CEQA Documentation

Use of a Finding of No Significant Impact (FONSI) in lieu of a Negative Declaration for the Tahoe National Forest, Robinson Flat to China Wall Connector Trail Project

1 Background

The U.S. Forest Service (USFS), Tahoe National Forest plans to develop 24 miles of multi-use single-track motorized trail east of Foresthill, California, in Placer County (Figure 1). The trail would be aligned along the either side of Foresthill Divide Road between Mumford Bar and Robinson Flat. The trail would connect the Robinson Flat campground area to Humbug Loop 5 Trail of the China Wall motorized trail system and provide access to the Sugar Pine OHV Area. The trail would be designated for wet weather seasonal closure running from January 1 to March 31.

The Robinson Flat to China Wall Connector Trail would add an opportunity for highly experienced motorcycle riders to the National Forest Trail System. The Robinson Flat-China Wall Connector Trail would provide advanced, highly skilled riders an opportunity to challenge their skills and abilities in the higher elevations of American River Ranger District. This level of experienced trail is currently quite limited in the district. Design parameters incorporated into construction would keep rider challenge high. This 24-mile trail would be challenging and rated as Most Difficult. Use is expected to be minimal due to the challenging degree of difficulty and riding distance.

The trail would be located in open white fir and mixed conifer forest and open rocky slopes with minimal herbaceous vegetation between Elevation 5,000 and 7,000. The trail alignment generally follows within one mile of the Foresthill Divide Road (Figure 1), which is designated by the Tahoe National Forest as a roaded natural area.

Project implementation incorporates Trail Construction Standards and Management Requirements (USDA 2019a). Management Requirements provide measures minimizing project effects related to aquatic wildlife, botanical resources, and terrestrial wildlife; cultural resources; fire and fuels; invasive plants; recreation; visual resources; and watershed, soils, and aquatic resources.

The trail would be constructed to a single-track width (18-24 inches) over undulating elevations. Switchbacks would be constructed on steep slopes with a maximum radius bench slope of 10 percent. Trail design would include grade reversals within 50 feet of both sides of turn and stage so that lower grade reversals catch upper drainage runoff. Four bridges approximately 60 feet in length are proposed in areas where the trail alignment crosses low water areas (Figure

1). Trail segments would be constructed following Trail Construction Standards described in the Tahoe National Forest Trail Design Standards document, Management Requirements, and Best Management Practices (BMPs) listed in the Region 5 Soil and Water Conservation Handbook to minimize the potential for tread wear, erosion, and sediment transport (USDA 2019b [EA] pp. 11-17).

The trail would accommodate multiple uses including motorcyclists, mountain bikers, hikers, and equestrians. Signage on the new trail proposal would be installed to alert trail users to hazardous sections, multiple uses, and two-way traffic to minimize potential trail user conflict and maintain public safety. Trail design would include frequent undulations so that grade reversals keep speeds down and lower throttle use. Width limiting barriers would be installed at trail entryways to maintain classification of motorized use (i.e., prevent ATVs from riding on single-track) and at junctions with non-motorized trail to restrict motorized intrusion onto non-motorized trails.

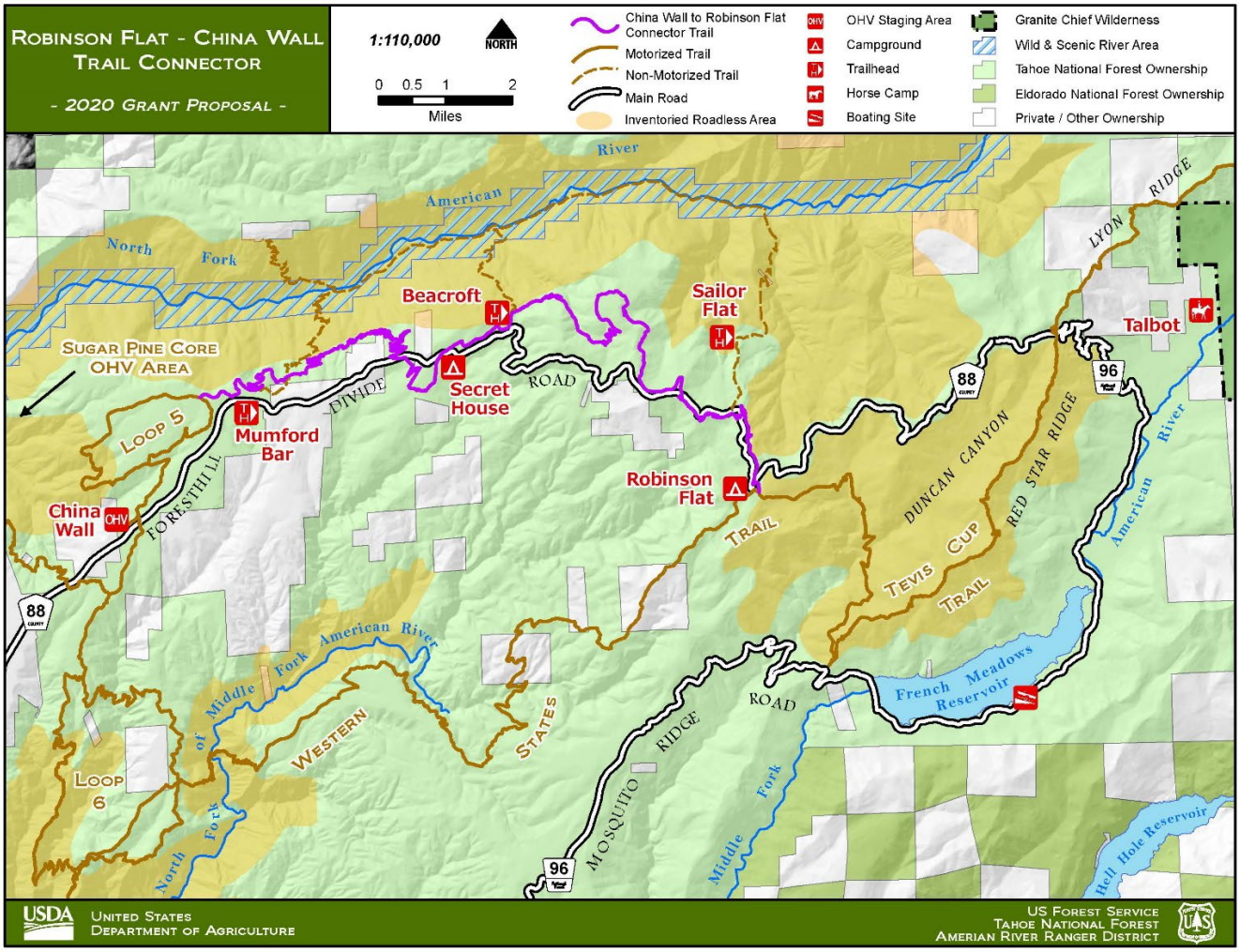
Trail construction would entail brush removal with chainsaws and hand tools and use of a Sweco 480 trail dozer, Sweco 450 trail dozer, Sutter 300 trail dozer, mini- excavator, and a micro- excavator (TB 215) to create a trail pad. Blasting would be used where the trail alignment crosses bedrock that a trail machine cannot carve. Blasting efforts would utilize Magnum Buster, a non-detonating rock breaking tool using a high-pressure gas expansion cartridge introduced into a pre-dilled hole filled with water or water gel. The specific trail locations would be refined with ground verification of existing conditions.

No mechanized trail construction or chainsaw use would occur between Feb 15 and Sept 15 near northern goshawk and California spotted owl Protected Activity Centers known to occur in the project area unless surveys confirm no nesting is occurring.

The Tahoe National Forest completed the Big Sugar Project Environmental Assessment (EA) in June 2019 (USDA 2019a) in accordance with the National Environmental Policy Act (NEPA). The EA evaluates the potential for environmental impacts on farmland, biological resources, cultural resources, soils and water, and public recreation and safety. These resources were selected for evaluation based on internal and external scoping. The EA also addresses project consistency with federal regulations governing these resources such as the Clean Water Act, Endangered Species Act, National Historic Preservation Act, National Forest Management Act, as well as the Tahoe Forest Land Management Plan. A Decision Notice and Finding of No Significant Impact (FONSI) was signed in September 2021 (USDA 2019b). The FONSI concluded that, with implementation of Management Requirements, the project would not result in a significant impact on the environment and is consistent with governing federal, state, and local laws.

The California Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation (OHMVR) Division proposes funding the Robinson Flat Trail Connector Project using off-highway vehicle (OHV) grant funds via the Grants and Cooperative Agreements Program. This project is considered a project subject to environmental review under the California Environmental Quality Act (CEQA; Public Resources Code [PRC] § 21000 et seq.).

Figure 1. Robinson Flat Trail Project Location



2 CEQA Guidance and Findings

CEQA USE OF FONSI

The OHMVR Division, acting as a lead agency under CEQA, has reviewed the Big Sugar Project EA, which encapsulates the Robinson Flat to China Wall Connector Trail project, and FONSI prepared by the Tahoe National Forest (Attached). CEQA Guidelines (§15063(a)(2)) allow a lead agency to use an environmental assessment or a similar analysis prepared pursuant to NEPA to meet CEQA requirements for conducting an Initial Study if only minor technical changes or additions are necessary (CEQA Guidelines §15164(b)). Further, CEQA Guidelines (§15221) direct that when a project has already been the subject of a FONSI, the lead agency should use the FONSI if: 1) it has been prepared before the CEQA Environmental Impact Report or Negative Declaration would otherwise be completed for the project; and 2) it complies with the provision of the CEQA Guidelines.

The OHMVR Division has determined that the EA fully describes the project, environmental setting, potential environmental effects, and incorporation of Trail Construction Standards and Management Requirements to avoid significant impacts. This content meets the CEQA requirements for an Initial Study specified in CEQA Guideline Section 15063(d). The EA does not address all environmental factors addressed by CEQA Guidelines Appendix G Environmental Checklist for consideration. Therefore, supplemental environmental information is provided below to address the CEQA Environmental Checklist subjects that were not addressed in the EA/FONSI. The discussion is presented for the purpose of completing the CEQA record and amplifying the EA/FONSI determination that the project would have no impact or less than significant impacts in these categories.

The supplemental CEQA Environmental Checklist discussion does not identify new significant effects, an increase in severity of significant effects, or a need for mitigation not addressed in the FONSI. The supplemental CEQA information merely clarifies and amplifies the determination of the FONSI and is an insignificant modification to the environmental review analysis. Therefore, use of the FONSI in lieu of a Negative Declaration is appropriate.

CEQA FINDINGS

The EA, together with the CEQA Environmental Checklist documentation provided below, comprises the Initial Study used by the OHMVR Division to evaluate the potential for the project to have significant effects pursuant to CEQA Guidelines Section 15063(a)(2). With the implementation of the USFS Trail Construction Standards and Management Requirements included in the EA, no environmental effects related to the project activities would exceed stated CEQA-related significance criteria. There is no substantial evidence, in light of the whole record before the OHMVR Division, that the project may have a significant effect on the environment.

Based on the environmental evaluation presented in the Initial Study (defined above as the EA plus the CEQA Environmental Checklist), the project would not cause significant adverse effects related to aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology/soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation, tribal cultural resources, utilities/service systems, and wildfire. In addition, substantial adverse effects on humans, either direct or indirect, would not occur. The project does not affect any important examples of the major periods of California prehistory or history. Nor would the project substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or endangered plant or animal. The project would not have impacts that are individually limited, but cumulatively considerable.

Pursuant to CEQA Guidelines Sections 15063(1)(2) and 15221, the OHMVR Division intends to use the EA/FONSI in lieu of preparing its own Negative Declaration to provide OHV grant funds to the Tahoe National Forest for the Robinson Flat to China Wall Connector Trail.

3 CEQA Environmental Checklist Discussions

The following discussion addresses environmental subjects identified in the CEQA Guidelines Appendix G Environmental Checklist, which were not covered in the Big Sugar Project EA. All potential impacts would either not occur or be minor in nature and considered less than significant.

Aesthetics. The EA addresses potential project effects on scenic resources (EA pp. 43-44), including incorporating Management Requirements minimizing the effects of trail construction on such resources (EA p. 16). The EA determined the trail project would have minimal adverse visual effects, including such effects on adjacent Inventoried Roadless Areas and the North Fork American Wild and Scenic River. The EA did not specifically address potential visual effects to scenic resources within the viewshed of a state scenic highway or whether the project would create a new source of substantial light and glare. There are no designated state scenic highways within the project area. The closest state scenic highway is Interstate 80 at Emigrant Gap roughly eight miles north of Foresthill Divide. Trail improvements would blend into the surrounding landscape, and building materials would be utilized from on site or would be chosen to blend into the natural surroundings. The trail would not include improvements that could introduce a new source of light or glare, e.g., no lighting, reflective surfaces, and little to no use at night. Therefore, the project would not have significant adverse aesthetic impacts.

Agriculture/Forestry. The EA project area is located within a national forest but does not contain farmland (EA p. 53). The EA concluded no farmland or other agricultural uses would be affected by the project and determined the project would be consistent with all applicable forest plans (EA p. 64). Therefore, the project would not have significant adverse agriculture or forestry impacts.

Air Quality. The EA determined the additional trail mileage would have very little effect on air quality (EA p. 40) and thus did not provide any detailed impact analysis (EA p. 20). The EA did not discussion emissions during trail construction. This supplemental CEQA discussion provides additional air quality information to provide further clarity for the CEQA evaluation.

Air quality is a function of pollutant emissions and topographic and meteorological influences. The physical features and atmospheric conditions of a landscape interact to affect the movement and dispersion of pollutants and determine its air quality. Federal, state, and local governments control air quality through the implementation of laws, ordinances, regulations, and standards.

The California Air Resources Board (CARB) divides the state into air basins that share similar meteorological and topographical features. The central part of Placer County is located in the Mountain Counties Air Basin (MCAB), where topography and climate vary dramatically. Covering an area of roughly 11,000 square miles, the MCAB lies along the northern Sierra Nevada mountain range close to or contiguous with the Nevada border. Elevations range from a few hundred feet at the Sacramento County boundary to more than 10,000 feet above sea level at the Sierra Crest. The foothills, mountain peaks, and valleys of the Sierra Nevada range influence local differences in rainfall, temperature, and wind patterns. In general, high elevation areas in close proximity to the Sierra Nevada crest have cooler temperatures and receive much more precipitation than lower elevation foothill areas. During the summer, strong eastward flowing winds transport pollutants from the San Francisco Bay Area, Sacramento, and San Joaquin Valley Air Basins into the MCAB. California regulations governing the CARB identifies portions of the Placer County APCD in the MCAB as an area impacted by ozone transport from upwind air basins (17 CCR §70500).

The Placer County Air Pollution Control District (APCD) is a special district created by state law to enforce local, state, and federal air pollution regulations. The Placer County APCD regulates emissions from sources of air pollutants and administers state and federal air pollution control requirements. The portion of the MCAB under the jurisdiction of the Placer County APCD is non-attainment for state and federal ambient air quality standards for ozone and state ambient air quality standards for particulate matter (PM10; CARB 2019).

The Robinson Flat to China Wall Connector Trail Project would be completed over the course of four, 10 to 12-week seasons during 2021, 2022, 2023, and 2024. The majority of work would be completed by trail crews cutting back vegetation with chainsaws and finish work with hand tools, a small mini-excavator, and a small trail dozer. Construction equipment emission estimates were recently modeled for a similar trail development project (Little Sugar) on the Tahoe National Forest within Placer County using the Sacramento Metropolitan AQMD's Road Construction Emissions Model, Version 8.1.0. The Little Sugar Trail Reroutes Project involved development of nine miles of single-track OHV trail within a single 10-week season using the same construction equipment and trail designs. The Little Sugar OHV Trail Reroute Project was estimated to generate construction emissions of 3.59 lbs/day of nitrogen oxides ($NO_{x)}$ and 7.59 lbs/day of particulate matter ($PM_{10;}$ MIG 2018). The Robinson Flat to China Wall Connector Trail Project would utilize the same trail design, construction methods, and equipment usage rates as the Little Sugar Trail Reroute Project. As a result, the daily construction emissions for this project would be the same as estimated for Little Sugar. Placer County APCD utilizes a significance threshold of 82 lbs/day for NO_x and PM_{10} (PCAPCD 2017). Based on this criterion, the Robinson Flat to China Wall Trail Project construction emissions are well below the significance thresholds. Therefore, the impact would be less than significant.

The emissions of criteria pollutants generated by project equipment over the construction period would be small scale and would not have a significant impact on the environment. There

are no sensitive receptors (residences, schools, hospitals, etc.) located near the project site, and thus none would be exposed to air pollutant emissions from project construction or trail use. The proposed development of 24 miles of new motorized trail is designed to serve existing motorized recreation occurring in the area and presently occurring on roads designated for street legal vehicles only. Any increase in motorized recreation use occurring as a result of this project is expected to be minor. Consistent with the EA conclusions, vehicle emissions associated with the new trail mileage and redistributed OHV use would have little effect on air quality (EA p. 40) and would be less than significant.

Biology. The Big Sugar Project EA addresses federal special-status wildlife or plant species, in addition to aquatic and riparian habitat. Some of the federal species addressed in the EA are also California special-status species. The EA (pp. 12-14) concludes the project would have no effect on the following federally listed or proposed fish and wildlife species: Sierra Nevada yellow-legged frog, Yosemite toad, Lahontan cutthroat trout, winter run chinook, Sacramento River, Central Valley spring-run chinook, Central Valley steelhead, and Delta smelt. The EA also concludes the project is not expected to affect suitable habitat for wolverine (p. 51) and is only expected to have minor disturbance impacts on northern goshawk (p. 48). Potential effects to one federal threatened listed species (California red-legged frog) and three species on the USFS Region 5 Sensitive Species list (foothill yellow-legged frog, western pond turtle, and black juga) are described within the EA (pp. 21-30).

The EA (pp. 30-35) concludes the project would have no effect on the following federal listed, candidate, or sensitive botanical species (both plant and fungal species): Webber's ivesia, Layne's butterweed, whitebark pine, saw-toothed Lewisia, Stebbins phacelia, upswept moonwort, scalloped moonwort, common moonwort, Mingan's moonwort, western goblin, Bolander's bruchia, large Cudonia, clustered lady's slipper, mountain lady's slipper, branched collubia, Donner Pass buckwheat, Butte County frittilary, Kellogg's Lewisia, olive phaeocollybia, stalked orange peel-fungus, and Howell's tauschia. Starved daisy, Hutchinson's lewisia, and Sierra bluegrass were determined to potentially have impacts to individual plants, but impacts were "not likely to result in a trend toward federal listing or loss of viability" [of the species].

The project has been planned to avoid or minimize effects upon riparian areas. The project area does not contain peatlands or fens. Riparian/wetland plant communities, where they exist, would be protected during trail construction. Trail construction is unlikely to result in major impacts to riparian areas (EA p. 31). The project would not impair wildlife movement or corridors. The project is not subject to, nor would it conflict with, any habitat conservation plan. The project is not located in an ecologically critical area (EA p. 53).

The EA did not directly address species that are solely California special-status species. The California Natural Diversity Database (CNDDB) lists seven California special-status species known to occur within a USGS 4-quad radius of the project area (Duncan Peak, Royal Gorge, Bunker Hill, and Greek Store) that have potential to occur at the project site. One federal

candidate species within the CNDDB search was also not evaluated in the EA. All these species (five wildlife and two plant species) are briefly discussed below.

Harlequin Duck (*Histrionicus histrionicus*; California Species of Special Concern). Harlequin ducks are small ducks that are closely tied to waterbodies and are most common in fast-flowing reaches of rivers in their early breeding season (COL 2021). They are highly active swimmers and divers, able to dive up to 70 feet and for as long as 45 seconds (COL 2021). Nesting occurs on cliff ledges, tree holes, and occasionally on the ground (COL 2021). Harlequin ducks are rare within California. The project trail route is not directly adjacent to any large waterbodies and is approximately one mile south of the North Fork of the American River at its nearest point. As a result, the project would have no impact on harlequin ducks.

Osprey (*Pandion haliaetus*; California Watch List). Ospreys are medium-sized raptors with characteristic dark brown/black plumage with a starkly white striped head. Ospreys occur widely throughout North America and occur year-round within the vicinity of the project area. Ospreys are fish predators and are almost entirely only found within close proximity to a large body of water where they have ample prey resources. Nests are built on high platforms, including on trees, snags, or artificial platforms. There are numerous documented occurrences of osprey along the margins of French Meadows Reservoir, approximately three miles southeast of the proposed Robinson Flat Connector Trail at its nearest point. Osprey may also utilize the North Fork American River corridor approximately one mile north of the proposed Robinson Flat Connector Trail. Because ospreys are so closely tied to waterbodies, they are highly unlikely to frequent the project area. As a result, the project would have no impact on osprey.

Fisher (*Pekania pennanti*; California Species of Special Concern). Fishers are medium-sized mustelids (members of the weasel family) that are dark in color, having lighter brown faces and dark brown to black bodies. Adults range in size from 4.4-13 pounds and 3-3.5 feet in length (WDFW 2021). Fishers prefer coniferous and mixed-coniferous/deciduous forests and avoid open and/or clear-cut areas without dense tree cover (WDFW 2021). Fishers are generally omnivorous, though primarily carnivorous with prey including hares, rodents, birds, and insects (WDFW 2021). While fishers are presumed extant in the vicinity of the project area, they are unlikely to utilize the portion of the TNF that is most impacted by humans, including several camping locales, trailheads, and the proximity to Foresthill Divide Road along the entirety of the proposed route of the Robinson Flat Connector Trail. As a result, the project would have no impact on fishers.

Sierra Nevada Red Fox (*Vulpes vulpes necator*; Proposed Federal Endangered; State Threatened). The red fox (*Vulpes vulpes*) is a small canid (dog family), with primarily reddish-hued fur with a large bushy tail with a characteristic large white tip. *V. v. necator* is one of 10 subspecies of red fox in North America (USDA 2010). Sierra Nevada red fox population is poorly understood within the project area and vicinity, though habitat exists broadly within the TNF, individuals have been documented in the past nearby, and the population is considered extant

within the area. Adults den and reproduce in excavated burrows or other protected cavities, including under boulders or downed tree roots. Foxes are generally habitat generalists, though the Sierra Nevada red fox tends to prefer higher elevations (approximately 1,300-2,600m) (USDA 2010). While little is known about the Sierra Nevada red fox's response to human disturbance, it is believed they are similar to wolverines and are a highly cryptic species. Sierra Nevada red fox are unlikely to utilize the portion of the TNF that is most impacted by humans, including several camping locales, trailheads, and the proximity to Foresthill Divide Road along the entirety of the proposed route of the Robinson Flat to China Wall Connector Trail. As a result, the project would have no impact on Sierra Nevada red fox.

Sierra Nevada Mountain Beaver (*Aplodontia rufa californica*; California Species of Special Concern). The mountain beaver is a large, burrowing rodent found throughout the Cascade, Klamath, and Sierra Nevada Ranges. Distribution often is scattered; populations are local and uncommon in the Sierra Nevada and other interior areas. Mountain beavers occur in dense riparian-deciduous and open, brushy stages of most forest types. Typical habitat of the Sierra Nevada mountain beaver is montane riparian (Zeiner et al. 1990). Mountain beavers are found north and east of the project area and are associated with permanent water sources. The project trail route does not support appropriate habitat for the Sierra Nevada mountain beaver. Mountain beavers require larger streams and ponds than the very small amount of riparian habitat within the Robinson Flat to China Wall Connector Trail project area (Figure 1). As a result, the project would have no impact on Sierra Nevada mountain beaver.

Red Hills Soaproot (*Chlorogalum grandiflorum*; California Rare Plant Rank [CRPR] 1B.2. Red Hills soaproot is a perennial bulbiferous herb that occurs in serpentinite, gabbroic, and other soils in chaparral, cismontane woodland, or lower montane coniferous forests. It occurs at elevations from approximately 800 to 5,500 feet. It is ranked by CNPS as a category 1B.2, which means it is fairly endangered in California (CNPS 2021). The closest known occurrence is over 5 miles southwest of the project site. While there is serpentine habitat within the project area, the relatively far distance to the nearest known documented occurrence of Red Hills soaproot makes it unlikely that the species could occur within the project area. The project would therefore have no impacts on Red Hills soaproot.

Felt-leaved violet (*Viola tomentosa*; CRPR 4.2). This species is a perennial herb that inhabits lower and upper montane coniferous forests. The plant occurs at elevations from4,700 to over 6,500 feet. It is ranked by CNPS as a category 4.2, which means it is of limited distribution and is moderately threatened in California. These species have numerous documented occurrences within close proximity of the proposed project. Protective measures outlined in the EA (p. 13) for starved daisy will also be suitable to protect felt-leaved violet. Those measures include:

- Flag areas with felt-leaved violet and identify on project maps;
- A botanist must be onsite during ground disturbing activities to assist with trail alignment through occurrences to minimize damage to plants; and
- No blasting, where feasible, within 30 feet of plants.

With these protective measures in place, impacts to felt-leaved violet would be insignificant and minor. No additional mitigation would be required.

Cultural Resources. A record search, intensive resource inventory, and cultural resource report that complies with Section106 of the National Historic Preservation Act was completed for the wider Big Sugar Trail Project (EA pp. 62-63). The EA (p. 63) concludes that adverse impacts to cultural resources would be avoided through project design and site avoidance.

If human remains are inadvertently discovered, the Tahoe National Forest would follow the procedures as outlined in California Health and Safety Code section 7050.5. All project activities at the find site must come to a complete stop, and no further excavation or disturbance of the area or vicinity will occur. The county coroner would be contacted immediately, and if the coroner determines or has reason to believe that the remains are Native American, the coroner would contact the Native American Heritage Commission (NAHC) within 24 hours of making this determination. Whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC follows the procedures as outlined in PRC section 5097.98.

Energy. Neither the FONSI nor the EA directly addressed the project's energy use. Energy consumption is closely tied to the issues of air quality and greenhouse gas (GHG) emissions. The project would be constructed on federal (USFS) land; neither state nor local plans for energy efficiency would apply, although any applicable state fuel efficiency and emission standards would apply to construction vehicles and motorcycles used on the trail. OHV recreation is already very popular in Tahoe National Forest. Although the connector trail would provide additional opportunity for single-track motorized use, the trail would be very challenging and is expected to have somewhat limited motorized use given its length and high level of difficulty (EA pp. 37-38). The project would not generate new demand for OHV recreation or an associated increase in energy use, but rather would redistribute some of the existing motorized uses in the national forest. The trail would also be available to non-motorized recreation and is expected to be used by hikers, mountain bikers, and equestrians. Given the existing demand for the trail and the existing OHV and other recreation uses in the project area, construction and use of the proposed trail would not result in a potentially significant energy impact because it would not cause wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Geology and Soils. The EA (p. 42) addresses project impacts on soils and concludes that with implementation of trail design standards, soil and hydrology management requirements, and best management practices, impacts to soils would be minimal. The project site is not located in an area subject to strong seismic shaking, and the proposed trail project is not a use that would typically create seismic related hazards to trail users if there was seismic-related ground shaking. The trail alignment was chosen to avoid areas with unstable geologic units and unstable soils. Due to the mountainous terrain, there are no hazards associated with subsidence or liquefaction. Expansive soils are not a consideration in the project area, and the

project does not involve construction of any structures. The project would not exacerbate any geologic conditions creating risk or hazards. The project does not involve the use of septic tanks or wastewater disposal systems that could affect soils.

The project site does not support geological components (sedimentary and metasedimentary rock) that have potential to support unique paleontological resources or unique geologic features (Caltrans 2021, Hamilton 1916). As a result, there is low likelihood for in situ paleontological resources to be disturbed by project activities, and no impacts are expected.

Greenhouse Gas Emissions (GHG). The EA (p. 41) notes greenhouse gas emissions occur from vehicle emissions and the contribution of greenhouse gas emissions from motorized use toward global climate change is uncertain. The discussion below provides additional context and analysis to assess.

The California Global Warming Solutions Act of 2006 (Assembly Bill 32) required the Air Resources Board (CARB) to reduce GHG emissions to 1990 levels by 2020. In 2015, Governor Jerry Brown issued Executive Order B-30-15 establishing a GHG reduction target to reduce GHG emissions by 40% below 1990 levels by 2030. The California Air Resources Board (CARB) adopted the 2017 Climate Change Scoping Plan and has amended or adopted several regulations intended to reduce GHG emissions that achieve the adopted 2030 GHG reduction goal, including the Low Carbon Fuel Standard. These actions improve energy efficiency, lower the carbon content of transportation fuels such as gasoline and diesel, and lower statewide GHG emissions levels. The state codified a 2030 GHG reduction goal and the Office of Planning and Research amended the State CEQA Guidelines to provide new guidance regarding GHG impacts analysis.

The proposed trail development project would produce GHG emissions from construction-related fuel combustion. Project implementation would occur gradually over the next three years, with roughly one-third of the work completed each year. GHG emission estimates were recently modeled for the Little Sugar trail development project on the Tahoe National Forest within Placer County using the Sacramento Metropolitan AQMD's Road Construction Emissions Model. The Little Sugar Trail Reroute Project involved development of nine miles of single-track OHV trail within a single 10-week season using the same construction equipment and trail designs. The Little Sugar OHV Trail Reroute Project was estimated to generate 18.64 $MTCO_2e$ (MIG 2018). The Robinson Flat to China Wall Trail Connector Project would utilize the same trail design, construction methods, and equipment usage rates as the Little Sugar Trail Reroute Project. The Tahoe National Forest would construct 24 miles of trail over three years. Thus, the Robinson Flat to China Wall Connector Trail Project would have an annual GHG emission rate of slightly less than the Little Sugar project of 18.64 $MTCO_2e$.

Placer County Air Pollution Control District has adopted a GHG threshold (Bright-line) of 10,000 $MTCO_2e$ per year for project construction phases and 1,100 MTCO2e per year (de minimis level) for land use operational phases (PCAPCD 2017). The estimated GHG emissions of 18.64 $MTC0_2e$

per year are well below the significance thresholds. Therefore, impacts related to project GHG emissions would be less than significant.

The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Construction vehicle and equipment GHG emissions are identified and planned for in CARB's GHG emissions inventory and Scoping Plan, which contains measures designed to achieve the state's GHG reduction goals in AB32 (CARB 2015). Moreover, the project would not contain any stationary sources that are subject to state or federal GHG permitting or reporting regulations. The new emissions resulting from the 24 miles added to the National Forest Trail System would not substantially increase the emissions occurring in the air basin and would remain below significance thresholds. The new GHG emissions would not conflict with an applicable plan (including a local climate action plan), policy or regulation adopted for the purpose of reducing the emissions of GHGs.

Hazards and Hazardous Materials. Neither the FONSI nor the EA directly addressed the project's potential impacts related to hazards or hazardous materials as described in Appendix G. The Robinson Flat to China Wall Connector Trail project would not create hazards due to the generation, routine transport, disposal, or upset of hazardous materials. The project would not generate hazardous emissions or require crews or the public to handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There are no known hazardous materials sites or cleanup sites in the project area (DTSC 2021, SWRCB 2021, USEPA 2021). The project is not located within an airport land use plan or within two miles of a public use airport and would not interfere with adopted emergency response or evacuation plans. As discussed below in Wildfire, the project would not expose people or structures to risk of loss, injury or death involving wildland fires.

Hydrology. The EA (p. 42) addresses potential project impacts to soils and surface waters as a result of project trail construction and concludes that with implementation of trail design standards, soil and hydrology management requirements, and best management practices, the project would have a minimal impact to water quality and stream hydrology.

The project would not increase water use, create a demand on groundwater supply, or otherwise interfere with groundwater volumes or recharge rates. Groundwater supplies would be unaffected by the project, and no impervious surfaces would be added. The project would be designed to promote natural runoff of the newly created trail through designing it in accordance with Tahoe National Forest Trail Design Standards; the project would not result in flooding or increased potential for flooding. The project would not contribute runoff that would exceed storm water drainage systems or create additional sources of polluted runoff. The project does not involve construction of residential or other structures within a 100-year flood plain or in an area that could be affected by failure of a levee or dam. The project is not located in an area that is subject to seiches, tsunamis, or mudflows.

Land Use. The proposed Robinson Flat to China Wall Connector Trail is located on federal land within a national forest. Local and state land use plans do not apply to federal lands. The trail would be located within a roaded natural area identified in the Forest Plan and would be consistent with roaded natural and semi-primitive motorized standards as identified in the Forest Plan (EA p. 55). The Decision Notice and FONSI found that the proposed project is consistent with the Land and Resources Management Plan for the Tahoe National Forest. The proposed project would not change the nature of any land use within the area. The project does not conflict with land use policy.

Mineral Resources. No important mineral resources would be removed from the project area as the project would not change the nature of any land use within the area.

Noise. The EA (p. 40) evaluated the potential noise impacts from trail use, concluding that because the new trail location is proposed along or near existing motorized trails and roads, including the busy Foresthill Divide Road, any increase in noise would be minor and would not conflict with use of national forest lands for quiet recreation. Neither the FONSI nor the EA evaluated noise impacts from trail construction. Noise levels would temporarily increase during trail construction work due to the use of power tools and heavy equipment (trail dozer and mini-excavator). Localized ground vibrations may occur during implementation of the project due to the use of heavy equipment. Construction noise and ground vibration would be limited to weekdays for a period of three, 10- to 12-week construction seasons. There are no sensitive receptors in the vicinity of the project site that would be affected by heavy equipment noise and vibration. Increases in ambient noise levels would be temporary, intermittent, and localized to the specific area where construction is occurring and would not be significant.

The project area is not located within two miles of a public airport, or private airport or airstrip; the project would not result in exposure of people to excessive noise levels from airport operations.

Population and Housing. The trail project does not involve development of housing or any other activities that would increase population growth in the area. The project would not displace any housing or people as it does not involve the removal of existing housing.

Public Services. The proposed trail site is located within a national forest. There are no residential populations located at the project site and no community based public services in the immediate vicinity of the project. The project would not increase the need for fire or police protection services or create an adverse impact on those protection services. The project would not affect the number of students served by local schools, nor bring in new residents requiring the construction of additional schools. The project would not result in an increased number of residents or visitors in the area using community parks. The project is not expected to increase visitor use within the national forest. No other public facilities would be affected by the project.

Recreation. The EA (p. 38-39) evaluated potential impacts of the Robinson Flat to China Wall Connector Trail on recreation, concluding the project would result in improved recreation

opportunities for motorcyclists, mountain bikers, hikers and equestrians and included adequate measures to minimize potential conflicts among user groups. No neighborhood or regional parks are located in the vicinity of project site, and none would be impacted by the proposed trail development. The project would not increase visitor use at the national forest such that new recreational facilities would be needed, nor would the project cause motorized recreationists to intensify uses on other facilities. The Robinson Flat to China Wall Connector Trail is likely to disperse advanced riders from the concentrated trails in the central Sugar Pine OHV area. The project would not have significant recreation impacts.

Transportation. The EA evaluated the impacts of the proposed connector trail on transportation in the context of safety (pp. 51-53) and Forest Plan consistency (p. 55) and determined the project would not cause adverse transportation impacts. The analysis did not address vehicle miles traveled or emergency access. The Robinson Flat to China Wall Connector Trail would serve existing trail recreation use and would shift some recreational uses within a national forest that is already very popular for motorized and non-motorized recreation. Any increase in vehicle trips to the project area associated with new trail development would be negligible. The trail is adjacent to the paved Foresthill Divide Road; emergency access to or from the project area would not be affected. The project would not have significant transportation impact.

Tribal Cultural Resources. Although the Tahoe National Forest consulted with interested tribes during the NEPA process, Assembly Bill (AB) 52 created a specific CEQA role for California Native American tribes by creating a formal consultation process and establishing that a substantial adverse change to a tribal cultural resource has a significant effect on the environment. Tribal cultural resources are defined as:

1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

    A) Included or determined to be eligible for inclusion in the California Register of Historical Resources

    B) Included in a local register of historical resources as defined in PRC section 5020.1(k)

2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC section 5024.1 (c). In applying the criteria set forth in PRC section 5024.1 (c) the lead agency shall consider the significance of the resource to a California Native American tribe.

A cultural landscape that meets the criteria above is also a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. In addition, a historical resource described in PRC section 21084.1, a unique archaeological resource as defined in PRC section 21083.2(g), or a “non-unique archaeological resource” as

defined in PRC section 21083.2(h) may also be a tribal cultural resource if it conforms with above criteria.

AB52 requires a lead agency, prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation.

The OHMVR Division sent consultation notification letters in April 2021 to the United Auburn Indian Community of the Auburn Rancheria, Washoe Tribe of Nevada and California, Colfax-Todds Valley Consolidated Tribe, Nevada City Rancheria, and the Todd's Valley Miwok-Maidu Cultural Foundation. Consistent with AB52, the OHMVR Division will not conclude the CEQA process until the AB52 consultation is complete.

Utilities. The proposed project solely comprises a trail and would not require a water supply or generate waste beyond the small amount of trash generated by recreationists that is generally either packed out or deposited at trailheads trash receptacles. The project would not affect water, wastewater, energy, or other utilities.

Wildfire. USFS determined the Big Sugar project, including the Robinson Flat to China Wall Connector Trail, would not impact fire and fuels and did not require further analysis (EA p. 20). USFS consulted with CAL FIRE when developing the Big Sugar Project EA; CAL FIRE did not provide comments. The proposed trail alignment is entirely within an area of federal fire protection responsibility but is immediately adjacent to state responsibility areas zoned very high fire hazard. Although the proposed trail would provide a new opportunity for motorized and non-motorized recreation, it would be constructed immediately adjacent to an existing road (Foresthill Divide Road) within an area that is already heavily used for recreation and other activities and traversed by trails and roads. The trail is expected to have somewhat limited use due to its length and high level of difficulty (EA p. 47). Due to the limited number of additional users, the existing trail and road density in the area, and adjacent roads allowing adequate ingress and egress, the proposed trail project would not cause a significant wildfire impact because it would not substantially impair emergency response or evacuation, would not exacerbate wildfire risks, would not require additional infrastructure, and would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes.

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