

Juniper and Pinyon Loop Trails Project

Decision Record

DOI-BLM-NV-C020-2012-0028-EA

October 2013



Introduction

Beginning in 2007 the Bureau of Land Management (BLM), Sierra Front Field Office and the Carson Valley Trails Association (CVTA) entered into discussions about the opportunities for non-motorized trails in the Pine Nut Mountains, located in Douglas, and Carson City Counties. The Pine Nut Mountains, east of Carson City and the Minden/Gardnerville area of western Nevada, consists of approximately 400,000 acres of public lands, private lands, and Indian Trust Lands. Although there are extensive routes throughout the area ranging from single track trails to maintained dirt roads, no designated non-motorized trails exist within the Pine Nut Mountains.

The CVTA, based in Minden, Nevada, is a non-profit, volunteer-based organization that works with partners to provide opportunities for non-motorized recreation for the public. The CVTA currently maintains the Fay-Luther Trail System on public lands in Alpine County, California. Fay-Luther is one of the most popular and heavily used trail systems in the Sierra Front. The CVTA has worked with the Nevada Conservation Corps and Professional Trail Builders Association on past projects, and these groups may assist with implementation of this Project.

Douglas County has identified outdoor recreation as a major amenity for strategic development in the County's future. Outdoor recreation and designated trails are consistently mentioned as a top attraction from community members and organizations. The proposed Project would create strong community character and pride, provide a local and inexpensive recreational trail resource, increase and diversify community marketability, and improve the overall quality of life. Local volunteers would help construct much of this Project. The CVTA would use locally donated funds for trail signage and trailhead amenities, and possibly seek out additional human resources and funding for construction through various trail grant programs. Under the Federal Land Management Policy Act (FLPMA), the BLM has a mandate to provide for multiple uses, including opportunities for the public to use non-motorized trails.

The BLM has prepared the *Juniper and Pinyon Loop Trails, Final Environmental Assessment* (DOI-BLM-NV-C020-2012-0028-EA). The final environmental assessment (EA) considered the direct, indirect and cumulative effects from the Proposed Action and No Action Alternative. Under the Proposed Action, two non-motorized loop trails would be constructed and maintained by the CVTA. The Juniper Loop Trail (Figure 2 of the Final EA) is located in T14N, R20E, Sections 25, 26, 35 and 36 of the McTarnahan Hill, Nevada USGS 7.5 minute quad. The trail would be approximately 6.6 miles in length. An existing trailhead off of Stephanie Way would be utilized. The Pinyon Loop Trail (Figure 3 of the Final EA) is located at T12N, R21E, Sections 9, 10, 14 and 15 of the Mt. Siegel, Nevada USGS 7.5 minute quad. The trail would be approximately 4.6 miles in length. A new trailhead would be constructed on Pine Nut Road titled "Pinyon Loop Trailhead East" (Figure 4 of the Final EA). Separately, the BLM has signed a Finding of No Significant Impact with a determination that an environmental impact statement is not required.

The BLM has determined that it is necessary to issue a restriction order to limit use of these new loop trails to non-motorized only (hiking, mountain biking and horseback riding). A permanent designation of the two non-motorized trails would occur upon approval of a Travel Management Plan. In addition, both the Pinyon Loop and Juniper Loop trailheads would be designated as "no overnight use." This is necessary to prevent camping activities at the trailheads which are not

designed for this purpose. OHV staging and target shooting (from and into the two trailheads) would also be prohibited, as the Project would not be designed for this purpose and would be incompatible with public safety. The Final EA provided the analysis necessary for this order, which would be published in the *Federal Register*, per BLM Instructional Memorandum (IM) No. 2010-008, Change 1. The authority for this order is found at 43 CFR 8364.1.

Public Involvement

The first round of public scoping was based on the October 2010 proposal submitted to the BLM. That original proposal consisted of a 45-mile non-motorized trail system extending from Highway 395 and the Ruhestroth Dam area north to property managed by Carson City. On October 25, 2012, the BLM announced a 30-day public scoping period for the original project. Letters and a project map were sent to approximately 72 residents adjacent to the project area, information was published on the project's website, and a news release was issued. The CVTA also announced the project on the organizations website and through their mailing list. Articles for this scoping appeared on KTNV Channel 2 – Reno (web version) on October 25, 2012, in the *Reno-Gazette Journal* on November 1, 2012, and *The Record-Courier* on November 4, 2012.

The BLM presented the project to the Douglas County Commissioners on November 1, 2012. A workshop was held on November 14, 2012 at the Pinon Hill Elementary School. Approximately 120 people were in attendance. Sixty-one comments were submitted to the BLM. The public scoping period ended on November 25, 2012. The BLM also made presentations to the Carson City Open Space Committee on December 4, 2012, and to the Carson City Board of Supervisors on December 6, 2012.

Between January and April 2013 revisions were made to the project, changing the proposal from a 45-mile non-motorized trail system into two, six-mile non-motorized loop trails. On May 13, 2013 the BLM announced a 15-day public scoping period for the revised Project. Letters were sent to 118 residents adjacent to the Project area, and information was published on the Project's website. The BLM conducted a workshop for the public at the Carson City District Office on May 16, 2013. Eight people were in attendance. The BLM issued a news release on May 22, 2013. An article for this scoping appeared on KTNV Channel 2 – Reno (web version) and *This Is Reno* (web version) on May 22, 2013 and in *The Record-Courier* on May 24, 2013. The BLM made a presentation to the Douglas County Commissioners on June 6, 2013. The scoping period for the revised Project was extended for a total of 30-days until June 11, 2013. Twelve comments were submitted to the BLM.

The draft EA was made available for public review for 30-days from August 1 until August 30, 2013. Letters were sent to the Project mailing list which consisted of 124 residents adjacent to the Project area. Notification was also made to the Nevada State Clearinghouse and to the media via a press release. On August 20, 2013 an article on the Project was published in *The Record-Courier*. On August 21, 2013 the BLM conducted a public workshop at the Carson City District Office. Twelve people attended the workshop. The BLM received four written comments. None of the comments resulted in substantive changes to the alternatives or analysis of the alternatives contained in the draft EA.

Land Use Conformance

The Proposed Action is in conformance with the Carson City Field Office Consolidated Resource Management Plan (CRMP), May 2001, page REC-2, RMP Level Decisions, Desired Outcomes #1:

- “Provide a wide range of quality recreation opportunities on public lands under management by the Carson City Field Office [now known as the Carson City District Office].”

Authority

Implementation of the Proposed Action is under the authority of the Federal Land Policy and Management Act of 1976.

Rationale

Proposed Action (Selected Alternative)

The purpose of the Project is for the BLM to authorize the construction and maintenance of the *Juniper* and *Pinyon Loop Trails* (Figure 1 of the Final EA) and Pinyon Loop Trailhead East (Figure 4 of the Final EA) by the CVTA. The need for the Project is to respond to a request by CVTA to provide for non-motorized recreation opportunities on public lands. Consistent with the multiple use mandate of FLPMA, the need for the project is to meet BLM’s requirement to provide for a wide variety of recreational opportunities.

No Action Alternative

Under the No Action Alternative, the BLM would not have approved CVTA’s request to construct and maintain the *Juniper* and *Pinyon Loop Trails* and Pinyon Loop Trailhead East by the CVTA. The need for the Project, to meet the public’s increasing demand for non-motorized trails, would not have been met.

Decision

It is my Decision to select the Proposed Action consisting of the *Juniper* and *Pinyon Loop Trails* and Pinyon Loop Trailhead East. Selection of this alternative is the first step in its implementation. The CVTA would likely begin construction of one of the two loop trails starting in the fall of 2014. The timeframe to implement the Proposed Action is two to four years depending on funding and volunteer resources availability. It is also my Decision to issue the restrictions described in the Proposed Action to ensure public safety while using these new facilities.



Leon Thomas
Field Manager
Sierra Front Field Office

10-21-13

date

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Leon Thomas
Field Manager
BLM, Sierra Front Field Office
5665 Morgan Mill Road
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate Office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants' success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals. Electronically filed appeals will therefore not be accepted.