Appendix B - Full Application Checklist

SNC Reference#: EGID # 870

Project Name: June Mountain Ski Area Whitebark Pine Restoration Project

Applicant: California Trout

Please mark each box if item is included in the application. Please consult with SNC staff prior to submission if you have any questions about the applicability to your project of any items on the checklist. All applications must include a CD including an electronic file of each checklist item, if applicable. The naming convention for each electronic file is listed after each item on the checklist. (Electronic File Name = EFN: "naming convention". file extension choices)

Submission requirements for all Category One and Category Two Grant Applications

1. ■ Completed Application Checklist *(EFN: Checklist.doc,.docx,.or .pdf)*
2. ■ Table of Contents *(EFN: TOC.doc,.docx, or .pdf)*
3. ■ Full Application Project Information Form *(EFN: SIform.doc, .docx, or .pdf)*
4. ■ CCC/Local Conservation Corps Document *(EFN: CCC.pdf)*
5. ■ Authorization to Apply or Resolution *(EFN: authorization.doc, .docx, or .pdf)*
6. ■ Narrative Descriptions *(EFN: Narrative.doc or .docx)*
   a. ■ Detailed Project Description (5,000 character maximum for section 5a only)
      ■ Project Description including Goals/Results, Scope of Work, Location, Purpose, etc.
   b. ■ Workplan and Schedule
   c. ■ Restrictions, Technical/Environmental Documents and Agreements
      ☐ Restrictions / Agreements *(EFN: RestAgree.pdf)*
      ■ Regulatory Requirements / Permits *(EFN: RegPermit.pdf)*
   d. ■ Organizational Capacity
   e. ■ Cooperation and Community Support
      ■ Letters of Support *(EFN: LOS.pdf)*
   f. ■ Tribal Consultation Narrative *(EFN: tribal.doc, docx)*
   g. ■ Long Term Management and Sustainability
      ■ Long-Term Management Plan *(EFN: LTMP.pdf)*
   h. ■ Performance Measures
7. Budget documents
   a. ■ Detailed Budget Form (EFN: Budget.xls, .xlsx)
8. Supplementary Documents
   a. Environmental Documentation
      ■ California Environmental Quality Act (CEQA) documentation *(EFN: CEQA.pdf)*
      ■ National Environmental Policy Act (NEPA) documentation *(EFN: NEPA.pdf)*
   b. Maps and Photos
      ■ Project Location Map *(EFN: LocMap.pdf)*
      ■ Parcel Map showing County Assessor's Parcel Number(s) *(EFN: ParcelMap.pdf)*

- ☒ Topographic Map *(EFN: Topo.pdf)*
- ☒ Photos of the Project Site *(10 maximum) (EFN: Photo.jpg, .gif)*

c. Additional submission requirements for Fee Title Acquisition applications only
- ☐ Acquisition Schedule *(EFN: acqSched.doc,.docx or .pdf)*
- ☐ Willing Seller Letter *(EFN: WillSell.pdf)*
- ☐ Real Estate Appraisal *(EFN: Appraisal.pdf)*

d. Additional submission requirements for Site Improvement / Restoration Project applications only
- ☒ Land Tenure Documents *(EFN: Tenure.pdf)*
- ☒ Site Plan *(EFN: SitePlan.pdf)*
- ☒ Leases or Agreements *(EFN: LeaseAgmnt.pdf)*

I certify that the information contained in the Application, including required attachments, is accurate, and that I have been authorized to apply for this grant.

Signed *(Authorized Representative)*

29th February · 2016
Date

Director Institutional Giving
Name and Title *(print or type)*

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SIERRA NEVADA CONSERVANCY
PROPOSITION 1 – Watershed Improvement Program Project Information Form

SNC REFERENCE # EGID# 870

PROJECT NAME June Mountain Ski Area Whitebark Pine Restoration Project (Phase 1)

APPLICANT NAME *(Legal name, address, and zip code)*

California Trout
Sierra Headwaters Region
P.O. Box 3442
Mammoth Lakes, CA 93546

AMOUNT OF GRANT REQUEST $500,000.00

TOTAL PROJECT COST $1,823,360

PROJECT LOCATION *(County with approx. lat/long, center of project area)*

Mono County - (-119.076, 37.753)

SENATE DISTRICT NUMBER	**ASSEMBLY DISTRICT NUMBER**
Eight	Three

PERSON WITH MANAGEMENT RESPONSIBILITY FOR GRANT CONTRACT

Name and title	*Phone*	*Email Address*
■ Mr. Mark Drew	(760) 924-1008	mdrew@caltrout.org
☐ Ms.		

TRIBAL CONTACT(S) INFORMATION

Name: *Phone Number:*

Appendix A - Federal T.C Contact List

Email address:

COUNTY ADMINISTRATOR OR PLANNING DIRECTOR CONTACT INFORMATION

Name: *Phone Number:*

Scott Burns (760)-924-1800

Email address: sburns@mono.ca.gov

NEAREST PUBLIC WATER AGENCY CONTACT INFORMATION

Name: *Phone Number:*

June Lake Public Utilities District Genera (760)-648-7778

Email address: jlpudnfire@qnet.com

Please identify the appropriate project category below and provide the associated details *(Choose One)*

- [x] Category One Site Improvement
- [ ] Category One Acquisition
- [ ] Category Two Pre-Project Activities

Site Improvement/ Acquisition Project Area (for Category One Projects Only)

Total Acres: 518

SNC Portion (if different): 120

Acquisition Projects Only For Acquisitions Only

- [ ] Appraisal Included

Select one deliverable (for Category Two Projects Only)

- [ ] Permit
- [ ] CEQA/NEPA Compliance
- [ ] Appraisal
- [ ] Condition Assessment
- [ ] Biological Survey
- [ ] Environmental Site Assessment
- [ ] Plan

Appendix A

June Mountain Ski Area Vegetation Management Planning Project - Tribal Consultation List													
*Conducted on 4/22/2010 during pre-planning of the environmental assesment													
Federal Status	Tribe	Position	Title	Last Name	First Name	Street Address	City	State	Zipcode	Telephone	Alt. Telephone	Email	Alt. Email or address
Federally Recognized	Bishop Paiute Indian Tribe	Secretary /Treasurer	Ms.	Vega	Bill	50 TU Su Lane	Bishop	CA	93514	760-873-3584		earleen.williams@bishoppaiute.org	
Seeking Recognition	Mono Lake Kutzadikaa Tribe	Chairperson	Chairperson	Lange	Charlotte	PO Box 237	Lee Vining	CA	93541	760-938-1190	760-647-1016	clange2008@hotmail.com	PO Box 117, Big Pine, CA 93513
Federally Recognized	Big Pine Paiute Tribe of Owens Valley	Tribal Member at Large	Ms.	Moose	David	PO Box 700	Big Pine	CA	93513	760-938-2003	760-258-5389	nate.dondero@yahoo.com	
Federally Recognized	Big Pine Paiute Tribe of Owens Valley	Environmental Director	Ms	Manning	Sally	PO Box 700	Big Pine	CA	93513	760-938-3036		s.manning@bigpinepaiute.org	http://www.bigpinepaiute.org/
Federally Recognized	Bishop Paiute Indian Tribe	Environmental Office	Mr.	Adkins	Brian	50 Tu Su Lane	Bishop	CA	93514	760-784-1423	760-873-7845	badkins@bishoptribeemo.com	www.bishoptribeemo.com
Federally Recognized	Bishop Paiute Indian Tribe	THPO		Stone	Theresa	50 TU Su Lane	Bishop	CA	93514				
Federally Recognized	Benton Paiute Tribe	Chairperson	Mr.	Salque	Billie	25669 Highway 6	Benton	CA	93512				
Federally Recognized	Bridgeport Paiute Tribe	Chairperson	Mr.	Sam	Joseph	PO Box 37	Bridgeport	CA	93517				
Federally Recognized	Big Pine Paiute Tribe of Owens Valley	Big Pine THPO	Mr.	Helmer	Bill	PO Box 700	Big Pine	CA	93513				

From: Prop1 Community Corps
To: Weinhart, Andrew -FS
Subject: Re: Prop 1 Inquiry - June Mountain Ski Area Whitebark Pine Restoration Project
Date: Friday, February 19, 2016 10:47:54 AM
Attachments: image001.png
image002.png
image004.png
image003.png

Hello Andrew,

Thank you for contacting the Local Conservation Corps. Unfortunately, we are unable to participate in this project. Please include this email with your application as proof that you reached out to the Local Conservation Corps.

Thank you,

Dominique

California Association of Local Conservation Corps

Proposition 1 – Water Bond

Consultation Review Document

Applicant has submitted the required information by email to the Local Conservation Corps (CALCC):

Yes (applicant has submitted all necessary information to CALCC)

After consulting with the project applicant, the CALCC has determined the following:

It is NOT feasible for CALCC to be used on the project (deemed compliant)

APPLICANT WILL INCLUDE THIS DOCUMENT AS PART OF THE PROJECT APPLICATION

On Fri, Feb 12, 2016 at 3:34 PM, Weinhart, Andrew -FS <aweinhart@fs.fed.us> wrote:

> Good Afternoon,
>
> I have attached the briefing paper and map for the proposed SNC Prop 1 funded June Mountain Ski Area Whitebark Pine Restoration Project located on the Inyo National Forest adjacent to the community of June Lake, California.
>
> If you have further questions, don't hesitate to call. -A-

Andrew R. Weinhart

Small Sales Forester

Inyo Interagency Vegetation Management Team

Forest Service

Inyo National Forest

p: 760-924-5550

c: 760-213-2672
f: 760-924-5537
aweinhart@fs.fed.us

PO Box 148

2510 Main Street
Mammoth Lakes ,CA, CA 93546
www.fs.fed.us

Caring for the land and serving people

From: Prop 1@CCC [Prop1@CCC.CA.GOV]
Sent: Friday, February 26, 2016 4:02 PM
To: Weinhart, Andrew -FS; Prop 1@CCC; inquiry@prop1communitycorps.org; Gaby Roff
Cc: Stroud, Danna@SNC; Schmier, Scot@CCC
Subject: RE: Prop 1 Inquiry - June Mountain Ski Area Whitebark Pine Restoration Project

Hello Andrew,
I received an updated response and we are unable to participate in the June Mountain Ski Area Whitebark Pine Restoration Project. Please include this email with your application as proof that you reached out to the California Conservation Corps.
Thank you,

Nick Martinez
Region II Analyst
California Conservation Corps
Office (916) 341-3157
Nicholas.Martinez@ccc.ca.gov

From: Weinhart, Andrew -FS [mailto:aweinhart@fs.fed.us]
Sent: Friday, February 12, 2016 3:35 PM
To: Prop 1@CCC <Prop1@CCC.CA.GOV>; inquiry@prop1communitycorps.org
Cc: Stroud, Danna@SNC <Danna.Stroud@sierranevada.ca.gov>
Subject: Prop 1 Inquiry - June Mountain Ski Area Whitebark Pine Restoration Project

Good Afternoon,
I have attached the briefing paper and map for the proposed SNC Prop 1 funded June Mountain Ski Area Whitebark Pine Restoration Project located on the Inyo National Forest adjacent to the community of June Lake, California.
If you have further questions, don't hesitate to call. -A-

Andrew R. Weinhart
Small Sales Forester
Inyo Interagency Vegetation Management Team

Forest Service
Inyo National Forest

p: 760-924-5550
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f: 760-924-5537
aweinhart@fs.fed.us

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Mammoth Lakes ,CA, CA 93546
www.fs.fed.us

Caring for the land and serving people

SNC WATERSHED IMPROVEMENT PROGRAM – PROP 1 CCC AND CALCC BRIEFING PAPER

Title: June Mountain Ski Area Whitebark Pine Restoration Project (Phase 1)

Location: Units are located within the June Mountain Ski Area Special Use Permit Boundary located adjacent to the Eastern Sierra community of June Lake in Mono County, CA. All lands proposed for treatment are National Forest System Lands contained within the Mono Lake Ranger District of the Inyo National Forest.

Size: 285 to 518 acres dependent on funding from Sierra Nevada Conservancy which will be further leveraged for additional funding through the National Fish and Wildlife Foundation.

Project Implementation and estimated Start and End Dates: On the ground work is estimated to start on August 1, 2016, with a normal operating season expected from August 1st to October 15th of any given year over the five year grant period, ending June of 2021.

Project Description: The June Mountain Ski Area Whitebark Pine Restoration project will treat dead and dying coniferous trees located on the upper half the ski area between 9,000 and 10,000 feet in elevation. Units range in size from 1 acre to 96 acres. Slopes generally range from 16 percent to 55 percent. Soils are pumice in nature. Units are generally identifiable as ski islands between ski runs.

The Forest Service has estimated 145 dead and dying trees per acre to be cut as a part of this project. This includes cutting approximately 93 trees per acre between 8.0 and 26.9 inches diameter at breast height (DBH), 37 trees per acre between 5.0 to 7.9 inches DBH, and 15 trees per acre between 1.0 to 3.9 inches DBH.

The Forest Service is proposing the following activities in conjunction with this project to reduce buildup of hazardous fuels and restore Whitebark pine stands to desired conditions for future resiliency to wildfire, insect, and disease:

The prospective contractor would cut by hand with chainsaws or by ground-based, tracked or tired mechanical harvesting equipment all dead and dying coniferous trees up to 26.9 inches in DBH. Resulting stumps shall be less than 12 inches in height when measured from the uphill side.

Cut trees would subsequently be skidded or yarded, using ground-based, metal-track or rubber-tired equipment; to access points located along ski runs to be processed into logs for firewood, chipped, or piled at centralized locations approved by the Forest Service.

Log processing would consist of cutting limbs and tops from each tree removed; logs would then be skidded or yarded to a mid-mountain location to be decked for later disposal by Forest Service. Cut limbs and tops would be disposed of through chipping or piling.

Chipping would consist of feeding boles, limbs, tops, or whole trees into a chipper or grinder capable of disposing trees up to 30 inches in diameter. Chips may be spread in low quantities as to not cover any one acre in greater than a two inch depth. Subsequent chips would be stockpiled at a Forest Service approved location for possible biomass utilization. Removal off site may be required by contractor.

If chip depths became unfavorable, subsequent boles, tops, and limbs may be piled at the downhill base of ski runs. This would entail skidding or yarding all portions of trees downhill for several hundred feet to then pile for subsequent burning by Forest Service.

Each burn pile shall be constructed as follows: 50 feet from the nearest live tree, no greater than 20 feet in height and 25 feet in diameter. Piles would not be constructed within 100 feet of any infrastructure including lift line, lift towers, outbuildings, or other improvements. Piles shall not be constructed within 200 feet of any devices such as propane tanks or storage areas used for avalanche mitigation in winter months.

All contractor disturbed areas would be subsequently restored by one or more of the following means: raking by hand, back-blading with mechanical equipment, re contouring slopes by hand or equipment, water barring by hand or equipment, and/or applying vegetative seeding.

Forest Service Point of Contact:

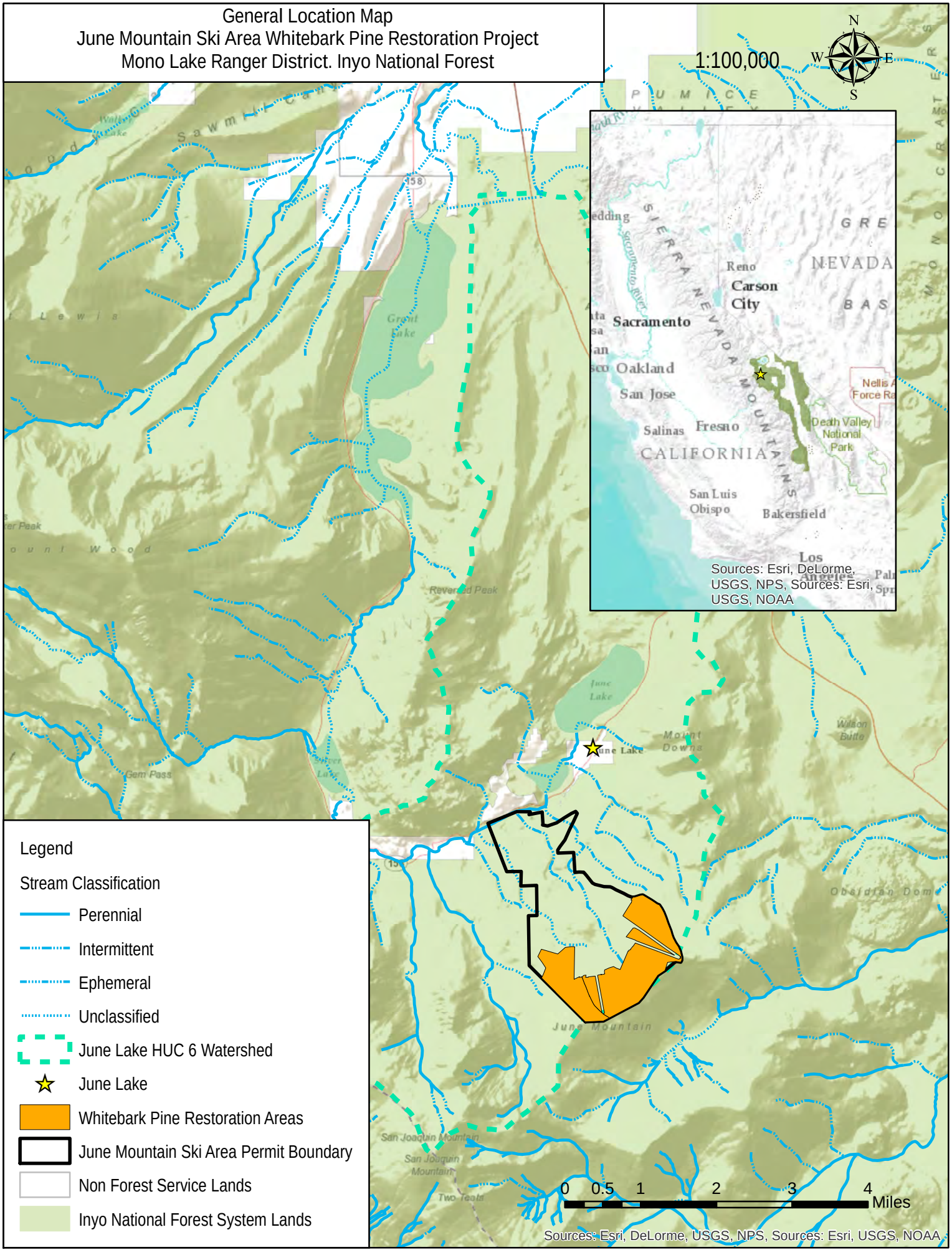
Andrew R. Weinhart
Small Sales Forester
Inyo Interagency Vegetation Management Team

Forest Service
Inyo National Forest

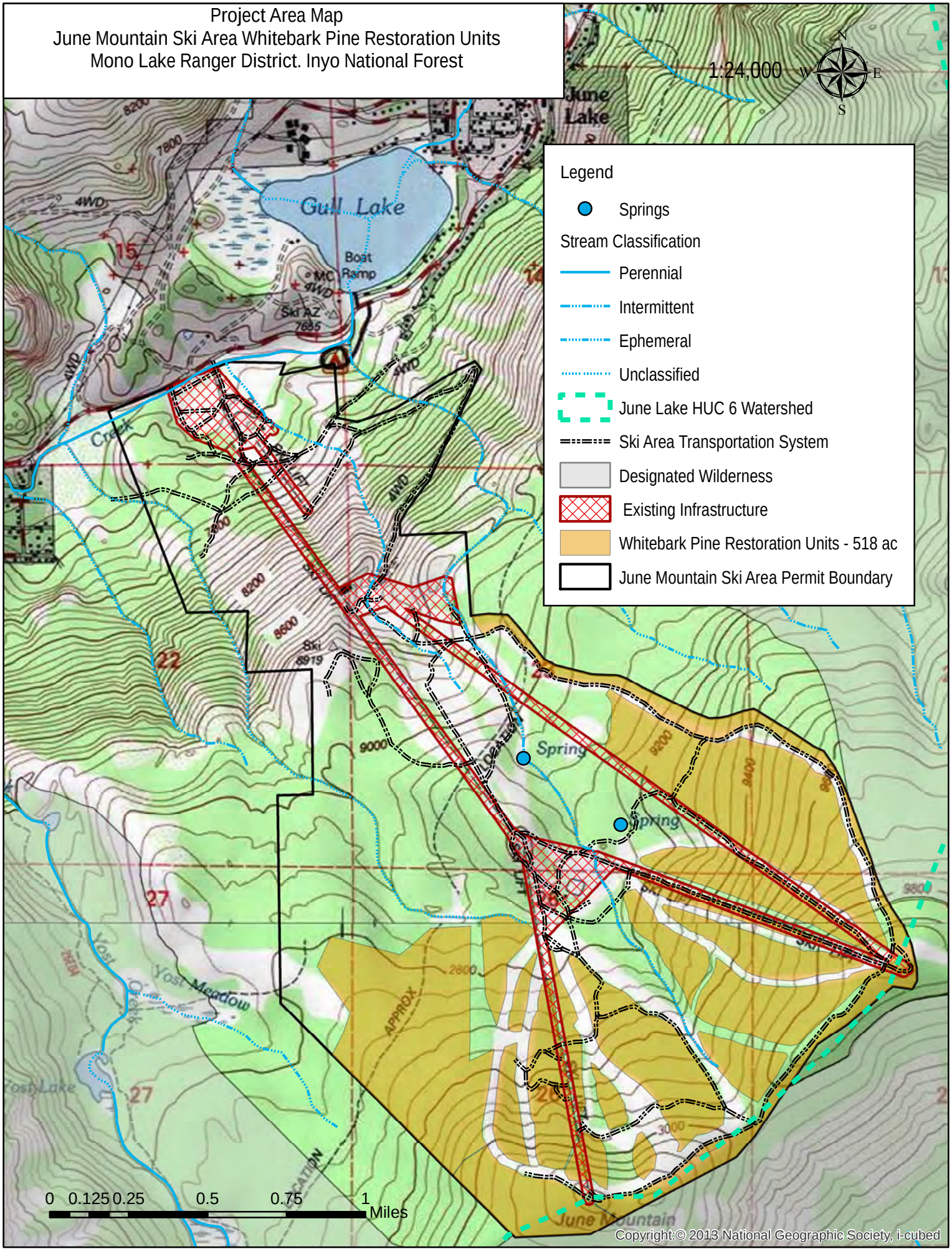
p: 760-924-5550
c: 760-213-2672
f: 760-924-5537
aweinhart@fs.fed.us

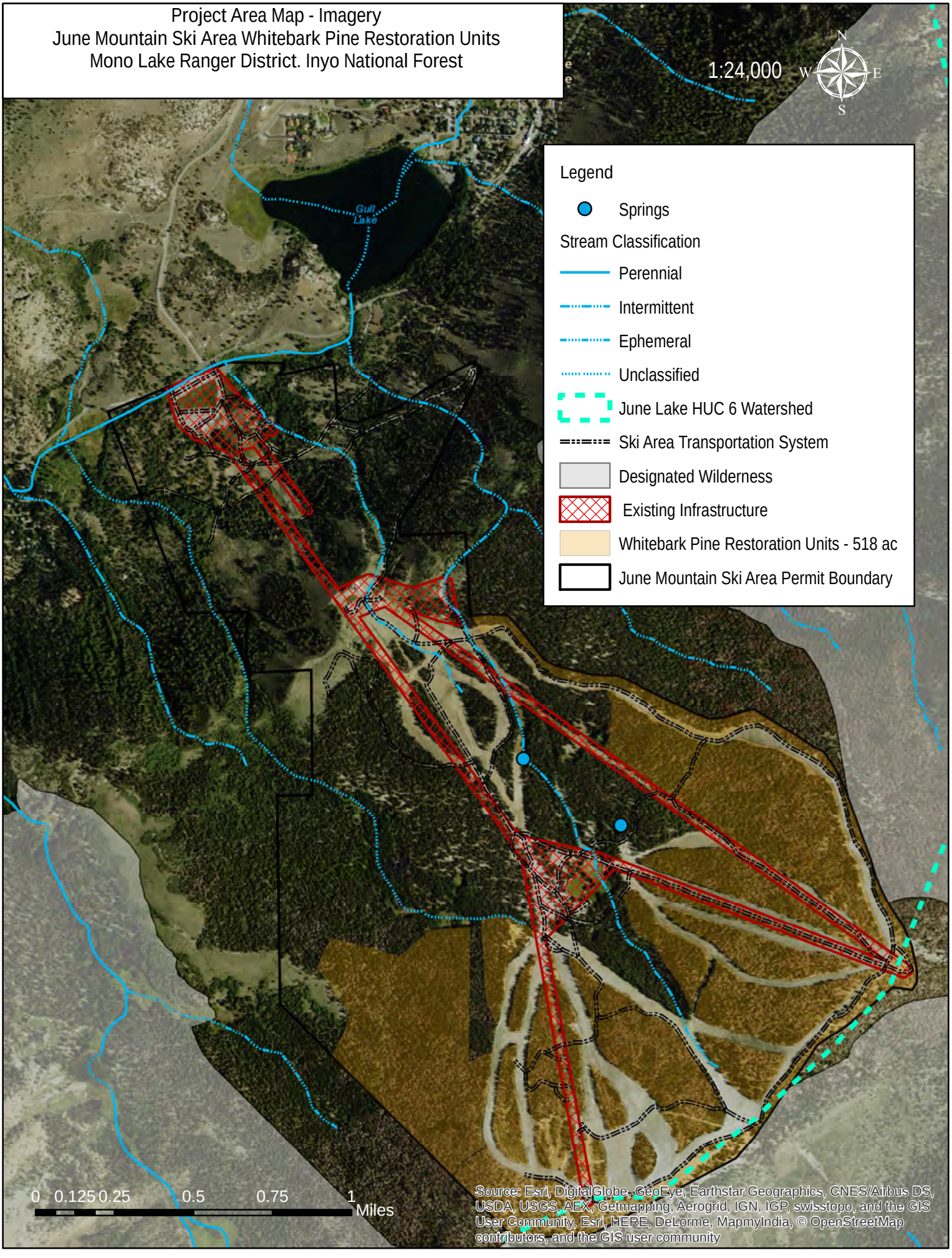
PO Box 148
2510 Main Street
Mammoth Lakes ,CA, CA 93546
www.fs.fed.us

Caring for the land and serving people


General Location Map
June Mountain Ski Area Whitebark Pine Restoration Project
Mono Lake Ranger District. Inyo National Forest
1:100,000
N
W
E
S
Reno
Carson City
Sacramento
Oakland
San Jose
Salinas
Fresno
San Luis Obispo
Bakersfield
Death Valley National Park
NEVADA
CALIFORNIA
Sources: Esri, DeLorme, USGS, NPS, Sources: Esri, USGS, NOAA
Legend
Stream Classification
Perennial
Intermittent
Ephemeral
Unclassified
June Lake HUC 6 Watershed
June Lake
Whitebark Pine Restoration Areas
June Mountain Ski Area Permit Boundary
Non Forest Service Lands
Inyo National Forest System Lands
June Lake
Mount Dowms
Wilson Butte
June Mountain
Obsidian Dom
Gem Pass
Reversed Peak
Mount Wood
Lewis
Grant Lake
Sawmill Can
San Joaquin Mountain
Two Teats
0 0.5 1 2 3 4 Miles
Sources: Esri, DeLorme, USGS, NPS, Sources: Esri, USGS, NOAA

Project Area Map
June Mountain Ski Area Whitebark Pine Restoration Units
Mono Lake Ranger District. Inyo National Forest




Project Area Map - Imagery
June Mountain Ski Area Whitebark Pine Restoration Units
Mono Lake Ranger District. Inyo National Forest
1:24,000
N
W
E
S
Gull Lake
Legend
Springs
Stream Classification
Perennial
Intermittent
Ephemeral
Unclassified
June Lake HUC 6 Watershed
Ski Area Transportation System
Designated Wilderness
Existing Infrastructure
Whitebark Pine Restoration Units - 518 ac
June Mountain Ski Area Permit Boundary
0 0.125 0.25 0.5 0.75 1
Miles
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

CALIFORNIA TROUT

BOARD RESOLUTION

Board of Governors Resolution No: 16 - 02

In the matter of: A RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE STATE OF CALIFORNIA AND DESIGNATING A REPRESENTATIVE TO SIGN THE AGREEMENT, AND ANY AMENDMENTS THERETO, FOR THE JUNE MOUNTAIN SKI AREA WHITEBARK PINE RESTORATION PROJECT

Whereas, the Board authorizes California Trout to enter into an Agreement with the State of California; and

Whereas, the Board authorizes the Eastern Sierra Regional Manager to sign the Agreement, and any amendments thereto; and

Now, therefore, be it resolved, that the California Trout Board of Directors hereby adopts Resolution #16-02 on February 24, 2016.

The following resolution was duly passed by the Board of Governors of California Trout by ballot on February 24, 2016, by the following vote:

Ayes: 18

Noes: 0

Abstentions: 0

Absent: 0

Signed and approved by:

Doug Ballinger
Chair, Board of Governors

6. Narrative Descriptions

a. Detailed Project Description

Goals, Results, and Purpose:

The objectives of the June Mountain Ski Area (JMSA) Whitebark Pine Restoration Project is to improve forest resiliency to insect and disease outbreaks while decreasing the likelihood of a large-scale, high-intensity wildland fire having catastrophic effects to the June Lake, and downstream Grant Lake – Rush Creek, 6th level sub-watersheds, and the forests and human communities within these watersheds. These municipal watersheds directly supply water to the June Lake Public Utility District and City of Los Angeles.

This project is needed because over 70 years of fire exclusion combined with periods of extended drought in California has resulted in unnaturally dense, stressed forested stands currently experiencing high levels of bark beetle activity creating excessive amounts of standing dead and downed trees. Over the past decade, 1,200 acres of fuels reduction treatments were implemented in the June Lake Loop area in close proximity to the ski area. This project is being planned as a phased approach that will eventually merge into existing treatments.

The specific scope of this grant application is for on-the-ground implementation on 518 acres of National Forest System lands, 120 of which will be funded through this grant. These lands are of greatest importance to overall watershed health and forest resilience at JMSA, as well as, being strategically located atop a ridgeline to impede the spread of a wildfire ignition in designated wilderness. These 518 acres are part of the much larger June Mountain Ski Area Vegetation Management Planning Project, analyzed in an Environmental Assessment (EA) and approved by Inyo National Forest in June 2012 authorizing vegetation treatments on 1,157 acres.

Location:

All units are located within the JMSA Special Use Permit Boundary adjacent to the community of June Lake in Mono County, CA. Lands proposed for treatment are National Forest System Lands contained within the Mono Lake Ranger District of the Inyo National Forest.

Scope of Work:

The project will solely treat dead and dying coniferous trees on the upper mountain of the ski area between 9,000 and 10,000 feet in elevation. Treatment units are situated on moderate to steep, loose pumice soils ranging from 1 to 96 acres in size, and are generally identifiable as ski islands between ski runs. The 120 acres funded through this grant are in 6 units shown as 1.01, 1.04, 1.05, 1.07, 1.12, and 1.20 on the topograhic map.

The Forest Service has estimated 145 dead trees per acre to be cut as a part of this project. Three to five of the largest snags per acre, not posing potential threats would be left to fulfill needs for wildlife. A significant increase in natural regeneration has been observed over the past few years which will negate the need for supplemental planting at this time and not be a part of this grant effort.

The Forest Service is proposing the following activities to reduce buildup of hazardous fuels and restore Whitebark pine stands to desired conditions for future resiliency to wildfire, insect, and disease:

The prospective contractor would cut by hand with chainsaws or by ground-based, metal-tracked or rubber-tired mechanical harvesting equipment all identified trees up to 26.9 inches in DBH.

Cut trees would be skidded or yarded, using ground-based, metal-track or rubber-tired equipment; to access points located along ski runs to be processed into logs for firewood, chipped, or piled at centralized locations.

Log processing would consist of cutting limbs and tops from each tree removed; logs would then be skidded or yarded to a mid-mountain location to be decked for disposal by grantee or agents. Cut limbs and tops would be disposed of through chipping or piling.

Chipping would consist of feeding boles, limbs, tops, or whole trees into a chipper or grinder capable of disposing trees up to 30 inches in diameter. Chips would be spread across ski runs and disturbed areas as to not cover any one acre in greater than a two inch depth. Excess chips would be stockpiled at a Forest Service approved location for possible biomass utilization or removal off-site to Mammoth Mountain Ski Area for erosion control projects.

If chip depths became unfavorable; boles, tops, and limbs may be piled at the downhill base of ski runs. This would entail skidding or yarding all portions of trees downhill for several hundred feet to then pile for burning by Forest Service in winter months.

Contractor disturbed areas would be restored by one or more of the following means: raking by hand, back-blading, re-contouring slopes, and water-barring by hand or equipment, and applying vegetative seed.

Implementation of the fuels reduction work is anticipated to be conducted by experienced contractors. Caltrout and/or their agent will be responsible for procurement of the contractor and daily administration under the oversight of Forest Service contract administration specialists.

b. Workplan and Schedule

The overarching restoration project will include 518 acres over 5 years. The scope of work submitted for consideration by SNC covers 120 acres over 30 months – June 15, 2016 through December 15, 2018.

As project applicant, California Trout has extensive experience administering and implementing watershed-related grants as well as extensive experience in building/engaging in partnerships, as well as conducting education and outreach efforts in the region.

The Inyo National Forest Vegetation Management staff has extensive experience in planning and implementing fuels reduction treatments such as those planned for the June Mountain Ski Area Whitebark Pine Restoration Project. Excellent results have been achieved on similar projects in the past by contracting with well-established firms specializing in forestry and fuels reduction work. Contracting would be the method utilized to accomplish the work proposed in this grant application, with the exception of prescribed fire operations associated with the burning of slash piles. These operations would be conducted by fully-qualified federal prescribed fire managers. Funding for the slash pile burning, unit layout, and contract oversight is not requested through this grant, but would be an in-kind contribution from the Inyo National Forest.

The major components of implementation include: unit layout, contract preparation and award, on-the-ground implementation (tree cutting, yarding, slash chipping or piling, and site restoration) with concurrent contract inspection and administration, slash pile burning, and required accomplishment reporting to SNC. Table 1, below, displays these major components.

The major components of project administration include: project management and oversight, contracting and invoicing, communications and reporting. Table 1, below, displays these major components.

In addition activities supporting public information and education like press releases, published articles, signage, guided ski tours and other presentations, and monitoring and data sharing activities will be necessary to fullfill the project goals. Table 1, below also displays these activities.

Detailed Project Deliverables	**Timeline***
Prior to Grant Award	
Caltrout (CT) partners with Mammoth Mountain Ski Area (MMSA)	March 2016
Leverage proposed SNC funding against available funding through National Fish and Wildlife Federation to fund additional acres (up to 518 acres total).	April 2016
Grant Awarded to Caltrout	June 2016
Year 1	
Set project up on the books - CT	June 2016
Partner meeting, joint schedule review – CT, Forest Service (F.S), MMSA	June 2016
Pre-implementation Vegetation Monitoring (Photo Pts) – Caltrout/F.S	June/July 2016
Create RFP, Solicit Interested Parties, and Award Contract - MMSA	June 15th – August 1st, 2016
Contract Layout - F.S – Current Year Units	July 1st – July 15th 2016
Signage developed and installed by MMSA	July 1st – July 31st

and CT	
Public project launch – press release, outreach - CT	July 1st – July 31st
Implementation may commence, Contract Administration ongoing MMSA w/ F.S Oversight	July 16th – October 15th 2016
On-going monitoring data compiled by FS (restoration) and MMSA (water) and submitted to SWRCB and FAR	September 30th 2016
Quarterly invoice and report submitted by CT to SNC – Reimbursement # 1	September 30th 2016
Post Implementation Vegetation Monitoring (Photo Pts) – Caltrout/F.S	October 1st – 15th 2016
RX Fire – F.S – piles burnt prior to Ski Operations	End of October – Early November 2016
Partner meeting, review for adaptive management – CT, FS, MMSA	End of October - 2016
Guided ski tours of project - CT	December 2016 – March 2017
On-going monitoring data compiled by FS (restoration) and MMSA (water) and submitted to SWRCB and FAR	December 2016
6 month Progress report and Request for Reimbursement #2	December 2016
Year 2	
Anticipated start date of Phase 2 under separate funding – adding 120 acres to restore additionally and concurrently	January 2017 – July 2019
On-going monitoring data compiled by FS (restoration) and MMSA (water) and submitted to to SWRCB and FAR	March 30th 2017
Quarterly invoice and report submitted by CT to SNC – Reimbursement # 3	March 30th 2017
Partner meeting, review schedule – CT, FS, MMSA	March 30th 2017
Pre-implementation Vegetation Monitoring (Photo Pts) – Caltrout/F.S	June/July 2017
On-going monitoring data compiled by FS (restoration) and MMSA (water) and submitted to to SWRCB and FAR	June 2017
6 month Progress report and Request for Reimbursement #4	July 2017
Contract Layout - F.S – Current Year Units	July 1st – July 15th 2017
Signage updated and installed by MMSA and	July 1st – July 31st 2017

CT	
Implementation commences, Contract Administration ongoing MMSA w/ F.S Oversight	July 16th – October 15th 2017
Post Implementation Vegetation Monitoring (Photo Pts) – Caltrout/F.S	October 1st – 15th 2017
On-going monitoring data compiled by FS (restoration) and MMSA (water) and submitted to SWRCB and FAR	October 2017
Quarterly invoice and report submitted by CT to SNC – Reimbursement # 5	October 2017
Partner meeting, review, - CT, FS, MMSA	October 2017
RX Fire – F.S – piles burnt prior to Ski Operations	End of October – Early November 2017
Article published and sent to 10,000 CalTrout supporters	December 2017
On-going monitoring data compiled by FS (restoration) and MMSA (water) and submitted to SWRCB and FAR	December 2017
6 month Progress report and Request for Reimbursement #6	December 2017
Guided ski tours of project - CT	December 2016 – March 2017
Year 3	
Anticipated start date of Phase 3 under separate funding – adding 120 acres to restore additionally and concurrently	January 2018 – July 2020
Partner meeting, review schedule – CT, FS, MMSA	March 30th 2018
On-going monitoring data compiled by FS (restoration) and MMSA (water) and submitted to SWRCB and FAR	March 30th 2018
Quarterly invoice and report submitted by CT to SNC – Reimbursement # 7	March 30th 2018
Pre-implementation Vegetation Monitoring (Photo Pts) – Caltrout/F.S	June/July 2018
On-going monitoring data compiled by FS (restoration) and MMSA (water) and submitted to SWRCB and FAR	June 2018
6 month Progress report and Request for Reimbursement #8	July 2017
Contract Layout - F.S – Current Year Units	July 1st – July 15th 2018
Signage updated and installed by MMSA and CT	July 1st – July 31st 2018

Implementation commences, Contract Administration ongoing MMSA w/ F.S Oversight	July 16th – October 15th 2018
Post Implementation Vegetation Monitoring (Photo Pts) – Caltrout/F.S	October 1st – 15th 2018
On-going monitoring data compiled by FS (restoration) and MMSA (water) and submitted to SWRCB and FAR	October 2018
Quarterly invoice and report submitted by CT to SNC – Reimbursement # 9	October 2018
RX Fire – F.S – piles burnt prior to Ski Operations	End of October – Early November 2018
Final report and Request for Reimbursement #10	December 2018
Close out SNC grant - CT	December 2018
SNC grant ends, larger project continues through 2020	December 2018

c. Restrictions, Technical/Environmental Documents and Agreements

Restrictions/Agreements:

Environmental Restrictions

Project implementation would only occur from July 16th to October 15th of any given year during the life of the grant agreement and limit treatments to 289 acres in any one year per the following restrictions imposed by the environmental assessment:

- Cutting of Snags should not occur during the nesting period for cavity dependent species from (April 15th – July 15th). This limited operating period (LOP) maybe adjusted during any year if a wildlife biologist determines breeding chronology does not coincide with these dates.
- No more than 25 percent of the 1,157 acre project area should be treated in any year to provide refugia for resident wildlife species
- Mechanical harvesting equipment would not be used when wet weather operations or wet soil would adversely affect soil porosity, hydrologic function, or runoff potential. Mechanical removal shall be limited to slopes than 30%, as specified in the Land and Resource Management Plan, unless otherwise approved by a Forest Service Watershed Specialist; and to when the soil is dry to 6 inches, or suitable conditions determined by a Forest Service Watershed Specialist.

Regulatory Requirements/Permits:

Holder: Inyo National Forest
EXISTING- California Regional Water Quality Control Board – Lahontan Region

Project Name: June Mountain Ski Area Vegetation Management Planning Project, Timber Waiver Category 6
Waste Discharge Identification (WDID) number: 6AT61414115
Issued: February 9, 2015
Terminates: N/A
Summary: Applies restrictions, mitigations, and monitoring requirements to mechanical treatments conducted under the June Mountain Ski Area Vegetation Management Planning Project Environmental Assessment to protect soil and water resources.

Holder: Mammoth Mountain Ski Area
EXISTING- Ski Area Term Special Use Permit- June Mountain Ski Area
Date Issued- January 28, 2006
Termination- January 25, 2046
Summary: This Ski Area Term Special Use Permit authorizes Mammoth Mountain Ski Area, LLC to use National Forest System lands, on the Inyo National Forest, for the purposes of constructing, operating and maintaining a winter sports resort including food service, retail sales and other ancillary facilities.

Holder: Mammoth Mountain Ski Area
EXISTING – California Regional Water Quality Control Board – Lahontan Region
Revised Waste Discharge Requirements for June Mountain Ski Area
Board Order Number: 6-95-27, WDID Number: 6B261009001
Issued: February 9, 1995
Terminates: N/A
Summary: Places discharge requirements on holder that governs discharge of sediment from ski area operations and maintenance.

Please note: "June Mountain Ski Area Vegetation Management Planning Project Environmental Assessment," "Ski Area Term Special Use Permit" and "Revised Waste Discharge Requirements for June Mountain Ski Area," are included in the Supplementary Documents.

d. Organizational Capacity

<u>Applicant</u>
California Trout is a leading nonprofit organization whose mission is to protect and restore wild trout, steelhead, salmon and their waters throughout California. Established in 1971, we accomplish our work by advocating for fish and water policy, leveraging existing law, promoting science, and directly restoring fish habitat. The mission of California Trout is to ensure resilient populations of wild fish in clean, cold water streams, by solving complex resource issues throughout California while balancing the needs of fish, water and people – because abundant wild fish indicate healthy waters and healthy waters mean a better California.
We are able to address these complex issues because: we are embedded in key geographies where wild fish influence the community; we drive innovative, science-based solutions that work for the diverse interests of fish, farms, commerce, and the community; and, we use our

proof-of-concept project successes to establish precedent and influence statewide policy. One of CalTrout's core strengths is our ability to foster collaborative partnerships, bringing together diverse interests and leveraging skill-sets and resources to accomplish our conservation objectives.

In addition, California Trout is a leader in habitat restoration in the Sierra Nevada with many years of on-the-ground experience, research and organizational capacity to build inclusive and effective partnerships with agencies, academia, conservation organizations and practitioners. The Inyo-Mono Integrated Regional Water Management Program was founded by CalTrout in 2008 and has grown into a mature, region-wide collaboration of a wide array of stakeholders with interest in regional water resources. During the last eight years the Inyo-Mono IRWM Program has succeeded in bringing partners together to identify, prioritize and address critical water-related issues, including watershed stewardship. The Inyo-Mono IRWM Plan serves as the basis for the work and direction of the Regional Water Management Group and contains specific objectives that the collective group have identified as being priorities. The proposed project addresses many of these objectives and has the support of the IRWM Group.
In 2015, CalTrout along with our partners secured a grant of $921,766 to establish the Sierra Meadow Research and Restoration Partnership and conduct GHG research in the Sierra Meadows. This project, along with other meadows work funded by NFWF and projects in the Mt. Shasta region, exemplify our past and current success working with the US Forest Service and other critical conservation partners.

Mark Drew, Ph.D., is California Trout's Eastern Sierra Program Manager and currently serves as the Program Director for the Inyo-Mono IRWM Program. Mark is particularly interested in seeking solutions that ensure the health and integrity of natural resources in a manner that also support viable livelihood systems. Mark holds a B.S. degree in Forestry and Natural Resources Management, an M.A. degree in International Development Policy and a Doctorate degree in Forestry and Resource Conservation from the University of Florida.

Partners

California Trout is pleased to partner in this important work with Ron Cohen of the Mammoth Mountain Ski Area, and Jon Regelbrugge, Andrew Weinhart, Janelle Walker, Sue Farley, and Margie DeRose of the Inyo National Forest, as well as Sarah Peterson of the National Fish and Wildlife Foundation.

The lead Forester on the project is Andrew Weinhart. Andrew serves as the Small Sales Forester for the Inyo National Forest and BLM Bishop Field Office Interagency Vegetation Management Team. He attained his Bachelors of Science in Forestry from Humboldt State University in 2006 with an emphasis in Forest Resource Conservation and Wildland Fire Management. Andrew has over a decade of experiencing planning, implementing, and administering forest restoration, fuels reduction, habitat improvement, and reforestation projects on federal lands in the Eastern Sierra. He is currently delegated as a Region 5 Sale Administrator and Contracting officers Representative on all ongoing and planned vegetation management treatments forest and field office wide in 2016

The "qualified but exempt federal staff" forester contact information for the project are:

Scott Kusumoto
USDA-Forest Service
Inyo NF/BLM Bishop Field Office
Interagency Veg Mgt Team &
Acting R5 BD Coordinator and
R5 FACTS Fuels Data Steward
Phone: 760.924.5522
Fax 760.924.5537
skusumoto@fs.fed.us

Andrew R. Weinhart
Small Sales Forester
Inyo Interagency Vegetation Management Team
Forest Service
Inyo National Forest
p: 760-924-5550
c: 760-213-2672
f: 760-924-5537
aweinhart@fs.fed.us

e. Cooperation and Community Support

The Inyo National Forest involved the community of June Lake and interested stakeholders early on in project planning. The June Mountain Vegetation Management Planning Project was listed in the Inyo National Forest Schedule of Proposed Actions (SOPA) starting in January 2010 and was updated periodically during the analysis. From review of the SOPA, several parties requested inclusion on the project mailing list. On December 16, 2010, a letter initiating scoping and requesting comments on the proposed action described in the June Mountain Ski Area Vegetation Management Plan was sent to 26 individuals, agencies and organizations, including Lahontan RWQCB, CA Dept. of Fish and Game and US Fish and Wildlife Service. A press release was distributed to local newspapers and radio stations on December 15, 2010.

Two comment letters were received as a result of scoping. Issues were identified from comments received, however, no significant issues were raised. As a result, Lahontan's recommendations for soil and water resource protections were incorporated into project design criteria. The other letter was from Mammoth Mountain Ski Area (MMSA) and was generally supportive.

Previous to this scoping effort, the Forest made two public contacts with potential stakeholders. On September 7, 2010, a presentation was made at a meeting of the June Lake Community Action Committee/Fire Safe Council as an advanced notification an environmental

analysis for this project was going to proceed under the Healthy Forest Restoration Act (HFRA) authority. On September 29, 2010 a news release was distributed to local media and posted locally around the June Lake community publicizing a public field trip to be held October 14, 2010 at the ski area. This meeting was attended by representatives from June Mountain Ski Area, June Lake Chamber of Commerce, Friends of the Inyo, the Silver Lake Recreation Cabin Tract and members of the June Lake community. All interested and affected parties have been supportive of the project.

Recently, interest and support has been renewed with new opportunities for funding shovel-ready work in 2016. Affected stakeholders, MMSA along with California Trout are partnering to leverage grant funding and further support through the Sierra Nevada Conservancy (SNC), National Wildlife and Fish Foundation (NFWF) and the Forest Service. A meeting was attended on January 14th, 2016 with representatives from Mono County, June Lake Fire Safe Council, SNC, MMSA, NFWF, and Inyo National Forest to discuss opportunities, partnerships, and prioritize treatment areas within the June Mountain Ski Area Vegetation Management Planning Project.

The June Mountain Vegetation Management Planning Project was designed to complement previously planned projects by the Inyo National Forest adjacent to the ski area. In 2005, the June Lake Hazardous Fuels Reduction Project authorized hazardous fuel reduction treatments on 142 acres conducted east and west of the ski area improving forest health, lower the risk of a catastrophic wildfire event, and increasing defensible space. Treatments associated with that project were started in 2007. Prescribed pile burning was completed in 2009. These treatments were recently praised by local fire managers who used the shaded fuelbreaks during a wildfire, ultimately keeping the fire from burning into the residential areas of June Lake.

In 2011, the June Loop Hazardous Fuels Reduction Project authorized an additional 1,471 acres of mechanized fuels treatments and 3,107 acres of prescribed fire within the Wildland-Urban Interface tying into or building upon previous work conducted adjacent to the community. To date, 1,184 acres have been treated or are under contract to be treated mechanically during the 2016 summer season.

Additional hazardous fuels reduction treatments are being implemented on adjacent private lands. The community of June Lake, partially funded by a federal grant and administered by the local fire safe council and protection district, have been conducting complimentary treatments on approximately 192 acres of private lands located along the June Lake Loop with the goal of treating 550 acres in the entire community. The program has really gained steamed within the community over the last two summer seasons with approximately half of the eligible parcels completed in the first phase.

This collaboration between CalTrout, the Inyo National Forest and the Mammoth Mountain Ski Area, is supported by various local groups including the 30+ member entities of the Integrated Regional Water Management Group.

Please note: Letters of Support from the US Forest Service, Mammoth Mountain Ski Area, Mono County, and June Lake Fire Safe Council are provided under Supplementary Documents.

f. Tribal Consultation Narrative

Tribal consultation was conducted by the Inyo National Forest in early planning phases of the June Mountain Ski Area Vegetation Management Planning Project environmental assessment. Prior to the Forest initiating public scoping, Native American tribes were consulted about the project though a formal letter describing the proposed treatments and locations. Additionally, follow up phone calls were made by a cultural resources professional and no concerns or issues were raised. This was performed pursuant to the American Indian Religious Freedom Act of 1978, Executive Order 13007 (1996), and under Section 101(d) (6) of the National Historic Preservation Act of 1966 (as amended), where Tribal consultation occurs during the earliest planning phases at the government to government level.
Official consultation letters were sent via certified mail on April 22, 2010 to five Native American tribes (nine contacts). Tribal consultation documentation is on file at the Inyo National Forest for review.

Please note: Tribal contact information is included as an attachment to the Project Information Form.

g. Long Term Management and Sustainability

The June Mountain Ski Area Whitebark Pine Restoration Project is just one part of the larger planned June Mountain Ski Area Vegetation Management Planning Project which when fully implemented will treat 1,157 acres across a diverse landscape to improve forest health, restore forest ecosystems, decrease hazardous fuels within the wildland-urban interface, and enhance and restore meadow and aspen ecosystems well into the future. These treatments have been designed to improve resiliency to future catastrophic wildfire events and bark beetle outbreaks.

The alternative selected in the Decision Notice for the June Mountain Ski Area Vegetation Management Planning Project Environmental Assessment specifically recognizes the need for periodic maintenance for fuels reduction and forest restoration treatments to maintain their effectiveness over time. The Inyo National Forest has implemented numerous forest health and restoration projects over the past decade and some of the individual treatments within these projects have already received one or more maintenance treatments. Maintenance for this project would be scheduled on an “as needed” basis, but is anticipated to only be necessary every 10 to 20 years.

Maintenance treatments for the 6 units proposed in this application would be funded through the annual congressionally-authorized appropriations to the Forest Service for fuels reduction work. Maintenance treatments of these specific units are anticipated to be substantially less expensive than the initial treatment effort.

Please note: The Long-Term Management Plan is included under Supplementary Documents.

h. Performance Measures

Acres of Land Improved or Restored

120 acres would directly be improved and restored by the funding of this grant application. Futhermore, if funded, the grant would be used to leverage additional funds to treat up to 518 acres total. Through implementing forest restoration treatments hazardous fuels would be significantly reduced and forest health and resilience would be improved through reduced inter-tree competition and removal of bark beetle infested trees.

Acres treated will be reported, along with the priority rating of the acreage, the source of the rating and the purpose of the treatment.

The Sierra Nevada Framework Amendment criteria puts the whole project in the defense zone of the Wildland Urban Interface as well

The purpose of restoration is Forest Restoration. The treatments proposed will improve Forest Health (removal of infested trees), reduce hazardous fuels (removal of standing dead and downed trees), and preserve the existing recreation opportunity (limit or stop a catastrophic wildfire).

Number of New, Improved or Preserved Economic Activities

In winter months the June Mountain Ski Area offers unparalleled skiing and snowboarding opportunities and is the main attraction for tourism in the community of June Lake. During the rest of the year, the June Lake Loop offers outstanding opportunities for fishing, hiking, horseback riding, boating. Development in the June Lake Loop area is concentrated on several large patches of private land, which are fully surrounded by National Forest System land. Hundreds of homes, cabins, resorts, and other businesses are situated on the private land.

As was also discussed earlier, the forested acres proposed for treatment here are within the June Lake 6th level sub-watershed, a municipal watershed which directly supplies water for the June Lake Public Utility District. The City of Los Angeles also diverts water for municipal use downstream of the project area.

Natural disasters such as wildland fires can cause extreme economic hardship in recreation-oriented communities until there is some degree of recovery, often requiring a period of many years for full recovery. Implementation of the June Mountain Ski Area Whitebark Pine Restoration Project could potentially preserve a vast portion of these economic activities and their infrastructure, which could otherwise be at high-risk to loss to a large-scale, high-intensity wildland fire.

Specifically, this project will **preserve recreational services** for up to 50,000 tourists annually. Data measuring tourist visits to this site will be collected by Mammoth Mountain Ski Area.

Number of People Reached

This **collaboration** between CalTrout, the Inyo National Forest and the Mammoth Mountain Ski Area, is supported by various local groups including the 30+ member entities of the Integrated Regional Water Management Group.

Information sharing and education begun during plan development (scoping) is summarized below:

- Notice given to over 700 property owners in the June Lake Loop area who will benefit from the project
- 26 letters mailed to individuals, agencies, and organizations during Public Scoping
- Press Release circulated to local newspapers and radio stations
- Public field trip led including representatives from the June Lake Chamber of Commerce, June Mountain Ski Area, Friends of the Inyo, the Silver Lake Recreation Residence Tract, and members of the June Lake Community.
- Presentations given at Fire Safe Council and June Lake Community Action Committee regularly scheduled meetings

Prior to and during implementation, the following outreach is planned:

- Installation of interpretive panels providing partnership details and graphic information on the watershed restoration project for winter sports enthusiasts to learn about work being done around them. The ski area is currently on target for 50,000 skier visits.
- Project information shared with 10,000 CalTrout supporters through online publication.
- Guided Naturalist ski-tours will educate up to 100 tourists per year
- Additional information provided via mailings and news releases to local media outlets will reach a broad audience.

Dollar Value of Resources Leveraged for the Sierra Nevada

Should the SNC decide to fund this proposal, the $500,000 grant would target forest and watershed health benefits on the 120 acres as previously described and help to leverage additional funding up to the total project cost through the National Fish and Wildlife Foundation and other future opportunities. Funding for unit layout, implementation oversight, prescribed burning is an in-kind contribution from the Inyo National Forest, valued at $92,606.90 – of which 46,303 is applicable as match to this SNC request. A grant of $500,000 is planned for submission to NFWF to implement the second phase – another 120 acres – in the near future. The remaining acres of forested land scheduled for treatment in the June Mountain Ski Area Vegetation Management Planning Project may be completed using a combination of annual congressionally-appropriated funding to the Forest Service and future grant dollars for a complete project cost of $2,300,000. Our hope is that the total project is funded in three years and completes in five years.

Over the previous three years, the Inyo National Forest has allocated approximately $471,000 of congressional funding to complete contracts on 898 acres of fuels reduction and forest

health treatments adjacent to the ski area along the June Lake Loop. The Forest anticipates spending an additional $300,500 dollars to complete treatments on over the next five years.

Additionally, $850,000 in Federal Financial Assistance was awarded to June Lake Fire Protection District and Fire Safe Council for completing 550 acres of hazardous fuels reduction treatments on private lands within the June Lake community.

Major in-kind contributions matching this request to SNC includes 46,303 from the Forest service in staff time as well as signage and monitoring contribution from Mammoth Mountain Ski Area.

Matching Funds Source	Description	Amount
NFWF	Intend to apply/in dialogue	500,000

Number and Type of Jobs Created

The jobs created from this grant award would fund a combined .5 FTE non-profit position, for 30 months, in grant administration out of CalTrout's Mammoth office.

The grant award would fund seasonal forest restoration work performed by a contractor, which can be temporary in basis or augment a full time work schedule for logging contractors that employ individual's year around. Types of jobs typically held are logging operations foremen, skilled equipment operators for harvesting, skidding, and processing machinery, truck drivers, diesel mechanics, and general forestry laborers. The Inyo National Forest estimates it would take 8 to 10 individuals the first 12 week operating season to complete the scope of work on the 120 grant funded acres. This would equate to 1.8 to 2.3 full-time equivalents (FTE's). That number would rise significantly to as high as 11.5 FTE's if the leveraging of the SNC grant dollars allows for full project implementation of 518 acres over the 5-year grant agreement.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. 6-95-27
WDID NO. 6B261009001

REVISED WASTE DISCHARGE REQUIREMENTS

FOR

JUNE MOUNTAIN SKI AREA

Mono County

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. Discharger

   For the purposes of this Order, Mammoth Mountain Ski Area, the operator, is referred to as the "Discharger". The U.S. Forest Service is additionally named as co-discharger on federel lands administered by the U.S. Forest Service under special use permit to Mammoth Mountain Ski Area.

2. Facility

   The June Mountain Ski Area is the Facility from which the discharge occurs. For the purposes of this Order, the June Mountain Ski Area is referred to as the "Facility". The Facility discharges products of soil erosion and stormwater runoff from impervious surfaces.

3. History of Previous Regulation by the Regional Board

   The Regional Board previously established waste discharge requirements for the Facility under Board Order No. 6-87-35 which was adopted on March 12, 1987 (rescinded in this Order) and Board Order No. 6-83-88 which was adopted on June 12, 1983 (rescinded in Board Order No. 6-87-35).

4. Reason for Action

   The Regional Board is updating waste discharge requirements consistent with requirements currently placed on other ski areas within the Region which govern discharge of sediment from ski operations and maintenance. The purpose of this Order is to update waste discharge requirements for discharges of products of soil erosion and stormwater runoff from impervious surfaces within the ski area.

5. Facility Location

The Facility is located west of the Community of June Lake, Mono County, within portions of Sections 14, 15, 22, 23, 24, 25 and 26, T2S, R27E, as shown on Attachment "A", which is made part of this Order.

6. Description of Facility and Discharge

The Facility includes approximately 1,440 acres of land containing ski lifts and runs, parking areas, water quality control facilities, maintenance and associated facilities, and a mid-mountain lodge and restaurant. Treatment and disposal of domestic wastewater from the Facility is addressed in Board Order No. 6-81-111.

7. Site Geology and Hydrogeology

The Facility is located on and adjacent to June Mountain. The mountain is of volcanic origin, with outer layers of soil, ash and pumice. The soil is very porous and permeable.

8. Site Hydrology

The Facility is within the Rush Creek watershed. Runoff from the ski area drains into either Snow Creek or Gull Canyon Creek. Both creeks are tributary to Reversed Creek, which is tributary to Rush Creek and Silver Lake. Snow Creek is a primary supply source for the June Lake Public Utility District's water system.

Discharge from the June Mountain Ski Area generally occurs from two sediment (siltation) basins. The Gull Canyon sediment basin is located at the bottom of Silverado Run, and overflow from the sediment basin is directly tributary to Gull Canyon Creek. The second sediment basin is located at the bottom of Chair 3 and overflow from this basin is directly tributary to Snow Creek. The locations of the two sediment basins are shown on Attachment "B" which is made a part of this order. There are several additional sediment basins within the June Mountain Ski Area.

9. Receiving Waters

The receiving waters are the area's ground waters and surface waters of Reversed Creek, Mono Hydrologic Unit (Department of Water Resources hydrologic unit number 601.00).

10. South Lahontan Basin Plan

The Regional Board adopted a Water Quality Control Plan for the South Lahontan Basin (Basin Plan) on May 8, 1975. This Order implements the Plan as amended.

11. Beneficial Uses

The beneficial uses of the ground waters of the Mono Hydrologic unit, as set forth and defined in the South Lahontan Basin Plan are:

a. municipal and domestic supply
b. agricultural supply
c. industrial service
d. freshwater replenishment

The beneficial uses of Rush Creek above Grant Lake (including Reversed Creek above Silver Lake), as defined in the South Lahontan Basin Plan are:

a. water contact recreation
b. non-water contact recreation
c. cold freshwater habitat
d. wildlife habitat
e. hydropower generation

12. Discharge Prohibitions

The Basin Plan contains discharge prohibitions for the Mono-Owens Planning Area applicable to the Rush Creek Watershed as follows:

"1. The discharge of waste to surface water, including sewage or sewage effluent, is prohibited in the following locations:"

"(a) Rush Creek Watershed above the outlet from Grant Lake."

13. California Environmental Quality Act Compliance

These waste discharge requirements govern an existing facility that the discharger is currently operating. The project consists only of the continued operation of the existing facility governed by these waste discharge requirements and is therefore exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15301, Chapter 3, Title 14, California Administrative Code.

14. Notification of Interested Parties

The Regional Board has notified the Discharger and interested parties of its intent to update waste discharge requirements for the discharge.

15. Consideration of Public Comments

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger shall comply with the following:

I. DISCHARGE SPECIFICATIONS

A. Effluent/Discharge Limitations

All surface flows generated within the facility which are discharged to surface waters or to stormwater runoff conveyance systems shall not contain the following:

1. coliform organisms attributable to human wastes.

2. substances with a pH below 6.5 units or greater than 8.5 units.

3. substances containing any perceptible floating materials including but not limited to solids, liquids, foams, and scums.

4. substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal or aquatic life.

5. oils, greases, waxes or petroleum derivatives that cause a visible film or coating on the surface of receiving waters or objects in the receiving waters.

6. identifiable chlorinated hydrocarbons, organophosphates, carbamates, or other pesticide and herbicide groups in excess of the lowest detectible levels.

B. Receiving Water Limitations

1. The discharge of surface flows generated within the Facility to surface waters or to stormwater runoff conveyance systems shall not cause the following water quality objectives for Reversed Creek above Silver Lake (and its tributaries, including Snow Creek and Gull Canyon Creek) to be exceeded:

Constituent	Units	Annual Mean[1] Concentration	90th Percentile Concentration
Total filterable Residue (TFR, or total dissolved solids)	mg/l	100	130
Nitrate Nitrogen	mg/l as N	0.1	0.1
Total Nitrogen	mg/l as N	0.2	0.4
Total Phosphorus	mg/l as P	0.16	0.35

2. If the constituent concentrations of the receiving waters above the discharge point exceed the levels in I.B.1., the discharge shall not cause a statistically significant increase (at a 90 percent confidence level) in the concentrations below any discharge point over those upstream of the discharge.

3. The discharge of surface flows generated within the Facility, or as a result of the earth disturbances within the Facility, shall not cause the following conditions or alterations in surface waters of Reversed Creek:

   a. The concentration of total nonfilterable residue (TNFR, or total suspended sediment or solids) shall not be altered to the extent that such alterations are discernable at the 90 percent significance level.

   b. The concentration of settleable material (total settleable solids) shall not be raised by more than 0.01 milliliter per liter.

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[1] Annual Mean Concentration = arithmetic mean of 30-day averages over a calendar year. The mean does not include values for months in which no discharge to Reverse Creek occurs.

c. The turbidity shall not be raised above 4 NTU (Nephelometric Turbidity Units). In no instance shall an increase in turbidity exceed natural levels by more than 10 percent. These values shall be the arithmetic mean of 30-day averages over a calendar year (mean of monthly means). The mean shall not include values for months in which no discharge to Reverse Creek occurs.

d. The dissolved oxygen concentration, in terms of percent saturation, shall not be depressed by more than 10 percent, nor shall the minimum dissolved oxygen concentration at any time be less than 80 percent of saturation or less than 7.0 mg/l.

e. Surface waters shall not contain coliform organisms attributable to human wastes. The fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 20/100 ml, nor shall more than 10 percent of total samples during any 30-day period exceed 40/100 ml.

f. Surface waters shall not contain oil, greases, waxes or other materials that result in a visible film or coating on the surface of the water or on objects in the water.

g. The concentration of biostimulatory substances of waters shall not be altered in an amount that could promote aquatic biomass to the extent that such alterations are discernible at the 90 percent significance level.

h. The mean monthly algal growth potential of waters shall not be altered to the extent that such alterations are discernible at the 90 percent significance level.

i. The species composition of aquatic organisms of waters shall not be altered to the extent that such alterations are discernible at the 90 percent level.

4. The discharge of waste shall not cause the presence of the following substances or conditions in ground waters of the Mono Hydrologic Unit:

a. Any perceptible color, odor, taste or foaming.

b. Coliform organisms attributable to human wastes.

c. Toxic substances in concentrations that individually, collectively, or cumulatively cause detrimental physiological responses in human, plants, animals, or aquatic life.

d. Identifiable chlorinated hydrocarbons, organophosphates, carbamates, and other pesticide and herbicide groups, in summations, in excess of the lowest detectable levels.

e. Concentrations of chemical constituents in excess of the maximum contaminant levels or secondary maximum contaminant levels based upon drinking water standards specified by the more restrictive of the California Code of Regulations, Title 22, Division 4, Chapter 15, or 40 CFR, Part 141.

C. Best Management Practices

1. All areas disturbed by construction activity shall be stabilized by commencement of revegetation and/or completion of mechanical stabilization measures by October 15 of each year. Commencement of revegetation shall consist of seeding, planting, mulching, initial fertilization as needed, and initial watering as needed.

2. Unless a variance has been granted pursuant to the Provisions, there shall be no removal of vegetation nor disturbance of existing ground surface conditions between October 15 of any year and May 1 of the following year.

3. All loose piles of soil, sand, debris, or earthen materials created or stored during construction activities shall be protected in a reasonable manner to prevent any discharge to waters of the State. After completion of construction activities, all surplus or waste earthen material shall be removed from the site and deposited at a legal point of disposal.

4. There shall be no significant modification of existing drainage ways or existing stream channel geometry except for the purpose of stabilization or enhancement of water quality improvement effects. All modifications of the bed, channel, or bank of a stream require a prior written agreement with the California Department of Fish and Game.

5. Surplus or waste material shall not be placed in drainage ways, or in such a manner as to allow the discharge of such materials to adjacent undisturbed land or to any drainage way.

6. Where construction activities involve the crossing and/or alteration of a stream channel, such activities shall be timed to occur during the period in which streamflow is expected to be lowest for the year. If dewatering is required, it shall be done in a manner so as to prevent the discharge of earthen material from the site.

7. Drainage swales disturbed by construction activities shall be stabilized by the addition of crushed rock or riprap as necessary or other appropriate stabilization methods.

8. Prior to any construction activities disturbing existing soil conditions, temporary erosion control facilities (e.g. impermeable dikes, filter fences, hay bales, etc.) shall be installed as necessary to prevent transport of eroded earthen materials and other wastes off the property during periods of precipitation and runoff. When construction activities are in close proximity to undisturbed sensitive areas, construction activities shall be isolated by fencing or other means to prevent unnecessary disturbance.

9. All areas disturbed by construction activity shall be adequately restabilized or revegetated. Revegetated areas shall be continually maintained until vegetation becomes established in order to assure adequate growth and root development. Physical erosion control facilities shall be placed on a routine maintenance and inspection program to provide continued erosion control integrity.

10. Vehicle use shall be restricted to existing roads and previously disturbed areas.

11. Fresh concrete or grout shall not be allowed to contact or enter surface waters.

12. The Discharger shall immediately clean up to the maximum extent practicable and transport to a legal site spilled petroleum products.

13. Storm drainage facilities shall be cleaned and renovated annually.

D. General Requirements and Prohibitions

1. The discharge of industrial waste, garbage or other solid wastes, oil, gasoline, diesel fuel, any other petroleum derivative, any toxic chemical or hazardous waste or any deleterious material to surface waters of the Mono Hydrologic Unit is prohibited.

2. Facilities shall be constructed to effectively collect and treat runoff from parking areas. Except for runoff events exceeding the design capacity of constructed facilities, the discharge of stormwater, snowmelt or other runoff from parking areas up to the design capacity to surface waters or to adjacent properties without treatment is prohibited.

3. Neither the treatment nor the discharge shall cause a pollution or a nuisance as defined in Section 13050 of the California Water Code, or a threatened pollution.

II. PROVISIONS

A. Rescission of Waste Discharge Requirements

Board Order No. 6-87-35 is hereby rescinded.

B. Standard Provisions

The Discharger shall comply with the "Standard Provisions for Waste Discharge Requirements," dated September 1, 1994, in Attachment "C", which is made part of this Order.

C. Monitoring and Reporting

1. Pursuant to Section 13267(b) of the California Water Code, the Discharger shall comply with the Monitoring and Reporting Program No. 95-27 as specified by the Executive Officer.

2. The Discharger shall comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made part of the Monitoring and Reporting Program.

D. Review of Projects

An Annual Workplan shall be submitted to the Regional Board by **May 15** of each year, listing those projects proposed to be constructed during the upcoming summer season. The Annual Workplan should list both those projects which are categorically exempt from the provisions of CEQA (with few exceptions, these projects are the same as those which qualify for a categorical exclusion under NEPA) and thus can be permitted under these waste discharge requirements and those projects which will be individually submitted with a complete report of waste discharge, appropriate filing fee, and information to prepare an appropriate CEQA document. The Board reserves the right to issue waste discharge requirements for any of the projects listed in the Annual Workplan.

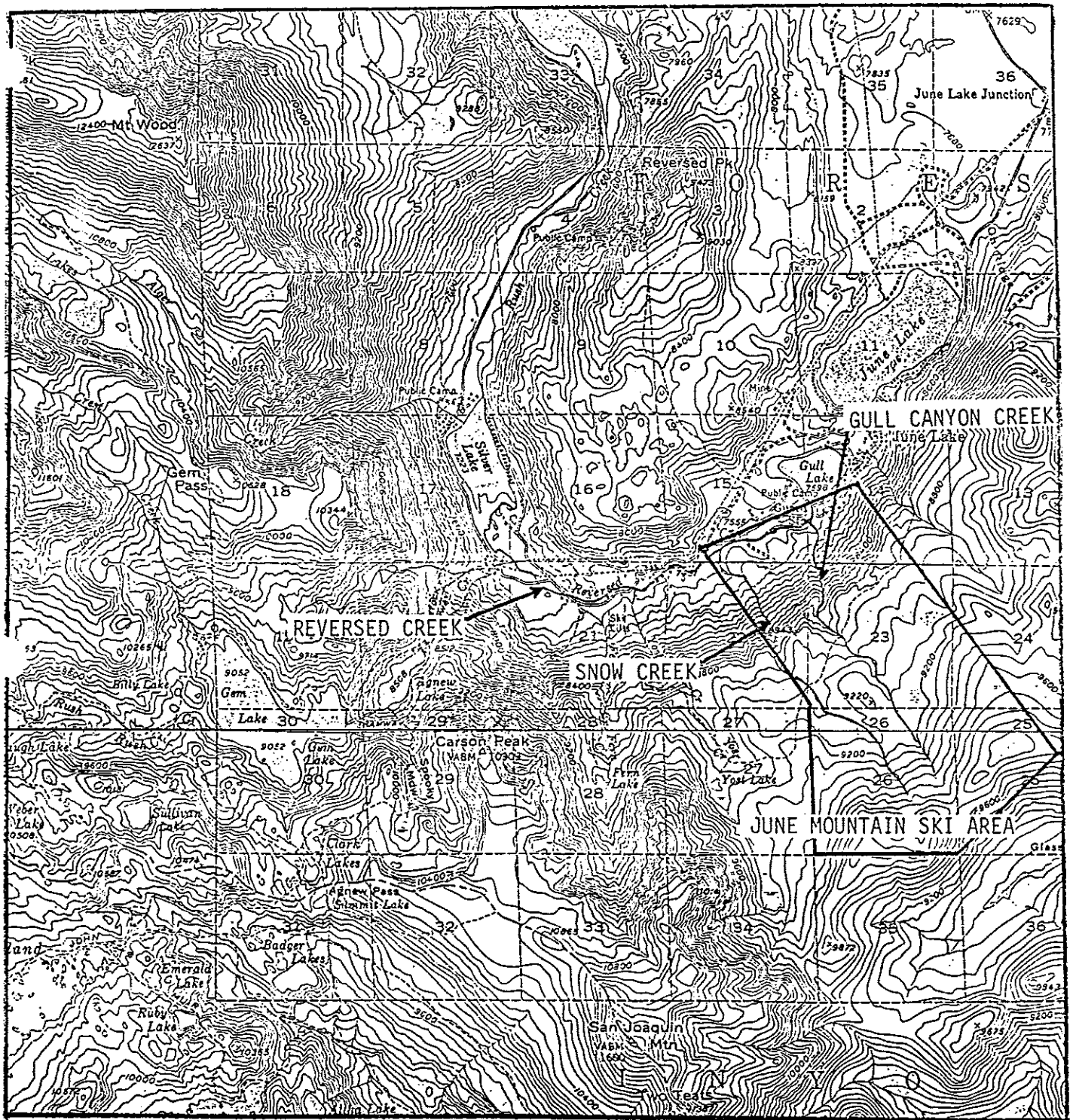
I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on February 9, 1995.

Harold J. Singer

HAROLD J. SINGER
EXECUTIVE OFFICER

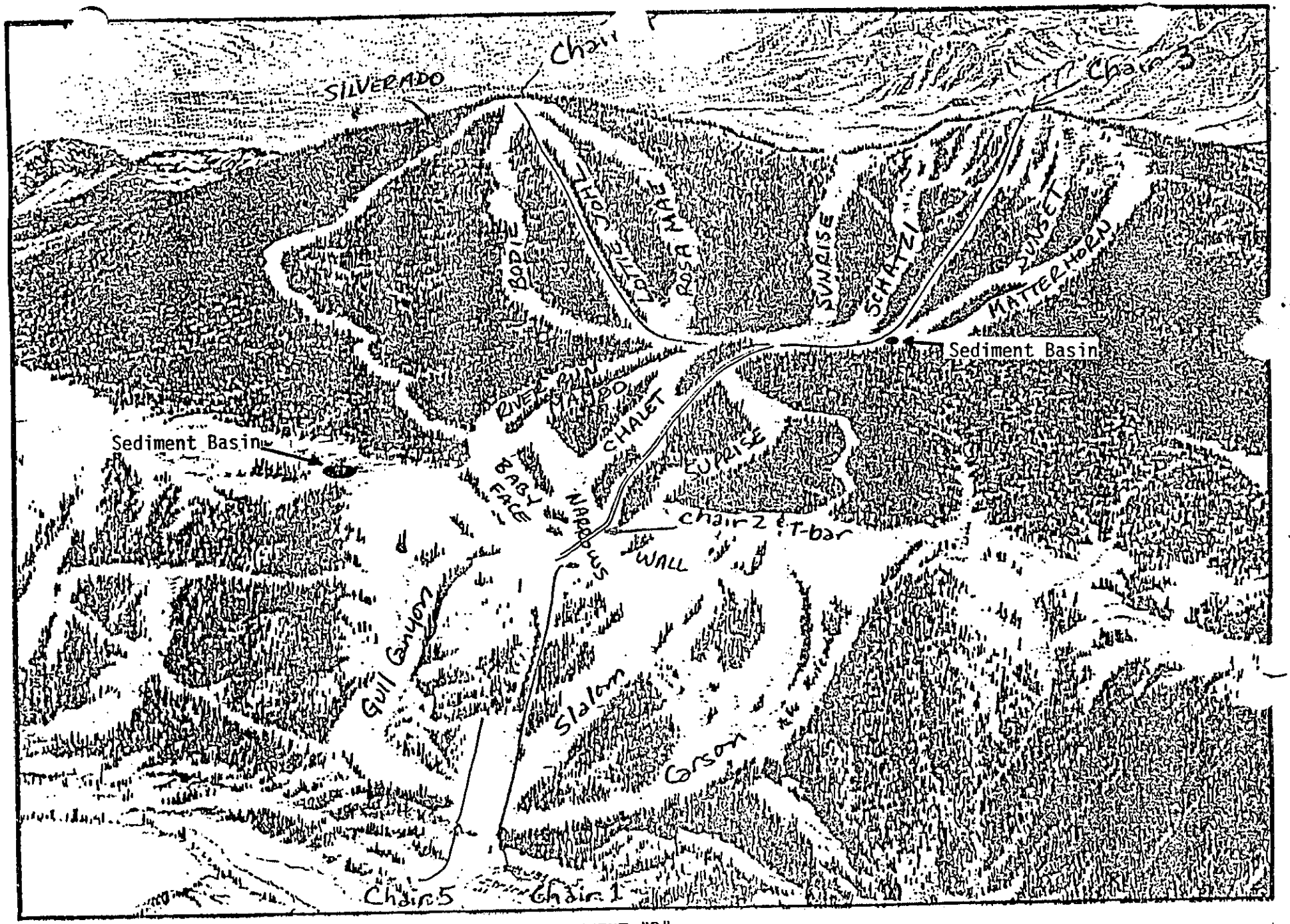
Attachments:

A. Location Map
B. Locations of Sediment Basins
C. Standard Provisions for Waste Discharge Requirements



ATTACHMENT "A"

JUNE MOUNTAIN SKI AREA
Southwest of June Lake-Mono County
Sections 14, 15, 22, 23, 24, 25, and 26, T2S,
R27E, MDB&M
USGS Mono Craters 7.5 Minute Quadrangle



ATTACHMENT "B"

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

MONITORING AND REPORTING PROGRAM NO. 95-27
WDID NO. 6B261009001

FOR

JUNE MOUNTAIN SKI AREA

Mono County

I. MONITORING

A. Water Quality Monitoring of Ski Area

1. Locations of Sampling Stations

Water quality sampling stations shall be established at the following locations, as shown on Attachment "A" to the Waste Discharge Requirements:

a. Gull Creek 50 feet above the confluence with Reverse Creek.

b. Reversed Creek 100 feet above the confluence with Gull Canyon Creek.

c. Reversed Creek 100 feet below the confluence with Gull Canyon Creek.

d. Snow Creek 50 feet above the June Lake Public Utility District's water diversion structure.

e. Overflow from the sedimentation basin at the bottom of J7.

f. Fern Creek just off Highway 58 where Fern Creek meets the road.

2. Sample Collection Procedures

Samples shall be taken in appropriate bottles which have been cleansed with a non-phosphorus detergent, and triple rinsed with stream water prior to collecting the grab sample. Samples will be preserved in accordance with standard methods or approved EPA Methods until delivery to the laboratory for analysis.

A measurement of estimate of the flowrate shall be made each time a surface sample is taken. Surface water samples shall be representative of the entire flow, or shall be taken at one-third the total depth of the stream.

A narrative description of climatological conditions for the previous several days shall be made for each monitoring run.

3. Frequency of Water Quality Sampling

During the spring snowmelt period (April-June), samples will be collected on a weekly basis, as long as there is observed flow at the monitoring stations. Samples shall be collected between 1300 hours and 1700 hours.

During other periods of the year, samples will be collected from each station during each significant rainfall event which causes observed flow at the monitoring stations. Samples shall be collected, if possible, during the first four hours of runoff. Subsequent samples shall be taken at one week intervals, if runoff persists.

4. Constituents to be Monitored

a. Volumetric flowrate measurements or estimate at each surface station each time it is sampled

b. Turbidity

c. Total Nonfilterable Residue (Total Suspended Solids)

d. Nitrate Nitrogen as N

e. Total Nitrogen as N

f. Total Phosphorus as P

B. Erosion Control Inspections of Ski Area

Two inspections shall be made by the Discharger annually, once as soon as the snow has cleared and once prior to October 10. The first inspection should determine the following:

1. new erosion and drainage problems needing correction

2. damage to previously revegetated areas

3. success of establishment of revegetation of previously disturbed areas

4. damage to roads and roadside drainage

5. any other areas with existing or potential erosion problems which should be considered priority areas for the upcoming season's erosion control work.

The October inspection should determine the following:

6. completed erosion control and revegetation work

7. existing priority erosion problems still needing correction before the onset of the winter season.

8. The status of erosion control work on new development projects including ski runs, ski lifts, road construction, and any other significant development activities.

9. Sedimentation facilities, ditches and parking lot treatment facilities needing cleaning before the onset of the winter season.

Any erosion, surface runoff problems or other adverse conditions which are found on the property shall be clearly described and the corrective measures and a time schedule proposed by the Discharger shall be included in the inspection report. In the event that no such problems are found on the property, a statement certifying this condition must be included for each inspection.

C. Annual Workplan

The Discharger shall develop an Annual Workplan as referenced in Provision "D" of the Waste Discharge Requirements. The Annual Workplan should list all projects proposed to be constructed during the upcoming summer season, including those for which a separate report of waste discharge will be submitted.

D. Snow Conditioning Chemicals Monitoring

If snow conditioning chemicals are used on ski slopes, a log of the following information shall be kept:

1. Locations of application

2. Dates of application

3. Amounts of applications

   a. total pounds
   b. pounds per acre

4. Composition of the snow conditioning chemicals

E. Snowmaking Enhancement Chemicals Monitoring

If snowmaking enhancement chemicals are used on ski slopes, a log of the following information shall be kept:

1. Locations of application

2. Dates of application

3. Amounts of applications
   a. milliliters per million gallons
   b. total pounds

4. Composition of the snow enhancement chemicals

F. General Provisions

The Discharger shall comply with the "General Provisions for Monitoring and Reporting," dated July 1, 1994, which is attached to and made part of this Monitoring and Reporting Program.

II. REPORTING

The above information, including sampling results and inspections, shall be submitted to the Board in accordance with the schedule described below. The Discharger shall arrange and compile data in a concise form for quick review by Board staff.

Report	Frequency	Report Submittal Dates
Annual Worklist	Annual	May 15
Water Quality Monitoring of Ski Area	Semiannual	July 15, October 15
Erosion Control Monitoring of Ski Area	Semiannual	July 15, October 15
Snow Conditioning Chemicals Monitoring	Annual	July 15
Snowmaking Enhancement Chemicals Monitoring	Annual	July 15

In reporting the monitoring data, the Discharger shall arrange the data in a tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized in such a manner as to clearly illustrate compliance with the discharge requirements.

Ordered by: Harold J. Singer Dated: Feb 9, 1995

HAROLD J. SINGER
EXECUTIVE OFFICER

Attachment: General Provisions for Monitoring and Reporting

Attachment "C"

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

STANDARD PROVISIONS
FOR WASTE DISCHARGE REQUIREMENTS

1. Inspection and Entry

The discharger shall permit Regional Board staff:

a. to enter upon premises in which an effluent source is located or in which any required records are kept;

b. to copy any records relating to the discharge or relating to compliance with the waste discharge requirements;

c. to inspect monitoring equipment or records; and

d. to sample any discharge.

2. Reporting Requirements

a. Pursuant to California Water Code 13267(b), the discharger shall immediately notify the Regional Board by telephone whenever an adverse condition occurred as a result of this discharge; written confirmation shall follow within two weeks. An adverse condition includes, but is not limited to, spills of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance.

b. Pursuant to California Water Code Section 13260 (c), any proposed material change in the character of the waste, manner or method of treatment or disposal, increase of discharge, or location of discharge, shall be reported to the Regional Board at least 120 days in advance of implementation of any such proposal. This shall include, but not be limited to, all significant soil disturbances.

c. The owner(s) of, and discharger upon, property subject to waste discharge requirements shall be considered to have a continuing responsibility for ensuring compliance with applicable waste discharge requirements in the operations or use of the owned property. Pursuant to California Water Code Section 13260(c), any change in the ownership and/or operation of property subject to the waste discharge requirements shall be reported to the Regional Board. Notification of applicable waste discharge requirements shall be furnished in writing to the new owners and/or operators and a copy of such notification shall be sent to the Regional Board.

d. If a discharger becomes aware that any information submitted to the Regional Board is incorrect, the discharger shall immediately notify the Regional Board, in writing, and correct that information.

e. Reports required by the waste discharge requirements, and other information requested by the Regional Board, must be signed by a duly authorized representative of the discharger. Under Section 13268 of the California Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars ($1000) for each day of violation.

f. If the discharger becomes aware that their waste discharge requirements are no longer needed (because the project will not be built or the discharge will cease) the discharger shall notify the Regional Board in writing and request that their waste discharge requirements be rescinded.

3. Right to Revise Waste Discharge Requirements

The Board reserves the privilege of changing all or any portion of the waste discharge requirements upon legal notice to and after opportunity to be heard is given to all concerned parties.

4. Duty to Comply

Failure to comply with the waste discharge requirements may constitute a violation of the California Water Code and is grounds for enforcement action or for permit termination, revocation and reissuance, or modification.

5. Duty to Mitigate

The discharger shall take all reasonable steps to minimize or prevent any discharge in violation of the waste discharge requirements which has a reasonable likelihood of adversely affecting human health or the environment.

6. Proper Operation and Maintenance

The discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the discharger to achieve compliance with the waste discharge requirements. Proper operation and maintenance includes adequate laboratory control, where appropriate, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by the discharger, when necessary to achieve compliance with the conditions of the waste discharge requirements.

7. Waste Discharge Requirement Actions

The waste discharge requirements may be modified, revoked and reissued, or terminated for cause. The filing of a request by the discharger for waste discharge requirement modification, revocation and reissuance, termination, or a notification of planned changes or anticipated noncompliance, does not stay any of the waste discharge requirements conditions.

8. Property Rights

The waste discharge requirements do not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

9. Enforcement

The California Water Code provides for civil liability and criminal penalties for violations or threatened violations of the waste discharge requirements including imposition of civil liability or referral to the Attorney General.

10. Availability

A copy of the waste discharge requirements shall kept and maintained by the discharger and be available at all times to operating personnel.

11. Severability

Provisions of the waste discharge requirements are severable. If any provision of the requirements is found invalid, the remainder of the requirements shall not be affected.

12. Public Access

General public access shall be effectively excluded from treatment and disposal facilities.

13. Transfers

Providing there is no material change in the operation of the facility, this Order may be transferred to a new owner or operation. The owner/operator must request the transfer in writing and receive written approval from the Regional Board Executive Officer.

14. Definitions

a. "Surface waters" as used in this Order, include, but are not limited to, live streams, either perennial or ephemeral, which flow in natural or artificial water courses and natural lakes and artificial impoundments of waters. "Surface waters" does not include artificial water courses or impoundments used exclusively for wastewater disposal.

b. "Ground waters" as used in this Order, include, but are not limited to, all subsurface waters being above atmospheric pressure and the capillary fringe of these waters.

15. Storm Protection

All facilities used for collection, transport, treatment, storage, or disposal of waste shall be adequately protected against overflow, washout, inundation, structural damage or a significant reduction in efficiency resulting from a storm or flood having a recurrence interval of once in 100 years.

Mono County
Community Development Department

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

February 23, 2016

Sierra Nevada Conservancy
11521 Blocker Drive #205
Auburn, CA 95603

Dear Sierra Nevada Conservancy:

The grant application by California Trout, in collaboration with the Inyo National Forest, for a fuels modification project on June Mountain near the June Lake community is consistent with Mono County's General Plan and Community Wildfire Protection Plan (CWPP).

The June Lake community has expressed concern over forested areas affected by pine beetle infestations, both because of aesthetic impact and increased wildfire hazard. The June Mountain fire in September 2014 served as a powerful reminder of the need to address the wildfire hazards on June Mountain, and highlighted the potential of beetle-killed trees to contribute to a catastrophic fire that could threaten the safety of the community and impact the health of the watershed.

The Mono County 2015 General Plan contains policies supporting fuels reduction and wildfire protection, as follows:

Conservation/Open Space Element

- **Policy 1.B.1.** Maintain and manage open space to protect from fire and erosion.
- **Policy 6.B.2.** Encourage fuel reduction and other management treatments to improve forest health, such as reduced catastrophic fire potential, invasive species management, and reduced disease and insect outbreaks.

Safety Element

- **Policy 3.A.7.** Reduce fuel around developed areas throughout the county to minimize wildland fire hazard risks to people and property.
- **Policy 3.A.8.** Mitigate the effects of fire hazards within Mono County.
    - **Action 3.A.8.a.** Implement the fire hazard mitigation recommendations contained in the CWPP, which pertain to addressing, public education, local preparedness and firefighting capabilities, home mitigation, and fuels modification projects.

In addition, the Mono County CWPP references existing fuels modification projects in the June Mountain area, which is identified as a "Very High" fire severity hazard area.

Thank you for your consideration of this important project that will reduce the risk of a large, damaging wildfire that could threaten the June Lake community and impact the health of both the forest and watershed. Please feel free to contact Wendy Sugimura (760.924.1814, wsugimura@mono.ca.gov) in my office with any questions.

Sincerely,

Wendy Sugimura for Scott Burns

Scott Burns, Director

cc: Mark Drew, California Trout; Andrew Weinhart, Inyo National Forest; Danna Stroud, SNC Mt. Whitney Area Representative

USDA United States Department of Agriculture | Forest Service | Pacific Southwest Region

Inyo National Forest
351 Pacu Lane, Suite 200
Bishop, CA 93514
(760) 873-2400 Voice
(760) 873-2538 Text (TDD)

File Code: 5150, 2700

Date: February 23, 2016

Jim Branham, Director
Sierra Nevada Conservancy
11521 Blocker Drive, Ste. 205
Auburn, CA 95603

RE: Support for June Mountain Whitebark Pine Restoration Project (Phase 1)

Dear Director Branham,

I am writing on behalf of the Inyo National Forest to express our enthusiastic support for California Trout's (CalTrout) Prop 1 proposal, in collaboration with the Inyo National Forest and the Mammoth Mountain Ski Area, to treat dead and dying coniferous trees at the June Mountain Ski Area.

The project will focus on tree islands between ski runs in this iconic and much loved public recreation area, to reduce buildup of hazardous fuels and restore Whitebark pine stands to desired conditions for future resiliency to wildfire, insect infestation, and disease. Considerable tree mortality as a consequence of pine beetle infestation in these stands has greatly increased fuel loading and would promote severe fire behavior if a wildland fire occurred in this area. This risk of severe fire threatens not only the remaining stands of whitebark pine, but also ski area infrastructure including ski lifts and lodges, as well as the adjacent community of June Lake. A severe wildfire would be devastating not only to developed property in the area, but would have an adverse impact to the recreation and tourism based economy of Mono County. Additionally, post-fire impacts of soil erosion and sedimentation would be devastating to the watershed that includes Silver, Grant and Mono Lakes, and Reverse and Rush Creeks. These surface water bodies are important for contributing municipal water supply for June Lake, as well as the far away City of Los Angeles.

Cut trees will be processed into logs for firewood, chipped, or piled at centralized locations approved by the Forest Service and all contractor disturbed areas will be restored. This will reduce hazardous fuels, promote soil and water conservation, and protect the residual stand of whitebark pine, as well as provide opportunities for new regeneration of whitebark pine.

I also want to call your attention to the attached letters from the Inyo National Forest and Mammoth Mountain Ski Area. Mammoth Mountain Ski Area has a long-term permit that allows them to use and occupy the June Mountain Ski Area through January 25 of 2046. The provision in the Special Use Permit will be used as the framework for establishing an agreement between the partners. It will provide the Inyo National Forest, Caltrout and MMSA the framework for the coordination and cooperation amongst each partner and establish declarations for land tenure. In addition, we concur with their proposal to partner with Caltrout and Sierra Nevada Conservancy (SNC) in accomplishing this project, and have approved their extending access to the project area to Caltrout and SNC for the required 25 years.

It is the belief of the USFS and MMSA that the foregoing, together with this letter indicating the agreement with the foregoing, constitutes sufficient authorization to carry out the Project and to satisfy the SNC's Land Tenure requirements. Nevertheless, in the event it is determined that an additional agreement (such as a Memorandum of Understanding) is required to confirm the authorizations referenced above, the USFS hereby commits to work with the MMSA and Cal Trout to prepare and execute such agreement upon indication that SNC intends to fund the Project.

We are pleased to see this important project advance and support this application for funding from the SNC Prop 1 grants program. Thank you for your consideration.

Sincerely,

EDWARD E. ARMENTA
Forest Supervisor

JUNE LAKE FIRE SAFE COUNCIL

February 24, 2016

Jim Branham, Director

Sierra Nevada Conservancy

11521 Blocker Dr, Ste 205

Auburn, CA 95603

Subject: Support for June Mountain Whitebark Pine Restoration Project (Phase1)

In 2014, working in collaboration with the Inyo National Forest and the June Lake Fire Protection District, the June Lake Fire Safe Council applied for and received a five year Grant to reduce dense flammable brush and trees on private property to make the June Lake Loop a safer and more wildfire defensible area.

The Inyo National Forest is thinning the property surrounding the town and private property of June Lake while the aforementioned Grant is managing private property. Ideally, to have the June Mountain Ski Area thinned of dead and fire hazard dense thickets will significantly compliment a comprehensive fuels reduction program.

Accordingly, the June lake Fire Safe Council supports a June Mountain Grant that reduces the risk of wildfire in a high hazard area.

Thank you for the opportunity to comment on this important project.

Al Heinrich, June Lake Fire Safe Council

Ronald S. Cohen
Chief Administrative Officer & General Counsel
Mammoth Mountain Ski Area, LLC
Post Office Box 24 / 1 Minaret Road
Mammoth Lakes, CA 93546
Telephone: 760-934-0768
Facsimile: 760-934-0648
E-mail: rcohen@mammoth-mtn.com

February 25, 2016

Re: Sierra Nevada Conservancy – Sierra Nevada Watershed Improvement Program
Proposition 1 Grant Application
Fiscal Year 2015-16 – March 1, 2016 Application Deadline
Project Support Letter

To Whom It May Concern:

In connection with California Trout, Inc.'s ("Cal Trout") application for a Proposition 1 grant from the Sierra Nevada Conservancy (the "SNC") to implement the June Mountain Ski Area ("JMSA") Whitebark Pine Restoration Project (the "Project"), Mammoth Mountain Ski Area, LLC ("MMSA") hereby submits this letter in support of the Project and Grant Application.

MMSA is the holder a Ski Area Term Special Use Permit, Authorization ID LVD412903R (the "Permit"), issued by the United States Department of Agriculture, Forest Service (the "USFS"). A copy of the Permit is attached hereto. Pursuant to the Permit, MMSA has authorization to use the National Forest System lands commonly known as June Mountain Ski Area, and to carry out all activities necessary for the construction, operation, and maintenance of a ski resort. All of the lands contained with the Project are within the boundaries of the Permit.

The Project is incredibly worthy of support because it will make a massive difference in addressing the dead and dying coniferous trees located within JMSA's boundaries. It is important to note that the wide-ranging tree mortality is not due to any management issues created by or exacerbated by JMSA operations, rather it is the result of a devastating on-going natural disaster.

The Project will reduce the significant buildup of hazardous fuels within the Permit area, which is particularly important given JMSA's proximity to the village of June Lake. In addition to significant wildfire prevention and forest health impacts, the Project will have important positive impacts for watershed protection. These devastated tree stands are located just above the important and pristine watersheds of the June Lake Loop (including June, Gull, Grant and Silver Lakes) and ultimately run to the iconic Rush Creek and Mono Lake watersheds. Moreover, the roads and other infrastructure in place at JMSA will facilitate the implementation of this Project. This is as high resource value, bang-for-your-buck work as can possibly be funded.

We are pleased to see this important project advance and support this application for funding from the SNC Prop 1 grants program. Thank you for your consideration.

Please contact me if you need additional information.

Thank you.

Ron Cohen
Chief Administrative Officer & General Counsel

JUNE MOUNTAIN SKI AREA

VEGETATION MANAGEMENT PLAN

Inyo National Forest
Mono Lake Ranger District

OVERVIEW

Background

Located on the Mono Lake District, June Mountain Ski Area (JMSA) is one of two alpine ski resorts operated under special use permit on the Inyo National Forest. The ski area is currently undergoing a severe mountain pine beetle (*Dendroctonus ponderosae*) outbreak which has affected whitebark and lodgepole pine stands on over 150 acres within the ski area boundary. Additional acres are currently infested outside ski area boundaries, both outside and within designated wilderness areas. It is expected the outbreak will continue and intensify based upon the number of new infestations detected this past summer.

Forest activities are guided by the Inyo National Forest Land and Resource Management Plan (Forest Plan). The Sierra Nevada Forest Plan Amendment (SNFPA), Final Supplemental Environmental Impact Statement, Record of Decision, which amended the Forest Plan on January 21, 2004, sets goals and objectives for management activities which will restore natural ecosystem processes while minimizing threats to life, property, and natural resources.

Regional Forester direction clarifying recreation management issues related to the SNFPA were issued in a letter dated June 24, 2002. Issues were related to Regional Soil Quality Standards, Incidental Removal of Vegetation and Down Woody Material, and Limited Operating Periods for Pine Marten within developed recreation sites and impacts to recreation-related activities. The first two issues were resolved with clarification; the third issue was resolved with errata to the Plan Amendment.

Purpose and Need

The purpose of this project is to develop both short and long-term vegetation management strategies for all areas within the boundaries of JMSA. This assessment will address issues and concerns associated with existing resource conditions. These will be used in determining a desired future condition (DFC). This DFC is a description of a landscape in a healthy and sustainable condition in regards to physical, biological and human resources. This vegetation management plan will be designed to improve overall forest vegetation health, improve public safety and for consistency with alpine ski area management.

Some of the areas considered for treatment are immediately adjacent to homes and recreational facilities. Some areas within permit boundaries are within Wildland – Urban Interface (WUI), as defined in the Mono County Community Wildfire Protection Plan (CWPP). Desired conditions would be to

decrease potential flame lengths and intensity of future wildland fires in treated areas, improve forest health by making stands more resilient to insect and disease attack, and increase the safety of residents, recreationists, and firefighters working to protect human life and property, and suppress fires. In addition, desired conditions would reduce the threat of stand-replacing wildfire, and thereby protect healthy forest conditions for multiple resource benefits, such as recreation, water quality, wildlife habitat and visual aesthetics.

Management Direction

The area is a developed alpine ski resort operated under Special Use permit to Mammoth Mountain Ski Area, LLC. It is situated within SNFPA land allocations of WUI Defense/Threat Zones, Old Forest Emphasis Area and General Forest.

Policy Direction

Climate Change – The Forest Service is trying to prepare for effects of a changing climate, and learning as we do. As we come to understand some of these effects, we will need to adjust our land management and scientific assumptions and practices. Many of the impacts from a changing climate such as increases in intense rainfall, decreases in snow cover, more intense and frequent heat waves and drought, increases in wildfires and longer growing seasons are already occurring. It is anticipated vegetation adapted to particular climates will shift as climate changes.

Science indicates a correlation between climate change and greenhouse gas emissions from fossil fuel use. One of the most important and cost effective things the Forest Service can do is create conditions to get new trees and other vegetation reestablished and on line sequestering carbon.

Goals and objectives related to forest restoration and conservation, resiliency to climate change and reduced risk to catastrophic wildfire are spelled out within the USDA's Strategic Plan FY 2010-2015 (2010). This document would fall under Strategic Goal 2: Ensure Our National Forests and Private Working Lands Are Conserved, Restored, and Made More Resilient to Climate Change, While Enhancing Our Water Resources.

Ski Area Management Objectives

Through consultation with the Forest Service, June Mountain Ski Area management has articulated a number of goals and objectives in their (Draft) Master Development Plan. This list includes actions to improve mountain access, optimize use and efficiency of operations, providing a quality experience for the skiing public by improving and modernizing facilities, ensuring development is financially feasible and environmentally friendly, while working in partnership with the Forest Service.

EXISTING SITUATION

Silviculture

Forested areas within June Mountain Ski Area can generally be divided into two forest-types, a pine forest in the upper portions of the permit boundary, and a mixed conifer forest type on the lower portions of the ski area.

Upper Mountain: Dominant forest type is lodgepole pine/whitebark pine, bisected by numerous ski runs and lift lines. Large pockets of dead and dying trees exist throughout the upper mountain as a result of extensive and successful mountain pine beetle attacks during recent years. Fire-scarred old-

growth lodgepole pines trees and down logs are present throughout the upper mountain. No trees with more than three distinct fire scars were observed. Most recent fire scars appear to be well over 100 years ago.

Old-growth lodgepole pine and whitebark pine trees are distributed throughout the upper mountain in groups of varying sizes and shapes, often with extensive gaps between groups. Younger lodgepole pine and whitebark pine appear to have filled most of the formerly open spaces, probably as a result of fire exclusion over the past 100+ years, as well as other conditions favorable to tree in-fill. A tipping point is commonly reached during extended drought conditions when tree densities become too great for the available soil water, thus making the lodgepole pine/whitebark pine forest highly vulnerable to bark beetle attacks. Several studies in lodgepole pine forests have confirmed stands at low densities receive little or no attack from mountain pine beetles, both because of increased stand vigor (McGregor et al. 1987; Amman et al. 1988a) and alteration of microclimate (Amman et al. 1988b; Bartos and Amman 1989).

Numerous rating systems have been developed for evaluating lodgepole pine stand susceptibility to mountain pine beetle. One such system is the Shore and Safranyik (1992) susceptibility rating system. This system uses percentage of stand basal area susceptible to attack, age of dominant and co-dominant trees, stand density, and stand location (latitude, longitude, and elevation) to arrive at a rating. For the upper portion of JMSA, a rating of 80 is estimated using Shore and Safranyik. This rating correlates to approximately 50% of the stand basal area potentially being killed by an infestation of mountain pine beetles. No specific models were found for stands of mixed lodgepole pine and whitebark pine.

Of the four components of the Shore and Safranyik susceptibility model, the factor available for modification to reduce stand susceptibility is stand density. In addition to removing all standing dead trees which pose a hazard to employees and users of JMSA, an ambitious thinning program to reduce inter-tree competition and increase stand resilience to continued or future drought/mountain pine beetle attacks is advised. Thinning work could be prioritized to emphasize those stands of greatest value to the ski area operations and aesthetics.

Lower Mountain: Dominant forest type is mixture of conifer species including; Jeffrey pine, white fir, lodgepole pine, and juniper. Small inclusions of aspen are also present in wetter areas. Ski runs, lift lines, and other infrastructure are present throughout the area. Beetle activity is much reduced in the lower portion of the mountain, as compared with the upper mountain. Fire-scarred trees are evident on the lower mountain, with the most recent scarring occurring well over 100 years ago.

Old-growth trees of all species are evident throughout, with Jeffrey pine more prevalent near the bottom of the lower mountain. Extensive in-fill, primarily of shade-tolerant white fir has occurred throughout the lower mountain, probably as a result of fire exclusion over the past 100+ years, as well lack of vegetation management, favorable to tree establishment. Lack of disturbance from fire has also encouraged conifer establishment within aspen pockets.

Conifer in-fill (especially white fir) has greatly increased inter-tree competition for available soil moisture and put all trees under water stress and thus more vulnerable to bark beetle attack, especially in periods of drought. Large, old Jeffrey pine may be especially at-risk under these conditions. Surface and ladder fuels are also significantly elevated above what would likely have been expected under the historic fire regime. As a result, the lower mountain is more susceptible to severe, stand-replacement fire.

Insect and Disease Concerns

The current outbreak of Mountain Pine Beetle (*Dendroctonus ponderosae)* (MPB) started in 2005. Elevated levels of mortality have been observed on over 150 acres within the ski area and many more acres outside the boundaries. Insect activity so far has been concentrated mainly in whitebark pine dominated stands. MPB attacks appear to be group selective rather than size selective as all trees in clumps regardless of diameter appear to become infested. The standard recommendation of reducing basal area does not apply in these more open canopy forest-types. Freezing temperatures for long periods during the winter months have been found to depress populations and rapidly suppress outbreaks, but recent winters in the West have been unusually warm with little precipitation. This appears to be consistent with the continued MPB activity June Mountain is experiencing.

Verbenone treatment plots were tested at rates of 20 and 40 pouches per (one acre) plot in 2009. Observations showed treatments at 40 pouches sustained less attacks compared to those with 20. The higher treatment did not prevent attacks, but only mitigated mortality. At 20 pouches, the number and location of attacked trees did not appear hindered by treatments, and in fact, several trees with pouches were successfully attacked. Insect flight occurred later than normal in 2009 (August into September).

In July 2010, additional plots have been set-up to test the efficacy of "Verbenone Plus" (other chemical anti-aggregates). Observations recorded in October within control plots indicated infestations to be continuing. Test plots using this combination of ingredients have shown to be highly effective. Annual treatments are not the aim for this product and would not be feasible or cost effective over a landscape area. It could be effective as a temporary measure which could be coupled with silvicultural treatments to change conditions which attract beetles, in targeted locations.

Botany

Native Plant Policy/Revegetation: Complete information on the vegetation composition within the ski area, particularly on ski runs, is not available. A 1988 botanical survey by Mark Bagley was focused primarily on sensitive plant species, and due to the lack of potential habitat for these species within the ski runs, detailed information on the ski runs was not recorded. The report states: "A number of native and non-native grasses have been established in these (disturbed) areas. Generally the non-native grasses are dominant here. These non-natives are not becoming established in adjacent undisturbed areas. A number of natives are becoming established in some of the ski runs."

Invasive Plant Species**:** A botanical survey report was completed on the June Mountain Ski Area and Rodeo Meadows in 1988 by M. Bagley. The following non-native species were observed:

Yellow salsify (*Tragopogon dubius*)
Flixweed (*Descurainia sophia*)
Common Plantain (*Plantago major*)
Common Knotweed (*Polygonum arenastrum*)
Russian thistle (*Salsola* sp.)
Common mullein (*Verbascum thapsus*)
Crested wheatgrass (*Agropyron desertorum*)
Cheatgrass (*Bromus tectorum*)

With the exception of *Salsola*, none of the species above are included on the California Department of Food and Agriculture (CDFA) list of noxious weeds of concern in California. The *Salsola* species likely to occur in JMSA are on the CDFA 'C' list, which includes species which are widespread throughout the state, and recommended for local eradication, with management action at the discretion of the local County Agricultural Commissioner.

Specific locations of these species are not mapped. Given the age of the survey and non-specific location data for non-native species, additional information is needed to determine the current condition and potential need for treatment.

Aspen stands: There are approximately five aspen stands (depending on delineation of stand boundaries) within the ski area, primarily limited to the lower and mid slopes. Of these stands inventoried in 2010, one is rated low for risk of losing the stand, one is rated moderate, two are rated high, and one is rated at highest risk. The primary issue affecting stand loss risk rating is conifer encroachment.

Shrub communities: There are five small shrub stands mapped within the ski area. These are all on the lower mountain, and all of them are sagebrush scrub types (*Artemisia tridentata*), though some include antelope bitterbrush (*Purshia tridentata*) as well. Shrubs appear to be healthy at this time, with little sign of decadence. Native perennial bunchgrasses are present in the understory (Indian ricegrass *Achnatherum hymenoides*, and California brome *Bromus carinatus*).

Sensitive Plant Species**:** No sensitive plant species were located during the 1988 Bagley survey of the ski area. However, there were a number of species not identified to the species level in the botanical report. These plants were identified to the genus level, which at that time, for the genera left undetermined, was adequate to make the determination no sensitive species existed within the ski area. Since the 1988 survey, the Regional sensitive species list has been re-evaluated twice, utilizing updated information on taxonomy and range of species potentially occurring in the area. Due to this new information, there is potential for several species to occur within the ski area which would not have been identified to the species level in the 1988 work. These species include:

Pinzl's rockcress (*Arabis pinzlae)*
Lemmon's milkvetch *(Astragalus lemmonii)*
Moonworts *(Botrychium* spp)
Subalpine fireweed (*Epilobium howellii)*
Bruchia bolanderi
Helodium blandowii
Meesia triquetra (*)
Meesia uliginosa (*)

**Meesia* spp, while not specifically reported from the east side of the Sierra Nevada, have generally wide distributions, and could potentially occur here. Habitat is primarily limited to fens.

No additional survey work has been conducted within the ski area since the revision of the sensitive plant list.

Wildlife

Threatened, Endangered and Sensitive Species: None of the four Federally listed animal species which inhabit the Inyo NF are known to occur within the June Mountain Ski Area boundary, nor is there suitable habitat present for any of these species.

Suitable habitat for two Forest Service sensitive species (American marten (*Martes americana*) and northern goshawk (*Accipiter gentilis*) is present throughout the JMSA permit boundary. Both species are strongly associated with late-seral coniferous forest and their habitat is generally sympatric within the project area. At the lower elevations habitat is composed of mixed-conifer vegetation including Jeffrey pine (*Pinus jeffreyi*), lodgepole pine (*Pinus contorta*) and fir (*Abies* spp.). As the elevation increases, the vegetation transitions into pure stands of first lodgepole pine and then whitebark pine (*Pinus albicaulis*). Habitat quality is highest in the lower and mid-elevation ranges at JMSA as these vegetation types provide more of the structural elements (e.g. large diameter trees, closed canopy, near ground structure) required by goshawk and marten. These higher quality habitat zones provide suitable nesting and denning sites. Habitat quality is lower in the whitebark pine zone, which likely provides foraging habitat for both species.

No systematic surveys have been conducted for either species. Martens are known to occur at JMSA from anecdotal reports and limited detection station monitoring. Dr. Kucera conducted a radio-telemetry study of martens in 2003 including a single individual at JMSA. The individual was captured during January and monitored for approximately 3 months. During this time the marten utilized a 220 acre home range at mid-elevation within the ski area. No documented sightings of northern goshawks exist from JMSA.

Old Forest Emphasis Area: Approximately 390 acres within June Mountain Ski Area were designated as Old Forest Emphasis Area (OFEA) in the Record of Decision for the Sierra Nevada Forest Plan Revision (USDA 2004). This land allocation occurs in the southeast portion of the ski area and includes all of Chair J4 and the majority of Chair J6. The Record of Decision allows for minor adjustments to correct the boundaries of OFEAs which may be appropriate in this case.

Heritage Resources

The entire June Mountain Ski Area has been previously surveyed for cultural resources (HRR # 428). Three cultural sites are located within the area of potential effect; two sites with historic tree carvings and an obsidian flake scatter.

Local Native American tribes have been consulted about this project and no issues or concerns have been raised. Under the stipulations of the *Programmatic Agreement Among the USDA Forest Service, Pacific Southwest Region, California State Historic Preservation Officer, and Advisory Council on Historic Preservation Regarding the Identification, Evaluation, and Treatment of Historic Properties Managed by the National Forests of the Sierra Nevada, California*, mandatory Section 106 Historic Preservation requirements for this project have been met.

Air Quality

This area is part of the Mono Basin federal and state non-attainment area for PM10 emissions. Degradation of air quality is mostly related to dust coming off of exposed portions of Mono Lake bed.

The 1995 State Implementation Plan (SIP) for Mono Basin identified windblown lakeshore dust as the primary emissions source in the basin (Patton and Ono, 1995).

Anecdotal reports and observations confirm air quality is good at JMSA with little influence from Mono Lake emission sources.

Soils

The Order 3 soil survey for the Inyo National Forest lists three soil map units for the June Mountain area and describes each soil type and relevant characteristics. All have Rapid permeability characteristics and erosion potential varies from Low to Very High. Map Unit 148 is contained on the lower slopes, Map Unit 152 mid slope and Map Unit 153 on the upper slopes of the mountain.

An erosion control plan for June Mountain was completed in 1974, with an update in 1982. A systematic survey of implementation of the erosion control plan or current erosion problems on the runs has not been completed. Based on recent observations, erosion control and vegetation establishment on ski runs is current with off-site erosion present on roads traversing to the top of the mountain. Slope stabilization and prevention of off-site erosion and downstream sedimentation is an on-going concern. Some ski runs recently observed had lost top soil and are compacted. To what degree runs have detrimental soil compaction is unknown at this point, as defined by R5 Soil Quality Standards in FSH 2509.18. Down logs appear sufficient given the limited survey completed at this point for the given ecological types present on at JMSA. Timbered areas are generally undisturbed; ground cover is sufficient for the given ecological types, including white bark pine. This condition may change in pockets of white bark pine mortality as needle cast diminishes. This could lead to less ground cover than historical conditions, accelerated erosion and reduction in nutrient cycling.

Water

JMSA is in June Lake HUC 6. Several intermittent stream channels drain off JMSA. A recent survey of spring and meadow conditions was completed. One previously identified spring was not found, but a moist meadow was found in the vicinity of this spring site. The other spring is located on the edge of "River Run". A wet meadow is associated with this spring both in and adjacent to the run.

Meadows within the ski run boundary are in various hydrologic and ecologic conditions. One is associated with a spring and is located on "River Run". Vegetation removal and grading likely has altered hydrologic function of the spring and meadow. Another meadow is partially located under Chair J6. An unmapped meadow below "Bodie" run is being encroached by lodgepole pine. There is a perennial stream channel with riparian vegetation west of Chair J7 and adjacent ski runs within the ski area boundary. The meadows are hydrologically stable; however, lodgepole pine is present throughout the meadows.

The Lahontan Basin Plan (1995) identifies beneficial uses and sets narrative and numerical water quality objectives for all surface waters in JMSA. In addition, they define water quality objectives for certain water bodies in the Lahontan region which supersede the objectives for all water bodies. The narrative and numerical water quality objectives are found on pages 3.3-3.10 of the Plan. Table 3-16 in this plan lists specific objectives for Reversed Creek and Gull Lake, both downstream of JMSA.

Extensive water quality monitoring was completed in the 1980's and continues to the present as part of Lahontan Water Quality Control Board permit requirements for June Mountain. Sampling was completed in Gull Canyon Creek, and Snow Creek (coming off the mountain) and in Fern Creek and Reverse Creek (perennial channels below the mountain) in the 1980's. In 1998, Lisa Bryant, then Forest Soil Scientist, visited June Mountain and noted condition of reservoir basins and erosion control on the Mountain. She mentioned recommendations were made for erosion control in 1995 with the majority implemented in 1996. In 1995, five water quality sample points were established and monitoring currently continues in these same areas. Turbidity and Total Suspended Sediments are critical water quality elements monitored throughout the runoff season.

Recreation and Visual Resources

The SNFPA does not provide recreation or visual resource direction, therefore these resource areas are guided by the Forest Plan. While some of the SNFPA standards and guidelines (for spotted owls, fisher, and Riparian Conservation Objectives #2, for example) include direction to mitigate effects of recreational uses on those resources, or to prevent recreation-related disturbance, none of the SNFPA standards specify the range of recreational or landscape-altering activities appropriate in the different land allocations.

Recreation Opportunity Spectrum (ROS) combines physical, biological, social and managerial conditions to describe types of recreational activities, settings and experiences. It is a means for management to provide a broad spectrum of developed and dispersed recreation opportunities. Ski area activities fall under the Rural ROS class. The Rural class can be described as follows: Area is characterized by a substantially modified natural setting with modifications noticeable. Opportunity to interact with others is frequent. On-site management is obvious, frequently blending with the natural environment. Developed sites, roads and trails designed for moderate to high use.

Visual Resources are guided by Visual Quality Objectives (VQOs). Alpine ski areas are to meet or exceed Partial Retention VQOs for runs, lifts and base areas as seen from middle ground distances from Sensitivity Level 1 routes and occupancy sites (LRMP, 1988). Deviations from this standard are allowed with Forest Supervisor approval.

DESIRED FUTURE CONDITION

<u>Management Considerations</u>

Maintain and manage the existing downhill ski area for public use. Danger trees are abated along ski runs and adjacent to ski area improvements to provide a safe recreational environment. Insect activity is limited to endemic population levels. Noxious weed populations are abated and non-native species are restricted to managed areas

Silviculture

Stands/tree islands at greatest risk are prioritized for treatment to create greater resiliency to both insect and disease susceptibility, and catastrophic wildfire. A representative mix of tree species are maintained to promote overall forest health and aesthetics, but favor retention of intolerant species to

account for changing climatic regimes. Structural variety is maintained, providing a mosaic of density, age class and canopy covers. Retain and recruit for stands dominated by larger, older trees.

Botany

Native Plants/Revegetation: Vegetation within the ski area, including on ski runs, consists primarily of native plant species, propagated from local sources. Given the current condition, this will not be achieved in the next 5 years, but rather over the long term. Consultation with Forest botany staff occurs prior to implementing any revegetation projects, including seeding of ski runs. Revegetation, when needed, follows the Region 5 Native Plant Policy (June 1994). R5 policy contains the following:

- To the extent practicable, seeds and plants used in erosion control, fire rehabilitation, riparian restoration, forage enhancement, and other vegetation projects shall originate from genetically local sources of native plants.
- Prescriptions for use of plant materials for revegetation must be developed by knowledgeable plant resource specialists prior to implementation to ensure that the project is feasible and suitable plant material is used.
- All revegetation facets must be evaluated early in the planning process for Forest projects.
- Plant materials (seed, cutting, and whole plants) used in all revegetation projects shall originate from genetically local sources of native species, to the extent practicable.
- Do not use plant materials of species sold as natives if the genetic origin is not known.
- Plant materials collected or purchased for Forest projects must be carefully evaluated to ensure that these materials are healthy, free of pests, and that they are properly handled, stored, and conditioned for successful use.

Invasive Plant Species: Non-native plant species are restricted to managed ski runs and immediate vicinity of facilities, do not include CDFA species, or high or selected moderate priority weed species as per the Inyo National Forest 2007 Weed EA (USDA 2007). Opportunities for treating and preventing spread of lower priority species are utilized to improve vegetation condition with regard to non-native invasive species.

Aspen Stands: Aspen condition assessments are completed for stands within the ski area. Aspen stands are in good condition, with a 'low' or 'none' risk rating, as per R5 condition assessment protocol. Where treatments are warranted, they will follow the evaluation process and design criteria prescribed in the Forest-wide NEPA decision for aspen treatment protocols (anticipated winter 2011).

Shrub communities: Shrub communities are vigorous, with little to no sign of decadence. Recruitment is evident in stands. Understory components include native perennial bunchgrasses, and non-native invasive species are absent.

Sensitive Plants: For site specific projects, an assessment of potential habitat is completed. If potential habitat exists for any of the eight species previously listed, surveys are completed to aid in development of design criteria for the project. If sensitive species are located, impacts to these species are avoided to the extent possible; at a minimum, impacts do not lead to a trend toward federal listing, or a loss of viability for any sensitive species.

Wildlife

Threatened, Endangered and Sensitive Species: Habitat fragmentation is minimized to the extent possible by retaining forested linkages (with canopy cover greater than 40 percent) which are interconnected via riparian areas and ridgetop saddles (SNFPA S&G 27 and 29). The extent of forested habitat is not reduced below existing levels. The post-project coniferous forest is resilient to continued wide-spread infestation of pathogens and stand-replacing wildfire events. Live trees within the stand are spatially heterogeneous with un-even spacing between individuals. Large snags are present throughout the project area either clumped or individually at a density of up to 3 snags per acre. Large down logs are also present, primarily in decay classes 1, 2, and 3 (SNFPA S&G 10). Canopy closure of living trees reflects the upper limits capable for site potential within 15 years of project implementation. Within the mixed-conifer zone, at least two age classes of trees are present to provide for recruitment.

Surveys for northern goshawk are completed prior to project implementation utilizing the Pacific Southwest Region's survey protocol (SNFPA S&G 34). If a goshawk nest is located, a 200 acre Protected Activity Center (PAC) is established surrounding the nest. Desired condition within PACs is: 1) at least two tree canopy layers; 2) dominant and co-dominant trees with average diameters of at least 24 inches dbh; 3) at least 60 to 70 percent canopy cover (where possible); 4) some very large snags (greater than 45 inches dbh (where possible); and 5) snag and down woody material levels that are higher than average.

Old Forest Emphasis Area: Forest structure and function across OFEAs generally resemble pre-settlement conditions. High levels of horizontal and vertical diversity exist at the landscape-scale (roughly 10,000 acres).

Stands are composed of roughly even-aged vegetation groups, varying in size, species composition, and structure. Individual vegetation groups range from less than 0.5 to more than 5 acres in size. Tree sizes range from seedlings to very large diameter trees. Species composition varies by elevation, site productivity, and related environmental factors. Multi-tiered canopies, particularly in older forests, provide vertical heterogeneity. Dead trees, both standing and fallen, meet habitat needs of old-forest-associated species.

Where possible, areas treated to reduce fuel levels also provide for the successful establishment of early seral stage vegetation.

Heritage Resources

Know sites would be avoided during any thinning or fuels reduction activities. If any unknown historic property is found during project implementation, it will be necessary to halt work until the locality can be evaluated by a Heritage Resource specialist.

Air Quality

National Forest System lands are managed to maintain air quality which complies with all applicable regulations. Conduct of Forest management activities is carried out in a manner consistent and compatible with attainment of state and federal air quality objectives (LRMP Forest Goals, 1988). Conformity determinations will be made at subsequent levels of planning and analysis where emissions

can be more accurately quantified and reasonably forecasted and local impacts assessed (SNFPA ROD, pg. 22).

Soils

Reduce accelerated soil erosion resulting from management activities to natural background levels within three years after soil-disturbing activity (LRMP p. 94). This could include revegetating disturbed areas implementing the Region Native Plant policy (1994). Potential disturbance due to implementing this vegetation management plan will include mitigations to limit off-site erosion and sedimentation per the Forest Watershed specialist.

Complete site specific survey characterizing ground cover, compaction and evidence of accelerated erosion prior to implementation per R5 Soil Quality Standards. Implement appropriate design criteria to mitigate if not meeting R5 Soil Quality Standards.

Soil porosity should be at least 90 percent of total porosity found under natural conditions. Soil organic matter in the upper 12 inches of soil is at least 85 percent of the total soil organic matter found under natural conditions. Large woody debris is at least 5 well distributed logs per acre representing a range of decay classes. Fine organic matter is of sufficient quantity to reduce accelerated erosion and provide for nutrient cycling.

- Note: porosity, organic matter and ground cover may not meet standards in ski runs due to previous compaction and accelerated erosion. Develop prescriptions, and design criteria to at a minimum maintain current condition, and strive to meet desired conditions over the long-term (20 years).

Water

Within Riparian Conservation Areas (150 feet either side of a intermittent channel) and 300 feet from a spring or wet meadow, management activities do not adversely affect water temperatures necessary for local aquatic and riparian-dependent species assemblages (SNFPA S&G 96). These assemblages would include aquatic insects and riparian dependent species such as yellow warblers (*Dendroica petechia*) and Pacific tree frogs (*Pseudacris regilla*). Hydrologic connectivity of streams, meadows, wetlands, and springs are maintained or restored by identifying roads and trails which intercept, divert or disrupt natural surface and subsurface water flow (SNFPA S&G 100). Determine if relevant stream characteristics are within natural range of variability. Implement mitigation measures to prevent further declines or cause an upward trend in conditions (SNFPA S&G 102). Determine if age class, structural diversity, composition and cover of riparian vegetation is within the natural range of variability for the vegetative community. Consider implementing restoration actions which will result in an upward trend (SNFPA S&G 105). Identify conditions which degrade water quality or habitat for aquatic and riparian-dependent species (SNFPA S&G 116). Recommend restoration practices in areas with compaction in excess of soil quality standards (SNFPA S&G 122).

Meadows are hydrologically functional. Meadows with perennial and intermittent streams have the following characteristics: stream energy from high flows is dissipated, reducing erosion and improving water quality; streams filter sediment and capture bed load, aiding floodplain development; meadow

conditions enhance floodwater retention and groundwater recharge; root masses stabilize stream banks against cutting action.

Recreation and Visual Resources

All vegetation treatment activities will meet prescribed ROS classe (Rural) as defined in the ROS Users Guide and Partial Retention VQOs.

DESIGN CRITERIA

This vegetation management plan, as approved, is expected to be taken forward as a proposed action for environmental analysis in order to implement activities to move the current, existing conditions towards desired conditions as stated. Actions taken would meet goals and objectives described in the Purpose and Need Section. The following design criteria would be incorporated into proposed actions.

Native, Sensitive Plant and Invasive Weed Design Features

To protect sensitive plant habitat and help prevent the spread of invasive weed species, the following would be applied to all projects unless otherwise noted:

- Projects will be reviewed by Forest botany staff to determine whether or not the project will affect potential habitat for any of the sensitive species listed above in the existing condition section for botany/sensitive plants. If potential habitat exists, site specific sensitive plant surveys will be conducted early in the planning process for the project. If located, sensitive plant populations will be avoided to the extent possible; at a minimum, impacts will not lead to a trend toward federal listing, or a loss of viability for any sensitive species.
- All off road equipment will be cleaned before moving into the project area so equipment is free of soil, seeds, vegetative material, or other debris which could contain or hold seeds of noxious weeds. Off road equipment includes all logging, construction, and brushing equipment such as brush hogs, masticators, and chippers; it does not include service vehicles, water trucks, pickup trucks, and similar vehicles not intended for off road use. Equipment will be considered clean when visual inspection of tires, tracks, and underbody does not reveal soil, seeds, plant material, mud, or other such debris.
- Minimize the amount of ground disturbance through careful equipment operation.
- Treatment areas will be monitored for invasion by new weed species not currently in the area for a minimum of two years following treatment. New occurrences of California Department of Food and Agriculture rated (CDFA), and high or selected moderate priority weed species as per the Forest-wide Weed EA will be removed. High and selected moderate priority species from the Weed EA include:

  Perennial pepperweed (*Lepidium latifolium*)
  Salt cedar (*Tamarix* spp.)
  Bouncing bet (*Saponaria officinalis*)
  Hoary cress (*Cardaria* spp.)
  Russian knapweed (*Acroptilon repens*)
  Spotted knapweed (*Centaurea maculosa*)
  Spanish broom (*Spartium junceum*)
  Dalmatian toadflax (*Linaria genistifolia* ssp. *dalmatica*)
  Birdfoot trefoil (*Lotus corniculatus*)
  White sweet clover (*Melilotus alba*)
  Russian olive (*Elaeagnus angustifolius*)

Tree of Heaven (*Ailanthus altissima*)
Bull thistle (*Cirsium vulgare*)
Halogeton (*Halogeton glomeratus*)

Silviculture Design Features

Upper Mountain Prescription

- Remove all standing dead trees of any size which pose a hazard to JMSA employees and users.
- Remove actively infested trees of any size wherever practical, and especially in areas of importance to ski area operations and aesthetics. Actively infested tree boles should be removed at least 2 miles outside of susceptible forested areas, to prevent further beetle spread. Removal of Mountain Pine Beetle infested trees to the ski area parking lot is sufficient distance from host material. Removal of materials to other non-host locations would also be acceptable.
- Remove encroaching trees up to 30 inch dbh to restore/maintain meadow conditions.
- Thin stands to an average leave basal area of 80 to 120 sq. ft. /ac. Poorer quality sites would be thinned to lower basal areas and better quality sites would be thinned to higher basal areas. Thinning would occur from below, removing suppressed, intermediate, and a sufficient number of co-dominant trees to achieve desired leave basal area. Since larger diameter trees are preferred by mountain pine beetles, smaller and younger lodgepole pine and whitebark pine should be considered for retention over larger diameter trees expressing poor vigor. For all stands, the vast majority of trees to be removed would be in the 6 to 16 inch dbh range. Relatively few trees in the 16 to 20 inch dbh range would be removed, and no trees over 20 inches dbh would be removed in this part of the Upper Mountain prescription.
- While the overall appearance of the ski area should remain forested, leave tree distribution should vary significantly, with occasional, variably-sized open patches blending in with tree patches of varying size and density.
- All woody material generated from tree removal operations should be utilized or treated so as not to contribute to existing surface fuels load. Limbs, tops, and other material not removed from the site should be either chipped or piled for burning. Excessive pre-existing down material should also be removed or treated as slash.
- Unless slash is to be immediately chipped, all tree cutting operations should be conducted in late summer and fall months (August – September), to minimize the risk of *Ips* beetles during the subsequent growing season.
- Small areas of very low-intensity natural or prescribed fire would be beneficial in reducing surface fuels and maintaining the more open forest structure created via thinning operations.

Lower Mountain Prescription

- Remove all standing dead trees of any size which pose a hazard to JMSA employees and users.
- Remove actively infested trees of any size wherever practical, and especially in areas of importance to ski area operations and aesthetics. Actively infested tree boles should be removed at least 2 miles outside of susceptible forested areas, to prevent further beetle spread.
- Thin stands to an average leave basal area of 80 to 120 sq. ft. /ac. using applicable Sierran mixed conifer management strategies suggested by North et al. 2009. Poorer quality sites would be thinned to lower basal areas and better quality sites would be thinned to higher basal areas. Favor shade-intolerant tree species (pine and aspen) over shade-tolerant tree species (white fir). Since larger diameter trees are preferred by mountain pine beetles, smaller and younger lodgepole pine should be considered for retention over larger diameter trees expressing poor vigor. For all stands, the vast majority of trees to be removed would be in the 6 to 16 inch dbh range. Relatively few trees in the 16 to 20 inch dbh range would be removed, and no trees over 20 inches dbh would be removed unless they are dead posing a danger, or

currently infested. White fir trees 20 to 30 inches in dbh may also be removed when their presence inhibits the growth, resilience, and sustainability of pine and aspen.
- While the overall appearance of the ski area should remain forested, leave tree spatial distribution should vary significantly, with occasional, variably-sized open patches blending in with tree patches of varying age, size, and density (see North et al. 2009).
- All woody material generated from tree removal operations should be utilized or treated so as not to contribute to existing surface fuels load. Limbs, tops, and other material not removed from the site should be either chipped or piled for burning. Excessive pre-existing down material should also be removed or treated as slash.
- Unless slash is to be immediately chipped, all tree cutting operations should be conducted in late summer and fall months (August – September), to minimize the risk of *Ips* beetles during the subsequent growing season.
- Small areas of very low-intensity natural or prescribed fire would be beneficial in reducing surface fuels and maintaining the more open forest structure created via thinning operations.

Wildlife

The following would be applied to all projects to protect wildlife activity and habitat.

- Cutting of snags should not occur during the nesting period for cavity dependent species (April 15 – July 15).
- Retain up to 3 large snags per acre where it won't reduce the efficacy of fuels or suppression treatments.
- No more than 25 percent of the project area should be treated in any year to provide refugia for resident wildlife species.

Heritage Resources

The following would be applied to all projects to protect Heritage Resources.

- Known sites will be flagged by a Heritage Resource Specialist and avoided during project implementation.
- If any unknown historic property is found during project implementation, it will be necessary to halt work until the locality can be evaluated by a Heritage Resource Specialist.

Air/Soil/Water Resources

The following criteria would be applied to all projects to protect air, soil and hydrologic resources.

- Consider over snow skidding to prevent soil compaction and minimize soil disturbance and displacement. Commence operations when snow depth is at least 15 inches of compacted snow.
- Designate landings outside of RCA's prior to skidding operations.
- Consider chipping and spreading material on disturbed areas and provide ground cover in whitebark pine areas. Mechanized equipment shall not be used when wet weather operations or wet soil conditions would adversely affect soil porosity, hydrologic function and runoff potential. Mechanized equipment shall be used when the soil is dry to at least 6 inches, considering local soil conditions) or in consultation with Forest Watershed specialist.
- Remove lodgepole pine from identified meadows. Large lodgepole should be removed using over snow equipment. If slash is piled for burning, establish piles at least 25 feet from any watercourse or 100 feet from 100-year floodplain areas. Chipped material will not be

discharged to waterbodies or deposited in locations where such material may discharge to a waterbody.

- All areas disturbed by timber harvest and vegetation management activities must be stabilized at the conclusion of operations or before the winter period. Revegetate disturbed areas, especially ski runs, following the Region 5 Native Plant Policy (June 1994).
- All applicable Best Management Practices (BMPs) for timber management, vegetative manipulation and fuels management practices would be implemented.

Recreation and Visual Resources

- Meet or exceed Partial Retention VQO for runs, lifts, and base areas as seen from middle ground distances from Sensitivity Level 1 routes and occupancy sites.
- Maintain activities and developments at levels which meet the Rural ROS class criteria.

Anticipated Activities

In order to achieve stated future desired conditions, some degree of vegetation manipulation is expected to occur. This will mainly involve removal of trees and brush to reduce both horizontal and vertical continuity. From previously implemented projects with similar objectives, it is expected future proposed activities would involve a combination of understory thinning of standing live and dead trees, pruning of limbs, mastication of brush, piling of project generated slash and existing dead and down woody material, and disposal of slash and other material through on-site pile burning, broadcast burning and/or chipping. Merchantable portions of trees cut may be made available for public fuelwood collection, or sold to a purchaser/contractor. All of these activities are expected to include some combination of mechanical equipment and hand tools. Sporax, a borax fungicide used for the control of annosus root disease, would be used on Jeffrey pine stumps greater than 14 inches diameter.

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SIERRA NEVADA CONSERVANCY
SNC Watershed Improvement Program - DETAILED BUDGET FORM

Project Name: JUNE MOUNTAIN SKI AREA WHITEBARK PINE RESTORATION PROJECT

Applicant: California Trout

SECTION ONE **DIRECT COSTS**	**Year One**	**Year Two**	**Year Three**	**Year Four**	**Year Five**	**Total**
Project Management Costs	$10,000.00	$10,000.00	$6,000.00			$26,000.00
Site Restoration Work Costs	$122,000.00	$303,000.00	$0.00			$425,000.00
Project Equipment, Building, Land purchases	$0.00	$0.00	$0.00			$0.00
Project Materials & Supplies Purchased	$0.00	$0.00	$0.00			$0.00
DIRECT COSTS SUBTOTAL:	$132,000.00	$313,000.00	$6,000.00	$0.00	$0.00	$451,000.00

SECTION TWO **PARTIAL INDIRECT COSTS**	**Year One**	**Year Two**	**Year Three**	**Year Four**	**Year Five**	**Total**
Monitoring						$0.00
Publications, Printing, Public Relations						$0.00
Reporting, Perf Measures, Invoice Billings	$6,000.00	$6,000.00	$3,000.00			$15,000.00
INDIRECT COSTS SUBTOTAL:				$0.00	$0.00	$15,000.00
PROJECT TOTAL:	$132,000.00	$313,000.00	$6,000.00	$0.00	$0.00	$466,000.00

SECTION THREE **Administrative Costs (Costs may n*ot exceed 15% of the above listed Project costs*) :**						**Total**
Overhead @ 7.5% direct costs						$33,930.00
ADMINISTRATIVE TOTAL:	$0.00	$0.00	$0.00	$0.00	$0.00	$33,930.00
SNC TOTAL GRANT REQUEST:	$132,000.00	$313,000.00	$6,000.00	$0.00	$0.00	$499,930.00

SECTION FOUR **OTHER PROJECT CONTRIBUTIONS**	**Year One**	**Year Two**	**Year Three**	**Year Four**	**Year Five**	**Total**
List other funding or in-kind contibutors to project (i.e. Sierra Business Council, Department of Water Resources, etc.)						
Mammoth Mountain Ski Area	$4,000.00	$4,000.00	$2,000.00	$2,000.00	$2,000.00	$14,000.00
US Forest Service	$20,000.00	$20,000.00	$6,303.00	$20,000.00	$20,000.00	$86,303.00
NFWF (intend to apply) for expanded project area		$500,000.00				$500,000.00
CalFire, CA DFW etc (intend to apply for subsequent phase			$350,000.00	$350,000.00		$700,000.00
Total Other Contributions:	$24,000.00	$524,000.00	$358,303.00	$372,000.00	$22,000.00	$1,300,303.00

NOTE: The categories listed on this form are examples and may or may not be an expense related to the project. Rows may be added or deleted on the form as needed. Applicants should contact the SNC if questions arise.

Added to File 4/1/2016 (PE) 4 pages

Appendix F - CEQA/NEPA Compliance Form

(California Environmental Quality Act & National Environmental Policy Act)

Instructions: All applicants must complete the CEQA compliance section. Check the box that describes the CEQA status of the proposed project. You must also complete the documentation component and submit any surveys, and/or reports that support the checked CEQA status.

If NEPA is applicable to your project, you must complete the NEPA section in addition to the CEQA section. Check the box that describes the NEPA status of the proposed project. Submit any surveys, and/or reports that support the NEPA status. For both CEQA and NEPA, submittal of permits is only necessary if they contain conditions providing information regarding potential environmental impacts.

NOTE: Effective July 1, 2015, AB52 compliance is required.

CEQA STATUS

(All applicants must complete this section)

Check the box that corresponds with the CEQA compliance for your project. The proposed action is either Categorically Exempt from CEQA, requires a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report per CEQA.

■ Categorical Exemption or Statutory Exemption

If a project is exempt from CEQA, all applicants, including public agencies that provide a filed Notice of Exemption, are required to provide a clear and comprehensive description of the physical attributes of the project site, including potential and known special-status species and habitat, in order for the SNC to make a determination that the project is exempt. A particular project that ordinarily would fall under a specific category of exemption may require further CEQA review due to individual circumstances, i.e., it is within a sensitive location, has a cumulative impact, has a significant effect on the environment , is within a scenic highway, impacts an historical resource, or is on a hazardous waste site. Potential cultural/archaeological resources must be noted, but do not need to be specifically listed or mapped at the time of application submittal. Backup data informing the exemption decision, such as biological surveys, Cultural Information Center requests, research papers, etc. should accompany the full application. Applicants anticipating the SNC to file an exemption should conduct the appropriate surveys and submit an information request to an office of the California Historical Resources Information System (CHRIS).

1. Describe how your project complies with the requirements for claiming a Categorical or Statutory Exemption per CEQA:

   CalTrout is requesting that SNC undertake the NEPA/CEQA crosswalk using the EA Decision from the Inyo National Forest. We believe the CE will meet the CEQA requirement based on the analysis within the Inyo National Forest's Decision.

2. If your organization is a state or local governmental agency, submit a signed, approved Notice of Exemption (NOE) documenting the use of the Categorical Exemption or Statutory Exemption, along with any permits, surveys, and/or reports that have been completed to support this CEQA status. The Notice of Exemption must bear a date stamp to show that it has been filed with the State Clearinghouse and/or County Clerk, as required by CEQA.
3. If your organization is a nonprofit, there is no other California public agency having discretionary authority over your project, and you would like the SNC to prepare a NOE for your project, let us know that and list any permits, surveys, and/or reports that have been completed to support the CEQA status. All supplementary documentation must be provided to the SNC before the NOE can be prepared.

☐ **Negative Declaration OR**
☐ **Mitigated Negative Declaration**

If a project requires a Negative Declaration or Mitigated Negative Declaration, then applicants must work with a qualified public agency, i.e., one that has discretionary authority over project approval or permitting, to complete the CEQA process.

1. Describe how your project complies with the requirements for the use of a Negative Declaration or a Mitigated Negative Declaration per CEQA:

2. Submit the approved Initial Study and Negative Declaration/Mitigated Negative Declaration along with any Mitigation Monitoring or Reporting Plans, permits, surveys, and/or reports that have been completed to support this CEQA status. The IS/ND/MND must be accompanied by a signed, approved Notice of Determination, which must bear a date stamp to show that it has been filed with the State Clearinghouse and/or County Clerk, as required by CEQA.

☐ **Environmental Impact Report**

If a project requires an Environmental Impact Report, then applicants must work with a qualified public agency, i.e., one that has discretionary authority over project approval or permitting, to complete the CEQA process.

1. Describe how your project complies with the requirements for the use of an Environmental Impact Report per CEQA:

2. Submit the Draft and Final Environmental Impact Report along with any Mitigation Monitoring or Reporting Plans, permits, surveys, and/or reports that have been completed to support this CEQA status. The EIR documentation must be accompanied by a signed, approved Notice of Determination, which must bear a date stamp to show that it has been filed with the State Clearinghouse and/or County Clerk, as required by CEQA.

NEPA STATUS

Check the box that corresponds with the NEPA compliance for your project.

☐ **Categorical Exclusion**
Submit the signed, approved Decision Memo and Categorical Exclusion, as well as documentation to support the Categorical Exclusion, including any permits, surveys, and/or reports that have been completed to support this NEPA status.

■ **Environmental Assessment & Finding of No Significant Impact**
Submit the signed, approved Environmental Assessment and Finding of No Significant Impact along with any permits, surveys, and/or reports that have been completed to support this NEPA status.

☐ **Environmental Impact Statement**
Submit the Draft and approved, Final Environmental Impact Statement, along with the Record of Decision and any permits, surveys, and/or reports that have been completed to support this NEPA status.

The Sierra Nevada Conservancy will be the lead agency for CEQA for the proposed project.

Brief Description of NEPA Status:

The June Mountain Ski Area Vegetation Management Planning Project Environmental Assessment was made available for review on April 19th, 2012 and initiated the 30-day objection period. The objection period ended May 21, 2012. No objections were filed. The Decision Notice and Finding of No Significant Impact was signed by Jon C. Regelbrugge, District Ranger, on June 8th, 2012.

The project is available for implementation as funding becomes available.

Below are the following documents:

1. Decision Notice and Finding of No Significant Impact

2. Environmental Assessment, June Mountain Ski Area, Vegetation Management Planning Project

USDA

DECISION NOTICE

AND

FINDING OF NO SIGNIFICANT IMPACT

JUNE MOUNTAIN SKI AREA VEGETATION MANAGEMENT PLANNING PROJECT

U.S. FOREST SERVICE

INYO NATIONAL FOREST

MONO LAKE RANGER DISTRICT

MONO COUNTY, CALIFORNIA

I have reviewed the June Mountain Vegetation Management Planning Project EA and supporting analyses in the project record, including documents incorporated by reference, and fully understand environmental effects disclosed therein. I have also considered comments submitted during public scoping for this project. Comments received during the scoping period with responses are available in the project record.

DECISION RATIONALE

Based upon my review of the June Mountain Vegetation Management Planning Project Environmental Assessment (EA) which documents the environmental analysis and conclusions upon which this decision is based, I have decided to implement Alternative 2, Proposed Action (EA pgs. 4-10). My reasons for this decision are based on the purpose and need for the June Mountain Vegetation Management Planning Project which includes the following:

- Decrease the risk of catastrophic wildland fire for neighborhoods and developed recreation sites adjacent to June Mountain, and increase safety of residents, recreationists, and firefighters working to protect human life and property while suppressing wildfires. All fuels reduction and restoration treatments are located on National Forest System lands within Wildland Urban Intermix (WUI) urban core and defense zones. The Mono County Community Wildfire Protection Plan (2009) identifies this area as having very high wildfire hazard and high priority for fuels reduction treatment.

- Implement fuels reduction treatments designed to meet desired conditions for WUI urban core and defense zones. The desired condition as outlined in the Sierra Nevada Forest Plan Amendment (2004) is designed to reduce wildfire spread and intensity and includes: promoting fairly open forests and dominated primarily by larger, more fire tolerant trees; surface and ladder fuel conditions such that crown fire ignition is highly unlikely; and openness and discontinuity of crown fuels, both horizontally and vertically, resulting in very low probability of sustained crown fire.

- This project would promote the long-term health and resilience of forest vegetation within the June Mountain Ski Area (JMSA) area of operations and provide for greater visitor safety from hazardous forest conditions. JMSA averages over 70,000 visitors annually, primarily to engage in alpine skiing. The alpine skiing experience is highlighted by outstanding skier facilities and amenities and excellent snow conditions, all in a visually attractive forested mountain setting. As a permittee authorized to operate on the national forest, JMSA must provide for visitor safety in all its permitted operations.

- Fuels reduction treatments also meet the intent of CA Public Resources Code 4291 for creating 100-foot defensible space surrounding private property with homes and other developed sites with structures.

- Proposed treatments would reduce threat of stand-replacing wildfire and thereby protect healthy forest conditions for multiple resource benefits, such as recreation, water quality, wildlife habitat, carbon sequestration and visual aesthetics.

- Successful fire suppression over the past 70-plus years has precluded wildfire disturbance from forested areas proposed for treatment. Vegetation management within JMSA, which has operated under permit since 1961, has been limited to removal of standing dead trees deemed a hazard to visitors and other tree removal associated with facility expansion and improvement. Without periodic wildfire disturbance, trees and shrubs have grown unnaturally dense and heavy ground fuels have accumulated. As a result, there are high fuel loads under current conditions, including dense tree canopies in forested areas, and smaller trees and dead materials in the forest understory which have potential to carry fire into the crowns of larger trees. As a consequence of high fuel loads within WUI, there is inadequate defensible space between most ski area facilities, or private land and other developments, which are adjacent to areas proposed for fuels reduction treatments.

- Restoring functional ecosystems is needed. Proposed whitebark pine restoration treatment is intended to maintain and enhance high elevation pine stands. Efforts to reduce the effects of Mountain Pine Beetle (*Dendroctonus ponderosae*), and fire exclusion should result in more resilient stands less sensitive to future climatic trends. Reintroduction of fire will promote Clark's nutcracker seed caching sites, improving natural regeneration potential. Aspen restoration treatments to remove or reduce conifer presence in both the understory and overstory will enhance aspen regeneration by improving environmental conditions to allow suckering to occur, and to reduce the risk of stand loss. Removal of encroaching conifers from within the perimeter of meadows will result in restoring higher water tables more conducive for meadow vegetation and functionality.

ALTERNATIVES CONSIDERED

I did not select Alternative 1 (No Action) as it would not meet the purpose and need, as no fuels reduction or restoration treatments would occur. This would leave neighborhoods in June Lake and other developed recreation sites at high risk of future catastrophic wildfire. Dense stand conditions would remain, contributing to decreased forest health, compromised ecosystem functionality and

forested stands susceptible to insect and disease.

PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the Inyo National Forest Schedule of Proposed Actions and updated periodically since January 2010. On December 16, 2010, a letter inviting parties to review and comment on the proposal was sent to 26 individuals, agencies and organizations, including Lahontan RWQCB, CA Dept. of Fish and Game and US Fish and Wildlife Service. This letter provided notification the analysis would proceed under the Healthy Forest Restoration Act (HFRA) of 2003 authority. A press release was distributed to local newspapers and radio stations on December 15, 2010.

Previous to this scoping effort, the Forest made two public contacts with potential stakeholders. On September 7, 2010, a presentation was made at a meeting of the June Lake Community Action Committee/Fire Safe Council as an advanced notification an environmental analysis for this project was going to proceed under HFRA authority. On September 29, 2010 a news release was distributed to local media and posted locally around the June Lake community publicizing a field trip to be held October 14, 2010 at the ski area. This meeting was attended by representatives from June Mountain Ski Area, June Lake Chamber of Commerce, Friends of the Inyo, the Silver Lake Recreation Cabin Tract and members of the June Lake community.

Official Tribal consultation letters were sent via certified mail on April 22, 2010 to five Native American tribes (nine contacts). No concerns or issues were raised. This was performed pursuant to the American Indian Religious Freedom Act of 1978, Executive Order 13007 (1996), and under Section 101(d) (6) of the National Historic Preservation Act of 1966 (as amended), where Tribal consultation occurs during the earliest planning phases at the government to government level. Tribal consultation documentation is on file.

Two comment letters were received in response to the scoping letter. No significant issues were raised, therefore no alternatives other than the proposed action and no action alternative were developed and analyzed. Three minor issues were identified and the original proposed action was altered and incorporated into project design criteria (EA pgs. 10-14). A list of comments received and responses to those comments are documented in the project file and in Appendix C (EA pgs. 37-38).

The legal notice which provided notification the EA was available for review and initiated the 30-day objection period was published in the Inyo Register on April 19, 2012. Copies and/or notification of EA availability was sent to 26 individuals and organizations. An electronic copy of the EA was made available via the Inyo National Forest website. The objection period ended on May 21, 2012. No objections were filed.

FINDING OF NO SIGNIFICANT IMPACTS

I have determined this project is not a major Federal action which would significantly affect the quality of the human environment considering the context and intensity of potential impacts (40 CFR 1508.27). Therefore an Environmental Impact Statement is not required. This determination was made considering the following factors:

1. *Beneficial and adverse impacts*:

Mitigations and management requirements designed to reduce potential for adverse impacts were incorporated into the proposed action (i.e. Best Management Practices, Inyo National Forest LMRP (USDA Forest Service 1988), as amended by the Sierra Nevada Forest Plan Amendment (USDA Forest Service 2004), etc.). These mitigations and management requirements would minimize or eliminate potential adverse impacts caused by fuels reduction and restoration treatments. Analysis prepared in support of this document considered both beneficial and adverse effects, but all effects determinations were made on the basis of only adverse effects. None of the potential adverse effects of the proposed action would be significant, even when considered separately from beneficial effects which occur in conjunction with those adverse effects (EA pgs. 16-22).

2. *Degree to which the Proposed Action affects public health or safety*:

There will be no significant effects on public health and safety. Forest restoration and fuels reduction treatments are designed to decrease intensity of future wildland fires and risk of crown fires in treated areas. These types of treatments have been documented as effective in decreasing severity of wildfires and modifying fire behavior so crown fires were not sustained within treated areas during actual wildland fires (EA page 22). There would be improved public and firefighter safety, as treatments are intended to slow the rate of spread, reduce fire intensity and modify fire behavior so crown fire would not be sustained in treated areas. This would increase the chances fire suppression crews could safely and effectively make a stand to control wildfires. Smoke and air quality effects have been minimized using design features to ensure dissipation and transport of smoke away from populated areas, and by design of burning to comply with Great Basin Unified Air Pollution Control District guidelines of daily PM_{10} emissions. Implementation of the Proposed Action would be governed by standard public health and safety contract clauses, when work would be completed under contract (EA pg. 23).

3. *Unique character of the geographic area*:

There are no parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas within the project area. The project area is completely outside of designated wilderness. There are wetlands and Inventoried Roadless Areas, and treatments have been designed to avoid adverse effects to these features.

Protection of cultural resources has been incorporated into the proposed action and will follow stipulations in the Programmatic Agreement between Forests of the Sierra Nevada and the California State Historic Preservation Office. Treatment methods will be designed with Standard Resource Protection Measures (SRPM), such as flagging and avoiding of sites and non-mechanical, manual release (handwork) to remove fuels within site boundaries. Information regarding field surveys and management recommendations for heritage resource sites and features are contained in the Cultural Report for the June Mountain Ski Area Vegetation Management Planning Project (EA pg. 21). By following these recommendations and SRPM as outlined in the PA, it was determined there would be no adverse effect to cultural resources from implementing the proposed action alternative.

4. *Degree to which effects on the human environment are likely to be highly controversial*:

The proposed project follows management direction in the Inyo National Forest Land and Resource Management Plan (USDA Forest Service 1988), as amended by the 2004 Sierra Nevada Forest Plan Amendment (USDA Forest Service 2004). Potential adverse effects have been minimized to the point where there are few effects to draw controversy. Public involvement efforts did not reveal any significant issues or any other significant controversies regarding environmental effects of this proposal. Based on comments from the public and the analysis of effects by an interdisciplinary team of Forest Service specialists, there are no significant effects expected to quality of the human environment from implementing either of the alternatives, including the proposed action alternative.

5. *Degree to which possible effects on the human environment are highly uncertain or involve unique of unknown risks*:

The proposed project follows management direction in the Inyo National Forest Land and Resource Management Plan (USDA Forest Service 1988), as amended by the 2004 Sierra Nevada Forest Plan Amendment (USDA Forest Service 2004). It implements management requirements designed to reduce potential for adverse effects. Local expertise in implementation of these types of projects minimizes chance of highly uncertain effects or effects which involve unique or unknown risks. Proposed activities are routine in nature, employing standard practices and protection measures, and their effects are generally well known. The proposed action is similar to the June Lake Fuelbreak, timber stand improvement projects and associated fuel reduction treatments within the Jeffrey pine forest east, south and adjacent to the project area which began in 1975 and will continue being implemented.

6. *Degree to which this action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration*:

The June Mountain Ski Area Vegetation Management Plan Project represents a site-specific project which does not set precedence for future decisions with significant effects or present a decision in principle about future considerations. Any future decisions would require a site-specific analysis to consider all relevant scientific and site-specific information available. These activities are in accordance with the best available science to manage forest health, fuels and fire behavior at this time.

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

A cumulative effect is the consequence on the environment which results from incremental effect of an action when added to effects of other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes these other actions and regardless of land ownership on which these actions occur. A cumulative effects analysis was completed separately for each resource area. None of the resource specialists found potential for significant adverse cumulative effects (EA pgs. 25-31).

8. *Degree to which this 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*:

It was determined there would be no effect to cultural resources from implementing this project. Design features will ensure there are no adverse effects to districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places and will ensure there will be no loss or destruction of cultural or historic resources (EA pg. 31).

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

There are no federally listed threatened or endangered wildlife or plant species known to occur or have suitable habitat (including critical habitat) within the project area. There would be no effect to federally listed threatened or endangered wildlife or plant species or critical habitat from implementation of the proposed action (EA pg. 31).

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

The proposed action would not threaten a violation of Federal, State, or local law, or requirements imposed for the protection of the environment. The proposed action is consistent with the Healthy Forest Restoration Act (HFRA), National Environmental Policy Act (NEPA), National Forest Management Act (NFMA), Endangered Species Act (ESA), Clean Water Act, and the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act of 1978, Executive Order 13007 (1996), under Section 101(d)(6) of the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act (as amended), and in accordance with Sections 101(d)(6)(B) and 110(a)(2) of NHPA, the American Indian Religious Freedom Act (as amended), the Native American Graves Protection and Repatriation Act, Executive Order 13007, Executive Order 13175, and 36 CFR §800.2(c). The proposed action is fully consistent with the Inyo National Forest Land and Resource Management Plan (USDA Forest Service 1988), as amended by the Sierra Nevada Forest Plan Amendment (USDA Forest Service 2004). In addition, it is in compliance with California Public Resources Code 4291 for creating 100-foot wildfire defensible space.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Inyo National Forest Land Management Plan as amended by the Sierra Nevada Forest Plan Amendment. The project was designed in conformance with the Healthy Forest Restoration Act.

A Finding of No Significant Impact (FONSI) and EA were considered. I determined these actions will not have a significant effect on the quality of the human environment, and an Environmental Impact Statement (EIS) will not be prepared.

OBJECTIONS UNDER THE HEALTHY FOREST RESTORATION ACT

This project is consistent with the Healthy Forest Restoration Act (HFRA) of 2003 (P.L. 108-248). Thus, it is not subject to notice, comment, and appeal procedures of 36 CFR 215. A letter outlining the objection process and availability of the EA was sent to 26 individuals and organizations which expressed interest in the project during scoping. A legal notice providing notification of the availability of the EA for review and which initiated the objection period was published in the Inyo Register on April 19, 2012. April 20, 2012 began the 30-day objection period. In accordance with 36 CFR 218, subpart A, the objection period was extended because the 30-calendar day period expired on Saturday May 19, 2012. Therefore the Inyo National Forest accepted objections to the EA through the next Federal working day, Monday May 21, 2012. No objections were received.

IMPLEMENTATION DATE

In accordance with 36 CFR 218, subpart A, implementation of this decision may begin immediately after it is executed.

CONTACT

For additional information concerning this decision, contact me at: Mammoth Ranger Station, P.O. Box 148, Mammoth Lakes, CA93546; 760.924.5553; or email: jregelbrugge@fs.fed.us.

Jon C. Regelbrugge 6/8/12

JON C. REGELBRUGGE Date
District Ranger, Mammoth and Mono Lake RD

Environmental Assessment

June Mountain Ski Area

Vegetation Management Planning Project

USDA Forest Service, Inyo National Forest
Mono Lake Ranger District
Mono County, California

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(3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. 23

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(5) Degree to which possible effects on the human environment are highly uncertain or involve unique or unknown risks. 25

(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. 25

(7) Whether this action is related to other actions with individually insignificant but cumulatively significant impacts. 25

(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. 31

(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. 31

(10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. 32

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Introduction

The USDA Forest Service has prepared this Environmental Assessment (EA) in compliance with the National Environmental Policy Act (NEPA). This Environmental Assessment discloses direct, indirect, and cumulative environmental impacts which would result from the proposed action. Additional documentation, including more detailed analyses of the project-area resources referenced in this document can be found in the Project Planning Record located at the Mammoth Ranger District Office, in Mammoth Lakes, CA.

The project area is located within the June Mountain Ski Area (JMSA) special use permit boundary, adjacent to the community of June Lake and is designed to tie into existing and planned fuel reduction projects (Figure 1).

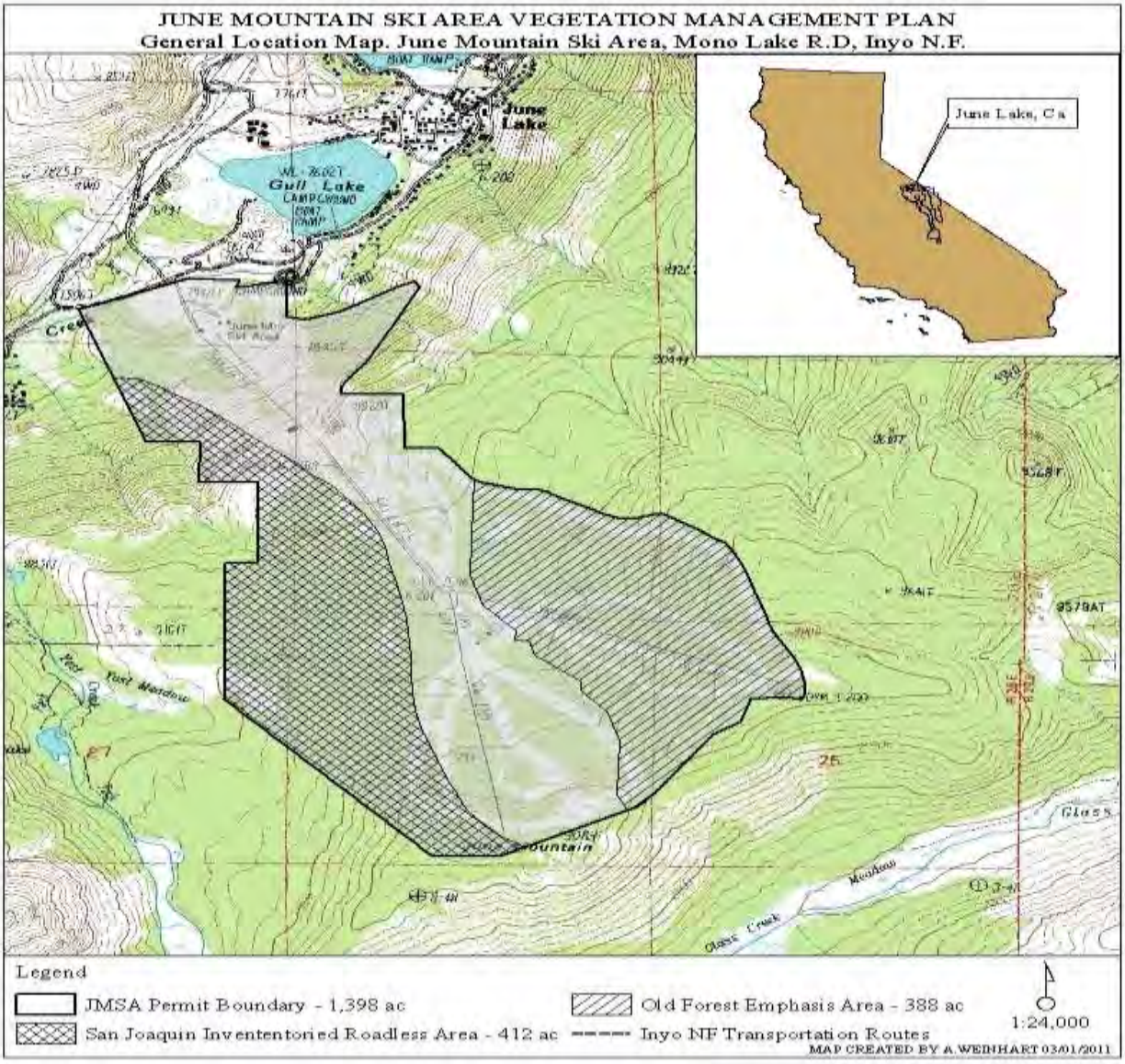

Figure 1. Project Location Map including San Joaquin IRA and Old Emphasis Land Allocation overlap with Project Area Boundary.

This project is authorized under the Healthy Forest Restoration Act (Public Law 108-148). June Lake is an at-risk community and the Community Wildfire Protection Plan (CWPP) community hazard rating is Very High, (Mono Co. 2009).

Purpose and Need

The purpose of this project is to reduce hazardous fuels and promote resilient forest vegetation conditions which are consistent with existing permitted alpine skiing operations. The Inyo National Forest Land and Resource Management Plan (LRMP, 1988), as amended by the Sierra Nevada Forest Plan Amendment (SNFPA, 2004) and the Healthy Forests Restoration Act (HFRA, 2003) provide direction to the Forest Service in the areas of hazardous fuels reduction and vegetation management. National Forest System lands adjoining or in close proximity to communities, homes, and other developed areas, called the Wildland-Urban Intermix (WUI) zone, are the highest priority areas for hazardous fuels reduction treatments. The Mono County Community Wildfire Protection Plan (CWPP) also recommends fuels reduction treatments in these WUI areas. This project is entirely located within the June Lake Loop WUI and the specific fuels and vegetation treatments are designed to comply with direction found in the LRMP-SNFPA and HFRA.

Proposed fuels reduction treatments are intended to decrease flame lengths and intensity of future wildland fires within treated areas, and increase safety of residents, recreationists, and firefighters working to protect human life and property while suppressing wildfires. Forest vegetation would be dominated by larger, more fire tolerant trees, with reduced surface and ladder fuel conditions so a large-scale, high-intensity wildfire would be unlikely to occur.

June Mountain Ski Area (JMSA) averages over 70,000 visitors annually, primarily to engage in alpine skiing. The alpine skiing experience is highlighted by outstanding skier facilities and amenities and excellent snow conditions, all in a visually attractive forested mountain setting. As a permittee authorized to operate on the national forest, JMSA must provide for visitor safety in all its permitted operations. This project would promote the long-term health and resilience of forest vegetation within the JMSA area of operations and provide for greater visitor safety from hazardous forest conditions.

The SNFPA-FSEIS specifies forested areas within WUI zones be managed so forests are fairly open and dominated primarily by larger, fire tolerant trees; surface and ladder fuel conditions are such that crown fire ignition is highly unlikely; and openness and discontinuity of crown fuels, both horizontally and vertically, result in very low probability of sustained crown fire.

Proposed fuels reduction treatments are intended to decrease flame lengths and intensity of future wildland fires within treated areas, and increase the safety of residents, recreationists, and firefighters working to protect human life and property while suppressing wildfires. In addition, proposed treatments would reduce threat of stand-replacing wildfire, and thereby protect healthy forest conditions for multiple resource benefits, such as recreation, water quality, carbon sequestration and visual aesthetics.

This action is needed because successful fire suppression over the past 70-plus years has precluded wildfire disturbance from “naturally thinning” the forested areas proposed for treatment. Vegetation management within JMSA, which has operated under permit since 1961, has been limited to removal of standing dead trees deemed a hazard to visitors and other tree removal associated with facility expansion and improvement. Without periodic wildfire disturbance, trees and shrubs have grown unnaturally dense and ground fuels have accumulated. As a result, there are high fuel loads under current conditions, including dense tree canopies in forested areas, and smaller trees and dead materials in the forest understory which

have potential to carry fire into the crowns of larger trees. These are fuel conditions which can quickly lead to wildland fires escaping initial containment efforts. Escaped wildfires have potential for becoming high-intensity, stand-replacing burns, which are both difficult and dangerous to control. This type of fire behavior was exhibited in proximity to the project area during the June Fire of 2007. As a consequence of high fuel loads within WUI, there are inadequate defensible spaces between most ski area facilities, or adjacent private land and other developments, which are adjacent to areas proposed for fuels reduction treatments.

Fuels reduction is only part of the need for treating stands. Restoring functional ecosystems is needed. Proposed whitebark pine restoration treatment is intended to maintain and enhance high elevation pine stands. Efforts to reduce the effects of Mountain Pine Beetle (*Dendroctonus ponderosae*), and fire exclusion should result in more resilient stands less sensitive to future climatic trends. Reintroduction of fire will promote Clark's nutcracker seed caching sites, improving natural regeneration potential. Aspen restoration treatments to remove or reduce conifer presence in both the understory and overstory will enhance aspen regeneration by improving environmental conditions to allow sprouting to occur, and to reduce the risk of stand loss. Removal of encroaching conifers from within the perimeter of meadows will result in restoring higher water tables more conducive for meadow vegetation and functionality.

When properly accomplished, stand thinning has long-term effects on stand sustainability, not only with respect to fire, but with respect to nutrient cycling, species composition, wildlife habitat, watershed function, and resiliency to insects and drought (Keeley et al. 2009; Noss et al. 2006; Parker et al. 2006). While there is some probability these areas may not be impacted by a high severity fire, it does not negate the fact stand densities will be reduced to levels more characteristic of fire-adapted and fire-resilient forests. It also does not negate the fact stand density reductions will increase resilience of treated stands to water stress (and myriad secondary stressors), which takes on progressively greater importance as California climates continue to warm (Miller et al. 2009).

Public Involvement

The June Mountain Vegetation Management Planning Project has been listed in the Inyo National Forest Schedule of Proposed Actions (SOPA) since January 2010 and updated periodically during this analysis. Several parties requested inclusion on the project mailing list. On December 16, 2010, a letter initiating scoping and requesting comments on the proposed action described in the June Mountain Ski Area Vegetation Management Plan was sent to 26 individuals, agencies and organizations, including Lahontan RWQCB, CA Dept. of Fish and Game and US Fish and Wildlife Service. A press release was distributed to local newspapers and radio stations on December 15, 2010.

Two comment letters were received as a result of scoping. Issues were identified from comments received and described below and in Appendix C. As a result, Lahontan's recommendations have been incorporated into project design criteria. Comment letters are on file in the project record.

Previous to this scoping effort, the Forest made two public contacts with potential stakeholders. On September 7, 2010, a presentation was made at a meeting of the June Lake Community Action Committee/Fire Safe Council as an advanced notification an environmental analysis for this project was going to proceed under the Healthy Forest Restoration Act (HFRA) authority. On September 29, 2010 a news release was distributed to local media and posted locally around the June Lake community publicizing a public field trip to be held October 14, 2010 at the ski area. This meeting was attended by representatives from June Mountain Ski Area, June Lake Chamber of Commerce, Friends of the Inyo, the Silver Lake Recreation Cabin Tract and members of the June Lake community.

Prior to initiating public scoping, Native American tribes were consulted about this project and no concerns or issues were raised. This was performed pursuant to the American Indian Religious Freedom Act of 1978, Executive Order 13007 (1996), and under Section 101(d) (6) of the National Historic Preservation Act of 1966 (as amended), where Tribal consultation occurs during the earliest planning phases at the government to government level. Official consultation letters were sent via certified mail on April 22, 2010 to five Native American tribes (nine contacts). Tribal consultation documentation is on file.

Issues

An issue, as it relates to the NEPA process, is a point of disagreement, debate, or dispute with the proposed action based on some anticipated effect. There were three issues identified from consultation and scoping comments and listed below:

1. The Vegetation Management Plan's existing conditions section for soil and water resources should be revised to be consistent with spring 2011 field observations and June Mountain Ski Area Waste Discharge Requirements (WDRs) regulating storm water runoff and soil erosion.
2. Revise the Vegetation Management Plan's desired soil and water resource conditions to be consistent with WDRs.
3. A portion (412 acres) of the ski area lies within the San Joaquin Inventoried Roadless Area (IRA). This was an internally generated issue.

Each of these issues is analyzed in the Environmental Consequences section. Issues were also used to modify the proposed action and design features. A list of all the issues raised in public comments and what changes or additional analysis were used to address them is in Appendix C (pg. 40). This list of public comments and documentation of the determination of issues from these comments is available in the project file at the Mammoth Ranger Station.

Alternatives

Alternative 1 – No Action

Under the No Action alternative, no fuels treatments would occur. Stand densities would be allowed to remain high and outside the natural range of variability for the ecosystems in the project area. Restoration activities for aspen, meadow and whitebark pine habitat-types would not occur. Surface and ladder fuels would not be treated. Efforts at fire suppression would continue to be challenging because of fuel loading and the high risk to developments and resources at risk. Under extreme fire weather conditions, there would be a risk of severe uncontained wildfire with threats to human life, property and resources.

Alternative 2 – Proposed Action

Up to 1,157 acres within June Mountain Ski Area's special use permit boundary will be treated to reduce fuels and restore forest stand structure to within the natural range of variability. These fuel and habitat conditions will be maintained with periodic treatments. Merchantable materials removed will be for commercial and/or personal-use fuelwood. All treatments will be accomplished using a mix of Forest Service crews and contracts. A description of treatment units will be followed by a description of vegetation treatment prescriptions. Treatment units in the June Mountain Ski Area Vegetation Planning Project area are shown in Figure 2.

Portions of the ski area are within the San Joaquin Inventoried Roadless Area. Authority to approve certain activities within these lands is specified in USDA Memorandum 1042-155.

Treatment Units

1. JMSA Facilities and Improvement Unit (130 acres): A unit which includes ski area infrastructure including chairlift lines classified as urban core. Treatment methods for this unit would be tailored to site-specific conditions, but will concentrate on creating 100-foot defensible space around facilities. Generally this will consist of thinning from below.
2. Aspen Restoration Units (24 acres): Four units located across the base of the ski area within urban core and WUI defense zones. Treatments consist of removing conifers up to 24 inches dbh competing with aspen. Approximately 2 acres (25 percent) of Unit AR-04 is within the San Joaquin Inventoried Roadless Area.
3. Whitebark Pine Restoration Units (503 acres): These units are located across the upper mountain and encompass the upper portions of Chairs J4, J6 and J7. They fall mainly within WUI defense zone, with minor portions in urban core. They are differentiated by IRA (153 acres) and non-IRA (350 acres).
4. Meadow Restoration Units (20 acres): These five units are mainly located in WUI defense zone, with two units in the IRA. Similar to the aspen restoration prescription, conifers would be removed from identified meadows to restore habitat function, water holding ability and deliver clean water.
5. Upper and Lower Mountain Thinning Unit (480 acres): Treatments within WUI defense zone would extend beyond the urban core 100-foot defensible space zone.

Vegetation Treatment Prescriptions

Urban Core and Defense Zone Treatment

Urban core and defense zone treatments are proposed on up to 1,157 acres. Urban core treatment activities would be implemented around ski area facilities on USFS lands, and along the ski area boundary with adjacent properties, both Forest Service and private ownership. Urban core fuels reduction treatments are intended to comply with requirements for wildfire defensible space specified in CPRC 4291, which is commonly known as 100-foot defensible space (CalFire 2006).

The U.S. Forest Service (USFS) would collaborate with those who hold special use permits for recreation facilities and other developments on USFS lands to implement 100-foot defensible space treatments. Special use permittees would have primary responsibility for fuels reduction actions on areas authorized for their use under permit. USFS would take the lead for implementation of fuels reduction work on areas surrounding the special use permit lot or site, including the 100-foot zone, if it exceeds the perimeter of the special use lot or site, and WUI defense zone. Due to the size and scope of this project, the USFS will take the lead role in project implementation.

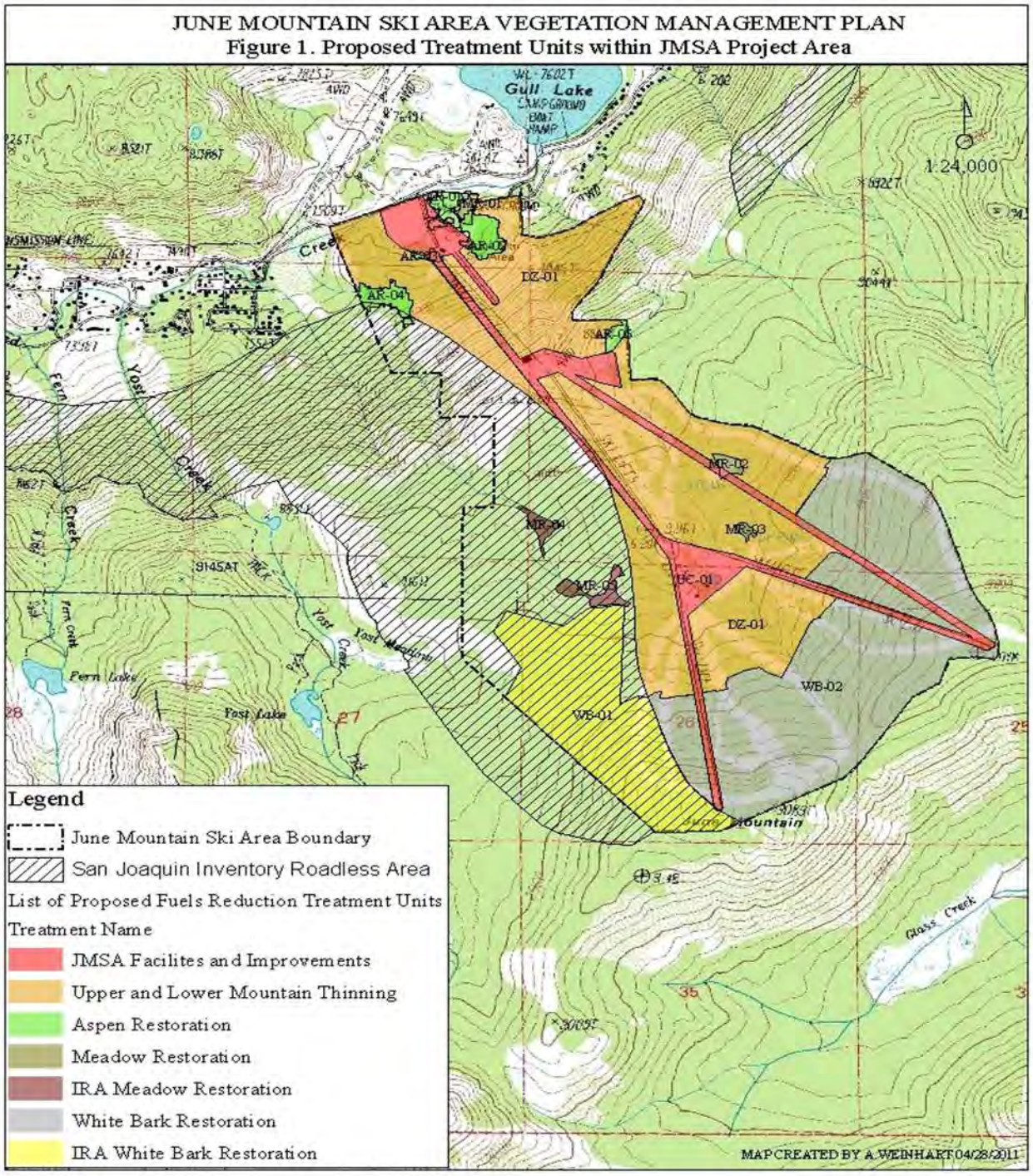

Figure 2. Treatment Unit and Prescription Map, JMSA Vegetation Management Planning Project.

Fuels reduction treatments in the 100-foot defensible space zone would be tailored to site-specific conditions. Not all defensible space treatment activities would be needed at each site. For example, there

are no conifer trees in close proximity to June Meadows Chalet, and thus, no tree removal or thinning would be needed at this location. Proposed fuels reduction activities would be designed to complement any work already completed by the permittee.

Urban core, 100-foot defensible space treatments would include the following fuels reduction activities within portions of treatment unit UC-01 (130 acres):

- Select removal of small diameter conifers (e.g. generally up to 20 inches dbh) from the understory of aspen stands; from below the canopy of larger trees (e.g. ladder fuels); and within the 100-foot defensible space zone around ski area improvements.
- Prune tree limbs on residual conifer trees to a height of 8 to 12 feet, or no more than 1/3 of tree height for smaller trees, whichever is less.
- Selected removal of shrubs either by hand cutting around resort facilities, or by mowing spot treatment around recreation site facilities, such as buildings, along the shoulder of access roads, and around perimeter of developed recreation sites.
- Dispose of slash, as well as existing dead and down material, by chipping or piling and burning (note: there would be no slash disposal within aspen stands or 25-foot buffer in Water Body Buffer Zones). Chipped materials would be used within the ski area for erosion control.

Urban core fuel reduction treatments would be accomplished using chainsaws and hand labor or mechanical equipment to selectively remove small diameter conifers and shrubs, and to prune limbs on residual conifers.

Defense zone treatments are proposed on up to 1,027 acres. Defense zone fuels reduction work would tie into and extend beyond the 100-foot defensible space zone. Defense zone treatments would include the following fuel reduction and restoration activities:

- Forest thinning within all or portions of proposed treatment units except for aspen, whitebark pine and meadow restoration units; a description of the proposed actions for forest thinning is described in detail below.
- Conifer removal from aspen stands in proposed treatment units AR-01 to AR-04; a description of the proposed actions for conifer removal from aspen stands is described below.
- Conifer removal from meadow restoration areas in proposed treatment units MR-01 to MR-05; a description of the proposed actions for conifer removal from meadows is described in detail below.
- Whitebark pine restoration treatments are proposed in units WB-01 and WB-02; the proposed prescription is described below.
- Construction of temporary bridges would be required for equipment to access and remove biomass from any proposed treatment areas due to stream channels. Temporary bridges would be constructed using down logs to span channels, with decking material laid across log spans. In addition, decking material may be used as the foundation for skid trails to operate equipment in areas of moist soil within these units, to avoid soil rutting and compaction.

Forest Thinning Prescription

This prescription is specific to the Upper and Lower Mountain Thinning (DZ-01) which are defense zone treatments. Trees would be thinned to an average leave basal area of 80 to 120 square feet per acre. There may be exceptions where leave basal area is greater because of very large diameter trees which would not be removed. There may also be exceptions where leave basal area is less because of natural openings in the forest or sites where dense pockets of smaller diameter white fir are removed. Thinning would occur from

below, removing suppressed, intermediate, and a sufficient number of co-dominant trees to achieve the desired leave basal area. Favor retaining shade intolerant conifer species, such as Jeffrey pine or large diameter Sierra juniper. Favor removing shade tolerant species, such as white fir. For all stands, the vast majority of trees to be thinned would be 6 to 16 inch diameter at breast height (dbh) range. Relatively few trees 16 to 20 inches dbh are expected to be thinned, and no pines over 20 inches dbh would be thinned as part of this project unless they posed a danger or are currently infested. White fir up to 30 inches in dbh may be removed when their presence inhibits growth, resilience and sustainability to pine and aspen.

To create greater forest and landscape diversity, the following would be applied to all proposed tree thinning areas, unless otherwise noted:

- Protect remaining old-growth Jeffrey pine (usually at least 175 years old and exhibiting orange-red colored, thick, platy bark) by removing all trees under and within an area equal to 1.5 times the radius of the drip line of the old-growth tree(s), which may act as a fuel ladder.

Forest thinning would be accomplished using mechanical equipment or chainsaws and hand labor to cut trees. In most areas, removal of cut trees would be accomplished using mechanical equipment, such as an excavator, loader or skid-steer. However, tree removal would be completed by hand labor in specific sensitive areas. These specific areas include sites with steeper slopes or moist soil conditions. Slash would be disposed of through chipping or piling and burning. Understory burning would not be implemented for treatment units within WUI defense zone unless needed for stimulus of aspen regeneration.

To minimize the possibility of an increase in the root disease *Heterobasidion annosus*, Jeffrey pine stumps greater than 14 inches in diameter would be treated with sodium tetraborate decahydrate (commonly known as “borax”) and sold as Sporax™. To reduce risk of an increase in the root disease *H. annosus*, the following apply to all Jeffrey pine treatment areas unless otherwise noted:

- All Jeffrey pine stumps greater than 14 inches in diameter would be treated with Sporax™ at a rate of one pound per 50 square feet of stump surface.
- Application would follow all State and Federal rules and regulations as they apply to this pesticide application.
- Sporax™ would be applied within four hours of stump creation. Sporax™ would not be applied on rainy days or within 200 feet of running water.

Aspen Restoration Treatment

Conifer removal is proposed for four select aspen stands which occur on 24 acres within June Mountain Ski Area. Proposed conifer removal from aspen stands would be completed within treatment units AR-01 to AR-04, according to the following specifications:

- Except for predominant trees, remove conifers up to 30 inches dbh (and 20 inch dbh within SJIRA) within these stands up to a distance of 1½ times the average height of aspen trees in the stand; distance required to prevent remaining adjacent conifers from shading the aspen stand; or up to 100 feet, whichever is greater. Trees not suppressing aspen regeneration (i.e. shading), or representing limited species presence may be retained.
- Predominant conifers will be retained as legacy trees, except those deemed a direct safety hazard.
- Removal of conifers would be conducted mechanically using equipment where feasible. Cut trees would be removed from the treatment unit perimeter by operating equipment on drier areas at the

edge of the stand, and cabling or lifting logs out of the stand. Equipment would access the stand via existing roads, and no new roads would be constructed.

- Equipment would not be allowed to operate in wet areas. Where it is not feasible to operate equipment and felled trees are beyond the reach of equipment staged on the stand perimeter, cut trees would be removed using hand labor, to the extent practical.
- Activity generated slash would be chipped and spread for erosion control outside of aspen stands. Alternatively, slash may be removed, piled and burned outside of the stand or any riparian area. Large diameter tree boles cut in the core of the stand which are not practical to remove using hand labor would be left in place as large log structures for wildlife habitat.
- If monitoring does not find the stand is regenerating at the desired level, then prescribed fire may be used after mechanical treatments (equipment use may help stimulate the aspen root system through mechanical disturbance). Prescribed fire activities would occur when conditions allow for fire behavior which would not burn aspen roots, but would allow for enough disturbance to induce aspen suckering.
- Stand objectives are met when monitoring shows an increase from current level of aspen regeneration or an improvement of biodiversity in the stand understory within 3 to 5 years following conifer removal.

Whitebark Pine Stand Restoration Treatment

Conifer removal and use of prescribed fire is proposed for selected whitebark pine stands which occur on 503 acres within June Mountain Ski Area. These stands are generally infested with mountain pine beetle and treatments are designed to promote seed cache behavior by Clark's nutcracker (*Nucifraga columbiana*) and improve stand conditions. Proposed activities would be completed within treatment unit WB-01 and WB-02, according to the following specifications:

- Thin trees by emphasizing diversity of age, size class and species composition to reduce stand susceptibility to mountain pine beetle attack. This specification helps meet Old Forest Emphasis criteria in eastern portions of this unit.
- Remove currently infested trees of any size.
- Create openings within mortality pockets 0.1 to 4 acres in size to promote nutcracker seed cache activity.
- Augment fuel bed to ensure burn objectives are fully realized (aid fire spread in discontinuous fuels). Reintroduce fire into these units to reduce effects of mountain pine beetle and fire exclusion to increase resilience to climatic changes.

Meadow Restoration Treatment

Conifer removal is proposed within the boundaries of five identified meadow areas which occur on 20 acres within June Mountain Ski Area project area. These treatments are intended to reduce fuel loading, maintain and enhance habitat function, water holding ability and deliver clean water. Proposed activities would be completed within treatment units MR-01 to MR-05, according to the following specifications:

- Remove conifers up to 30 inches dbh (up to 12 inch dbh in MR-04 and MR-05) within identified meadows. Retain predominant trees. Larger trees will be removed over-snow to protect soil and vegetation.
- Slash piles for burning would be placed at minimum, 25 feet from any meadow, watercourse, or 100 feet from 100-year floodplain areas. Chipped material will not be discharged into meadows, water bodies or deposited in locations where such material may discharge to a water body.

Common to all Treatment Units

Initial fuels reduction treatments are expected to be completed within approximately 4 to 6 years, and future maintenance treatments would occur using the same methods to maintain desired conditions. Any future activities outside the scope of this proposed action would require a separate environmental analysis.

Merchantable material will be made available for contracted and/or personal use fuelwood. Slash generated by implementation projects would be chipped, or piled and burned within 1 to 2 years of creation.

The project will follow the standards and guidelines in the Inyo National Forest Land and Resource Management Plan (LRMP) as amended by the 2004 Sierra Nevada Forest Plan Amendment (USDA Forest Service 1988, 2004a). This alternative is the non-commercial funding alternative required by the November 3, 2009 Remedy Ruling by Judge England regarding the 2004 Framework (Sierra Nevada Forest Plan Amendment). This alternative includes treatment of the highest priority areas recommended in the Mono County CWPP. It includes areas recommended for treatment in June Lake by the CWPP as well as additional treatment areas. Therefore, an additional alternative analyzing the CWPP recommendations is not required by the Healthy Forest Restoration Act.

Resource Design Features

The following describes design features which will be used to implement the Proposed Action Alternative:

Native and Sensitive Plants, Fens and Invasive Weeds

- Projects will be reviewed by Forest botany staff to determine whether or not the project will affect potential habitat for any sensitive species listed in the Existing Condition section of the JMSA Vegetation Management Plan for botany/sensitive plants. Sensitive plant and fen surveys will be conducted in meadow and aspen (potential habitat) treatment units prior to project implementation.
- If populations of sensitive plant species are located, impacts to these populations will be minimized or avoided through modification of the project design as needed. Populations of species considered in this analysis are typically small, so any necessary modifications to the project to protect these species would not be likely to significantly impact meeting other project goals.
- If subalpine fireweed is located in meadows where conifer removal is proposed, selected conifers will be retained for partial shading.
- If fens are identified during surveys, they will be flagged and avoided during project implementation. Buffers will be applied as needed. The spatial extent of each buffer will be determined on a site-specific basis, in conjunction with hydrology staff.
- All off road equipment will be cleaned before moving into the project area so equipment is free of soil, seeds, vegetative material, or other debris which could contain or hold seeds of noxious weeds. Off road equipment includes all logging, construction, and brushing equipment such as brush hogs, masticators, and chippers; it does not include service vehicles, water trucks, pickup trucks, and similar vehicles not intended for off road use. Equipment will be considered clean when visual inspection of tires, tracks, and underbody does not reveal soil, seeds, plant material, mud, or other such debris. If visual inspection does reveal soil or plant parts which could contain propagules (seeds, roots, etc.) of invasive plant species, material will be removed by operator in an appropriate location prior to beginning work. Appropriate locations include places where contaminated material can be contained and properly disposed of, e.g. garages, vehicle wash stations, etc. Suitable

cleaning methods could include high pressure water or air systems, or any other method which achieves the desired objective.

Silviculture

Upper Mountain Prescription

- Remove all standing dead trees of any size which pose a hazard to JMSA employees and users.
- Remove actively infested trees of any size wherever practical, and especially in areas of importance to ski area operations and aesthetics. Actively infested tree boles should be removed at least 2 miles outside of susceptible forested areas, to prevent further beetle spread. Removal of Mountain Pine Beetle infested trees to the ski area parking lot is sufficient distance from host material. Removal of materials to other non-host locations would also be acceptable.
- Remove encroaching conifers up to 30 inch dbh to restore/maintain meadow conditions.
- Thin stands to an average leave basal area of 80 to 120 sq. ft. /ac. Poorer quality sites would be thinned to lower basal areas and better quality sites would be thinned to higher basal areas. Thinning would occur from below, removing suppressed, intermediate, and a sufficient number of co-dominant trees to achieve desired leave basal area. Since larger diameter trees are preferred by mountain pine beetles, smaller and younger lodgepole pine and whitebark pine should be considered for retention over larger diameter trees expressing poor vigor. For all stands, the vast majority of trees to be removed would be in the 6 to 16 inch dbh range. Relatively few trees in the 16 to 20 inch dbh range would be removed, and no trees over 20 inches dbh would be removed in this part of the Upper Mountain prescription.
- While the overall appearance of the ski area should remain forested, leave tree distribution should vary significantly, with occasional, variably-sized open patches blending in with tree patches of varying size and density.
- All woody material generated from tree removal operations should be utilized or treated so as not to contribute to existing surface fuels load. Limbs, tops, and other material not removed from the site should be either chipped or piled for burning. Excessive pre-existing down material should also be removed or treated as slash.
- To minimize the risk of *Ips* beetles during the subsequent growing season, consider scheduling tree cutting operations after July 15 each year.
- Small areas of very low-intensity natural or prescribed fire would be beneficial in reducing surface fuels and maintaining the more open forest structure created via thinning operations.

Lower Mountain Prescription

- Remove all standing dead trees of any size which pose a hazard to JMSA employees and users.
- Remove actively infested trees of any size wherever practical, and especially in areas of importance to ski area operations and aesthetics. Actively infested tree boles should be removed at least 2 miles outside of susceptible forested areas, to prevent further beetle spread.
- Thin stands to an average leave basal area of 80 to 120 sq. ft. /ac. using applicable Sierran mixed conifer management strategies suggested by North et al. 2009. Poorer quality sites would be thinned to lower basal areas and better quality sites would be thinned to higher basal areas. Favor shade-intolerant tree species (pine and aspen) over shade-tolerant tree species (white fir). Since larger diameter trees are preferred by mountain pine beetles, smaller and younger lodgepole pine should be considered for retention over larger diameter trees expressing poor vigor. For all stands, the vast majority of trees to be removed would be in the 6 to 16 inch dbh range. Relatively few trees in the 16 to 20 inch dbh range would be removed, and no trees over 20 inches dbh would be

removed unless they are dead and posing a danger, or are currently infested. White fir trees 20 to 30 inches in dbh may also be removed when their presence inhibits the growth, resilience, and sustainability of pine and aspen.

- While the overall appearance of the ski area should remain forested, leave tree spatial distribution should vary significantly, with occasional, variably-sized open patches blending in with tree patches of varying age, size, and density (see North et al. 2009).
- All woody material generated from tree removal operations should be utilized or treated so as not to contribute to existing surface fuels load. Limbs, tops, and other material not removed from the site should be either chipped or piled for burning. Excessive pre-existing down material should also be removed or treated as slash.
- To minimize the risk of *Ips* beetles during the subsequent growing season, consider scheduling tree cutting operations after July 15 each year.
- Small areas of very low-intensity natural or prescribed fire would be beneficial in reducing surface fuels and maintaining the more open forest structure created via thinning operations.

Recreation and Visual Resources

- Meet or exceed Partial Retention VQO for runs, lifts, and base areas as seen from middle ground distances from Sensitivity Level 1 routes and occupancy sites. To achieve this:
    - Minimize cut tree stump heights to six inch maximum when measured from the uphill side, when cut stumps are visible 50 feet off Forest Service System roads and 20 feet from Forest Service System trails and recreation sites.
    - Areas within 75 feet of recreation sites, such as campgrounds, should dispose of slash and dead and down material by chipping or removal.
    - Locate burn piles a minimum of 75 feet from Scenic corridors (Highway 158), 50 feet from all other Forest Service System roads, and 20 feet from Forest Service trails.

Wildlife

- Cutting of snags should not occur during the nesting period for cavity dependent species (April 15 – July 15). This limited operating period (LOP) may be adjusted during any year if a Wildlife Biologist determines breeding chronology does not coincide with these dates.
- Retain an average of 3 large snags per acre where it won't reduce the fuel treatment efficacy, or pose a hazard to visitors.
- No more than 25 percent of the project area should be treated in any year to provide refugia for resident wildlife species.

Air Quality

- Prior to prescribed fire operations, appropriate permits will be obtained from Great Basin Unified Air Pollution Control Board (GBUAPCB).
- "Burn" or "No Burn" day conditions will be adhered to, as determined by the California Air Resources Board (CARB).
- Degradation of air quality in Class I Airsheds will be prevented by conducting prescribed fire operations when meteorological conditions favor smoke dispersal away from these areas.
- Prescribed fire operations will be conducted when meteorological conditions favor minimal nuisance smoke around June Mountain and the communities of June Lake and Lee Vining, recreation sites including campgrounds within the June Lake Loop, and scenic quality of the June Loop area.

Soils and Hydrology

The following criteria would be applied to all treatments to protect soil and hydrologic resources.

- Mechanical harvesting equipment would not be used when wet weather operations or wet soil conditions would adversely affect soil porosity, hydrologic function, or runoff potential. Mechanical removal shall be limited to slopes less than 30%, as specified in the Land and Resource Management Plan, and to when the soil is dry to 6 inches, or suitable conditions determined by a Forest Service Watershed Specialist.
- Ground-based skidding equipment would be used only on slopes averaging less than 30%, unless otherwise determined by a Forest Service Watershed Specialist. On pumice soils (vitric or vitrandic), all main skid trails within the project area should be subsoiled or back bladed to reduce erosion potential. On slopes greater than 20%, back blade or rake out any trail with ruts greater than 6 inches in depth.
- Main skid trail pattern (spacing and placement) would be agreed upon prior to any harvesting operations. Where feasible, old skid trails and roads would be used.
- Any areas receiving detrimental soil compaction as a result of harvesting operations would be subsoiled.
- To prevent future use, all skid trails intersecting roads would be disguised by raking and spreading of slash and duff.
- All applicable Best Management Practices (BMPs) for timber management, vegetative manipulation practices, and fuels management would be implemented. Applicable BMPs can be found in the Specialist Report for Soils and Water Resources.
- Sporax™ would not be applied on rainy days, or if rain is predicted within 24 hours or within 200 feet of running water.
- Activity generated slash would be removed, piled, and burned outside of the aspen stand or any riparian area whenever possible. In some cases, it may be necessary to burn piles within some aspen stands and within some WBZs. In these cases, piles would be placed and burned to avoid burning aspen roots or to avoid adverse effects to water quality.
- There would be no slash disposal/pile burning within aspen stands or the 25-foot buffer in Water Body Buffer Zones along streams.
- Within waterbody buffer zones (75-150 feet within this project area), greater than 3 inch dbh trees to be removed will be designated by written prescription, and all trees to be removed greater than 14 inches will be marked by a natural resource professional or supervised designee.
- Chipped material will not be discharged to waterbodies or deposited in locations were such material may discharge to a waterbody.
- All areas disturbed by this project will be stabilized at the conclusion of operations or before the winter period.
- Work within the WBZ causing ruts or other features which would have potential to affect flow patterns will be repaired before winter season or periods with predicted high flows.

In addition to the above design features, the following features are specific to the Treatment Units AR-01, AR-02, AR-03, AR-04 and MR-01, MR-02, MR-03, MR-04 and MR-05 as they are wet or have streams running through them.

- Equipment would not be allowed to operate in wet areas, alternatively planks or other decking material may be used as skids for equipment operation in stands AR-01, AR-02, AR-03 and AR-04.

- Confer with Forest Soil Scientist prior to removal of conifers in treatment units MR-01, MR-02, MR-03, MR-04 and MR-05 to ensure adequate protection of soil and water resources.
- In most cases, only low ground pressure equipment or hand work will be completed within Waterbody Buffer Zones (WBZs, as defined by the Lahontan Water Board). Treatment units AR-01, AR-02, AR-03 and AR-04 may require using decking material, slash, or logs on skid trails to minimize soil impacts, and would include placing slash or other material on any skid trails or other areas that have reduced soil cover after equipment entry.

Heritage Resources

To protect cultural resources the following design features should be applied to the project:

- Where feasible (and previous inventory data is lacking or insufficient), an intensive inventory of the project's Area of Potential Effect (APE) would be conducted in accordance with the *Programmatic Agreement among the USDA Forest Service - PSW Region, California State Historic Preservation Officer, and Advisory Council on Historic Preservation, Regarding the Identification, Evaluation and Treatment of Historic Properties Managed by the National Forests of the Sierra Nevada, California* (Sierra PA, 1996) prior to any ground-disturbing activities.
- The *Interim Protocol for Non-Intensive Inventory Strategies for Hazardous Fuels and Vegetation Reduction Projects* (Protocol, 2004) would be used to guide evaluation of areas where intensive inventory is not feasible due to steep slopes or hindered access/obscured visibility resulting from dense vegetation.
- Standard Resource Protection Measures (SRPM) as described in the Sierra PA would be utilized to ensure protection of known historic properties.
- The Standard Go-No-Go check list will be adhered to prior to any prescribed fire operations.

Special Areas **(Inventoried Roadless Area)**

- Visual quality, Recreation, Wildlife, Soils and Hydrology, Air Quality and Noxious Weed design standards will protect characteristics of the San Joaquin IRA.

Monitoring Plan

- A Vegetation Management specialist or qualified representative will visit sites during and after implementation to verify project specifications were met and to qualitatively assess if desired conditions were achieved.
- Each year accomplished project activities will be included in a pool for random selection of Watershed BMP Effectiveness Monitoring sites to be conducted one winter season after treatments are implemented.
- Vegetation and prescribed burn treatments will be entered into a pool for selection of a subset of project sites for fuel treatment effectiveness monitoring as a part of the Interagency Inyo National Forest and Bishop BLM Fuels Programmatic Monitoring Program.
- Post treatment noxious weed monitoring will be conducted (see Invasive Weed Design Features above).
- Heritage resource sites requiring SRPM will be checked during and after implementation to ensure effectiveness of protection measures.

Environmental Consequences

This section summarizes the physical, biological, social, and economic environments of the affected project area and potential changes to those environments due to implementation of alternatives. It describes the environmental impacts of the proposal in relation to whether there may be significant environmental effects as described in 40 CFR 1508.27. Further analysis and conclusions about potential effects are available in resource specialist reports and other supporting documentation located in the project record. These reports contain more detailed data, methodologies, analyses, conclusions, maps, references, and technical documentation resource specialist relied upon to reach their conclusions in this EA (Kerwin 2011; Ellsworth 2011; Perloff and Sims 2011; Johnson 2010; Nelson 2011).

Effects Relative to Issues

No significant issues were raised during scoping. The effects related to issues are discussed below.

Issue #1: The Vegetation Management Plan's existing conditions section for soil and water resources should be revised to be consistent with spring 2011 field observations and June Mountain Ski Area Waste Discharge Requirements (WDRs) regulating storm water runoff and soil erosion.

This was considered an administrative issue because it did not involve a point of disagreement or debate regarding effects of the project. The VMP is a general guiding document. The VMP desired conditions section has been revised to be consistent with JMSA's WDR timeline and BMP requirements. Additionally, Inyo National Forest and JMSA personnel will conduct a joint field review of WDR requirements in 2012.

Issue #2: Revise the Vegetation Management Plan's desired soil and water resource conditions to be consistent with WDRs.

As with Issue #1 above, this was considered an administrative issue because it did not involve a point of disagreement or debate regarding effects of the project. The VMP is a general guiding document. The VMP desired conditions section has been revised to be consistent with JMSA's WDR requirements.

Issue #3: Currently 412 acres (2.6%) of the San Joaquin Inventoried Roadless area falls within the ski area boundary.

The San Joaquin IRA was designated within the permitted ski area boundary prior to the 2001 Roadless Rule. Currently parts of five trails fall within the IRA. Treatments within this designated area will be limited to those prescribed for whitebark pine, aspen and meadow restoration (165 acres). The balance of IRA acreage within the ski area will be left untreated.

Design criteria incorporated into the Proposed Action minimizes the effects of the project while promoting ecological restoration to affected ecologic types.

The analysis of effects to roadless characteristics in the IRA portions of the project found there would be no lasting adverse effects to roadless character because there would be no new road building or maintenance, piles and disturbances due to implementation activities would be temporary and treatments would help to protect the ecological aspects of roadless character by returning the forest to a structure within the natural range of variability for the fire adapted pine systems and allowing for safer natural fire to occur within the ski area and IRA (Kusumoto 2011).

The Proposed Action may have short term negligible to moderate impacts to foreground and middle ground landscape character with the visual mitigation measures, but it is intended to improve forest health and therefore visual quality, in the longer term.

Under the No-Action Alternative, temporary aesthetic impacts would not occur. Beneficial ecological effects of restoring a fire adapted system would also not occur, potentially threatening several of the roadless characteristics associated with a functioning forest system due to vulnerability to large disturbances such as further insect attacks, drought, disease and severe fire; high quality or undisturbed soil, water and air; sources of public drinking water; diversity of plant and animal communities; habitat for sensitive species and for those species dependent on large, undisturbed areas of land; and natural appearing landscapes with high scenic quality.

Effects Relative to Finding of No Significance (FONSI) Elements

In 1978, the Council on Environmental Quality published regulations for implementing the National Environmental Policy Act (NEPA). These regulations (40 CFR Parts 1500-1508) include a definition of "significant" as used in NEPA. The ten elements of this definition are critical to reducing paperwork through use of a finding of no significant impact (FONSI) when an action would not have a significant effect on the human environment, and is therefore exempt from requirements to prepare an environmental impact statement (EIS). Significance as used in NEPA requires consideration of the following ten intensity factors in the appropriate context for that factor.

(1) Beneficial and adverse impacts

Mitigations and management requirements designed to reduce potential for adverse impacts were incorporated into the proposed action listed above (i.e. standards and guidelines outlined in the Inyo National Forest LRMP (USDA Forest Service 1988), as amended by the Sierra Nevada Forest Plan Amendment (USDA Forest Service 2004) and in the June Mountain Ski Area Vegetation Management Plan (USDA Forest Service 2011). These mitigations and management requirements would minimize or eliminate potential adverse impacts caused by fuels reduction and restoration treatments.

A discussion of potential effects is summarized below from supporting analysis (Nelson 2011; Perloff and Sims 2011; Ellsworth 2011; Johnson 2010; Murphy 2011; Kerwin 2011). All analyses prepared in support of this document considered both beneficial and adverse effects of the proposed action. None of the potential adverse effects of the proposed action or no action alternative would be significant, even when considered separately from the beneficial effects which occur in conjunction with those adverse effects.

Wildlife

Summarized from the Biological Evaluation, Management Indicator Species Report, and Landbird Conservation Report which are hereby incorporated by reference (Perloff and Sims 2011).

Threatened, Endangered & Sensitive Species: The Biological Evaluation for the JMSA Vegetation Management Plan Project noted no federally listed proposed, threatened, or endangered wildlife species occur within the project area. Two Forest Service sensitive wildlife species (northern goshawk, American marten) were identified to have the potential to be affected by the proposed action, and were therefore analyzed in detail in the BE (Perloff and Sims 2011). Because this project area receives a high amount of recreation use and the potential effects to suitable habitat from implementation of the proposed action is limited, it was determined the proposed action may impact the northern goshawk and American marten individuals, but would not result in a trend towards federal listing or loss of viability within the planning area.

Fuel reduction treatments will have some beneficial effect on habitat for both species. Besides an indirect effect of potentially protecting large blocks of habitat, meadow restoration treatments are expected to enhance foraging opportunities for both species. Thinning from below will promote goshawk nest stand structure, which have a relatively open understory.

Management Indicator Species (MIS): Management Indicator Species Analysis identified four habitat types which have potential to be affected by the proposed action, including early-seral and mid-seral coniferous forest, late-seral closed canopy coniferous forest, and snags in green forest (Perloff and Sims 2011). MIS analyzed related to these habitat types are mountain quail (early and mid-seral), American marten and northern flying squirrel (late-seral) and hairy woodpecker (snags). Although habitat quality may be reduced through the reduction of understory canopy cover for mountain quail, and a slight reduction in the number of snags for hairy woodpecker, suitable habitat will be maintained for both species. It was determined project-level habitat impacts will not likely alter or contribute to existing Sierra Nevada-wide habitat or population trends for any of these species.

Under the No Action Alternative, it was determined there would be no direct effects to TES or MIS wildlife species. Indirect impacts could include the continuation of ladder fuels build-up in the understory, which has the potential to lead to more extreme wildland fire behavior. If a wildfire were to occur in this area, there is potential for the loss of early, mid and late-seral coniferous forest and snags suitable for northern goshawk, American marten, northern flying squirrel, mountain quail and hairy woodpecker (Perloff and Sims 2011).

Botany

Summarized from the Specialist Report for Botanical Resources and Biological Evaluation - Sensitive Plant Species, June Mountain Ski Area Vegetation Management Planning Project, which are hereby incorporated by reference (Nelson 2011a, b).

Sensitive Plants: These plant specialist reports for the June Mountain Project concluded there were no proposed, threatened, or endangered plant species within the project area. A sensitive plant survey was conducted in 1988 (Bagley 1988) within the ski area. The Regional sensitive plant list has been re-evaluated twice since 1988, utilizing updated information on taxonomy and range of species potentially occurring in the area. Due to this new information, there is potential for several Region 5 sensitive plant species to occur within the project area which would not have been identified to the species level in the 1988 work. If habitat or populations exist for any of these species within the proposed project area, it would be in either the proposed meadow restoration areas or aspen restoration areas.

Based on project design to complete sensitive plant surveys in suitable habitat within aspen and meadow treatment units prior to project implementation, to minimize or avoid direct impacts to species if populations are located within the project area, and the design features incorporated into this project with regard to operating on wet soils, direct impacts will be minimal or non-existent for moonworts, subalpine fireweed, and the four moss species.

The proposed restoration actions in the meadow and aspen areas would contribute to maintenance or improvement of habitat for these species by maintaining or improving hydrologic function of these habitats.

In meadow areas, removal of conifers could potentially cause a decline in the amount of available habitat for subalpine fireweed, as this species prefers shaded sites in moist to wet soils. It is often found on the edge of meadows where adjacent lodgepole pines are shading the meadow. However, if not removed, increasing conifer density may eventually affect the hydrologic condition of meadows to a point where there is no longer sufficient moisture to support subalpine fireweed. If subalpine fireweed is located in meadows where conifer removal is proposed, selected conifers will be left to retain at least partial shading.

For all of the species considered here, the amount of habitat potentially affected by this project is a fraction of a percent of the amount of available habitat throughout the species range.

Under the no action alternative, there will be no direct impacts to any sensitive species. Over the long term, continued development of conifers in the meadow and aspen habitats could potentially result in a reduction in the amount of available potential habitat for all of the species listed above in the Existing Situation section of the JMSA Veg Plan. If populations of these species currently exist in the meadows, it is possible over the long term they could be extirpated if the hydrology of meadows is altered severely enough they will no longer support species depending on moist to wet conditions.

Invasive Plants: Partial surveys were conducted for non-native invasive plant species in August 2010 and non-native species were also recorded during the 1988 botanical survey (Bagley 1988). As per the JMSA Veg Plan (2010), no high or moderate priority weed species were observed in the project area during either of these survey efforts, but there were three lower priority weed species observed in the 2010 survey, all on the lower part of the mountain, along roads or in the vicinity of developed facilities.

Non-native species were noted during the 1988 survey, but specific locations were not identified. Most species were reported to be in particular habitat types (meadows/streams, ski runs), with the exception of cheatgrass (*Bromus tectorum*), which was more widespread.

The primary risks with regard to the establishment of new weeds or spread of existing weed species from this project include: 1) equipment brought on site to implement the project importing and/or transporting weed propagules to new sites within the project area; and 2) project-generated soil disturbance, primarily due to skidding operations, creating a more favorable environment for weed establishment. Design features to minimize ground disturbance through careful equipment operation, and cleaning of equipment used off of established roads address these risks. In spite of these design features, it is possible weed propagules could be inadvertently introduced to currently weed-free areas within the project. An additional design feature to monitor treated areas for two years and treat new infestations of species rated high or moderate will serve to minimize risk of these species becoming established within the project area. With implementation of all weed-related design features, no new infestations of moderate or high priority weed species are expected due to project activities.

The weed prevention design features noted above and described in more detail in the project description will also serve to guard against further increase of existing lower priority weed species or introduction of new lower priority species due to the project; however, some risk remains, and one or more of these species could potentially increase in abundance and/or distribution following project activities.

Under the No Action Alternative, there will be no project-related increases in the abundance, diversity, or distribution of non-native invasive plant species under this alternative (Nelson 2011).

Hydrology and Soils

Summarized from the Hydrology and Soils Report for the June Mountain Vegetation Management Plan Project, which is hereby incorporated by reference (Ellsworth 2011).

Water: The project is located within the Grant Lake-Rush Creek Hydrologic Unit Code (HUC) 6 watersheds. There is a perennial stream channel with riparian vegetation west of Chair J7 and adjacent ski runs within the ski area boundary. Meadows are hydrologically stable; however, lodgepole pine is present throughout the meadows.

The Lahontan Basin Plan (1995) identifies beneficial uses and sets narrative and numerical water quality objectives for all surface waters in JMSA. In addition, they define water quality objectives for certain water

bodies in the Lahontan region which supersede the objectives for all water bodies. Table 3-16 in this plan lists specific objectives for Reversed Creek and Gull Lake, both downstream of JMSA. Extensive water quality monitoring continues to the present as part of Lahontan Water Quality Control Board permit requirements for June Mountain. Turbidity and Total Suspended Sediments are critical water quality elements monitored throughout the runoff season.

With implementation of Best Management Practices, the proposed action should have minor and short term negative effects to water quality and soil quality. Although some of the project area is within Riparian Conservation Areas (RCAs), activities will cause minor ground disturbance. These minor ground disturbances, including pile burning, broadcast burning, and possibly machine piling, could slightly increase soil compaction and runoff, but likely at such a low level the effects would be immeasurably small. The proposed action would not result in significant adverse effects to watershed and riparian areas.

Past monitoring has shown except for right next to piles, detrimental soil compaction and displacement does not occur with pile burning (Ellsworth, 2005, on file at SO). Recent observations of public fuel gathering units (Ellsworth, 2011) confirmed this. Past monitoring and observations of similar soils on the Inyo has shown detrimental soil compaction is limited to main skid trails and landings during timber harvest operations (Lutrick 2009 and Ellsworth personnel observations 2009). Displacement can occur after multiple passes of timber harvest equipment and/or private vehicles.

Under the No Action Alternative, there would be no new ground disturbance and further recovery from previous impacts would be expected. However, an indirect effect is that the area would be more susceptible to a stand-replacing wildfire than if the project was implemented due to dense stocking of conifer stands and the fire regime being outside of historic conditions. A stand-replacing wildfire would have major negative short-term (1-5 years) impacts to water quality, removing vegetation, increasing off-site erosion and sedimentation into aquatic systems above current levels (Ellsworth 2011).

Soils: Effects to soil productivity and erosion will be discussed in terms of compliance with laws, regulation and policies related to soil standards. Effects are addressed by the following factors: soil compaction, soil displacement and cover, and soil chemistry. Short-term effects are considered 1-5 years in duration. Effects to soils generally occur immediately in or adjacent to where the activity is occurring.

Proposed actions within the project area could affect overall soil productivity. This may occur in a number of ways: 1) an increase in soil erosion and soil displacement, 2) soil compaction, and 3) a decrease in surface organic matter (forest litter and decomposing wood) which provide a vital nutrient source.

Soil Compaction (loss of porosity): Skidding operations would take place when the soil is dry down to 6 inches or with measures such as decking along skid trails to prevent compaction. Secondary skid trails and paths taken by equipment which retain soil cover disperse the weight of equipment to effectively mitigate detrimental soil compaction. Using existing roads, designating skid trails and maintaining slash on secondary skid trails would ensure compliance with porosity standards as defined in the Soil Quality Standards (USDA FS 1995b, as clarified 2006).

Soil Cover, Erosion and Displacement: The main effect of harvest operations is soil displacement by removing cover on main skid trails and displacing soil by wheel tracks and dragging logs behind machinery. Soil displacement is due to the non-cohesive nature of surface texture. Mechanical piling operations would use equipment which picks up large pieces of wood, but leaves the duff and litter in place. Displacement is expected where machinery turns and at pile locations. The displacement is expected to be within limits with designated skid trails and rehabilitation of disturbed areas where detrimental soil displacement occurs, and should not affect long-term soil productivity. The number of piles is variable to each unit based on the

density of the stand and the thinning prescription, but will generally be placed at least 20 feet apart. This should allow sufficient unheated soil to prevent loss of soil productivity or erosion across the project area.

Burning of piles may lead to patches of bare soil as heat from the fire could temporarily sterilize the soil surface. Limited, highly localized erosion from burn piles is expected for the first year after burning. Surrounding duff and vegetation would capture runoff after it leaves the burned area. Tree litter is likely to occupy the site after one year effectively retarding off-site erosion. Vegetation is likely to occupy the site within three growing seasons.

Soil Chemistry: Sporax™ (Borax) will only be applied to Jeffrey pine stumps to prevent spread of the root disease *H. annosus*. Borax is generally active in the soil and is readily absorbed from the soil as the essential plant nutrient boron. The mineral portion of soil where it remains unchanged, and is not broken down by soil microorganisms also adsorbs borax.

Due to the careful application only to stumps, and to the adsorption of the chemical, application of Sporax™ would not significantly affect soil productivity, microorganisms or hydrologic function. Soil buffering capacity should remain within acceptable thresholds. There may be highly localized effects to soil microorganisms directly around the treated stumps (SERA 2006).

Under the No Action Alternative, soil conditions would remain the same. There would be an increase in risk of a stand replacing wildfire increasing risk of soil degradation from loss of cover, water repellency and off-site erosion and stream sedimentation.

Air Quality

Summarized from the Air Quality Analysis for the June Mountain Vegetation Management Project, which is hereby incorporated by reference (Ellsworth 2011).

Air quality can be affected by fuels treatment projects in various ways. Harvesting, slash treatment and prescribed burning could add dust and emissions (fossil fuel burning) into the atmosphere. The major effect is from smoke from pile or broadcast burning. There could also be indirect effects from fuelwood gathered eventually burned in individuals' homes. All of these activities can contribute PM_{10} to the air. However, activities other than burning related to this project were considered *de minimus* (too small to be measured) and not included in the analysis.

The project area is within the "non-attainment" area of Mono Lake for PM_{10}. This project area is on the western and southern boundary of the non-attainment area, and is in a somewhat separate basin, and therefore it is possible air quality in the June Loop area is not the same as within the Mono Basin itself on any given day. The main source of PM_{10} in Mono County and primary reason this area is in non-attainment is blowing dust from dry shorelines of Mono Lake, where water levels have dropped due to diversions (GBUAPCD 1995). PM_{10} is defined as particulate matter with a diameter less than 10 microns which can cause harm to human health (USDA Forest Service, 1995). The federal 24-hour ambient air quality standard for PM_{10} is 150$\mu g/m^3$ and the California 24-hour ambient air quality standard for PM_{10} is 50$\mu g/m^3$ (CARB, website 2011). In order to meet these ambient air quality standards in the Mono Basin, the GBUAPCD has a guideline where no burning project may exceed daily emissions of more than 10 tons of PM_{10} per day in the Mono Basin (GBUAPCD 2001).

The project area is also two to three miles east of the Ansel Adams Wilderness, which is a Class I Airshed (US EPA, 1999). Class I Airsheds are granted special air quality protections under Section 162 (a) of the federal Clean Air Act (US EPA, 1999).

Structures at the Mountain, residential areas and Class I Airsheds are considered "smoke sensitive areas" by the GBUAPCD, and therefore the Forest must complete a conformity analysis and ensure the project minimizes effects to those areas. Smoke from pile and broadcast burning is the only air pollutant with potential to measurably affect air quality. There is potential for persons directly in units to be affected by smoke. Implementing design criteria would greatly minimize these effects and reduce the threat to public health and safety from heat, flames, and smoke of potential future wildland fires.

Under the No Action Alternative, no activity is proposed therefore there is no direct effect to air resources. There is a higher risk of stand replacing wildfire under this alternative. Currently, there are dead and dying whitebark pines within and outside the boundaries of June Mountain. Under the No Action Alternative, a stand replacement wildfire in this area has the potential to burn intensely, over a large area for a longer period of time. This could be not only be a safety issue for the ski area and local residents due to fire, but also an air quality issue due to large amounts of smoke which would be produced. In case of an uncontrolled wildfire, it is likely PM_{10} standards would not be met.

Conformity Determination. PM_{10} emission standards would be met, even when added cumulatively to other air quality effects within the Mono Basin. This conclusion is based on project-specific calculations, and added to the anticipated emissions from the June Loop project.

Heritage Resources

Summarized from the Cultural Report for the June Mountain Ski Area Vegetation Management Planning Project, which is hereby incorporated by reference (Kerwin 2011).

Protection of cultural resources has been incorporated into the Proposed (Sierra PA, 2001 Amendment, Attachment B, II A). Treatment methods will be designed with Standard Resource Protection Measures, such as flagging and avoiding of sites and non-mechanical, manual release (handwork) to remove fuels within site boundaries. Information regarding field surveys and management recommendations for heritage resource sites and features are contained in the Cultural Report for the June Mountain Ski Area Vegetation Management Planning Project (Kerwin 2011). By following these recommendations and SRPM as outlined in the PA, it was determined there would be no adverse effect to cultural resources from implementing this project. The proposed action including cultural resource design features would reduce surface and ladder fuels within the proposed project area, likely reducing the risk of damage to sites from high intensity wildland fire. High intensity fire has potential to effect cultural resources via spalling or cracking of rock features, loss of important obsidian hydration data, and complete loss of organic wood features and artifacts associated with human habitation, both of which are located within the project area. Low intensity prescribed fire if used, decreases likelihood of damaging cultural resources and reducing or destroying research and interpretive potential by introducing fire in a controlled manner. Additionally, fuels treatments such as mechanical or hand-piling and mechanical chipping of vegetation, reduces the potential for high intensity fire and creates an environment conducive to interpretation, preservation and protection of cultural resources located within and adjacent to the project area (Kerwin 2011).

The proposed action would likely preserve the reliability of data and interpretive information associated with historic era and prehistoric habitation located throughout the proposed project area, which could otherwise be permanently lost. Proposed fuels reduction treatments will not affect cultural resources and will allow for additional protection of sites within the project area. It is anticipated that no cultural resources will be effected by the proposed treatments (Kerwin 2011).

Conversely, implementation of the No Action Alternative will not directly affect cultural resources, however; indirect effects could result in adverse effects to cultural resources within the proposed treatment areas

resultant from high intensity wildfire. Loss of valuable research data utilized to address regional prehistoric land-use patterns, with an emphasis on chronology and mobility may be lost. Prior to fire suppression techniques of the 20th Century, fire return intervals were shorter, with few high intensity stand-replacing wildfires. Fire suppression activities for approximately the past 70 years, have increased fuel loading, increasing potential for high intensity fires to occur, which can adversely affect cultural sites. A no action alternative would have potential to affect, in some degree or manner, reliability of data reflective of past human behavior, and in some cases permanent loss of prehistoric and historic era sites, structures and associated data and components.

Wildland fire suppression activity such as use of heavy equipment and hand crews for control line construction and back-firing for fire breaks has potential to affect or destroy cultural resources. Current fuel loading within the proposed treatment units has departed from historical frequencies allowing the possibility of stand replacing fires, posing unmanageable threats to cultural resources within and adjacent the project area.

Visual Quality

Summarized from input and correspondence from Katheryn Rich, Landscape Architect.

June Mountain Ski Area has high scenic sensitivity because it is visible from major highways, areas of concentration recreation facilities, and several special designations including a Scenic Byway (Highway 395) and Mono Basin National Forest Scenic Area. Recreational users and local residents have a high level of concern for scenery.

Under the Proposed Action Alternative, visual impact would include contrast from disturbed soil (from vegetation removal), slash piles, and chips broadcast across the soil surface, and potentially blackened or charred vegetation from pile burns and broadcast burning. This short term minor effect would be limited to the immediate foreground of recreation sites because of vegetation and terrain screening the majority of viewsheds which would have foreground and middle ground views from different points in the ski area. Within one to three growing seasons these impacts would not be visually evident to the casual observer. Smoke during burning could temporarily impact all views from nearby recreation areas.

According to research in “Social Science to Improve Fuels Management: A Synthesis of Research on Aesthetics and Fuel Management”, low-intensity burns and forest thinning which opens up the understory and provides longer views can actually improve scenic integrity of an area (Ryan 2005). The proposed fuel treatment and habitat restoration project would therefore have short term negligible to moderate impacts to the landscape character with the implementation of visual design features and would improve aesthetics and forest health of treatment areas over the long term compared to the No Action Alternative.

If no action is taken and the proposed project does not take place there would be no direct effect to landscape character associated with the project areas. However, the potential for loss of vegetation and land scarring associated with an increased risk of collapsed stands due to insect and disease attacks or catastrophic wildfire would be beyond expected disturbance levels for this ecological system. The No Action Alternative could potentially have a long term major adverse effect and be more damaging to the scenic integrity of the project areas because of the risk associated with vegetation conditions outside the natural ecosystem fire regime (Rich 2011).

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

Forest health and fuel reduction treatments are designed to increase the efficiency of fire suppression efforts and reduce risks to firefighters, the public (June Lake residents and visitors), residences and other

improvements, water quality, and natural resources. There would be improved public and firefighter safety, as treatments are intended to slow the rate of fire spread and reduce fire intensity, which would increase chances fire suppression forces could safely and effectively make a stand to control a wildfire. Implementation of the Proposed Action would be governed by standard public health and safety contract clauses.

Fuels treatment projects such as the June Mountain project, have the potential to add pollutants to surface water, including sediment, particulate matter, hydrocarbons (from vehicles or chainsaw use), herbicides (only Sporax™ will be used), and could affect water temperature. These changes could affect most beneficial uses, other than navigation and power production. However implementation of design criteria and Best Management Practices will protect beneficial uses, including meeting Lahontan Water Board water quality standards and Great Basin air quality standards. Implementation of this project would help reduce potential for stand-replacing fires which would have a detrimental effect to air and water quality throughout the project area.

Under the No Action Alternative, there is a higher risk of stand replacing wildfire. A stand replacing wildfire has the potential to result in higher amounts of smoke for longer periods during the season when air is more stagnant and less atmospheric mixing occurs. Smoke from past large fires has negatively affected the public health and safety of nearby residents and Forest visitors, and prompted health warnings from the local air pollution control office.

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

There are no parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas within the project area. The project area is completely outside of designated wilderness.

Wetlands

Based upon an initial aerial photo review, there is low likelihood of fens in the project area (Nelson 2011). There are several intermittent stream channels which drain off JMSA and a perennial stream channel with riparian vegetation west of Chair J-7. There are meadows associated with two springs within the ski area (Ellsworth 2011). Project prescriptions specifically targeting meadow restoration have been designed to mitigate any adverse effects to wetlands.

Inventoried Roadless Area

A portion of the ski area/project area (412 acres) is within the San Joaquin Inventoried Roadless Area (IRA).

When developing treatment proposals in the IRA, the Forest followed direction outlined in the August 18, 2008 memorandum from the Chief of the Forest Service to ensure this proposal did not create a conflict with either the ruling of the Federal District Court for the District of Wyoming or the Federal District Court for the Northern District of California.

The proposal does not violate the 2001 Roadless Area Conservation Rule because it falls under the exception at 36 CFR 294.13 (b)(1)(ii) to maintain or restore the characteristics of ecosystem composition and structure, such as to reduce the risk of uncharacteristic wildfire effects, within the range of variability expected to occur under natural disturbance regimes of the current climatic period. The resulting reduction in severity of potential fire behavior would help to restore the historic fire regime.

The analysis of the project effects to roadless characteristics concluded there would be no lasting effects to any of the nine characteristics identified in the 2001 Roadless Area Conservation Rule.

1. *High quality or undisturbed soil, water, and air*: See the watershed effects analyzed under FONSI Element (1) above. Minor unmeasurable effects were predicted and risk of greater indirect effects of no-action could be reduced (Ellsworth 2011).

2. *Sources of public drinking water;* See the watershed effects analyzed under (1 and 2) above. No adverse effects to public drinking water were predicted (Ellsworth 2011).

3. *Diversity of plant and animal communities*: See the wildlife, plants and noxious weed affects analyses under (1) above. No adverse effects to plant and animal diversity were predicted (Perloff and Sims 2011; Nelson 2011 a, b).

4. *Habitat for threatened, endangered, proposed, candidate, and sensitive species and for those species dependent on large, undisturbed areas of land*: See the analysis of PTES species under wildlife and plant effects above. No adverse effects were predicted (Perloff and Sims 2011; Nelson 2011a, b).

5. *Primitive, semi-primitive non-motorized and semi-primitive motorized classes of dispersed recreation*: This project falls within the Rural ROS class. The project will not alter recreational uses of the area. No new roads will be constructed.

6. *Reference landscapes*: The project purpose is to restore the fire adapted structure of whitebark pine, aspen and meadow ecosystems which make up the IRA portion of the project area. Due to their proximity to developments, these areas have had fires suppressed and are far from their reference condition. The Proposed Action will move them towards the desired reference condition.

7. *Natural appearing landscapes with high scenic quality*: Design features incorporated into the proposed action protect the scenic quality of the IRA while allowing for forest restoration treatments which will eventually lead to a more open, less congested forest with high scenic quality.

8. *Traditional cultural properties and sacred sites*: Survey of cultural resources in the project area and the Cultural Report conclude there will be no adverse effects to three known cultural properties (Kerwin 2011). See analysis of Cultural Resources in (1) above.

9. *Other locally identified unique characteristics*: No other unique roadless characteristics were identified for the San Joaquin Inventoried Roadless Area.

This project does not violate the 2008 order of the Federal District Court for the District of Wyoming enjoining the 2001 Roadless Rule. If the 2001 Roadless Rule is invalid, as the Wyoming court has ruled, then no other law or regulation would prohibit a decision to approve the June Mountain Ski Area Vegetation Management Plan Project. This proposal has been designed to be consistent with forest-wide LRMP standards and guidelines and management direction for the Wildland Urban Intermix Defense and Threat Zone land allocations contained in the 2004 Sierra Nevada Framework.

The Inyo National Forest also consulted with the State Natural Resources Agency on the proposed activities in the IRA consistent with Pacific Southwest Region procedures.

Historic and Cultural Resources

Analysis in the Cultural Resources report found there would be no adverse effects to historic and cultural resources. See Cultural Resource analysis under FONSI Element (1) above.

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

The proposed project follows management direction in the Inyo National Forest Land and Resource Management Plan (USDA Forest Service 1988), as amended by the 2004 Sierra Nevada Forest Plan Amendment (USDA Forest Service 2004). Potential adverse effects have been minimized to the point where there are few effects to draw controversy. Public involvement efforts did not reveal any significant issues or any other significant controversies regarding environmental effects of this proposal. Based on comments from the public and the analysis of effects by an interdisciplinary team of Forest Service specialists, there are no significant effects expected to quality of the human environment from implementing either of the alternatives, including the proposed action alternative.

(5) Degree to which possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The proposed project follows management direction in the Inyo National Forest Land and Resource Management Plan (USDA Forest Service 1988), as amended by the 2004 Sierra Nevada Forest Plan Amendment (USDA Forest Service 2004). It implements management requirements designed to reduce potential for adverse effects. Local expertise in implementation of these types of projects minimizes chance of highly uncertain effects or effects which involve unique or unknown risks. Proposed activities are routine in nature, employing standard practices and protection measures, and their effects are generally well known. The proposed action is similar to the June Lake Fuelbreak, timber stand improvement projects and associated fuel reduction treatments within the Jeffrey pine forest east, south and adjacent to the project area which began in 1975 and will continue being implemented.

(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.

The June Mountain Ski Area Vegetation Management Plan Project represents a site-specific project which does not set precedence for future decisions with significant effects or present a decision in principle about future considerations. Any future decisions would require a site-specific analysis to consider all relevant scientific and site-specific information available. These activities are in accordance with the best available science to manage forest health, fuels and fire behavior at this time.

(7) Whether this action is related to other actions with individually insignificant but cumulatively significant impacts.

A cumulative effect is the consequence on the environment which results from incremental effect of an action when added to effects of other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes these other actions and regardless of land ownership on which these actions occur. A cumulative effects analysis was completed separately for each resource area. None of the resource specialists found potential for significant adverse cumulative effects (Kerwin 2011; Ellsworth 2011; Perloff and Sims 2011; Rich 2011; Nelson 2011a, b).

Wildlife

Summarized from the Biological Evaluation/Assessment, Management Indicator Species Report, and Neotropical Migratory Bird Report (BE/A) which are hereby incorporated by reference (Perloff and Sims 2011). The cumulative effects analysis area (CEAA) for wildlife includes twelve HUC-6 watersheds surrounding the project area, covering approximately 293,435 acres.

The Biological Evaluation and Assessment (BE/A) for the June Mountain Ski Area Vegetation Management Plan Project identified two Forest Service sensitive wildlife species which have the potential to be affected

by the proposed action, northern goshawk and American marten (Perloff and Sims 2011). The June Mountain project area is a high recreationally used area throughout the year, but with the majority of high-use occurring from December-March for alpine skiing. Adjacent to the project area are several developed campgrounds/day-use areas, the community of June Lake and motorized vehicle use on SR 158. Cumulatively, these activities are not expected to lead to excessive disturbance of goshawks or martens.

The cumulative effects analysis area contains approximately 130,342 acres of northern goshawk foraging and nesting habitat. Between 2003 and 2008 a pilot fuels treatment project was implemented in close proximity to proposed treatment units. This project affected an additional 145 acres of potential goshawk foraging habitat. The Jeffrey Pine Forest Health and Fuel Reduction Project was approved in 2007 and would occur in the southern end of the CEAA. In total, this project will treat approximately 910 acres of potential goshawk habitat by thinning small diameter trees and underburning. The Inyo National Forest is completing an analysis for additional fuels treatments in the vicinity of June Lake. This effort, known as the June Loop Hazardous Fuels Reduction project, would conduct similar treatments within an additional 98 acres of potential goshawk habitat. Similar to the proposed action, the latter project would not eliminate habitat, but might result in a slight reduction in habitat quality. In total, less than 2 percent of the large block of suitable habitat would experience fuels treatments. This represents approximately one-half of a nesting home range of a northern goshawk and is not expected to reduce breeding potential or distribution of goshawks in the analysis area.

The CEAA contains approximately 65,063 acres of American marten denning and foraging habitat. Between 2003 and 2008 a pilot fuels treatment project was implemented in close proximity to the proposed treatment units. This project affected an additional 145 acres of potential marten foraging habitat. The Jeffrey Pine Forest Health and Fuel Reduction Project was approved in 2007 and would occur in the southern end of the CEAA. In total, this project will treat approximately 910 acres of potential marten habitat by thinning small diameter trees and underburning. The Inyo National Forest is completing an analysis for additional fuels treatments in the vicinity of June Lake. This effort, known as the June Loop Hazardous Fuels Reduction project, would conduct similar treatments within an additional 98 acres of potential American marten habitat. Similar to the proposed action, the latter project would not eliminate habitat, but might result in a slight reduction in habitat quality. In total, approximately three percent of the large block of suitable habitat would experience fuels treatments and cumulatively is not expected to reduce breeding potential or distribution of martens in the analysis area.

The Management Indicator Species Analysis identified four habitat types which have potential to be affected by the proposed action, including early-seral coniferous forest, mid-seral coniferous forest, late-seral, closed canopy coniferous forest and snags in green forest (Perloff and Sims 2011). Management indicator species analyzed related to these habitat types are mountain quail, American marten, northern flying squirrel and hairy woodpecker. Cumulative effects to marten were discussed above.

The cumulative effects analysis area contains approximately 100,008 acres of early and mid-seral coniferous forest habitat. The primary perturbations within this habitat type have been timber harvest/fuels treatment and wildfires. Overall, there would be no change in the acreage of early and mid-seral coniferous forest habitat for mountain quail. All units would continue to provide early and mid-seral coniferous habitat after thinning operations. CWHR size class would not change as a result of fuels reduction activities; however the quadratic mean diameter may increase slightly in response to incrementally removing the smallest diameter material first. Canopy closure would be reduced by up to 20 percent on approximately 547 acres.

The 1988 Inyo National Forest LRMP designated 65,166 acres within the cumulative effects analysis area as Prescription #9 (Uneven Aged Timber Management) and #10 (High-level Timber Management). Upon

publication of the Record of Decision for the Sierra Nevada Forest Plan Amendment Project (USDA Forest Service 2004) the area was reclassified as "General Forest". Some level of timber harvest has historically occurred throughout this area. Prior to the early 1990s harvest methods included overstory removal, small clearcuts, pre-commercial and commercial thins. This likely increased the amount of early and mid-seral coniferous forest. Beginning in the early 1990s, the Forest discontinued cutting of large old trees and began a program of "old-growth" restoration. Since that time timber harvest has consisted of thinning from below or removing the smallest diameter trees sequentially until a desired basal area and spacing was reached. Cut trees were sold as firewood or left on site for the public to collect. Most areas were subsequently treated with prescribed fire. Since 1994 approximately 9,265 acres have been treated in this manner.

Historic fires have had only minor effects on early and mid-seral coniferous forest habitat. Since 1955, approximately 4,281 acres of this habitat type have been burned by wildfire. In many cases, the area continued to provide habitat for mountain quail.

The Jeffrey Pine Forest Health and Fuel Reduction Project was approved in 2007 and would occur in the southern end of the CEAA. In total, this project will treat approximately 2,755 acres of early and mid-seral coniferous forest by thinning small diameter trees and underburning. The Inyo National Forest is completing an analysis for additional fuels treatments in the vicinity of June Lake. This effort, known as the June Loop Hazardous Fuels Reduction project, would conduct similar treatments within an additional 760 acres of early and mid-seral coniferous forest. Neither project would result in the loss of early or mid-seral coniferous forest.

Early and mid-seral coniferous habitat is well distributed across the cumulative effects analysis area. The proposed action will not remove any habitat or affect the CWHR tree size and therefore will not have cumulative impacts on the total amount or size of the available habitat. Canopy closure is expected to be reduced on up to 556 acres within the project area. This represents approximately 0.6 percent of the available habitat and is not expected to alter the existing trend within the planning area.

The cumulative effects analysis area for northern flying squirrel contains approximately 20,989 acres of late-seral closed canopy coniferous forest habitat. Primary perturbation within this habitat type has been timber harvest/fuels treatment and, to a lesser degree wildfire. Since 1955, several wildfires, most notably the "Rainbow" and "Mammoth" fires have burned in areas supporting this habitat type. Since 1995, approximately 583 acres have burned. Historic timber harvest dating back to the early 1900s likely reduced the amount of late-seral habitat to current levels. However it is unlikely all forested areas historically met the definition of a closed canopy forest. Even a mature stand of eastside pine is relatively open and patchy, with canopy closure often less than 40 percent. The Jeffrey Pine Forest Health and Fuel Reduction Project was approved in 2007 and would occur in the southern end of the CEAA. In total, this project will treat approximately 532 acres of late-seral closed canopy coniferous forest by thinning small diameter trees and underburning. The Inyo National Forest is completing an analysis for additional fuels treatments in the vicinity of June Lake. This effort, known as the June Loop Hazardous Fuels Reduction project, would conduct similar treatments within an additional 328 acres of late-seral closed canopy coniferous forest. Similar to the proposed action, the latter project would not eliminate habitat, but might result in a slight reduction in habitat quality.

The proposed action includes treatment within approximately 413 acres of late-seral closed canopy coniferous forest. In combination with other reasonably foreseeable projects this represents approximately six percent of this habitat type within the cumulative effects analysis area. Mean tree size is likely to increase after treatment and canopy closure would only be decreased incrementally. Large down log and snag reduction is expected to be minimal and would not cumulatively affect presence of either of these

habitat elements. Overall there would be no change in the amount of late-seral closed canopy coniferous forest in the CEAA and no cumulative impacts to northern flying squirrels.

The cumulative effects analysis area for hairy woodpeckers contains approximately 121,772 acres of green forest. Snag densities within this area are generally low (1 to 3 per acre) with localized exceptions. Small pockets of beetle caused mortality occur sporadically throughout the area, but none as extensive as the ones present within the ski area. Historic and recent fires have created additional patches of snags. Reductions in medium and large snag density should be minor or negligible as cutting of snags would only occur as needed for operational safety and safety of ski area users and staff. In the whitebark pine restoration units, only snags up to 12 inches dbh would be removed. Overall, it is expected that medium and large snag density would be reduced by less than one snag per acre.

The few activities affecting snag density within the cumulative effects analysis area are also highly localized. Within general forest, cutting of snags is not allowed and happens only infrequently as a result of illegal firewood gathering. For the most part, natural processes dictate snag density within this area. Cutting of snags does occur adjacent to developed sites and within special use permit boundaries. Snags are generally removed if they pose a hazard to human health, safety and property. Removal of these snags has negligible impact on overall snag density throughout the cumulative effects analysis area. Since 1955, approximately 4,842 acres of green forest have experienced wildfire of varying intensity. Snag density is higher within these areas and contributes to increasing overall snag density within the cumulative effects analysis area.

The proposed action is expected to have minor or negligible, localized impacts on medium and large snag density on up to 1,157 acres within the ski area boundary. This represents slightly less than 1 percent of the green forest within the cumulative effects analysis area. The proposed action, in combination with other hazard tree removal is not expected to change density of medium and large snags across the landscape.

For neotropical migratory landbirds, the CEAA is defined as the two HUC-6 watersheds (June Lake and Deadman Creek) adjacent to the ski area. These two watersheds cover 42,500 acres and contain approximately 24,321 acres of coniferous forest habitat similar to those which would be treated under the proposed action. Two other projects are planned in the CEAA with anticipated impacts similar to those described for the proposed action. The Jeffrey Pine Forest Health and Fuel Reduction Project was approved in 2007 and would occur in the southern end of the CEAA. In total, this project will treat approximately 910 acres of coniferous forest by thinning small diameter trees and underburning. The Inyo National Forest is currently in the planning phase for additional fuels reduction work around the community of June Lake and along State Route 58. The latter project proposes to treat an additional 1,104 acres of coniferous forest to protect homes and reduce the effects of future wildfires. In addition to the proposed action, 2,114 acres of fuels treatment are identified in the CEAA. Both projects contain design features to minimize impacts to migratory birds. Specifically, limited operating periods are identified to reduce potential disturbance during important breeding periods. Additional design features include retention or creation of snags and downed logs. Similar to the proposed action, treated areas would continue to provide nesting and foraging areas for migratory birds.

In summary, reasonably foreseeable projects are expected to affect 3,171 acres or 13 percent of coniferous forest habitat in the CEAA. Some reduction in habitat quality is expected, but all treated areas would continue to provide habitat for migratory birds. This reduction in habitat quality is not expected to alter distribution or viability of migratory birds within the planning area.

It was determined the No Action Alternative would have no direct effect on any TES wildlife species or MIS species but could have a higher risk of indirect effects due to greater chance of a severe landscape-scale

wildfire. The current mountain pine beetle infestation occurring both within and outside project area boundaries would increase risk of wildfire and could spread to unaffected areas causing further mortality and reduction of canopy closure. Over the long-term, conifer encroachment within moist meadows would limit availability of important foraging areas and possibly reduce prey availability and habitat suitability.

Botany and Noxious Weeds

Summarized from the Biological Evaluation (BE) for Sensitive Plant Species and Noxious Weed Risk Assessment for the June Mountain Ski Area Vegetation Management Planning Project, which are hereby incorporated by reference (Nelson 2011a, b).

The plant species BE for the JMSA Vegetation Management Planning Project concluded that in addition to increasing density of conifers, aspen and meadow habitats in the analysis area have been affected primarily by roads, ski runs, and facilities associated with development of the ski area. Due to the very small acreage of potential habitat proposed for treatment relative to the amount of available potential habitat as well as occupied habitat across the range of sensitive species considered in this analysis, and the maintenance or improvement of hydrologic function in these habitats, this project will not have a significant cumulative effect on sensitive moonwort species (*Botrychium* spp.), subalpine fireweed, Bolander's bruchia, Blandow's bog-moss, three-ranked hump-moss, or broad-nerved hump-moss. There were no proposed, threatened, endangered plant species within the project area (Nelson 2011a, b).

Road construction and maintenance activities, ski run construction and maintenance, and multiple activities associated with buildings and other facilities have all contributed to the current infestations of lower priority weed species within the project area. Lower priority species which already exist in the ski area are not uncommon in the Eastern Sierra. Implementation of project design features for weed prevention and control will prevent significant increases in these species, as well as introduction and spread of higher priority weed species, which are as yet less widespread in the Eastern Sierra and pose a greater ecological risk.

No new moderate or high priority weed species are anticipated as a result of this project. Lower priority species which are already established in the Eastern Sierra may increase in abundance or distribution due to project activities; however this increase will be minimized through implementation of weed-related project design features. Based on this, this project will not contribute to a significant cumulative effect with regard to non-native invasive plant species (Nelson 2011a).

Hydrology and Soils

Summarized from the June Mountain Vegetation Management Project Hydrology and Soils Report, which is hereby incorporated by reference (Ellsworth 2011).

A Cumulative Watershed Effects (CWE) analysis was completed to identify potential risk of cumulative effects to soil and water quality from direct and indirect effects of the Proposed Action combined with the effects of other land disturbances. In this project area, other land disturbances include past fuel reduction, logging projects, June Mountain Ski Area operations, housing tract development, powerline construction and maintenance, wildfire, and Travel Management decision implementation. This cumulative effects analysis will focus on cumulative watershed effects using the equivalent roaded area (ERA) method. It is the standard protocol for determining cumulative watershed effects in Region 5 of the Forest Service.

This analysis considers all known past, present, and reasonably foreseeable future land disturbances within the three project watersheds. This analysis relies on existing soil and water resource conditions as a proxy for the effects of past actions. The timeframe for the cumulative effects analysis is 20 years because it is the

time frame in which compacted areas and areas void of vegetation would recover without further disturbance. For all watersheds, a 14-16% Threshold of Concern was used. For water quality, CWEs were calculated for areas within RCAs only. CWEs were calculated for the entire watershed area for estimating cumulative soils, morphology and flow effects.

The Proposed Action would add another layer of disturbance on this area. Soil productivity and health indicators would remain well within threshold levels by implementing the design criteria, BMP's and Soil Quality Standards.

Under the No Action alternative, the area would become more susceptible to a stand-replacing wildfire than if the project was implemented. A stand-replacing wildfire would have the potential to increase soil hydrophobicity and erosion locally. These effects would be cumulatively added to the existing impacts of the roads and developments in the watershed.

Air Quality

Summarized from the Air Quality Analysis for the June Mountain Vegetation Management Project, which is hereby incorporated by reference (Ellsworth 2011).

The analysis considered past, present and reasonably foreseeable future actions on both public and private lands within and adjacent to the project area. The Mono Basin PM_{10} State Implementation Plan (SIP) (GBUAPCD 1995) included estimates of PM_{10} emissions from all known activities. It analyzed PM_{10} effects from roads, vehicle emissions, residential wood burning, wildfires and prescribed burning, road cinders and lake shore windblown dust. It found windblown dust from Mono Lake's dry shoreline made up about 86% of the annual PM_{10} emissions in the Mono Basin, with most of the rest attributable to dust from unpaved roads (2%), road cinders (7%), and wildfire and prescribed burning (4%). Vehicle emissions and residential wood burning contributed very little to annual PM_{10} emissions (about 1%).

Design criteria of the Proposed Action minimize likelihood of adverse effects from dust or smoke from this project to minor levels. Estimated PM_{-10} emissions from this project are 3.7-11.2 tons annually. Combined with the 9-26 tons estimated for the June Loop project, emissions are immeasurably small compared to the estimated 5,670 tons emitted from Mono Lake lakeshore windblown dust. Effects to visibility generated by emissions from both projects to the Ansel Adams wilderness would be at "de minimus" levels. With design criteria implemented, and with limited burning in any one year or on any one day, this project would not cause ambient air quality standards to be exceeded, even in combination with other activities.

Mono Lake will continue to be a source of PM_{10} for the Mono Basin, at least until the lake level rises to 6,391 feet (GBUAPCD, 1995), and until then, PM_{10} standards may not be met in this area. This project should not contribute enough increased PM_{10} to be measurable over more than a few hour period.

The No Action Alternative has no direct effects to air quality, but the risk of a severe wildfire with major short term effects to air quality are increased. These effects have the potential to be combined cumulatively under high wind conditions with the continued PM_{10} from Mono Lake dust to create short term very poor air quality for surrounding communities.

Heritage Resources

Protection of cultural resources has been incorporated into the Proposed Action, and no adverse effects were predicted in the analysis under beneficial and adverse effects (FONSI Element #1). Therefore there will also be no adverse cumulative effects of the project on cultural resources.

Cumulative effects of the proposed action and similar projects would enhance protection of cultural resources by reducing fuels loading and will allow management to continue protecting these resources, by introducing prescribed fire and fuels treatments under controlled circumstances. By reducing potential impacts from uncontrolled fire in areas where these resources are located, we are preserving the integrity of these resources for enjoyment of future generations and future research potential. This project will reduce the likelihood of high intensity fire spread into outlying areas with unrecorded historic and prehistoric resources.

Benefits of this type fuels treatment will compliment prior federally funded fuels treatments on Inyo National Forest Lands. The proposed action is similar to the June Lake Fuelbreak, Timber Stand Improvement projects and associated prescribed fire treatments within the Jeffrey Pine forest, north and adjacent the project area which began in 1975 and will continue being implemented.

Under the No Action Alternative, there will be no direct effects to cultural resources. A no action alternative would maintain current fuel loads which are ideal for a high intensity, stand-replacing wildfire as was seen during the June Fire of 2007, and the Mono Fire of 2010, both of which occurred north of the June Mountain Ski Area proposed treatment area. In the event of a wildfire in the project area, the cumulative effects of any future fire would potentially result in a greater loss of cultural resources and information.

Visual Quality

The cumulative effects analysis area for scenery resources included the proposed treatment areas and the land area encompassing viewsheds of the project area. The area of cumulative effects analysis was bounded in this manner because of the potential impact the surrounding viewsheds within the area.

Several other vegetation and fuels management projects have been implemented in and around the June Lake area over the last several decades. These projects have been integrated into the landscape over time and are no longer noticeable to the casual observer, therefore there will be no cumulative visual effects of the Proposed Action and these recent projects. The indirect cumulative effect will be a much more effective reduction in potential wildfire behavior and a long term beneficial impact to visual resources because of the lower risk of adverse visual impacts of a severe wildfire (Rich 2011).

(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.

It was determined there would be no effect to cultural resources from implementing this project. Design features will ensure there are no adverse effects to districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places and will ensure there will be no loss or destruction of cultural or historic resources (Heritage Resource effects analysis under FONSI Element (1) above).

(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.

There are no federally listed threatened or endangered wildlife or plant species known to occur or have suitable habitat (including critical habitat) within the project area. There would be no effect to federally listed threatened or endangered wildlife or plant species or critical habitat from implementation of the proposed action (Perloff and Sims 2011; Nelson 2011a, b).

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

The proposed action would not threaten a violation of Federal, State, or local law, or requirements imposed for the protection of the environment. The proposed action is consistent with the Healthy Forest Restoration Act (HFRA), National Environmental Policy Act (NEPA), National Forest Management Act (NFMA), Endangered Species Act (ESA), Clean Water Act, and the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act of 1978, Executive Order 13007 (1996), under Section 101(d)(6) of the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act (as amended), and in accordance with Sections 101(d)(6)(B) and 110(a)(2) of NHPA, the American Indian Religious Freedom Act (as amended), the Native American Graves Protection and Repatriation Act, Executive Order 13007, Executive Order 13175, and 36 CFR §800.2(c). The proposed action is fully consistent with the Inyo National Forest Land and Resource Management Plan (USDA Forest Service 1988), as amended by the Sierra Nevada Forest Plan Amendment (USDA Forest Service 2001a, 2004a).

Agencies, Organizations Tribes and Persons Consulted

June Lake Chamber of Commerce
June Lake Fire Safe Council
Mono County Board of Supervisors (Vicki Magee Bauer)
Lahontan Water Quality Control Board
US Fish and Wildlife Service
CA Department of Fish and Game
Sierra Forest Legacy
Benton Paiute Reservation- U tu UTU GWAITU Paiute Tribe
Big Pine Paiute Tribe
Bishop Paiute Tribe of the Owens Valley
Bridgeport Indian Colony
Mono Lake Indian Community
Eastern Sierra Audubon Society
Friends of the Inyo
Mono Lake Committee
The Wilderness Society (Sally Miller)
June Mountain Ski Area/Mammoth Mountain Ski Area
Tim Taylor
Dick Noles
John Walter
Bryce and Wilma Wheeler
Jean Dillingham
Dick Artley
Californians for Alternatives to Toxins
Cheri Bromberg
Stan Bluhm
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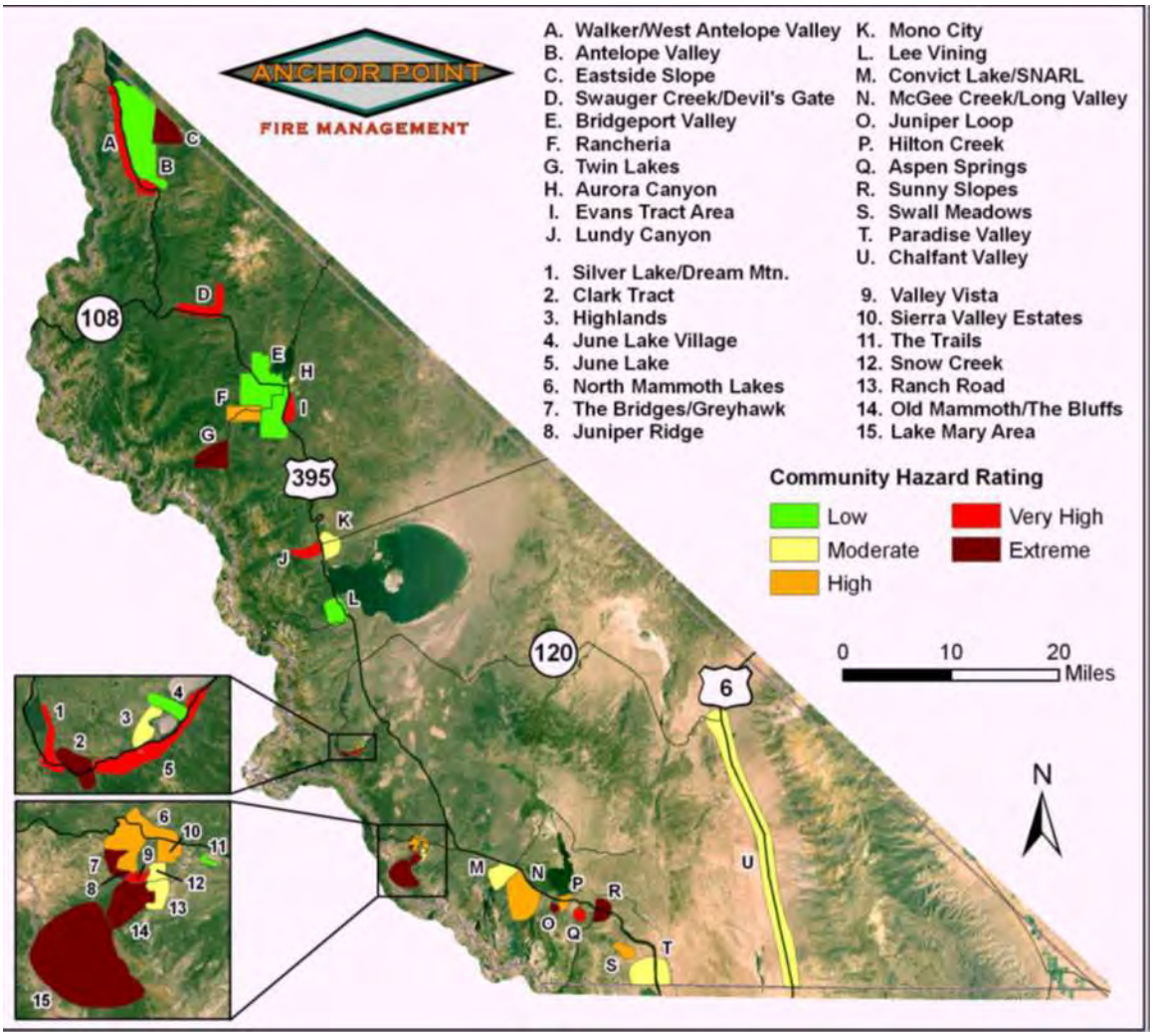
Appendix A:

Mono County Community Hazard Rating Map
Mono County Community Wildfire Protection Plan, 2009



Appendix B:

Photos of Current Conditions on June Mountain Ski Area

Aspen stand currently being over topped by surrounding conifers near the base facility of June Mountain Ski Area.

Dense mixed conifer/aspen stand with high fuel loading and continuous fuel profiles from ground level into the canopy.

Partial view of upper mountain (whitebark pine restoration treatment and bark beetle mortality area) looking east from top of Chair J-7 towards top of J-6.

Appendix C:

Response to Comments

Comment	**Issue subject** (corresponds to list of issues on Page 4)	Response
Vegetation Management Plan's (VMP) Existing Conditions for soil and watershed conditions should be revised to present information consistent with Spring 2011 observations and Wastewater Discharge Requirements (WDR) and monitoring results.	(1) Water quality/soil resource protection	The VMP Existing Condition section has been revised to be consistent with WDR requirements. Forest Service and JMSA personnel will conduct a joint field review of requirements under the WDR in 2011 when conditions allow.
Review JMSA WDRs and revise the VMP's desired soil and water resources conditions to be consistent with the WDR.	(2) Water quality/soil resource protection	The VMPs Desired Conditions section has been revised to be consistent with JMSA WDR timeline and BMP requirements.
Compliance with WDR including discharge specifications and receiving water limits should be included as desired conditions for water resources.		This is administrative and not identified as an issue because it does not involve a point of disagreement or debate regarding effects of the project. The VMP is a general guiding document. This will be addressed in the final NEPA document.
Design criteria should be revised to provide requirements which can be clearly implemented, or more criteria be developed. This section should also include a statement that for projects approved under this plan, specific management practices and design criteria will be developed to ensure compliance w/ applicable local, state and federal regulations.		This is administrative and not identified as an issue because it does not involve a point of disagreement or debate regarding effects of the project. The VMP is a general guiding document. This will however be addressed in the final NEPA document.
Need to cite compliance with Lahontan Timber Waiver.		This is not identified as an issue because it does not involve a point of disagreement or debate regarding the effects of the project. The Forest will submit a Timber Waiver application before implementation projects begin.
Review the 2009 Timber Waiver requirements to understand criteria and		This is an administrative and regulatory requirement and not an issue for the

conditions which will streamline the application process and avoid delays.		analysis because it does not involve a point of disagreement or debate regarding the effects of the project. A monitoring plan has been included in the proposed action (pg. 19) and the Forest will conduct all required BMP effectiveness monitoring in addition to application of a timber waiver.
Plan estimates the affected acreage of mortality as 150 acres; estimate it is larger.		This is administrative and not identified as an issue because it does not involve a point of disagreement or debate regarding the effects of the project. 150 acres was an estimate of the infested acreage in 2009. Remapping was performed March 2011 at 412 acres and will be noted.
Prescriptions for both upper and lower mountains recommend tree cutting to occur between August and September. The VMP also suggests considering timber removal over-snow. These prescriptions and suggestions seemingly conflict.	Soil resource protection	Generally over-snow logging will provide the greatest margin for protection of resources. This might provide a small window of opportunity between the end of ski season and limited operating periods for nesting bird species. Project will assess for ground operations, but maintain spring felling of larger trees as an option to reduce ground disturbance.
There is only a passing reference to stumps (p. 15). Does the plan suggest leaving stumps, or completely removing? If the plan is to leave stumps in place, this may cause interference w/ ski area equipment during low snow periods.	Administrative	This is administrative and not identified as an issue because it does not involve a point of disagreement or debate regarding the effects of the project. The reference in question dealt with Jeffrey pine stump diameters greater than 14 inches as they relate to application of borax, and not to stump heights. Tree removal will not occur within trails currently groomed for skiing.
A portion (412 acres) of the ski area lies within the San Joaquin Inventoried Roadless Area (IRA).	(3) IRA protection	The Forest will follow established Regional and National policy for management activities within an IRA.

Appendix D:

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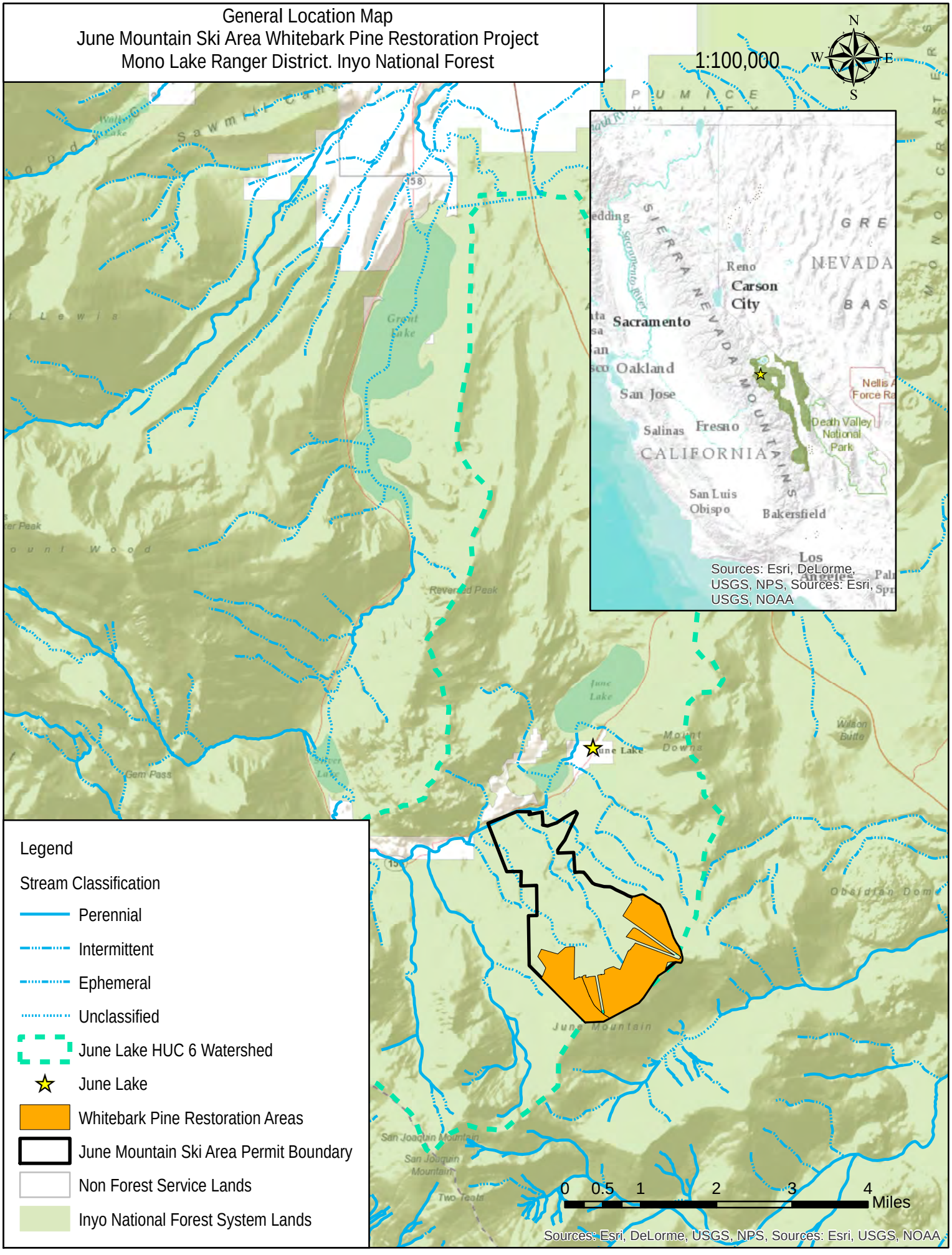
USDA Forest Service, Pacific Southwest Region. 1996. *Sierra Nevada Programmatic Agreement Among the USDA Forest Service, Pacific Southwest Region, California State Historic Preservation Officer, and Advisory Council on Historic Preservation Regarding Compliance for Section 106 of the National Historic Preservation Act for Undertakings on the National Forests of the Pacific Southwest Region. Sierra Nevada Forest Programmatic Agreement*.: USDA Forest Service, Pacific Southwest Region.

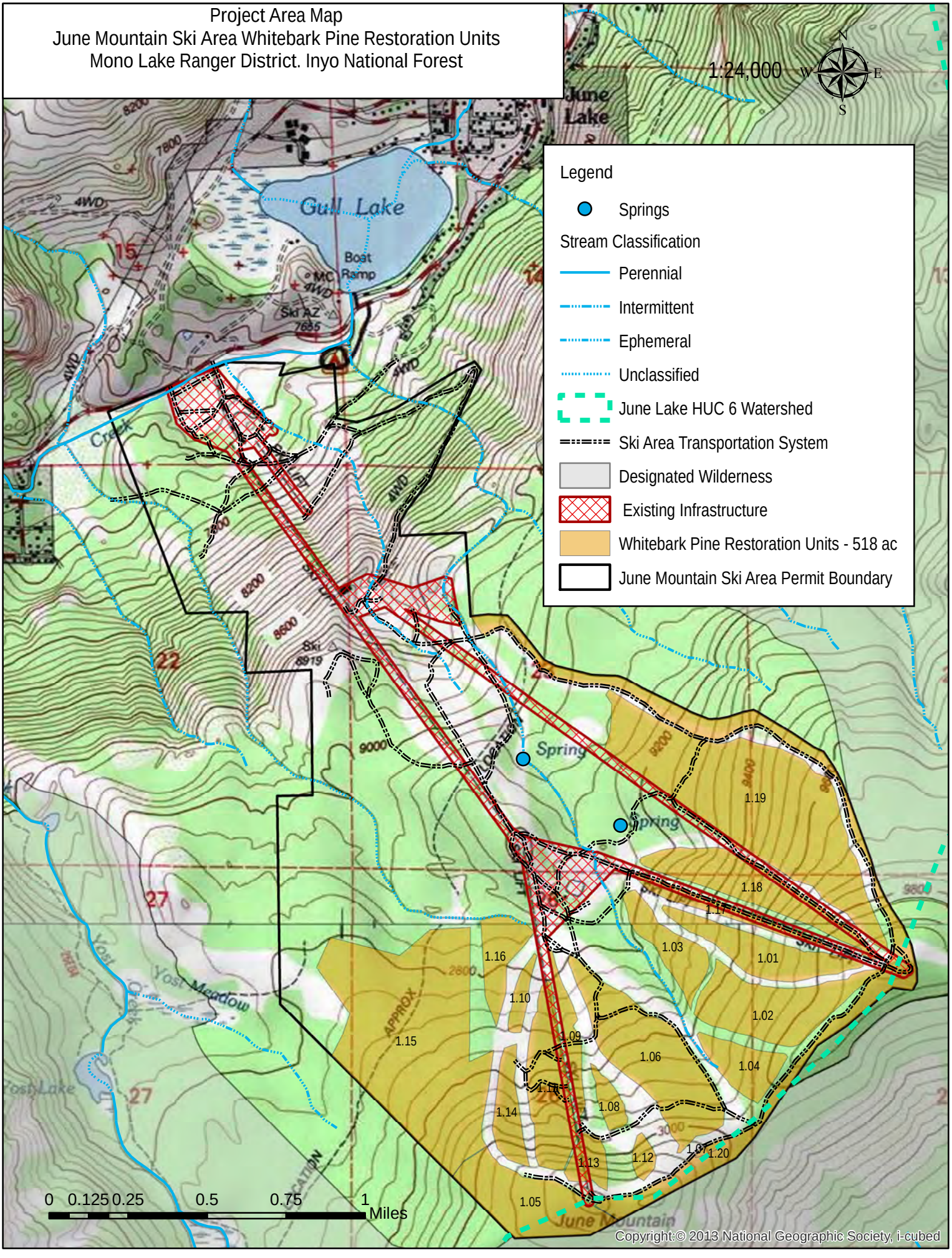
USDA Forest Service, Pacific Southwest Region. 2001b. *First Ammended Programmatic Agreement among the USDA Forest Service, Pacific Southwest Region, California State Historic Preservation Officer, and Advisory Council on Historic Preservation Regarding Compliance for Section 106 of the National Historic Preservation Act for Undertakings on the National Forests of the Pacific Southwest Region. Sierra Nevada Forest Programmatic Agreement*: USDA Forest Service, Pacific Southwest Region.

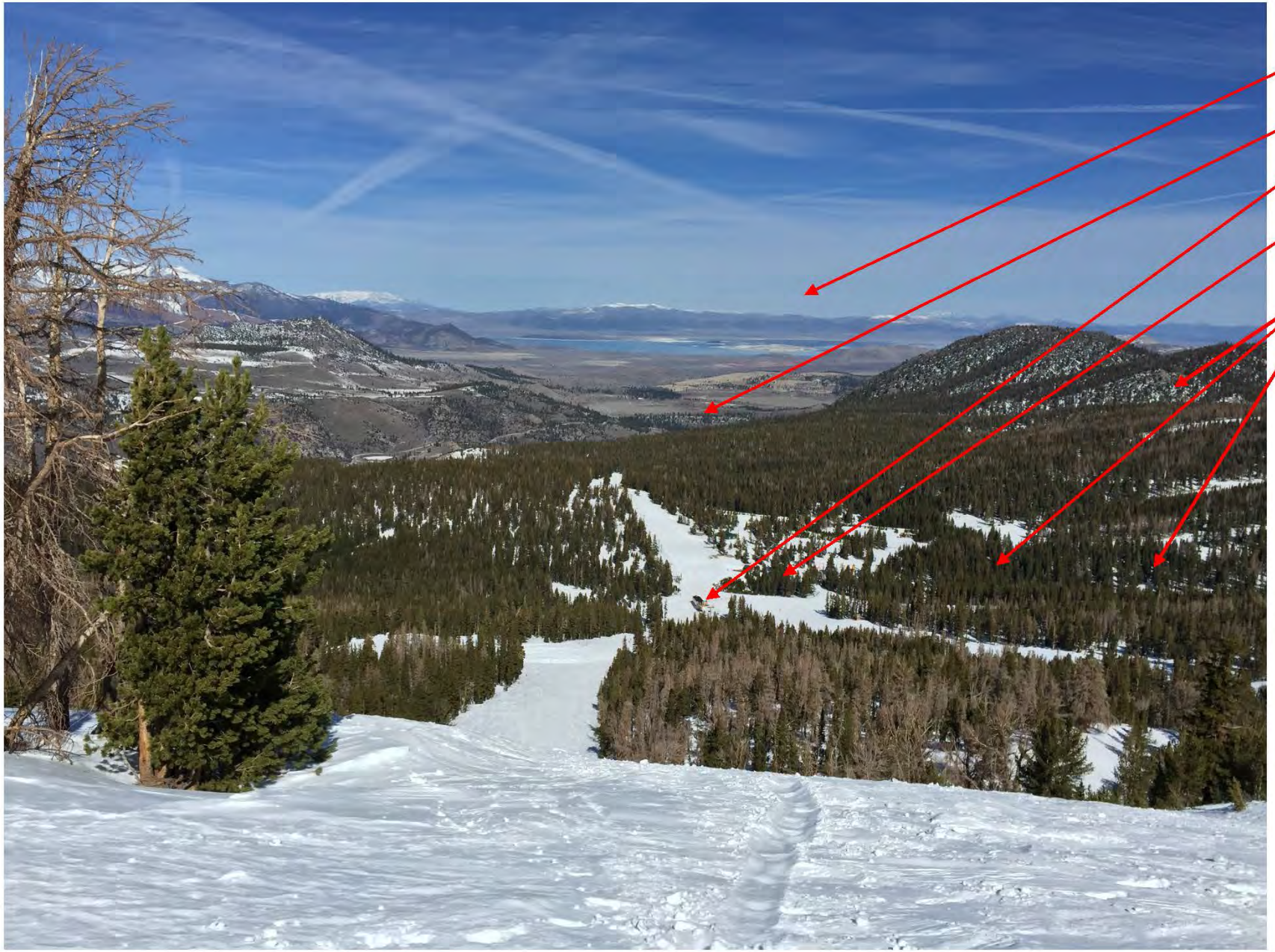
USDA Forest Service, Pacific Southwest Region. 2004b. Stipulation XIV in the *Programmatic Agreement amount the USDA Forest Service, Pacific Southwest Region, California State Historic Preservation Officer, and Advisory Council on Historic Preservation Regarding the Identification, Evaluation, and Treatment of Historic Properties Managed by the National Forests of the Sierra Nevada, California* (Sierra PA).: USDA Forest Service, Pacific Southwest Region.


General Location Map
June Mountain Ski Area Whitebark Pine Restoration Project
Mono Lake Ranger District. Inyo National Forest
1:100,000
N
W
E
S
Reno
Carson City
Sacramento
Oakland
San Jose
Salinas
Fresno
San Luis Obispo
Bakersfield
Death Valley National Park
NEVADA
CALIFORNIA
Sources: Esri, DeLorme, USGS, NPS, Sources: Esri, USGS, NOAA
Legend
Stream Classification
Perennial
Intermittent
Ephemeral
Unclassified
June Lake HUC 6 Watershed
June Lake
Whitebark Pine Restoration Areas
June Mountain Ski Area Permit Boundary
Non Forest Service Lands
Inyo National Forest System Lands
June Lake
Mount Dowms
Wilson Butte
June Mountain
Obsidian Dom
Gem Pass
Reversed Peak
Mount Wood
Lewis
Grant Lake
Sawmill Can
San Joaquin Mountain
Two Teats
0 0.5 1 2 3 4 Miles
Sources: Esri, DeLorme, USGS, NPS, Sources: Esri, USGS, NOAA

We have not included a “Parcel Map showing County Assessor’s Parcel Number(s)” because the land on which the proposed work will take place is the property of US Forest Service and therefore does not have a County Assessor’s Parcel Number.

Project Area Map
June Mountain Ski Area Whitebark Pine Restoration Units
Mono Lake Ranger District. Inyo National Forest




Mono Lake
June Lake
Bottom of Chair J7
June Lake PUD Water System Protected Area
Whitebark Mortality


PUBLIC
WATER
SYSTEM


Project Area
Tops of Chairs J4 and J6
Major 3rd Party Communicatio n Facilities

Detail of Project Area

Tree Mortality at Western Ski Area Boundary

Tree Mortality at Western Ski Area Boundary Toward Wilderness

South Western Ski Area Boundary Towards Owens River Headwaters Wilderness

Detail of Dead Stand of Whitebark Next to Top of Chair J4

Tree Mortality at North Eastern Boundary of Ski Area Towards June Lake and Mono Lake Watersheds

USDA United States Department of Agriculture | Forest Service | Pacific Southwest Region

Inyo National Forest
351 Pacu Lane, Suite 200
Bishop, CA 93514
(760) 873-2400 Voice
(760) 873-2538 Text (TDD)

File Code: 5150, 2700

Date: February 23, 2016

Ronald S. Cohen
Chief Administrative Officer & General Counsel
Mammoth Mountain Ski Area, LLC
Post Office Box 24 / 1 Minaret Road
Mammoth Lakes, CA 93546

Dear Ron:

This letter is in response to your proposal to conduct a portion of the vegetation management activities authorized by the June Mountain Ski Area Vegetation Management Plan. Specifically, you propose to conduct the June Mountain Ski Area Whitebark Pine Restoration Project (Project). This Project would remove and dispose of portions of the extensive stands of dead whitebark pine trees within the upper portion of the June Mountain Ski Area, according to stipulations in the June Mountain Ski Area Vegetation Management Plan (Plan), and the Environmental Assessment and Decision Notice and Finding of No Significant Impact that authorized and adopted the Plan. You further propose that California Trout, Inc. (Caltrout) will act as your agent under the Subleasing clause (Section VII, A) of your Ski Area Term Special Use Permit, Authorization ID LVD412903R (the "Permit"), performing or having involvement in a portion of conducting the Project. I also further understand that Caltrout is seeking grant funding from the Sierra Nevada Conservancy (SNC) to support project activities.

This letter conveys my approval and authorization for you and your agents or sub-lessees for the purposes of this project to proceed as proposed, based on my finding that all elements as proposed are consistent with your existing permit. As your letter notes, Mammoth Mountain Ski Area, LLC (MMSA) holds an existing permit that authorizes use and occupancy of the portion of the Inyo National Forest that contains the project area through January 25, 2046. We also understand that Caltrout, and SNC require access to the project for a period of 25 years, should SNC grant funding be allocated to the project, for the purposed of conducting, inspecting, and/or monitoring the results of various project activities. I also hereby concur and approve your ability to grant to Caltrout and SNC access to the project area as described above, consistent with Section VII, A of your permit.

It is the belief of the USFS and MMSA that the foregoing, together with this letter indicating the agreement with the foregoing, constitutes sufficient authorization to carry out the Project and to satisfy the SNC's Land Tenure requirements. Nevertheless, in the event it is determined that an additional agreement (such as a Memorandum of Understanding) is required to confirm the authorizations referenced above, the USFS hereby commits to work with the MMSA and Cal Trout to prepare and execute such agreement upon indication that SNC intends to fund the Project.

As you are aware, the Inyo National Forest fully supports this project, and we will allocate our staff time, at our expense, to provide technical expertise, support and oversight of project activities as needed to facilitate successful completion of the project. Should you have any questions regarding this project, please contact District Ranger Jon Regelbrugge at 760-914-0797.

Sincerely,

EDWARD E. ARMENTA
Forest Supervisor

Ronald S. Cohen
Chief Administrative Officer & General Counsel
Mammoth Mountain Ski Area, LLC
Post Office Box 24 / 1 Minaret Road
Mammoth Lakes, CA 93546
Telephone: 760-934-0768
Facsimile: 760-934-0648
E-mail: rcohen@mammoth-mtn.com

February 23, 2016

Re: Sierra Nevada Conservancy – Sierra Nevada Watershed Improvement Program
Proposition 1 Grant Application
Fiscal Year 2015-16 – March 1, 2016 Application Deadline
Supplementary Document #8d – Land Tenure

To Whom It May Concern:

In connection with California Trout, Inc.'s ("Cal Trout") application for a Proposition 1 grant from the Sierra Nevada Conservancy (the "SNC") to implement the June Mountain Ski Area ("JMSA") Whitebark Pine Restoration Project (the "Project"), Mammoth Mountain Ski Area, LLC ("MMSA") hereby submits this letter as evidence in satisfaction of the Land Tenure Document requirement set forth in the Grant Application as Supplementary Document Requirement #8d.

MMSA is the holder a Ski Area Term Special Use Permit, Authorization ID LVD412903R (the "Permit"), issued by the United States Department of Agriculture, Forest Service (the "USFS"). A copy of the Permit is separately submitted. Pursuant to the Permit, MMSA has authorization to use the National Forest System lands commonly known as June Mountain Ski Area, and to carry out all activities necessary for the construction, operation, and maintenance of a ski resort. The Permit expressly covers 1,398 acres within portions of Township 2S, Range 26E, Section 14, 15, 22, 23, 24, 25 and 26. All of the lands contained with the Project are within the boundaries of the Permit. The Permit, unless renewed or otherwise extended, expires on January 25, 2046.

The Grant Application Packet states as follows: "In order for SNC to consider projects for funding, agreements must be in place allowing the applicant to access property to construct and maintain the proposed project. Define what, if any, agreements are in place, or plans (including a timeline) to acquire those agreements. Please be aware that a grant agreement will not be executed without proof of land tenure." It is our further understanding that the land tenure documents must indicate the ability of the applicant to have access to the site for Project implementation for up to 10 years, and to the Project site for up to 25 years after the completion of the Project. With respect to the 10 year site control requirement, MMSA must agree that Cal Trout and SNC may access the project site for a minimum of ten years for the purpose of project implementation and inspection of the project for current conditions and/or potential failure. With respect to the 25 year monitoring requirement, MMSA must agree that Cal Trout and SNC may access the project site for a minimum of 25 years for the purpose of monitoring the condition of the project during the implementation phase and the duration of the remainder of the 25 year monitoring period.

As set forth above, this letter shall serve as evidence of Cal Trout's and SNC's authorization to access the Project area for the duration of these required land tenure periods, up to the date of expiration of the current Permit in the year 2046. MMSA's authorization of such access is granted pursuant to the following authorizations set forth in the Permit:

- The Permit grants MMSA the authority, pursuant to approval by the USFS, to carry out operations in connection with Vegetation Management (Section III, C, 10). The activities contemplated by the Project have been authorized by the USFS pursuant to an approved Vegetation Management Plan. (Section III, C, 10)
- The Permit, and the approved Vegetation Management Plan, grants MMSA to cut and remove the dead trees and carry out the restorative activities which are the subject of this Project. (Section III, D)
- The Permit, and the USFS's authorization (indicated by the letter submitted in connection with Cal Trout's application), authorize MMSA to "sublease" the use of Permit land (i.e., to authorize a third party entity to engage in the operation of a specific aspect of the Permit area). (Section VII, A)

In accordance with the Permit clauses cited above, and as indicated in the letter of authorization submitted by the USFS, MMSA hereby submits this letter as evidence of MMSA's land tenure, and as further evidence of MMSA's conveyance of authority to Cal Trout and to SNC to carry out the Project and all associated monitoring and other requirements, for a period of no less than the remaining term of the Permit, which expires in 2046.

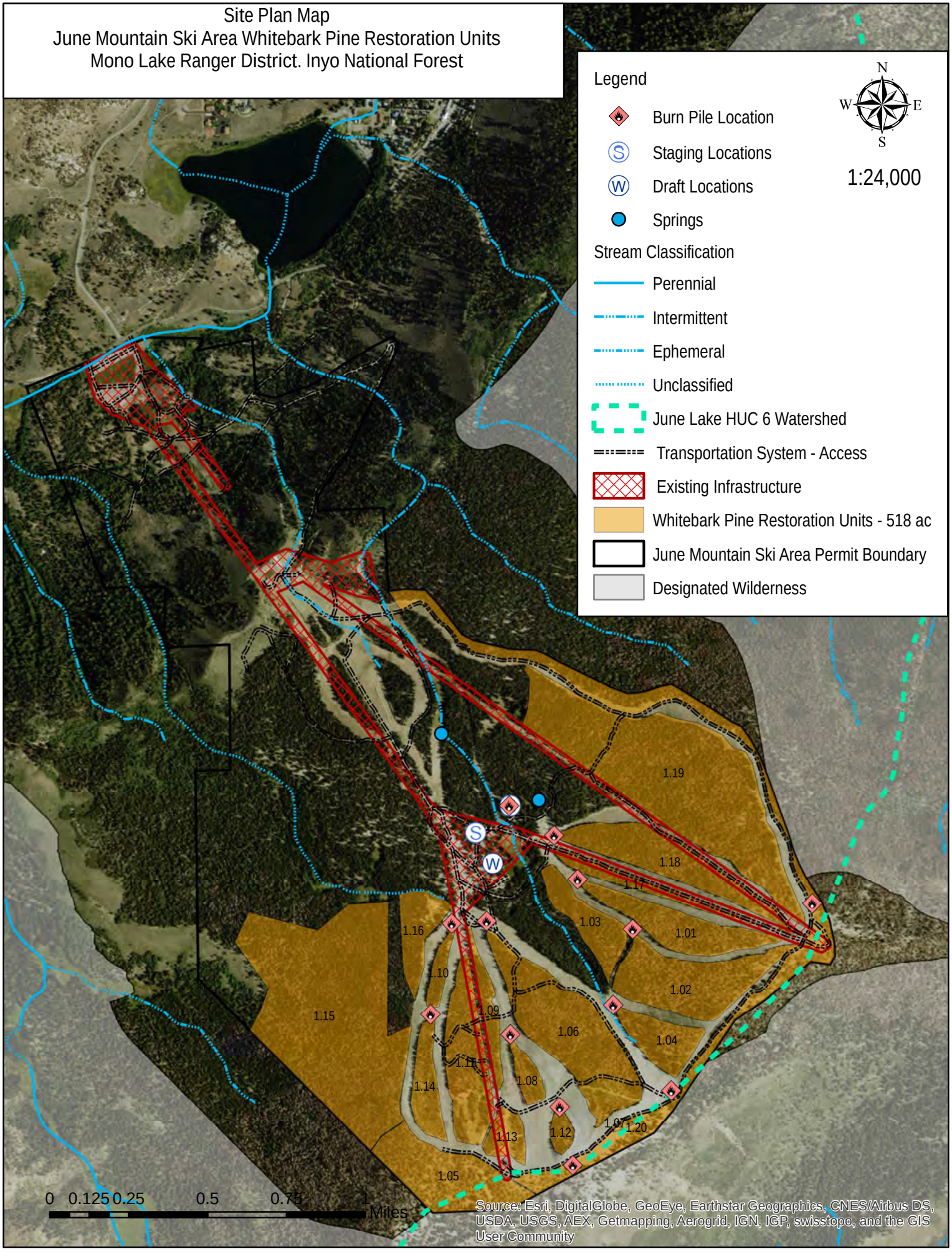
It is the belief of the USFS and MMSA that the foregoing, together with the USFS's letter indicating its agreement with the foregoing, constitutes sufficient authorization to carry out the Project and to satisfy the SNC's Land Tenure requirements. Nevertheless, in the event it is determined that an additional agreement (such as a Memorandum of Understanding) is required to confirm the authorizations referenced above, MMSA hereby commits to work with the USFS and Cal Trout to prepare and execute such agreement upon indication that SNC intends to fund the Project.

Please contact me if you need additional information.

Thank you.

Ron Cohen
Chief Administrative Officer & General Counsel

Site Plan Map
June Mountain Ski Area Whitebark Pine Restoration Units
Mono Lake Ranger District. Inyo National Forest



Authorization ID: LVD412903R
Contact ID: MAMM SKI AREA
Expiration Date: 1/25/2046
Use Code: 161, 133

FS-2700-5b (07/04)
OMB No. 0596-0082

U.S. DEPARTMENT OF AGRICULTURE
Forest Service
SKI AREA TERM SPECIAL USE PERMIT
AUTHORITY:
Ski Area Permit Act of 1986 (16 U.S.C. 497b)
(Ref. FSM 2710)

MAMMOTH MOUNTAIN SKI AREA, LLC, P.O. Box 24, MAMMOTH LAKES, CA 93546 (hereinafter "the holder") is hereby authorized to use National Forest System lands, on the Inyo National Forest, for the purposes of constructing, operating, and maintaining a winter sports resort including food service, retail sales, and other ancillary facilities, described herein, known as JUNE MOUNTAIN SKI AREA and subject to the provisions of this term permit. This permit covers land within portions of TOWNSHIP 2S, RANGE 26E, SECT. 14, 15, 22, 23, 24, 25 and 26, and covers 1,398 acres described here and shown on the attached map (Exhibit A) dated December 15, 2005.

The following improvements, whether on or off the site, are authorized:

See Exhibit B.

Attached Clauses. This term permit is accepted subject to the conditions set forth herein on pages 2 through 14 and to exhibits A to B attached or referenced hereto and made a part of this permit.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL OF ITS TERMS AND CONDITIONS:

ACCEPTED:

SIGNATURE _____ 1.28.06
RUSTY GREGORY
CEO - MAMMOTH MOUNTAIN SKI AREA, LLC DATE

APPROVED:

SIGNATURE _____ 1/28/06
JEFFREY E. BAILEY
FOREST SUPERVISOR - INYO NATIONAL FOREST DATE

TERMS AND CONDITIONS

I. AUTHORITY AND USE AND TERM AUTHORIZED

A. Authority. This term permit is issued under the authority of the Act of October 22, 1986, (Title 16, United States Code, Section 497b), and Title 36, Code of Federal Regulations, Sections 251.50-251.64.

B. Authorized Officer. The authorized officer is the Forest Supervisor. The authorized officer may designate a representative for administration of specific portions of this authorization.

C. Rules, Laws and Ordinances. The holder, in exercising the privileges granted by this term permit, shall comply with all present and future regulations of the Secretary of Agriculture and federal laws; and all present and future, state, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit to the extent they are not in conflict with federal law, policy or regulation. The Forest Service assumes no responsibility for enforcing laws, regulations, ordinances and the like which are under the jurisdiction of other government bodies.

D. Term. Unless sooner terminated or revoked by the authorized officer, in accordance with the provisions of the authorization, this permit shall terminate on January 25, 2046, but a new special-use authorization to occupy and use the same National Forest land may be granted provided the holder shall comply with the then-existing laws and regulations governing the occupancy and use of National Forest lands. The holder shall notify the authorized officer in writing not less than six (6) months prior to said date that such new authorization is desired.

E. Nonexclusive Use. This permit is not exclusive. The Forest Service reserves the right to use or permit others to use any part of the permitted area for any purpose, provided such use does not materially interfere with the rights and privileges hereby authorized.

F. Area Access. Except for any restrictions as the holder and the authorized officer may agree to be necessary to protect the installation and operation of authorized structures and developments, the lands and waters covered by this permit shall remain open to the public for all lawful purposes. To facilitate public use of this area, all existing roads or roads as may be constructed by the holder, shall remain open to the public, except for roads as may be closed by joint agreement of the holder and the authorized officer.

G. Master Development Plan. In consideration of the privileges authorized by this permit, the holder agrees to prepare and submit changes in the Master Development Plan encompassing the entire winter sports resort presently envisioned for development in connection with the National Forest lands authorized by this permit, and in a form acceptable to the Forest Service. Additional construction beyond maintenance of existing improvements shall not be authorized until this plan has been amended. Planning should encompass all the area authorized for use by this permit. The accepted Master Development Plan shall become a part of this permit. For planning purposes, a capacity for the ski area in people-at-one time shall be established in the Master Development Plan and appropriate National Environmental Policy Act (NEPA) document. The overall development shall not exceed that capacity without further environmental analysis documentation through the appropriate NEPA process.

H. Periodic Revision.

1. The terms and conditions of this authorization shall be subject to revision to reflect changing times and conditions so that land use allocation decisions made as a result of revision to Forest Land and Resource Management Plan may be incorporated.

2. At the sole discretion of the authorized officer this term permit may be amended to remove authorization to use any National Forest System lands not specifically covered in the Master Development Plan and/or needed for use and occupancy under this authorization.

II. IMPROVEMENTS

A. Permission. Nothing in this permit shall be construed to imply permission to build or maintain any improvement not specifically named in the Master Development Plan and approved in the annual operating plan, or further authorized in writing by the authorized officer.

B. Site Development Schedule. As part of this permit, a schedule for the progressive development of the permitted area and installation of facilities shall be prepared jointly by the holder and the Forest Service. Such a schedule shall be prepared by **December 15, 2007**, and shall set forth an itemized priority list of planned improvements and the due date for completion. This schedule shall be made a part of this permit. The holder may accelerate the scheduled date for installation of any improvement authorized, provided the other scheduled priorities are met; and provided further, that all priority installations authorized are completed to the satisfaction of the Forest Service and ready for public use prior to the scheduled due date.

1. All required plans and specifications for site improvements, and structures included in the development schedule shall be properly certified and submitted to the Forest Service at least forty-five (45) days before the construction date stipulated in the development schedule.

2. In the event there is agreement with the Forest Service to expand the facilities and services provided on the areas covered by this permit, the holder shall jointly prepare with the Forest Service a development schedule for the added facilities prior to any construction and meet requirements of paragraph II.D of this section. Such schedule shall be made a part of this permit.

C. Plans. All plans for development, layout, construction, reconstruction or alteration of improvements on the site, as well as revisions of such plans, must be prepared by a licensed engineer, architect, and/or landscape architect (in those states in which such licensing is required) or other qualified individual acceptable to the authorized officer. Such plans must be accepted by the authorized officer before the commencement of any work. A holder may be required to furnish as-built plans, maps, or surveys upon the completion of construction.

D. Amendment. This authorization may be amended to cover new, changed, or additional use(s) or area not previously considered in the approved Master Development plan. In approving or denying changes or modifications, the authorized officer shall consider among other things, the findings or recommendations of other involved agencies and whether their terms and conditions of the existing authorization may be continued or revised, or a new authorization issued.

E. Ski Lift Plans and Specifications. All plans for uphill equipment and systems shall be properly certified as being in accordance with the American National Standard Safety Requirements for Aerial Passenger Tramways (B77.1). A complete set of drawings, specifications, and records for each lift shall be maintained by the holder and made available to the Forest Service upon request. These documents shall be retained by the holder for a period of three (3) years after the removal of the system from National Forest land.

III. OPERATIONS AND MAINTENANCE

A. Conditions of Operations. The holder shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer. Standards are subject to periodic change by the authorized officer. This use shall normally be exercised at least 365 days each year or season. Failure of the holder to exercise this minimum use may result in termination pursuant to VIII.B.

B. Ski Lift, Holder Inspection. The holder shall have all passenger tramways inspected by a qualified engineer or tramway specialist. Inspections shall be made in accordance with the American National Standard Safety Requirements for Aerial Passenger Tramways (B77.1). A certificate of inspection, signed by an officer of the holder's company, attesting to the adequacy and safety of the installations and equipment for public use shall be received by the Forest Service prior to public operation stating as a minimum:

"Pursuant to our special use permit, we have had an inspection to determine our compliance with the American National Standard B77.1. We have received the results of that inspection and have made corrections of all deficiencies noted. The facilities are ready for public use."

C. Operating Plan. The holder or designated representative shall prepare and annually revise by November 1 an Operating Plan. The Plan shall be prepared in consultation with the authorized officer or designated representative and cover winter and summer operations as appropriate. The provisions of the Operating Plan and the annual revisions shall become a part of this permit and shall be submitted by the holder and approved by the authorized officer or their designated representatives. This plan shall consist of at least the following sections:

1. Ski patrol and first aid.
2. Communications.
3. Signs.
4. General safety and sanitation.
5. Erosion control.
6. Accident reporting.
7. Avalanche control.
8. Search and rescue.
9. Boundary management.
10. Vegetation management.
11. Designation of representatives.
12. Trail routes for nordic skiing.

The authorized officer may require a joint annual business meeting agenda to:

a. Update Gross Fixed Assets and lift-line proration when the fee is calculated by the Graduated Rate Fee System.

b. Determine need for performance bond for construction projects, and amount of bond.

c. Provide annual use reports.

D. Cutting of Trees. Trees or shrubbery on the permitted area may be removed or destroyed only after the authorized officer has approved and marked, or otherwise designated, that which may be removed or destroyed. Timber cut or destroyed shall be paid for by the holder at appraised value, provided that the Forest Service reserves the right to dispose of the merchantable timber to others than the holder at no stumpage cost to the holder.

E. Signs. Signs or advertising devices erected on National Forest lands shall have prior approval by the Forest Service as to location, design, size, color, and message. Erected signs shall be maintained or renewed as necessary to neat and presentable standards, as determined by the Forest Service.

IV. NONDISCRIMINATION. During the performance of this permit, the holder agrees:

A. Nondiscrimination

1. The holder and its employees shall not discriminate against any person on the basis of race, color, sex (in educational activities), national origin, age, or disability or by curtailing or refusing to furnish accommodations, facilities, services, or use privileges offered to the public generally. In addition, the holder and its employees shall comply with the provisions of Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and the Age Discrimination Act of 1975, as amended.

2. The holder shall include and require compliance with the above nondiscrimination provisions in any third-party agreement made with respect to the operations authorized under this permit.

3. The Forest Service shall furnish signs setting forth this policy of nondiscrimination. These signs shall be conspicuously displayed at the public entrance to the premises and at other exterior or interior locations, as directed by the Forest Service.

4. The Forest Service shall have the right to enforce the foregoing nondiscrimination provisions by suit for specific performance or by any other available remedy under the laws of the United States or the State in which the violation occurs.

B. Equal Access to Federal Programs. In addition to the above nondiscrimination policy, the holder agrees to ensure that its programs and activities are open to the general public on an equal basis and without regard to any non-merit factor.

V. LIABILITIES

A. Third Party Rights. This permit is subject to all valid existing rights and claims outstanding in third parties. The United States is not liable to the holder for the exercise of any such right or claim.

B. Indemnification of the United States. The holder shall hold harmless the United States from any liability from damage to life or property arising from the holder's occupancy or use of National Forest lands under this permit.

C. Damage to United States Property. The holder shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit. The holder shall pay the United States the full cost of any damage resulting from negligence or activities occurring under the terms of this permit or under any law or regulation applicable to the national forests, whether caused by the holder, or by any agents or employees of the holder.

D. Risks. The holder assumes all risk of loss to the improvements resulting from natural or catastrophic events, including but not limited to, avalanches, rising waters, high winds, falling limbs or trees, and other hazardous events. If the improvements authorized by this permit are destroyed or substantially damaged by natural or catastrophic events, the authorized officer shall conduct an analysis to determine whether the improvements can be safely occupied in the future and whether rebuilding should be allowed. The analysis shall be provided to the holder within six (6) months of the event.

E. Hazards. The holder has the responsibility of inspecting the area authorized for use under this permit for evidence of hazardous conditions which could affect the improvements or pose a risk of injury to individuals.

F. Insurance. The holder shall have in force public liability insurance covering: (1) property damage in the amount of fifty thousand dollars ($50,000), and (2) damage to persons in the minimum amount of five-hundred thousand dollars ($500,000) in the event of death or injury to one individual, and the minimum amount of one million dollars ($1,000,000) in the event of death or injury to more than one individual. These minimum amounts and terms are subject to change at the sole discretion of the authorized officer at the five-year anniversary date of this authorization. The coverage shall extend to property damage, bodily injury, or death arising out of the holder's activities under the permit including, but not limited to, occupancy or use of the land and the construction, maintenance, and operation of the structures, facilities, or equipment authorized by this permit. Such insurance shall also name the United States as an additionally insured. The holder shall send an authenticated copy of its insurance policy to the Forest Service immediately upon issuance of the policy. The policy shall also contain a specific provision or rider to the effect that the policy shall not be cancelled or its provisions changed or deleted before thirty (30) days written notice to the Forest Supervisor, Inyo National Forest, 351 Pacu Lane, Bishop, CA 93514, by the insurance company.

Rider Clause (for insurance companies):

"It is understood and agreed that the coverage provided under this policy shall not be cancelled or its provisions changed or deleted before thirty (30) days of receipt of written notice to the Forest Supervisor, Inyo National Forest, 351 Pacu Lane, Bishop, CA 93514, by the insurance company."

VI. FEES

Ski Area Permit Fees. The Forest Service shall adjust and calculate permit fees authorized by this permit to reflect any revisions to permit fee provisions in 16 U.S.C. 497c or to comply with any new permit fee system based on fair market value that may be adopted by statute or otherwise after issuance of this permit.

A. Fee Calculation. The annual fee due the United States for the activities authorized by this permit shall be calculated using the following formula:

SAPF = (.015 x AGR in bracket 1) + (.025 x AGR in bracket 2) + (.0275 x AGR in bracket 3) + (.04 x AGR in bracket 4)

Where:

AGR = [(LT + SS) x (proration %)] + GRAF

AGR	is	adjusted gross revenue;
LT	is	revenue from sales of alpine and nordic lift tickets and passes;
GRAF	is	gross year-round revenue from ancillary facilities;
Proration %	is	the factor to apportion revenue attributable to use of National Forest System lands;
SAPF	is	the ski area permit fee for use of National Forest System lands; and
SS	is	revenue from alpine and nordic ski school operations.

1. SAPF shall be calculated by summing the results of multiplying the indicated percentage rates by the amount of the holder's adjusted gross revenue (AGR), which falls into each of the four brackets. Follow direction in paragraph 2 to determine AGR. The permit fee shall be calculated based on the holder's fiscal year, unless mutually agreed otherwise by the holder and the authorized officer.

The four revenue brackets shall be adjusted annually by the consumer price index issued in FSH 2709.11, chapter 30. The revenue brackets shall be indexed for the previous calendar year. The holder's AGR for any fiscal year shall not be split into more than one set of indexed brackets. Only the levels of AGR defined in each bracket are updated annually. The percentage rates do not change.

The revenue brackets and percentages displayed in Exhibit 01 shall be used as shown in the preceding formula to calculate the permit fee.

Adjusted Gross Revenue (AGR) Brackets and Associated Percentage Rates
for Use in Determining Ski Area Permit Fee (SAPF)

Revenue Brackets (updated annually by CPI*)
and Percentage Rates

Holder FY	Bracket 1 (1.5%)	Bracket 2 (2.5%)	Bracket 3 (2.75%)	Bracket 4 (4%)
FY 1996 CPI: N/A	All revenue below $3,000,000	$ 3,000,000 to <$15,000,000	$15,000,000 to $50,000,000	All revenue over $50,000,000
FY 1997 CPI: 1.030	All revenue below $3,090,000	$ 3,090,000 to <$15,450,000	$15,450,000 to $51,500,000	All revenue over $51,500,000
FY 1998 CPI: 1.022	All revenue below $3,158,000	$ 3,158,000 to <$15,790,000	$15,790,000 to $52,633,000	All revenue over $52,633,000
FY 1999 CPI: 1.017	All revenue below $3,212,000	$ 3,212,000 to <$16,058,000	$16,058,000 to $53,528,000	All revenue over $53,528,000
FY 2000 and beyond	BRACKETS WILL BE UPDATED ANNUALLY BY CPI*			

*The authorized officer shall notify the holder of the updated revenue brackets based on the Consumer Price Index (CPI) which is revised and issued annually in FSH 2709.11, chapter 30.

2. AGR shall be calculated by summing the revenue from lift tickets and ski school operations prorated for use of National Forest System lands and from ancillary facility operations conducted on National Forest System lands.

Revenue inclusions shall be income from sales of alpine and nordic tickets and ski area passes; alpine and nordic ski school operations; gross revenue from ancillary facilities; the value of bartered goods and complimentary lift tickets (such as lift tickets provided free of charge to the holder's friends or relatives); and special event revenue. Discriminatory pricing, a rate based solely on race, color, religion, sex, national origin, age, disability, or place of residence, is not allowed, but if it occurs, include the amount that would have been received had the discriminatory pricing transaction been made at the market price, the price generally available to an informed public, excluding special promotions.

Revenue exclusions shall be income from sales of operating equipment; refunds; rent paid to the holder by subholders; sponsor contributions to special events; any amount attributable to employee gratuities or employee lift tickets; discounts; ski area tickets or passes provided for a public safety or public service purpose (such as for National Ski Patrol or for volunteers to assist on the slope in the Special Olympics); and other goods or services (except for bartered goods and complimentary lift tickets) for which the holder does not receive money.

Include the following in AGR:

a. Revenue from sales of year-round alpine and nordic ski area passes and tickets and revenue from alpine and nordic ski school operations prorated according to the percentage of use between National Forest System lands and private land in the ski area;

b. Gross year-round revenue from temporary and permanent ancillary facilities located on National Forest System lands;

c. The value of bartered goods and complimentary lift tickets, which are goods, services, or privileges that are not available to the general public (except for employee gratuities, employee lift tickets, and discounts, and except for ski area tickets and passes provided for a public safety or public service purpose) and that are donated or provided without charge in exchange for something of value to organizations or individuals (for example, ski area product discounts, service discounts, or lift tickets that are provided free of charge in exchange for advertising).

Bartered goods and complimentary lift tickets (except for employee gratuities, employee lift tickets, discounts, and except for ski area tickets and passes provided for a public safety or public service purpose) valued at market price shall be included in the AGR formula as revenue under LT, SS, or GRAF, depending on the type of goods, services, or privileges donated or bartered; and

d. Special event revenue from events, such as food festivals, foot races, and concerts. Special event revenue shall be included in the AGR formula as revenue under LT, SS, or GRAF, as applicable. Prorate revenue according to the percentage of use between National Forest System lands and private land as described in the following paragraphs 5 and 6.

3. LT is the revenue from sales of alpine and nordic lift tickets and passes purchased for the purpose of using a ski area during any time of the year, including revenue that is generated on private land (such as from tickets sold on private land).

4. SS is the revenue from lessons provided to teach alpine or nordic skiing or other winter sports activities, such as racing, snowboarding, or snowshoeing, including revenue that is generated on private land (such as from tickets sold on private land).

5. Proration % is the method used to prorate revenue from the sale of ski area passes and lift tickets and revenue from ski school operations between National Forest System lands and private land in the ski area. Separately prorate alpine and nordic revenue with an appropriate proration factor. Add prorated revenues together; then sum them with GRAF to arrive at AGR. Use one or both of the following methods, as appropriate:

a. STFP shall be the method used to prorate alpine revenue. The STFP direction contained in FSM 2715.11c effective in 1992 shall be used. Include in the calculation only uphill devices (lifts, tows, and tramways) that are fundamental to the winter sports operation (usually those located on both Federal and private land). Do not include people movers whose primary purpose is to shuttle people between parking areas or between parking areas and lodges and offices.

b. Nordic trail length is the method used to prorate nordic revenue. Use the percentage of trail length on National Forest System lands to total trail length.

6. GRAF is the revenue from ancillary facilities, including all of the holder's or subholder's lodging, food service, rental shops, parking, and other ancillary operations located on National Forest System lands. Do not include revenue that is generated on private land. For facilities that are partially located on National Forest System lands, calculate the ratio of the facility square footage located on National Forest System lands to the total facility square footage. Special event revenue allocatable to GRAF shall be prorated by the ratio of use on National Forest System lands to the total use.

7. In cases when the holder has no AGR for a given fiscal year, the holder shall pay a permit fee of $2 per acre for National Forest System lands under permit or a percentage of the appraised value of National Forest System lands under permit, at the discretion of the authorized officer.

B. Fee Payments. Reports and deposits shall be tendered in accordance with the following schedule. They shall be sent or delivered to the collection officer, USDA, Forest Service, at the address furnished by the authorized officer. Checks or money orders shall be made payable to: USDA, Forest Service.

1. The holder shall calculate and submit an advance payment which is due by the beginning of the holder's payment cycle. The advance payment shall equal 20 percent of the holder's average permit fee for 3 operating years, when available. When past permit fee information is not available, the advance payment shall equal 20 percent of the permit fee, based on the prior holder's average fee or projected AGR. For ski areas not expected to generate AGR for a given payment cycle, advance payment of the permit fee as calculated in item A, paragraph 7 ($2 per acre for National Forest System lands under permit or a percentage of the appraised value of National Forest System lands under permit, at the discretion of the authorized officer) shall be made. The advance payment shall be credited (item B, paragraph 3) toward the total ski area permit fee for the payment cycle.

2. The holder shall report sales, calculate fees due based on a tentative percentage rate, and make interim payments each calendar month except for periods in which no sales take place and the holder has notified the authorized officer that the operation has entered a seasonal shutdown for a specific period. Reports and payments shall be made by the end of the month following the end of each reportable period. Interim payments shall be credited (item B, paragraph 3) toward the total ski area permit fee for the payment cycle.

3. Within 90 days after the close of the ski area's payment cycle, the holder shall provide a financial statement, including a completed permit fee information form, Form FS-2700-19a, representing the ski area's financial condition at the close of its business year and an annual operating statement reporting the results of operations, including a final payment which includes year-end adjustments for the holder and each subholder for the same period. Any balance that exists may be credited and applied against the next payment due or refunded, at the discretion of the permit holder.

4. Within 30 days of receipt of a statement from the Forest Service, the holder shall make any additional payment required to ensure that the correct ski area permit fee is paid for the past year's operation.

5. All permit fee calculations and records of sales are subject to review or periodic audit as determined by the authorized officer. Errors in calculation or payment shall be corrected as needed for conformance with those reviews or audits. In accordance with the Fee Payment Issue clause contained in this authorization, interest and penalties shall be assessed on additional fees due as a result of reviews or audits.

C. Correcting Errors. Correction of errors includes any action necessary to calculate the holder's sales or slope transport fee percentage or to make any other determination required to calculate permit fees accurately. For fee calculation purposes, an error may include:

a. Misreporting or misrepresentation of amounts;
b. Arithmetic mistakes;
c. Typographic mistakes; or
d. Variation from generally accepted accounting principles (GAAP), when such variations are inconsistent with the terms of this permit.

Correction of errors shall be made retroactively to the date the error was made or to the previous audit period, whichever is more recent, and past fees shall be adjusted accordingly.

D. Fee Payment Issues.

1. Crediting of Payments. Payments shall be credited on the date received by the deposit facility, except that if a payment is received on a non-workday, the payment shall not be credited until the next workday.

2. Disputed Fees. Fees are due and payable by the due date. Disputed fees must be paid in full. Adjustments will be made if dictated by settlement terms or an appeal decision.

3. Late Payments.

(a) Interest. Pursuant to 31 U.S.C. 3717 et seq., interest shall be charged on any fee amount not paid within 30 days from the date it became due. The rate of interest assessed shall be the higher of the Prompt Payment Act rate or the rate of the current value of funds to the Treasury (i.e., the Treasury tax and loan account rate), as prescribed and published annually or quarterly by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. Interest on the principal shall accrue from the date the fee amount is due.

(b) Administrative Costs. If the account becomes delinquent, administrative costs to cover processing and handling the delinquency shall be assessed.

(c) Penalties. A penalty of 6% per annum shall be assessed on the total amount that is more than 90 days delinquent and shall accrue from the same date on which interest charges begin to accrue.

(d) Termination for Nonpayment. This permit shall terminate without the necessity of prior notice and opportunity to comply when any permit fee payment is 90 calendar days from the due date in arrears. The holder shall be responsible for the delinquent fees, as well as any other costs of restoring the site to its original condition, including hazardous waste cleanup.

4. Administrative Offset and Credit Reporting. Delinquent fees and other charges associated with the permit shall be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 et seq. and common law. Delinquencies are subject to any or all of the following:

(a) Administrative offset of payments due the holder from the Forest Service.

(b) If in excess of 60 days, referal to the Department of the Treasury for appropriate collection action as provided by 31 U.S.C. 3711(g)(1).

(c) Offset by the Secretary of the Treasury of any amount due the holder, as provided by 31 U.S.C. 3720 et seq.

(d) Disclosure to consumer or commercial credit reporting agencies.

E. Access to Records. For the purpose of administering this permit (including ascertaining that fees paid were correct and evaluating the propriety of the fee base), the holder agrees to make all of the accounting books and supporting records to the business activities, as well as those of sublessees operating within the authority of this permit, available for analysis by qualified representatives of the Forest Service or other Federal agencies authorized to review the Forest Service activities. Review of accounting books and supporting records shall be made at dates convenient to the holder and reviewers. Financial information so obtained shall be treated as confidential as provided in regulations issued by the Secretary of Agriculture.

The holder shall retain the above records and keep them available for review for 5 years after the end of the year involved, unless disposition is otherwise approved by the authorized officer in writing.

G. Accounting Records. The holder shall follow Generally Accepted Accounting Principles or Other Comprehensive Bases of Accounting acceptable to the Forest Service in recording financial transactions and in reporting results to the authorized officer. When requested by the authorized officer, the holder at its own expense, shall have the annual accounting reports audited or prepared by a licensed independent accountant acceptable to the Forest Service. The holder shall require sublessees to comply with these same requirements. The minimum acceptable accounting system shall include:

1. Systematic internal controls and recording by kind of business the gross receipts derived from all sources of business conducted under this permit. Receipts should be recorded daily and, if possible, deposited into a bank account without reduction by disbursements. Receipt entries shall be supported by source documents such as cash-register tapes, sale invoices, rental records, and cash accounts from other sources.

2. A permanent record of investments in facilities (depreciation schedule), and current source documents for acquisition costs of capital items.

3. Preparation and maintenance of such special records and accounts as may be specified by the authorized officer.

VII. TRANSFER AND SALE

A. Subleasing. The holder may sublease the use of land and improvements covered under this permit and the operation of concessions and facilities authorized upon prior written notice to the authorized officer. The Forest Service reserves the right to disapprove subleasees. In any circumstance, only those facilities and activities authorized by this permit may be subleased. The holder shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet. The holder may not sublease direct management responsibility without prior written approval by the authorized officer.

B. Notification of Sale. The holder shall immediately notify the authorized officer when a sale and transfer of ownership of the permitted improvements is planned.

C. Divestiture of Ownership. Upon change in ownership of the facilities authorized by this permit, the rights granted under this authorization may be transferred to the new owner upon application to and approval by the authorized officer. The new owner must qualify and agree to comply with, and be bound by the terms and conditions of the authorization. In granting approval, the authorized officer may modify the terms, conditions, and special stipulations to reflect any new requirements imposed by current Federal and state land use plans, laws, regulations or other management decisions.

VIII. REVOCATION AND SUSPENSION

A. Revocation and Suspension. The Forest Service may suspend or revoke this permit in whole or part:

1. For noncompliance with Federal, State, or local laws and regulations;
2. For noncompliance with the terms of this permit;
3. For failure of the holder to exercise the privileges granted by this permit;
4. With the consent of the holder; or
5. At the discretion of the authorized officer for specific and compelling reasons in the public interest.

B. Opportunity to Take Corrective Action. Prior to revocation or suspension under clause VIII.A, the authorized officer shall give the holder written notice of the grounds for each action and a reasonable time, not to exceed 90 days, to complete the corrective action prescribed by the authorized officer.

C. Revocation for Reasons in the Public Interest. If, during the term of this permit or any extension thereof, the Secretary of Agriculture or any official of the Forest Service with delegated authority determines in planning for the uses of the National Forest System that the public interest requires revocation of this permit, this permit shall be revoked after one hundred-eighty (180) day's written notice.to the holder. The United States shall then have the right to purchase the holder's improvements, to remove them, or to require the

holder to remove them, and the United States shall be obligated to pay an equitable consideration for the improvements or for removal of the improvements and damages resulting from their removal. If the amount of consideration is fixed by mutual agreement between the United States and the holder, that amount shall be accepted by the holder in full satisfaction of all claims against the United States under this clause. If mutual agreement is not reached, the Forest Service shall determine the amount of consideration. If the holder is dissatisfied with the amount determined by the Forest Service, the holder may appeal the determination under the agency's administrative appeal regulations.

D. Suspension. The authorized officer may immediately suspend this permit, in whole or in part, when necessary to protect public health, safety, or the environment. The suspension decision must be in writing. Within 48 hours of the request of the holder, the superior of the authorized officer shall arrange for an on-the-ground review of the adverse conditions with the holder. Following this review the superior shall take prompt action to affirm, modify, or cancel the suspension.

IX. RENEWAL

A. Renewal. The authorized use may be renewed. Renewal requires the following conditions: (1) the land use allocation is compatible with the Forest Land and Resource Management Plan; (2) the site is being used for the purposes previously authorized and; (3) the enterprise is being continually operated and maintained in accordance with all the provisions of the permit. In making a renewal, the authorized officer may modify the terms, conditions, and special stipulations.

X. RIGHTS AND RESPONSIBILITIES UPON TERMINATION OR NONRENEWAL

A. Removal of Improvements. Except as provided in Clause VIII. A, upon termination or revocation of this special use permit by the Forest Service, the holder shall remove within a reasonable time as established by the authorized officer, the structures and improvements, and shall restore the site to a condition satisfactory to the authorized officer, unless otherwise waived in writing or in the authorization. If the holder fails to remove the structures or improvements within a reasonable period, as determined by the authorized officer, they shall become the property of the United States without compensation to the holder, but that shall not relieve the holder's liability for the removal and site restoration costs.

XI. MISCELLANEOUS PROVISIONS

A. Members of Congress. No Member of or Delegate to Congress, or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

B. Inspection, Forest Service. The Forest Service shall monitor the holder's operations and reserves the right to inspect the permitted facilities and improvements at any time for compliance with the terms of this permit. Inspections by the Forest Service do not relieve the holder of responsibilities under other terms of this permit.

C. Regulating Services and Rates. The Forest Service shall have the authority to check and regulate the adequacy and type of services provided the public and to require that such services conform to satisfactory standards. The holder may be required to furnish a schedule of prices for sales and services authorized by the permit. Such prices and services may be regulated by the Forest Service: Provided, that the holder shall not be required to charge prices significantly different than those charged by comparable or competing enterprises.

D. Advertising. The holder, in advertisements, signs, circulars, brochures, letterheads, and like materials, as well as orally, shall not misrepresent in any way either the accommodations provided, the status of the permit, or the area covered by it or the vicinity. The fact that the permitted area is located on the National Forest shall be made readily apparent in all of the holder's brochures and print advertising regarding use and management of the area and facilities under permit.

E. Bonding. The authorized officer may require the holder to furnish a bond or other security to secure all or any of the obligations imposed by the terms of the authorization or any applicable law, regulation, or order.

Bonds, Performance. Use the following text, when bonding is called for: As a further guarantee of the faithful performance of the provisions of terms and conditions of this permit, the holder agrees to deliver and maintain a

surety bond or other acceptable security in the amount of N/A . Should the sureties or the bonds delivered under this permit become unsatisfactory to the Forest Service, the holder shall, within thirty (30) days of demand, furnish a new bond with surety, solvent and satisfactory to the Forest Service. In lieu of a surety bond, the holder may deposit into a Federal depository, as directed by the Forest Service, and maintain therein, cash in the amounts provided for above, or negotiable securities of the United States having a market value at the time of deposit of not less than the dollar amounts provided above.

The holder's surety bond shall be released, or deposits in lieu of a bond, shall be returned thirty (30) days after certification by the Forest Service that priority installations under the development plan are complete, and upon furnishing by the holder of proof satisfactory to the Forest Service that all claims for labor and material on said installations have been paid or released and satisfied. The holder agrees that all moneys deposited under this permit may, upon failure on his or her part to fulfill all and singular the requirements herein set forth or made a part hereof, be retained by the United States to be applied to satisfy obligations assumed hereunder, without prejudice whatever to any rights and remedies of the United States.

Prior to undertaking additional construction or alteration work not provided for in the above terms and conditions or when the improvements are to be removed and the area restored, the holder shall deliver and maintain a surety bond in an amount set by the Forest Service, which amount shall not be in excess of the estimated loss which the Government would suffer upon default in performance of this work.

F. Water Use Facilities.

1. Water Use Facilities. The National Forest System ("NFS") land which is the subject of this permit is hereinafter referred to as the "permitted NFS land." The authorization of facilities to divert, store, or convey water on the permitted National Forest System (NFS) land ("water facilities") in conjunction with water rights acquired by the holder is for the purpose of operating a winter or year-round resort and related facilities under this permit. If use of the water or the water facilities ceases, the authorization to use the permitted NFS land for such water facilities will also cease. The United States reserves the right to place conditions on the installation, operation, maintenance and removal of these water facilities necessary to protect public property, public safety, and natural resources on the permitted NFS land in compliance with applicable laws, provided, however, such conditions shall not permit the imposition of bypass flows on water transported to the permitted NFS land from points of diversion or storage that arise off of the permitted NFS land.

2. Water Rights. This permit does not confer any water rights on the holder. Water rights must be acquired by the holder under state law.

3. Future Applications and Revocation. After June 2004, any right to divert water from the permitted NFS land where the use of such water is on the same permitted NFS land shall be applied for and held in the name of the United States and the holder (hereinafter called the "joint water rights"). This provision shall not apply to water rights that are acquired by the permit holder from a source off of the permitted NFS land and transferred to a point of diversion or storage on the permitted NFS land. During the term of the permit and any reissuance thereafter, the permit holder shall be responsible for maintaining such joint water rights, and shall have the right to make any applications or other filings as may be necessary to maintain and protect such joint water rights. In the event of revocation of this permit, the United States shall succeed to the sole ownership of such joint water rights. All joint water rights subject to this clause are listed below (if none, write NONE).

State ID #	Owner	Type or Basis (decree, license, certificate)	Purpose of Use

G. Current Addresses. The holder and the Forest Service shall keep each informed of current mailing addresses including those necessary for billing and payment of fees.

H. Identification of Holder. Identification of the holder shall remain sufficient so that the Forest Service shall know the true identity of the entity.

Corporation Status Notification:

1. The holder shall notify the authorized officer within fifteen (15) days of the following changes:

   a. Names of officers appointed or terminated.
   b. Names of stockholders who acquire stock shares causing their ownership to exceed 50 percent of shares issued or otherwise acquired, resulting in gaining controlling interest in the corporation.

2. The holder shall furnish the authorized officer:

   a. A copy of the articles of incorporation and bylaws.
   b. An authenticated copy of a resolution of the board of directors specifically authorizing a certain individual or individuals to represent the holder in dealing with the Forest Service.
   c. A list of officers and directors of the corporation and their addresses.
   d. Upon request, a certified list of stockholders and amount of stock owned by each.
   e. The authorized officer may require the holder to furnish additional information as set forth in 36 CFR 251.54(e)(1)(iv).

Partnership Status Notification:

The holder shall notify the authorized officer within fifteen (15) days of the following changes. Names of the individuals involved shall be included with the notification.

1. Partnership makeup changes due to death, withdrawal, or addition of a partner.

2. Party or parties assigned financed interest in the partnership by existing partner(s).

3. Termination, reformation, or revision of the partnership agreement.

4. The acquisition of partnership interest, either through purchase of an interest from an existing partner or partners, or contribution of assets, that exceeds 50 percent of the partnership permanent investment.

I. Archaeological-Paleontological Discoveries. The holder shall immediately notify the authorized officer of any and all antiquities or other objects of historic or scientific interest. These include, but are not limited to, historic or prehistoric ruins, fossils, or artifacts discovered as the result of operations under this permit, and shall leave such discoveries intact until authorized to proceed by the authorized officer. Protective and mitigative measures specified by the authorized officer shall be the responsibility of the permit holder.

J. Protection of Habitat of Endangered, Threatened, and Sensitive Species. Location of areas needing special measures for protection of plants or animals listed as threatened or endangered under the Endangered Species Act (ESA) of l973, as amended, or listed as sensitive by the Regional Forester under authority of FSM 2670, derived from ESA Section 7 consultation, may be shown on a separate map, hereby made a part of this permit, or identified on the ground. Protective and mitigative measures specified by the authorized officer shall be the responsibility of the permit holder.

If protection measures prove inadequate, if other such areas are discovered, or if new species are listed as Federally threatened or endangered or as sensitive by the Regional Forester, the authorized officer may specify additional protection regardless of when such facts become known. Discovery of such areas by either party shall be promptly reported to the other party.

K. Superior Clauses. In the event of any conflict between any of the preceding printed clauses or any provision thereof, and any of the following clauses or any provision thereof, the preceding clauses shall control.

L. Superseded Permit. This permit replaces a special use permit issued to: **Mammoth Mountain Ski Area, LVD412903R, on December 15, 2005.**

M. Disputes. Appeal of any provisions of this authorization or any requirements thereof shall be subject to the appeal regulations at 36 CFR 251, Subpart C, or revisions thereto. The procedures for these appeals are set forth in 36 CFR 251 published in the Federal Register at 54 FR 3362, January 23, 1989.

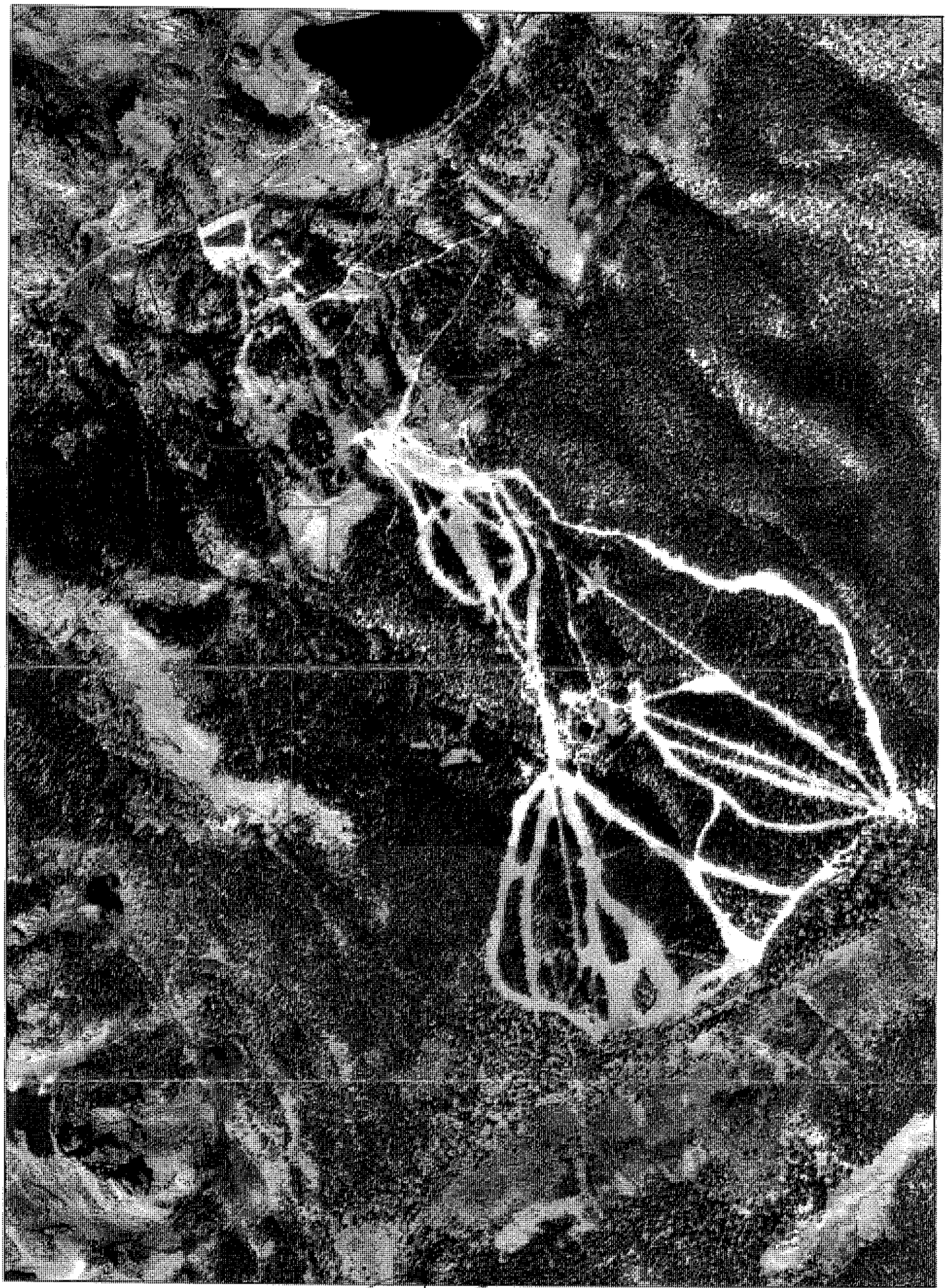
According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082.

This information is needed by the Forest Service to evaluate requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the Secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archaeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Public reporting burden for this collection of information is estimated to average 12 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Exhibit A - June Mountain Ski Area Forest Service Permit Boundary



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Approved

USFS Authorized Officer Date

Permit Holder Date

Base Layer DOQQs
from CA Spatial Information Library

Authorization ID: LVD412903R
JUNE MOUNTAIN SKI AREA
EXHIBIT B

USFS PERMIT AREA INVENTORY								
		Property Name	Street Address	Buildings	Stories	SF	Units	Acres
1	June Mtn	Day Lodge	1 Boulder Dr. PO BOX 146 June Lake, CA 93529	1	3	27,000	1	n/a
2	June Mtn	Stew Pot Slims	within permit boundary	1	1	960	1	n/a
3	June Mtn	Stew Pot Slims Lift Station	within permit boundary	1	1	140	1	n/a
4	June Mtn	Upper QMC Terminal	within permit boundary	1	1	5,265	1	n/a
5	June Mtn	Garage	within permit boundary	1	2	5,928	1	n/a
6	June Mtn	Pump House	within permit boundary	1	1	150	1	n/a
7	June Mtn	Lower QMC Building	within permit boundary	1	1	8,472	1	n/a
8	June Mtn	Shipping Container	within permit boundary	1	1	360	1	n/a
9	June Mtn	Compressor Bldg	within permit boundary	1	1	780	1	n/a
10	June Mtn	Children's Center	within permit boundary	1	1	2,800	1	n/a
11	June Mtn	Vehicle Maint.	within permit boundary	1	1	1,400	1	n/a
12	June Mtn	Mobile Home	within permit boundary	1	1	720	1	n/a
13	June Mtn	Chair J-1	within permit boundary	n/a	n/a	n/a	n/a	n/a
14	June Mtn	Chair J-2	within permit boundary	n/a	n/a	n/a	n/a	n/a
15	June Mtn	Chair J-3	within permit boundary	n/a	n/a	n/a	n/a	n/a
16	June Mtn	Chair J-4	within permit boundary	n/a	n/a	n/a	n/a	n/a
17	June Mtn	Chair J-5	within permit boundary	n/a	n/a	n/a	n/a	n/a
18	June Mtn	Chair J-6	within permit boundary	n/a	n/a	n/a	n/a	n/a
19	June Mtn	Chair J-7	within permit boundary	n/a	n/a	n/a	n/a	n/a

Proposition 1 and State Plans Alignment:

The proposed project will result in direct reduction of dead and decaying white-bark forests that in their current state present real threats stemming from potential catastrophic forest fires and the associated impacts on water quality, storage potential and overarching forest health. These same forests are subject to watershed damage and threaten life and property resulting from blow-down and other weather related events. As a result, the proposed project will directly address and respond to multiple watershed benefits consistent with purposes identified in Proposition 1 which include the following.

- Implement fuel treatment projects to reduce wildfire risks, protect watersheds tributary to water storage facilities, and promote watershed health.

- Protect and restore rural and urban watershed health to improve watershed storage capacity, forest health, protection of life and property, and greenhouse gas reduction.

- Implement watershed adaptation projects in order to reduce the impacts of climate changes on California's communities and ecosystems.

Alignment with SNC Vision:

The proposed project includes several key elements that align closely with SNC's vision. The project will result in increased watershed health and ecological resiliency associated with the June Mountain Ski Area. Healthy and resilient watersheds in the June Lake area are fundamental to local and regional flora and fauna as well as the drivers of livelihoods and associated economic well-being for the June Lake community. Indeed, June Lake's economy is fundamentally linked to healthy watersheds that provide tourism, recreational and commercial activities and investment in the proposed project will play an essential role in ensuring the sustainable provision of these goods and services. Moreover, with SNC's funding support, it is expected that additional and substantial financial resources will be secured furthering the investment in watershed health necessary for sustainable water quality, scenery and to support habitat for local/regional flora and fauna. Lastly, it is anticipated that the proposed white-bark restoration work will result in the replacement of stagnant/decaying carbon stocks (dead/decaying trees) with new, growing biomass providing for increased amounts of carbon sequestration and storage moving forward. As such, the proposed project will result in achieving several key tenants of SNC's Vision that include (taken directly from the 2016-2019 Strategic Action Plan):

- Rich and diverse natural, physical, and living resources are protected and conserved.

- Healthy, diverse, and economically sustainable local communities thrive, prepared for and protected from natural disasters.
- Californians value and invest in healthy watersheds that provide high-quality water, spectacular scenery, and important wildlife habitat.
- Sustainable working landscapes provide environmental, economic, and social benefits to the Region.

- Healthy and sustainable tourism, recreation, and commercial activities are valued and encouraged.
- The Region's cultural, archeological, and historical resources are preserved, visited, and treasured.
- The role of the forest in sequestering and storing carbon and reducing greenhouse gas emissions is recognized and enhanced.

Alignment with SNC Program Areas

As with alignment with the broader SNC Vision, this project aligns directly with SNC Program Areas as well and in the following manner(s).

(a) Program Area: Increasing the opportunity for tourism and recreation in the Region

This project will improve the health of June Lake watersheds which are key to year-round recreational activities enjoyed by local, region, national and international enthusiasts. The proposed project will not only help ensure current recreational and tourism opportunities but through restoring the ecological health of the area and revitalizing habitats for regional flora and fauna, the project will expand those opportunities.

(b) Program Area: Protecting, conserving, and restoring the Region's physical, cultural, archaeological, historical, and living resources January 2016 – June 2019 4

This project will result directly in restoration and conserving of physical habitats and associated living resources through the removal of dead and decaying white-bark forests that currently

(c) Program Area: Aiding in the preservation of working landscapes

June Mountain Ski Area is a defined working landscape that currently is in need of ecological restoration to maintain and improve tourism and recreational opportunities as well to ensure the health and safety of those visiting the area. The proposed project will result in improved restoration, improved tourism and recreational opportunities and the preservation of a critical working landscape supporting flora, fauna and the local economy of June Lakes.

(d) Program Area: Reducing the risk of natural disasters, such as wildfire

A core objective of the proposed project is to reduce the risk of natural disasters and particularly wildfires. The project will do so by removing dead and decaying trees that are subject to fire-risk which is only increased by the significant fuel loading that currently exists. Existing forests are also subject to damage due to high-wind events that pose threats to the watershed itself as well as tourists/recreationalists visiting the June Mountain Ski Area.

(e) Program Area: Protecting and improving water and air quality

The proposed project will help to protect water quality by ensuring healthy forests and the ecological services they provide (including filtering of sediments/maintaining water quality) are sustained. Dead and decaying trees will be removed allowing for healthy regeneration of trees

to occur resulting in stable soils that would otherwise be subject to erosion and downstream sedimentation and ultimately degradation of water quality.

(f) Program Area: Assisting the Regional economy through the operation of the SNC's program

June Mountain Ski Area is the primary economic driver of the June Lakes area, particularly during the winter season. SNC funding to restore dead and decaying forests that currently pose threats to the environment as well as visitors to June Mountain Ski Area will help to ensure June Mountain Ski Area continues to support local and regional economic activity.

(g) Program Area: Enhancing public use and enjoyment of lands owned by the public

June Mountain Ski Area currently has a long-term Special Use Permit with the Inyo National Forest. Although a Special Use Permit exists, the proposed project ultimately addresses restoration needs of public lands (Inyo National Forest). In doing so, the proposed project will support public use and enjoyment of public lands.

Alignment with the Sierra Nevada 2016-2019 Strategic Action Plan

The 2016-2019 Strategic Action Plan for the SNC identifies two primary and two secondary Programs. The Watershed Improvement Program is identified as being one of the two primary Programs the other being the Grant Program. The proposed project aligns with both of these primary Programs in the following manner.

Primary Program 1: Watershed Improvement Program

As stated in the SNC 2016-2019 Strategic Action Plan, "Healthy forests. Healthy waters. These are at the center of the Sierra Nevada Watershed Improvement Program (WIP), a coordinated, integrated, collaborative program that will catalyze improvements to the health of California's primary watershed through increased investment and policy changes."

The proposed project is in fact a coordinated project amongst California Trout, the Inyo National Forest and the Mammoth Mountain Ski Area (owner of the June Mountain Ski Area) along with support from the June Lake community and will protect a significant watershed within the June Lake community by attempting to minimize a catastrophic fire by reducing fuels in an area identified by the Inyo National Forest as crucial. The project is integrating science, per the completion of NEPA and specific project planning, integrating proposed funding sources from the SNC with in-kind contributions from Mammoth Mountain Ski Area and the Inyo National Forest (and future federal funding from likely sources such as NFWF) and collaborative in its broader scope of work, roles and responsibilities of project partners. Altogether, the proposed project will contribute directly to the improvement of a primary watershed within the Mono Basin, Mono County, CA.

On Page 4 of the draft Sierra Nevada Watershed Improvement Program Regional Strategy, it states "The WIP is a large-scale restoration program designed to address ecosystem health in the Sierra Nevada in a holistic manner and encompass concerns including wildfire, water

reliability, habitat infrastructure, recreation, socio-economic and public safety concerns" and goes on to list six specific objectives. The proposed June Mountain project responds specifically to the following and multiple stated objectives:

(a) *Reduce the risk and consequences of large, damaging wildfires*
The proposed project will eliminate dead and decaying trees that currently pose significant risks stemming from potentially large and damaging wildfires that have the potential for catastrophic loss to life, property and local habitat(s).

(b) *Reduce greenhouse gas (GHG) emissions and stabilize carbon storage*
The proposed project will remove dead and decaying trees and provide for newly established trees to become established and sequester and store carbon. Additionally, via the proposed project, soils, a primary source of carbon storage, will become more stable preventing current and future carbon stocks from being loss via erosion, downstream sedimentation etc.

(c) *Improve and protect the quantity and quality of water available year-round*
The proposed project will serve to restore the health of a primary watershed in the June Lakes area and in so doing, protect water quality in the area from sediment deposition within local water ways as well as in several of the local lakes. These lakes currently serve as water storage and for recreational opportunities. Therefore, the proposed project will contribute to at a minimum of protecting water supplies and quality if not improve them on a year-round basis as well.

(d) *Improve and protect habitat for wildlife, fish and plant species*
As with protecting and improving water supplies and quality, the proposed project will serve to enhance overall watershed and habitat health of which multiple species of wildlife, fish and plant species in the June Lake area depend upon. It is very likely that without the project necessary habitats supporting wildlife, fish and plant species will become further degraded, compromising their potential sustainability.

(e) *Improve local socio-economic conditions and public safety*
The June Lake Ski Mountain is one of the single largest economic drivers for not only June Lake proper but surrounding areas as well. The proposed project will address degraded watershed conditions and in turn, continue to draw recreationalist/improve the appeal of the June Mountain Ski Area that also so directly contributes to local businesses via tourism related activities i.e., hotels, restaurants, ski shops etc. Moreover, in its current state, June Mountain Ski Area and the condition of the 518 acres of degraded white-bark forest poses real threats to public safety and particularly those engaging in the Mountain's activities. This project will eliminate such a public safety issues and in so doing help to ensure for the long-term stable socio-economic conditions for June Lakes and beyond.

Primary Program 2: Grant Program

Two specific Prop. 1 Implementation Strategies will be addressed in support of the SNC Grant Program priority. They are:

(a) The proposed project will utilize Prop. 1 funding in a manner that supports the WIP as well as other priority initiatives of California such as the CA Water Action Plan by addressing the following:
    - Fuel Treatments: Treatment of dead and decaying white-bark forests in the June Lake watershed that currently pose significant wildfire risks along with threats to downstream supplies inclusive of storage facilities that support the local June Lake community as well as ultimately supplying the Los Angeles aqueduct.
    - Protect and Restore Rural Watersheds: By removing dead and decaying fuels the proposed project funding will also directly contribute to restoring a rural watershed in order to improve overall watershed and forest health while also protecting human safety and property in the June Lakes area.

(b) Maximize the impact of SNC Proposition 1 funding by coordinating with other Proposition 1 funding agencies and leveraging other sources of funds in order to implement multi-benefit, landscape-scale projects.
    - The proposed project using SNC funding is part of a larger, multi-year project that will take place over the course of approximately five years. Utilizing SNC Prop. 1 funding will enable the leveraging of other sources of funding to support the full implementation and completion of the five-year project. Notable, CalTrout and project partners, including the Inyo National Forest, have been in discussions with the National Fish & Wildlife Foundation specifically about pursuing an additional $500,000 to support a second phase of the project. Moreover, with initial funding from the SNC, CalTrout and partners expect to be able to leverage such funding to secure additional funding above and beyond from NFWF from CalFire, and/of CA Dept. of Fish and Wildlife via Prop. 1 funds. More broadly, CalTrout and partners are quite confident that with the SNC funds, we will be able to secure necessary funding to complete all phases of the project.

In conclusion, the proposed project aligns and supports directly both the *Sierra Nevada Conservancy's 2016-2019 Strategic Action Plan* as well as both of the Primary Programs contained within the proposed *Sierra Nevada Watershed Improvement Program Regional Strategy.*

Alignment with the California Water Action Plan

A transparent collaborative management process; strong community support and broad public information actions will enable this project to further the goals of the California Water Action Plan (2015) in a) restoring important ecosystems and b) managing headwaters for multiple benefits. Specifically, this project to restore watershed health through pest and disease treatments and fuels reduction will protect water quality and supply to downstream communities and the City of Los Angeles from the sediment that intense fires produce, much of which ends up in reservoirs significantly reducing storage capacity and impacting water quality. The project will increase sequestration through forest regeneration and decrease the risk of carbon emission through wildfire. This effort will help protect the tourist economy of the June

Lake area from catastrophic events (like fire) and undue risk (like falling trees) that would curtail tourism.

As signatories to the Inyo-Mono IRWM Program MOU, both CalTrout and the Inyo National Forest are committed to implementation of the Inyo-Mono Integrated Regional Water Management Plan.
The proposed project responds to several of the CWAP objectives including:

- Objective 1: Protect, conserve, optimize, and augment water supply while maintaining ecosystem health
- Objective 2: Protect, preserve, restore, and enhance domestic and ecosystem water quality
- Objective 3: Provide Stewardship of Water Dependent Natural Resources and,
- Objective 5: Address Climate Variability and Reduce Greenhouse Gas Emissions

Alignment with the Safeguarding California Plan 2014/ Update to 2009 California Climate Adaptation Strategy

In accordance with the Natural Resources Agency's Safeguarding California Plan 2014/ Update to 2009 California Climate Adaptation Strategy – this project works to: Build ecosystem resiliency in the service of habitat restoration, carbon sequestration, and eco-system service benefits; Build collaboration; Educate the public; and, Share the data.

Climate change threatens California forests with more frequent and severe wildfires, pests, disease, increased temperatures, and changing precipitation and water availability. The impact of each event leaves the ecosystem more vulnerable to the next - degrading habitat and eco system service functions, and resulting, potentially, in forest loss. The Safeguarding California Plan identifies watershed health and resiliency, fire suppression activities and fuels management – proposed here with the treatment of dead and dying coniferous trees on June Mountain – as critical strategies for California forests in their particularly vulnerable and weakened current state.

This collaboration between CalTrout, Inyo National Forest, and the Mammoth Mountain Ski Area, is supported by various local entities including the 30+ member entities of the Inyo-Mono Integrated Regional Water Management Group. The project has planned a robust Information sharing and education program including: 50,000 tourists annually, 10,000 CalTrout Supporters, 700 property owners in the June Lake Loop, local presentations, guided ski tours of the project site and press releases

Restoration data will be contributed to FRAP (the California Department of Forestry and Fire Protection's Fire and Resource Assessment Program) and water monitoring data will be distributed to the State Water Resources Control Board.

Alignment with the Human Right to Water Bill (AB 685)

The Human Right to Water Bill (AB 685) declares that it is the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption. Moreover, the bill requires all relevant state agencies, including the

Department of Water Resources, the State Water Resources Control Board, and the State Department of Public Health, to consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and grant criteria are pertinent to the uses of water described above. In the case of the proposed white-bark restoration project, the intent of AB 685 is being supported as a result of improving forest/watershed health and in doing so reducing the potential impacts to both water quality and supplies downstream from where the current dead and decaying trees are. Or, in other words, by implementing the proposed project, there are increased assurances that water quality and supplies will be maintained that are essential to providing safe, clean, affordable and accessible water to both the June Lake community as well as those further downstream receiving water via the LA aqueduct.

STATE OF CALIFORNIA

OFFICE OF THE SECRETARY OF STATE

I, *EDMUND G. BROWN JR.*, Secretary of State of the State of California, hereby certify:

That the annexed transcript has been compared with the RECORD on file in this office, of which it purports to be a copy, and that same is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this

JAN 8 1971

Edmund G. Brown Jr.

Secretary of State

614972

ENDORSED
FILED
In the office of the Secretary of State
of the State of California
JAN 6 1971
EDMUND G. BROWN Jr., Secretary of State
By BILL HOLDEN
Deputy

ARTICLES OF INCORPORATION

OF

CALIFORNIA TROUT

I

The name of this corporation shall be:

CALIFORNIA TROUT

II

(a) The specific and primary purpose of the corporation is to undertake programs and activities to conserve and enhance the wild trout resource within the State of California and elsewhere, including programs and activities to conserve, and enhance trout habitat and the ecological conditions conducive to and compatible with conservation and enhancement of such habitat.

(b) The secondary and general powers of the corporation are to possess and exercise all of the powers conferred by law on nonprofit corporations and to have all other powers and to do all other acts necessary or incidental to the administration of the affairs and for carrying out the purposes of this corporation, including, but without limitation, the following acts or things:

(1) To undertake or obtain studies of any and all kinds bearing upon or related to the primary purposes of the corporation.

(2) To undertake specific programs of stream or waterway improvement alone or in concert with

cerned in the liquidation.

VII

The authorized number and qualifications of members, their voting and other rights and privileges and their liability for dues or assessments shall be as set forth in the By-Laws of this corporation.

IN WITNESS WHEREOF, for the purposes of forming this corporation under the laws of the State of California we, the undersigned, constitute the incorporators of this corporation and the persons named hereinabove as its first directors have executed these Articles of Incorporation, this 29th day of December, 1970.

Howard N. Ellman

Robert C. Kirkwood

Robert L. Steele

STATE OF CALIFORNIA)
CITY AND COUNTY OF SAN FRANCISCO) ss.

On this 29th day of December, 1970, before me a Notary Public in and for said State, personally appeared Howard N. Ellman, Robert C. Kirkwood, and Robert L. Steele, known to me to be the persons whose names are subscribed to the foregoing Articles of Incorporation, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

CLAUDIA WAGGONER

Notary Public in and for the State of

Robert C. Kirkwood	111 Sutter Street San Francisco, California 94104
Robert L. Steele	111 Sutter Street San Francisco, California 94104

The number of regular directors shall be determined by a By-Law of the corporation adopted by the members.

VI

This corporation is not organized, nor shall it be operated, for pecuniary gain or profit. It does not comtemplate the distribution of gains, profits, or dividends to the members thereof and is organized solely for nonprofit purposes. The property, assets, profits and net income of this corporation are irrevocably dedicated to education, conservation, charitable and/or scientific purposes and no part of the profits or net income of this corporation shall ever inure to the benefit of any director, officer, or member thereof or to the benefit of any private shareholder or individual. Upon the dissolution or winding up of this corporation, its assets remaining after payment or provision for payment of all debts and liabilities shall be distributed to a nonprofit fund, foundation or corporation organized and operated exlusively for education, conservation, charitable and/or scientific purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code and Section 23701d of the California Revenue and Taxation Code. Where possible, the aforesaid distribution shall be to an entity as herein qualified, having similar purposes as this corporation. If this corporation holds any assets in trust, such assets shall be disposed of in such a manner as may be directed by the decree of the Superior Court of the county in which this corporation's principal office is located, upon peti-

property of this corporation, or to issue the same unsecured.

(10) To receive property by devise or bequest, subject to the laws regulating the transfer of property by testamentary disposition; to act as trustee under any trust and to receive, hold, administer and expend funds and property subject to any such trust.

(11) To enter into, make, perform and carry out partnerships, joint ventures, and contracts of every kind for any lawful purpose and without limit as to amount with any person, firm or corporation.

(12) Notwithstanding the foregoing, this corporation, except in an insubstantial degree, shall not engage in any activity which is not in furtherance of its primary purposes.

III

This corporation is organized pursuant to the General Nonprofit Corporation Law of the State of California.

IV

The principal office for the transaction of the business of this corporation is located in the City and County of San Francisco.

V

The names and addresses of the persons who are to act in the capacity of incorporating directors until the selection of their successors are:

Name	Address

(3) To recommend to or for the benefit of the public programs related directly or indirectly to the conservation and enhancement of the wild trout resource and habitat.

(4) To receive grants and contributions of all types from individuals, organizations, corporations, foundations, government agencies and others to support the programs and projects of this corporation.

(5) To solicit and arrange grants and contributions of all types from individuals, organizations, corporations, foundations, government agencies and others.

(6) To provide facilities, personnel, promotion and funds in order to achieve and to assist the public and other organizations to further the purposes of the corporation.

(7) To retain the personnel necessary to accomplish the purposes of these Articles of Incorporation.

(8) To buy, lease, rent, or otherwise acquire, hold, or use, own, enjoy, sell, exchange, lease as lessor, mortgage, deed in trust, pledge, encumber, transfer upon trust, or otherwise dispose of any and all kinds of property, whether real personal or mixed, and including shares of stocks, bonds or securities of other corporations, and wherever situated.

(9) To borrow money and to contract debts; to issue bonds, notes and other evidences of indebtedness, and to secure the same by any or all of the

A0504316

State of California

SECRETARY OF STATE

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this

FEB 20 1998

Bill Jones

Secretary of State

SEC/STATE FORM CE-107 (REV. 4/97)

A0504316

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

FEB 13 1998

BILL JONES, Secretary of State

CERTIFICATE OF AMENDMENT OF ARTICLES OF INCORPORATION

Joel Scheinberg and Roy E. Crawford hereby certify that:

1. They are the president and secretary, respectively, of California Trout, a California nonprofit corporation.

2. Article I of the Articles of Incorporation of this corporation is amended to read as follows:

> The name of this corporation shall be: California Trout, Inc.

3. Article VI of the Articles of Incorporation of this corporation is amended to read as follows:

> This corporation is not organized, nor shall it be operated, for pecuniary gain or profit. It does not contemplate the distribution of gains, profits, or dividends to the members thereof and is organized solely for nonprofit purposes. The property, assets, profits and net income of this corporation are irrevocably dedicated to charitable, scientific and/or educational purposes meeting the requirements for exemption provided by section 214 of the Revenue and Taxation Code, and no part of the profits, net income or assets of this corporation shall ever inure to the benefit of any director, officer, or member thereof or to the benefit of any private person. Upon the dissolution or winding up of this corporation, its assets remaining after payment or provision for payment of all debts and liabilities shall be distributed to a nonprofit fund, foundation or corporation organized and operated exclusively for charitable, scientific and/or educational purposes meeting the requirements for exemption provided by Section 214 of the Revenue and Taxation Code, and which nonprofit fund, foundation or corporation has established its tax exempt status under section 501(c)(3) of the Internal Revenue Code. Where possible, the aforesaid distribution shall be to an entity as herein qualified having similar purposes as this

corporation. If this corporation holds any assets in trust, such assets shall be disposed of in such a manner as may be directed by the decree of the Superior Court of the county in which this corporation's principal office is located, upon petition therefor by the Attorney General or by any person concerned in the liquidation.

4. The foregoing amendments of the Articles of Incorporation have been duly approved by the board of directors.

5. The foregoing amendments of the Articles of Incorporation have been duly approved by the required vote of the members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our knowledge.

Dated: February 10, 1998

Joel Scheinberg, President

Roy E. Crawford, Secretary

OFFICE OF THE SECRETARY OF STATE

SFRLIB1\REC\5050742.01

Address any reply to: 450 Golden Gate Ave., San Francisco, Calif. 94102

Department of the Treasury

District Director

Internal Revenue Service

Date: MAY 6 1971

In reply refer to:
A:FA:1230:RM:5209
Ph. 415-556-6795
SF:EO:71-480
ID # 23-7097680

California Trout
P. O. Box 2046
San Francisco, California 94126

Gentlemen:

Purpose:	Charitable and Educational
File Returns with Internal Revenue Service Center:	Philadelphia, Pennsylvania
Accounting Period Ending:	December 31
Address Inquiries to District Director of Internal Revenue:	San Francisco, California

Based on information supplied, and assuming your operations will be as stated in your exemption application, we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Any change in your purposes, character, or method of operation must be reported to us so we may consider the effect of the change on your exempt status. You must also report any change in your name and address.

Pending issuance of regulations under section 509 of the Code, we are unable to make a determination as to whether you are a private foundation as defined in that section. Upon issuance of the regulations we will evaluate your application, make a determination as to your status under section 509 of the Code, and notify you of our decision.

If upon issuance of the regulations we determine that you are a private foundation, you will be required to comply with the provisions of section 508(e), which specifies that a private foundation is not exempt unless its governing instrument includes certain provisions

D

set forth in that section and the regulations thereunder. Failure to comply with the requirements of section 508(e) will result in retroactive revocation of this determination.

For years beginning prior to January 1, 1970, you are required to file the annual information return, Form 990-A. For each subsequent year, please refer to the instructions accompanying the Form 990 for that particular year to determine whether you are required to file. If filing is required, you must file the Form 990 by the 15th day of the fifth month after the end of your annual accounting period.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter we are not determining whether any of your present or proposed activities constitute engaging in an unrelated trade or business as defined in section 513 of the Code.

You are not liable for Federal unemployment taxes. You are liable for social security taxes only if you have filed a waiver of exemption certificate as provided in the Federal Insurance Contributions Act.

Contributions made to you are deductible by donors as provided in section 170 of the Code. Bequests, legacies, devises, transfers or gifts to or for your use are deductible for Federal estate and gift tax purposes under the provisions of sections 2055, 2106 and 2522 of the Code.

You need an employer identification number, even if you don't have any employees. This number is to be used on all your tax returns and in your correspondence with the Internal Revenue Service. If you do not have such a number, your District Director will take steps to see that one is issued at an early date.

This is a determination letter.

Very truly yours,

R.F. Harless

R.F. Harless
District Director

Your attention is called to the provisions of section 501(c)(3) of the Internal Revenue Code of 1954 under which your exemption will be revoked if any substantial part of your activities consists of carrying on propaganda, or otherwise attempting to influence legislation, or if you participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of any candidate for public office.

AMENDED AND RESTATED BYLAWS

OF

CALIFORNIA TROUT, INC.

These Amended and Restated Bylaws amend, supersede and restate, in their entirety, any and all Bylaws and amendments of California Trout, Inc..

ARTICLE 1

OFFICES

Section 1. PRINCIPAL OFFICES. The Board of Governors shall fix the location of the principal executive office of the corporation at any place within the State of California.

Section 2. OTHER OFFICES. The Board of Governors may at any time establish branch or subordinate offices at any place or places where the corporation is qualified to do business.

ARTICLE 2

MEMBERSHIP

Section 1. This corporation shall have no voting members. The Board of Governors may, by resolution, establish one or more classes of non-voting members and provide for eligibility requirements for membership as well as rights and duties, and dues obligations, of members.

ARTICLE 3

GOVERNORS

Section 1. POWERS. Subject to the provisions of the California Nonprofit Corporation Law and any other applicable laws, the business and affairs of the corporation shall be managed and all corporate powers shall be exercised by or under the direction of the Board of Governors.

Section 2. NUMBER AND QUALIFICATION OF GOVERNORS. The authorized number of Governors shall be not less than thirteen (13) nor more than twenty five (25) Governors, until changed by an amendment to the bylaws. The exact number of authorized Governors shall be fixed, within those limits, from time to time by resolution adopted by the Board of Governors. All Governors shall be residents of the State of California and shall be dues paying, non-voting members of the corporation. The Board may set such other qualifications as it determines, from time to time, in its

discretion including requirements as diverse, geographic and regional representation on the Board.

Section 3. ELECTION AND TERM OF OFFICE OF GOVERNORS. Governors shall be elected at each annual meeting of the Governors and will hold office for a term of three (3) years. Each Governor, including a Governor elected to fill a vacancy, shall hold office until the expiration of the term for which elected and until a successor has been elected and qualified, unless the Governor has been removed from office. The maximum term any Governor may serve shall be two (2) consecutive three (3) year terms plus the unexpired portion of a predecessor's term whose seat that Governor was elected to fill (if applicable).

Section 4. VACANCIES. Vacancies in the Board of Governors may be filled by a majority of the remaining Governors, though less than a quorum, or by a sole remaining Governor. Each Governor so elected shall hold office until the next annual meeting of the members and until a successor has been elected and qualified, unless the Governor has been removed from office.

A vacancy or vacancies in the Board of Governors shall be deemed to exist in the event of the death, resignation, or removal of any Governor, or if the Board of Governors by resolution declares vacant the office of a Governor who has been declared of unsound mind by an order of court or convicted of a felony, or if the authorized number of Governors is increased, or if the Governors fail, at any meeting of the Governors at which any Governor or Governors are elected, to elect the number of Governors to be voted for at that meeting.

Notwithstanding the provisions of this Section 4 above, any Governor may resign effective on giving written notice to the chairman of the board, the president, the secretary, or the Board of Governors, unless the notice specifies a later time for that resignation to become effective. If the resignation of a Governor is effective at a future time, the Board of Governors may elect a successor to take office when the resignation becomes effective.

No reduction of the authorized number of Governors shall have the effect of removing any Governor before that Governor's term of office expires.

Not more than forty nine percent (49%) of the persons serving on the Board of Governors at any time may be interested persons. An interested person means (i) any person being compensated by the corporation for services rendered to it within the previous twelve months, whether as a full time or part time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a Governor as Governor; or (ii) any brother, sister, ancestor, descendant, spouse, brother-in-law, mother-in-law, or father-in-law of any such person. Any violation of the provisions of this paragraph shall not affect the validity or enforceability of any transaction entered into by the corporation.

Section 5. PLACE OF MEETINGS AND MEETINGS BY TELEPHONE. Regular meetings of the Board of Governors may be held at any place within or outside the State of California that has been designated from time to time by resolution of the board. In the absence of such a designation, regular meetings shall be held at the principal executive office of the corporation. Special meetings of the board shall be held at any place within or outside the State of California that has been designated in the notice of the meeting or, if not stated in the notice or there is no notice, at the principal executive office of the corporation. Any meeting, regular or special, may be held by conference telephone, electronic video screen communications equipment or similar communication equipment, and all Governors participating by such means shall be deemed to be present in person at the meeting, so long as:

(a) all Governors participating in the meeting can hear and communicate with one another,

(b) each Governor is provided with the means of participating in all matters before the Board, including the capacity to propose, or to interpose an objection to, a specific action to be taken by the corporation, and

(c) this corporation verifies that (i) the person communicating by such electronic means is entitled to participate in the Board meeting as a Governor, or by invitation of the Board or otherwise, and (ii) all motions, votes or other actions required to be made by a Governor are actually made by a Governor and not by someone who is not entitled to participate as a Governor.

Section 6. ANNUAL MEETING. Each year within ninety (90) days after the end of the prior fiscal year, the Board of Governors shall hold a regular meeting for the purpose of organization, any desired election of officers or Governors, and the transaction of other business. Notice of this meeting shall not be required.

Section 7. OTHER REGULAR MEETINGS. Other regular meetings of the Board of Governors shall be held without call at such time as shall from time to time be fixed by the Board of Governors. Such regular meetings may be held without notice.

Section 8. SPECIAL MEETINGS. Special meetings of the Board of Governors for any purpose or purposes may be called at any time by the chairman of the board or the president or any vice president or the secretary or any two Governors.

Notice of the time and place of special meetings shall be delivered personally or by telephone to each Governor or sent by first-class mail or telegram, charges prepaid, addressed to each Governor at that Governor's address as it is shown on the records of the corporation. In case the notice is mailed, it shall be deposited in the United States mail at least four (4) days before the time of the holding of the meeting. In case the notice is delivered personally, or by telephone or telegram, it shall be delivered personally or by telephone or to the telegraph company at least forty-eight

(48) hours before the time of the holding of the meeting. Any oral notice given personally or by telephone may be communicated either to the Governor or to a person at the office of the Governor who the person giving the notice has reason to believe will promptly communicate it to the Governor. The notice need not specify the purpose of the meeting nor the place if the meeting is to be held at the principal executive office of the corporation.

Section 9. QUORUM. A majority of the authorized number of Governors shall constitute a quorum for the transaction of business, except to adjourn as provided in Section 11 of this Article 3. Every act or decision done or made by a majority of the Governors present at a meeting duly held at which a quorum is present shall be regarded as the act of the Board of Governors, subject to the provisions of the California Nonprofit Corporation Law as to approval of contracts or transactions in which a Governor has a direct or indirect material financial interest, appointment of committees, and indemnification of Governors. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of Governors, if any action taken is approved by at least a majority of the required quorum for that meeting.

Section 10. WAIVER OF NOTICE. The transactions of any meeting of the Board of Governors, however called and noticed or wherever held, shall be as valid as though had at a meeting duly held after regular call and notice if a quorum is present and if, either before or after the meeting, each of the Governors not present signs a written waiver of notice, a consent to holding the meeting or an approval of the minutes. The waiver of notice or consent need not specify the purpose of the meeting. All such waivers, consents, and approvals shall be filed with the corporate records or made a part of the minutes of the meeting. Notice of a meeting shall also be deemed given to any Governor who attends the meeting without protesting before or at its commencement, the lack of notice to that Governor.

Section 11. ADJOURNMENT. A majority of the Governors present, whether or not constituting a quorum, may adjourn any meeting to another time and place.

Section 12. NOTICE OF ADJOURNMENT. Notice of the time and place of holding an adjourned meeting need not be given, unless the meeting is adjourned for more than twenty-four hours, in which case notice of the time and place shall be given before the time of the adjourned meeting, in the manner specified in Section 8 of this Article III, to the Governors who were not present at the time of the adjournment.

Section 13. ACTION WITHOUT MEETING. Any action required or permitted to be taken by the Board of Governors may be taken without a meeting, if all members of the board shall individually or collectively consent in writing to that action. Such action by written consent shall have the same force and effect as a unanimous vote of the Board of Governors. Such written consent or consents shall be filed with the minutes of the proceedings of the board.

Section 14. FEES AND COMPENSATION OF GOVERNORS. Governors and members of committees may receive such compensation, if any, for their services, and such reimbursement of expenses, as may be fixed or determined by resolution of the Board of Governors. This Section 14 shall not be construed to preclude any Governor from serving the corporation in any other capacity as an officer, agent, employee, or otherwise, and receiving compensation for those services.

ARTICLE 4

COMMITTEES

Section 1. COMMITTEES OF THE BOARD. The Board of Governors may, by resolution adopted by a majority of the authorized number of Governors, designate one or more committees, each consisting of two or more Governors, to serve at the pleasure of the board. The board may designate one or more Governors as alternate members of any committee, who may replace any absent member at any meeting of the committee. Any committee, to the extent provided in the resolution of the board, shall have all the authority of the board, except with respect to:

(a) the filling of vacancies on the Board of Governors or in any committee;

(b) the fixing of compensation of the Governors for serving on the board or on any committee;

(c) the amendment or repeal of bylaws or the adoption of new bylaws;

(d) the amendment or repeal of any resolution of the Board of Governors which by its express terms is not so amendable or repealable;

(e) the expenditure of corporate funds to support a nominee for Governor after there are more people nominated for Governor than can be elected;

(f) the appointment of any other committees of the Board of Governors or the members of these committees;

(g) the approval of any transaction to which the corporation is a party and one or more Governors have a material financial interest; or

(h) the approval of any transaction between the corporation and one or more of its Governors or between the corporation and any person in which one or more of its Governors have material financial interests.

Section 2. MEETINGS AND ACTION OF COMMITTEES. Meetings and action of committees shall be governed by, and held and taken in accordance with, the provisions of Article 3 of these bylaws, Sections 5 (place of meetings), 7 (regular meetings), 8 (special meetings and notice), 9 (quorum), 10 (waiver of notice), 11 (adjournment), 12 (notice of adjournment), and 13 (action without meeting), with such

changes in the context of those bylaws as are necessary to substitute the committee and its members for the Board of Governors and its members, except that the time of regular meetings of committees may be determined either by resolution of the Board of Governors or by resolution of the committee; special meetings of committees may also be called by resolution of the Board of Governors; and notice of special meetings of committees shall also be given to all alternate members, who shall have the right to attend all meetings of the committee. The Board of Governors may adopt rules for the government of any committee not inconsistent with the provisions of these bylaws.

ARTICLE 5

OFFICERS

Section 1. OFFICERS. The officers of the corporation shall be a chairman of the board, a secretary, and a treasurer. The corporation may also have, at the discretion of the Board of Governors, a president, one or more vice presidents, one or more assistant secretaries, one or more assistant financial officers, and such other officers as may be appointed in accordance with the provisions of Section 3 of this Article 5. Any number of offices may be held by the same person.

Section 2. ELECTION OF OFFICERS. The officers of the corporation, except such officers as may be appointed in accordance with the provisions of Section 3 or Section 5 of this Article 5, shall be chosen by the Board of Governors, and each shall serve at the pleasure of the board, subject to the rights, if any, of an officer under any contract of employment.

Section 3. SUBORDINATE OFFICERS. The Board of Governors may appoint, and may empower the chairman of the board to appoint, such other officers as the business of the corporation may require, each of whom shall hold office for such period, have such authority and perform such duties as are provided in the bylaws or as the Board of Governors may from time to time determine.

Section 4. REMOVAL AND RESIGNATION OF OFFICERS. Subject to the rights, if any, of an officer under any contract of employment, any officer may be removed, either with or without cause, by the Board of Governors, at any regular or special meeting of the board, or, except in case of an officer chosen by the Board of Governors, by any officer upon whom such power of removal may be conferred by the Board of Governors.

Any officer may resign at any time by giving written notice to the corporation. Any resignation shall take effect at the date of the receipt of that notice or at any later time specified in that notice; and, unless otherwise specified in that notice, the acceptance of the resignation shall not be necessary to make it effective. Any resignation is without prejudice to the rights, if any, of the corporation under any contract to which the officer is a party.

Section 5. VACANCIES IN OFFICES. A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed in these bylaws for regular appointments to that office.

Section 6. CHAIRMAN OF THE BOARD. The chairman of the board shall, if present, preside at meetings of the Board of Governors and exercise and perform such other powers and duties as may be from time to time assigned to him by the Board of Governors or prescribed by the bylaws. If there is no president, the chairman of the board shall in addition be the chief executive officer of the corporation and shall have the powers and duties prescribed in Section 7 of this Article 5.

Section 7. PRESIDENT. Subject to such supervisory powers, if any, as may be given by the Board of Governors to the chairman of the board, the president, if there be such officer, shall be the chief executive officer of the corporation and shall, subject to the control of the Board of Governors, have general supervision, direction, and control of the business and the officers of the corporation. In the absence of the chairman of the board, he shall preside at all meetings of the Board of Governors. He shall have the general powers and duties of management usually vested in the office of president of a corporation, and shall have such other powers and duties as may be prescribed by the Board of Governors or the bylaws.

Section 8. VICE PRESIDENTS. In the absence or disability of the president, the vice presidents, if any, in order of their rank as fixed by the Board of Governors or, if not ranked, a vice president designated by the Board of Governors, shall perform all the duties of the president, and when so acting shall have all the powers of, and be subject to all the restrictions upon, the president. The vice presidents shall have such other powers and perform such other duties as from time to time may be prescribed for them respectively by the Board of Governors or the bylaws, and the president, or the chairman of the board.

Section 9. SECRETARY. The secretary shall keep or cause to be kept, at the principal executive office or such other place as the Board of Governors may direct, a book of minutes of all meetings and actions of Governors and committees of Governors, with the time and place of holding, whether regular or special, and, if special, how authorized, the notice given, the names of those present at Governors' meetings or committee meetings, the number of those present or represented at such meetings, and the proceedings.

The secretary shall give, or cause to be given, notice of all meetings of the Board of Governors required by the bylaws or by law to be given, and he shall keep the seal of the corporation, if one be adopted, in safe custody, and shall have such other powers and perform such other duties as may be prescribed by the Board of Governors or by the bylaws.

Section 10. TREASURER. The chief financial officer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and records of accounts of the properties and business transactions of the corporation, including

accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, retained earnings, and shares. The books of account shall at all reasonable times be open to inspection by any Governor.

The chief financial officer shall deposit all moneys and other valuables in the name and to the credit of the corporation with such depositaries as may be designated by the Board of Governors. He shall disburse the funds of the corporation as may be ordered by the Board of Governors, shall render to the chairman of the board and Governors, whenever they request it, an account of all of his transactions as chief financial officer and of the financial condition of the corporation, and shall have other powers and perform such other duties as may be prescribed by the Board of Governors or the bylaws.

This corporation shall have no voting members, but the Board of Governors may, by resolution, establish one or more classes of nonvoting members and provide for eligibility requirements for membership and rights and duties of members, including the obligation to pay dues.

ARTICLE 6

EXECUTIVE DIRECTOR

Section 1. EXECUTIVE DIRECTOR. The Board of Governors may appoint an Executive Director, who shall, subject to control of the Board, generally supervise, direct and control the business of this corporation. The Board of Governors may adopt policies and procedures to establish the authority of the Executive Director, including hiring and termination, reporting relationships, control of finances, work objectives, or any other subject it deems necessary. The Executive Director may be removed without cause by the Board of Governors at any time, consistent with any contractual obligations that may exist.

ARTICLE 7

CERTAIN TRANSACTIONS

Section 1. LOANS. Except as permitted by Section 5236 of the California Nonprofit Public Benefit Corporation Law, this corporation shall not make any loan of money or property to, or guarantee the obligation of, any Governor or officer; provided, however, that this corporation may advance money to a Governor or officer of this corporation or any subsidiary for expenses reasonably anticipated to be incurred in performance of the duties of such Governor or officer so long as such individual would be entitled to be reimbursed for such expenses absent that advance.

Section 2. SELF-DEALING TRANSACTIONS. Except as provided in Section 3 below, the Board of Governors shall not approve, or permit the corporation to engage in, any self-dealing transaction. A self-dealing transaction is a transaction to which this corporation is a party and in which one or more of its Governors is an

"interested director" unless the transaction comes within California Corporations Code ("Corporations Code") Section 5233(b). An "interested director", as that term is defined in Corporations Code Section 5233(a), shall mean a Governor who has a material financial interest in a transaction that does not meet the requirements of paragraphs (1), (2) or (3) of Corporations Code Section 5233(d).

Section 3. APPROVAL. This corporation may engage in a self-dealing transaction if the transaction is approved by a court or by the Attorney General. This corporation may also engage in a self-dealing transaction if the Board determines, before the transaction, that (a) this corporation is entering into the transaction for its own benefit; (b) the transaction is fair and reasonable to this corporation at the time; and (c) after reasonable investigation, the Board determines that it could not have obtained a more advantageous arrangement with reasonable effort under the circumstances. Such determinations must be made by the Board in good faith, with knowledge of the material facts concerning the transaction and the Governor's interest in the transaction, and by a vote of a majority of the Governors then in office, without counting the vote of the interested Governor of Governors.

Section 4. GRANTS TO PUBLIC INSTITUTIONS. When funding Grants to public institutions, California Trout can fund indirect and overhead costs when they are associated with the project. California Trout does not fund indirect or overhead costs that are not directly related to the work being funded. An example of the costs that we do not fund is indirect costs related to facilities and administration at public institutions, often referred to as "overhead."

ARTICLE 8

INDEMNIFICATION OF GOVERNORS, OFFICERS, EMPLOYEES AND OTHER AGENTS

Section 1. AGENTS, PROCEEDINGS, AND EXPENSES. For the purposes of this Article, "agent" means any person who is or was a Governor, officer, employee, or other agent of this corporation, or is or was serving at the request of this corporation as a Governor, officer, employee, or agent of another foreign or domestic corporation, partnership, joint venture, trust or other enterprise, or was a Governor, officer, employee, or agent of a foreign or domestic corporation which was a predecessor corporation of this corporation or of another enterprise at the request of such predecessor corporation; "proceeding" means any threatened, pending or completed action or proceeding, whether civil, criminal, administrative, or investigative; and "expenses" includes, without limitation, attorneys' fees and any expenses of establishing a right to indemnification under Section 4 or Section 5(c) of this Article.

Section 2. ACTIONS OTHER THAN BY THE CORPORATION. This corporation shall indemnify any person who was or is a party, or is threatened to be made a party, to any proceeding (other than an action by or in the right of this corporation) by reason of the fact that such person is or was an agent of this

corporation, against expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with such proceeding if that person acted in good faith and in a manner that person reasonably believed to be in the best interests of this corporation and, in the case of a criminal proceeding, had no reasonable cause to believe the conduct of that person was unlawful. The termination of any proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner which the person reasonably believed to be in the best interests of this corporation or that the person had reasonable cause to believe that the person's conduct was unlawful.

Section 3. ACTIONS BY THE CORPORATION. This corporation shall indemnify any person who was or is a party, or is threatened to be made a party, to any threatened, pending or completed action by or in the right of this corporation to procure a judgment in its favor by reason of the fact that that person is or was an agent of this corporation, against expenses actually and reasonably incurred by that person in connection with the defense or settlement of that action if that person acted in good faith, in a manner that person believed to be in the best interests of this corporation and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances. No indemnification shall be made under this Section 3:

(a) In respect of any claim, issue or matter as to which that person shall have been adjudged to be liable to this corporation in the performance of that person's duty to this corporation, unless and only to the extent that the court in which that action was brought shall determine upon application that, in view of all the circumstances of the case, that person is fairly and reasonably entitled to indemnity for the expenses which the court shall determine;

(b) Of amounts paid in settling or otherwise disposing of a threatened or pending action, with or without court approval; or

(c) Of expenses incurred in defending a threatened or pending action which is settled or otherwise disposed of without court approval.

Section 4. SUCCESSFUL DEFENSE BY AGENT. To the extent that an agent of this corporation has been successful on the merits in defense of any proceeding referred to in Sections 2 or 3 of this Article, or in defense of any claim, issue, or matter therein, the agent shall be indemnified against expenses actually and reasonably incurred by the agent in connection therewith.

Section 5. REQUIRED APPROVAL. Except as provided in Section 4 of this Article, any indemnification under this Article shall be made by this corporation only if authorized in the specific case on a determination that indemnification of the agent is proper in the circumstances because the agent has met the applicable standard of conduct set forth in Sections 2 or 3 of this Article; by:

(a) A majority vote of a quorum consisting of Governors who are not parties to the proceeding; or

(b) the court in which the proceeding is or was pending, on application made by this corporation or the agent or the attorney or other person rendering services in connection with the defense, whether or not such application by the agent, attorney, or other person is opposed by this corporation.

Section 6. ADVANCE OF EXPENSES. Expenses incurred in defending any proceeding may be advanced by this corporation before the final disposition of the proceedings on receipt of an undertaking by or on behalf of the agent to repay the amount of the advance unless it shall be determined ultimately that the agent is entitled to be indemnified as authorized in this Article.

Section 7. OTHER CONTRACTUAL RIGHTS. Nothing contained in this Article shall affect any right to indemnification to which persons other than Governors and officers of this corporation or any subsidiary hereof may be entitled by contract or otherwise.

Section 8. LIMITATIONS. No indemnification or advance shall be made under this Article, except as provided in Section 4 or Section 5(b), in any circumstance where it appears:

(a) That it would be inconsistent with a provision of the articles, a resolution of the members, or an agreement in effect at the time of the accrual of the alleged cause of action asserted in the proceeding in which the expenses were incurred or other amounts were paid, which prohibits or otherwise limits indemnification; or

(b) (b) that it would be inconsistent with any condition expressly imposed by a court in approving a settlement.

Section 9. INSURANCE. Upon and in the event of a determination by the Board of Governors of this corporation to purchase such insurance, this corporation shall purchase and maintain insurance on behalf of any agent of the corporation against any liability asserted against or incurred by the agent in such capacity or arising out of the agent's status as such whether or not this corporation would have the power to indemnify the agent against that liability under the provisions of this section.

Section 10. FIDUCIARIES OF CORPORATE EMPLOYEE BENEFIT PLAN. This Article does not apply to any proceeding against any trustee, investment manager, or other fiduciary of an employee benefit plan in that person's capacity as such, even though that person may also be an agent of the corporation as defined in Section 1 of this Article. Nothing contained in this Article shall limit any right to indemnification to which such a trustee, investment manager, or other fiduciary may be entitled by contract or otherwise, which shall be enforceable to the extent permitted by applicable law other than this Article.

ARTICLE 9

RECORDS AND REPORTS

Section 1. MAINTENANCE AND INSPECTION OF BYLAWS. The corporation shall keep at its principal executive office, or if its principal executive office is not in the State of California, at its principal business office in this state, the original or a copy of the bylaws as amended to date, which shall be open to inspection at all reasonable times during office hours.

Section 2. MAINTENANCE AND INSPECTION OF OTHER CORPORATE RECORDS. The accounting books and records and minutes of proceedings of the Board of Governors and any committee or committees of the Board of Governors shall be kept at such place or places designated by the Board of Governors, or, in the absence of such designation, at the principal executive office of the corporation. The minutes shall be kept in written form and the accounting books and records shall be kept either in written form or in any other form capable of being converted into written form. The minutes and accounting books and records shall be open to inspection upon the written demand of any Governor, at any reasonable time during usual business hours, for a purpose reasonably related to the Governor's interests as a Governor. The inspection may be made in person or by an agent or attorney, and shall include the right to copy and make extracts. These rights of inspection shall extend to the records of each subsidiary corporation of the corporation.

Section 3. INSPECTION BY GOVERNORS. Every Governor shall have the absolute right at any reasonable time to inspect all books, records, and documents of every kind and the physical properties of the corporation and each of its subsidiary corporations. This inspection by a Governor may be made in person or by an agent or attorney and the right of inspection includes the right to copy and make extracts of documents.

Section 4. ANNUAL REPORT TO GOVERNORS. The corporation shall provide to Governors, within 120 days of the close of its fiscal year, a report containing the following information in reasonable detail:

(a) The assets and liabilities, including the trust funds, of the corporation as of the end of the fiscal year;

(b) the principal changes in assets and liabilities, including trust funds, during the fiscal year;

(c) the revenue or receipts of the corporation, both unrestricted and restricted to particular purposes, for the fiscal year;

(d) the expenses or disbursements of the corporation, for both general and restricted purposes, during the fiscal year; and

(e) any information required by Corporations Code Section 6322.

ARTICLE 10

GENERAL CORPORATE MATTERS

Section 1. CONSTRUCTION AND DEFINITIONS. Unless the context requires otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of this provision, the singular number includes the plural, the plural number includes the singular, and the term "person" includes both a corporation and a natural person.

Section 2. DEDICATION OF ASSETS. The properties and assets of this nonprofit corporation are irrevocably dedicated to charitable purposes. No part of the net earnings, properties or assets of this corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or any member or Governor of this corporation. On liquidation or dissolution, all properties and assets and obligations shall be distributed and paid over to an organization dedicated to charitable purposes, provided that the organization continues to be dedicated to the exempt purposes as specified in Internal Revenue Code Section 501(c)(3).

ARTICLE 11

AMENDMENTS

Section 1. AMENDMENT BY GOVERNORS. The board may adopt, amend, or repeal bylaws. The board may not extend the term of a Governor beyond that for which the Governor was elected. The board may specify or change any bylaw provision that would:

(a) Fix or change the authorized number of Governors,

(b) fix or change the minimum or maximum number of Governors, or

(c) change from a fixed number of Governors to a variable number of Governors or vice versa.

Section 2. HIGH VOTE REQUIREMENT. If any provision of these bylaws requires the vote of a larger proportion of the board than is otherwise required by law, that provision may not be altered, amended, or repealed except by that greater vote.

ARTICLE 12

MISCELLANEOUS

Section 1. FISCAL YEAR. The fiscal year of this corporation shall end each year on June 30.

Section 2. CONTRACTS, NOTES, AND CHECKS. All contracts over $10,000 entered into on behalf of this corporation must be authorized by the Board of Governors. Except as otherwise provided by law, every check, draft, promissory note, money order, or other evidence of indebtedness of this corporation shall be signed by the person or persons so authorized by the Board from time to time.

Section 3. ANNUAL REPORTS TO GOVERNORS. Within sixty days after the end of this corporation's fiscal year, the Executive Director shall furnish a written report to all Governors of this corporation containing the following plus other information as may be required by the Board:

(a) the assets and liabilities, including the trust funds of this corporation, as of the end of the fiscal year;

(b) the principal changes in assets and liabilities, including trust funds, during the fiscal year;

(c) the revenue or receipts of this corporation, both unrestricted and restricted to particular purposes, for the fiscal year;

(d) the expenses or disbursements of this corporation, for both general and restricted purposes, for the fiscal year; and

(e) any transaction during the previous fiscal year involving more than $1,000 between this corporation (or its parent or subsidiaries, if any) and any of its Governors or officers (or the Governors or officers of its parent or subsidiaries, if any) or any holder of more than ten percent of the voting power of this corporation or its parent or subsidiaries, if any, or any of a number of such transactions in which the same person had a direct or indirect material financial interest, and which transactions in the aggregate involved more than $10,000, as well as the amount and circumstances or any indemnifications or advances aggregating more than $5,000 paid during the fiscal year to any Governor or officer of this corporation. For each transaction, the report must disclose the names of the interested persons involved in such transaction, stating such person's relationship to this corporation, the nature of such person's interest in the transaction and, where practicable, the value of such interest.

The foregoing report shall be accompanied by any report thereon of independent accountants or, if there is no such report, the certificate of an authorized officer of this corporation that such statements were prepared without an audit from the books and records of this corporation.

Section 4. AMENDMENTS. Proposed amendments to these Bylaws shall be submitted in writing to the Governors at least one week in advance of any Board meeting at which they will be considered for adoption. The vote of a majority of the Governors then in office, provided the number of Governors is consistent with Article 3, Section 2, or the unanimous written consent of the Governors shall be required to adopt a bylaw amendment.

Section 5. GOVERNING LAW. In all matters not specified in these Bylaws, or in the event these Bylaws shall not comply with applicable law, the California Nonprofit Public Benefit Corporation Law as then in effect shall apply.

CERTIFICATE OF BOARD CHAIR

OF

CALIFORNIA TROUT, INC.

The undersigned certifies that he/she is the duly elected, qualified and acting board chair of California Trout, Inc., a California corporation; and

That the foregoing bylaws constitute the bylaws of said corporation as duly adopted by the shareholders of this corporation.

DATED: 2-25-16

Board Chair