, safety enhancements, and continued delivery of public transportation infrastructure.

## **COMMENTS**

1. The District Ranger could clarify as to whether there will be any effects on the campsites at the nearby campgrounds should the road be realigned.
2. In his decision, the District Ranger should provide information identifying the specific roads being identified for a "... ten year permit to maintain up to nine miles of publicly traveled roads within the Lakes Basin, including this section of road that will require realignment".
3. In consideration of the interests of the general public and a wide variety of permittees who depend upon the road system in the Mammoth Lakes Basin, it would be helpful if the District Ranger could further clarify the opportunities he



sees for this component of his decision and to include any potential reassignments of accountability, liability, and maintenance that may follow. Any specific information he could provide, including the identification of federal grant opportunities or leveraging capacities with local partners will be helpful for the public and enhance the rationale for this component of his decision.

**SCOPING LETTER TEXT:** “Trail construction and road realignment will require the removal of approximately 85 small to moderately sized lodgepole trees, with the majority of the trees required to be removed less than 12 inches diameter at breast height. The trail alignment has been designed and engineered to minimize tree removal and to avoid removal or impacts to any of the Western White Pine trees that grow within the project area.”

**COMMENTS**

1. No specific comments

Thank you again for your time and for your consideration of these comments.

As stated in the introduction to this letter, the signatories below support the intent and objectives of the project, and encourage the District Ranger to avail himself of the many willing and available resources, perspectives and insights that may be of assistance as he crafts his decision.

Best –

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