

Steve Scheid/R4/USDAFS To
03/08/2011 09:04 AM cc
bcc
Subject Snowbird MDP e-mails lkroenke

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----- Forwarded by Steve Scheid/R4/USDAFS on 03/08/2011 09:04 AM -----

**Loren M
Kroenke/R4/USDAFS** To Reese Pope/R4/USDAFS@FSNOTES, Steve
01/20/2011 05:49 PM Scheid/R4/USDAFS
cc
Subject Snowbird

Reese - Brian asked me to set in on next week's meeting about Snowbird's proposal. One of the issues that needs daylighting is inventoried roadless. I've been talking with roadless folks in the W.O. about a # of rec and ski area proposals in IRAs. I think I can shed some light on this, but want to be sure the Snowbird proposal extends into an IRA. It looks to me like at least the terminus of the new tram would be in a 2001 IRA. Does the Forest have maps that are detailed enough to be sure?

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----- Forwarded by Steve Scheid/R4/USDAFS on 03/08/2011 09:04 AM -----

**Loren M
Kroenke/R4/USDAFS** To Steve Scheid/R4/USDAFS, Catherine
02/07/2011 10:36 AM Kahlow/R4/USDAFS@FSNOTES
cc
Subject Re: Snowbird MDP letter 

From a strategy standpoint, I wonder if it's helpful to look at this as a sequence of questions or options that need to be answered. Some thoughts -

LAND EXCHANGE

The LEX seriously confuses the process. To handle both in the same NEPA document would add much complexity and greatly expand the analysis. Plus, the purpose and need for the LEX would likely be different than for a permit expansion. Would seem best to inform the permittee that the agency will do one or the other but not both.

MDP

1. Postpone consideration of the Mary Ellen proposal until a MDP amendment is submitted and accepted;
2. Inform Snowbird that some or all elements of their expansion proposal are accepted through screening, but that the FS will need a full MDP shortly after scoping is initiated to ensure that cumulative effects and connected actions can be addressed in NEPA; **or**
3. Inform Snowbird that some or all elements of their expansion proposal are accepted through screening. Tell them that the NEPA for the projects will proceed, but alert them that before any implementation can begin their MDP must be amended.

NEPA

1. Accept proposal as is and initiate NEPA. (Option – inform Snowbird tram is unlikely to be approved, but that the FS is willing to take it forward as the Proposed Action);
2. Inform Snowbird that the only proposal the FS is willing to take into NEPA is one with no tram & tell them to adjust their proposal accordingly; **or**
3. Deny/reject proposal expansion proposal in total because of Forest Plan Inconsistency and maybe other issues.

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Steve Scheid/R4/USDAFS

Steve Scheid/R4/USDAFS

02/04/2011 11:57 AM


To Catherine Kahlow/R4/USDAFS@FSNOTES
 cc Loren M Kroenke/R4/USDAFS@FSNOTES, Pollyanna
 Popola/R4/USDAFS@FSNOTES
 Subject Snowbird MDP letter

After banging my head for close to a week, I took a long walk (and ski) to Mary Ellen Gulch w/Craig Gordon of the UAC. It was very helpful to put things into context and perspective. I now have a much

better understanding of the plan, issues, and some potential alternatives, thanks in large part to Craig's insights in potential design and management of the area. Rather than putting together a draft letter, likely with little cohesion, I instead put together a draft outline of issues to be address in the "limited acceptance" letter, though I did take a shot at the intro. I am asking you to take a look at the outline and feel free to put comments/thoughts after each item; add or discuss removing an item; and provide some feedback on a logical order of discussion. Also, as always, feel free to call me & discuss. Thanks for any help you can provide. - Steve

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----- Forwarded by Steve Scheid/R4/USDAFS on 03/08/2011 09:04 AM -----

**Loren M
Kroenke/R4/USDAFS**
02/10/2011 10:39 AM
To Steve Scheid/R4/USDAFS
cc Catherine Kahlow/R4/USDAFS@FSNOTES
Subject Re: Drafty Snowbird MDP response 

Good job in laying out all the concerns and options. I think this could be good reference package for a follow-up meeting with Brian. However, if it were me i would not send something like this to Snowbird. Instead, i think the next communication back to Snowbird would be to meet with them and have a "heart-to-heart" discussion about what the Forest is - and is not - willing to take into NEPA. Then a brief letter could follow that meeting, documenting agreements, next steps, etc.

This is sort of a classic case where the transition from front loading to special uses screening is sort of fuzzy....and it's maybe best to think about it as iterative.

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Steve Scheid/R4/USDAFS

Steve Scheid/R4/USDAFS
02/09/2011 04:38 PM
To Catherine Kahlow/R4/USDAFS@FSNOTES, Loren M
Kroenke/R4/USDAFS@FSNOTES
cc


Subject Drafty Snowbird MDP response

Here's a drafty first look. Thoughts??!!!

[attachment "SnowbirdMDPAcceptanceLetter2.doc" deleted by Loren M Kroenke/R4/USDAFS]

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**Loren M
Kroenke/R4/USDAFS** To Steve Scheid/R4/USDAFS
02/22/2011 04:56 PM cc
Subject Re: Snowbird MDP revision 

Steve - I'm struggling a bit with a couple of things in the letter. One is the paragraph on P&N. You use quite a different model than I'm used to. I faxed you 4 pages from a NEPA manual i had. There is no absolute right or wrong with P&N statements...all the regulations say is that EIS must "briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives, including the proposed action." Also, in recommending a format for EISs, the CEQ regs recommend a chapter titled "Purpose of and Need For Action." It becomes important down the road though in determining what an adequate range of alternatives....i.e., reasonable alternatives are those that satisfy P&N...at least to some degree. Thus, if I understand the intent of the letter, the P&N statement might read something like -

There is a need cooperate with Snowbird's plans for ski area development of their private lands by authorizing additional use of areas of NFS lands in a way that maintains the roadless character of Major Evans Gulch and that does not greatly increase the potential for lift-served backcountry skiing entry into the White Pine drainage.

Without that sort of qualification, I don't know that you could exclude the original proposal from detailed study as an alternative in the EIS. If you assume it'll be an alternative anyway, I'm not sure it's worth the fight about whether it's the "agency's proposed action." While valid, that approach or interpretation isn't really defined in policy or regulations anyway. It's maybe important to think about a P&N statement that not only serves as a foundation for a Forest Plan amendment and a project proposal. Does the P&N statement you drafted which relies on private land open the question other areas of either Forest, e.g, Cardiff Fork, "Aspen Utah" off Daniel's Summit (<http://voice-of-deseret.blogspot.com/2007/12/little-sweden-subdivision-petitions-for.html>), Seven Peaks at Provo, etc.? Just a thought.


Guess the other concern is that it might be possible to agree to take some project proposal into NEPA now.....with the understanding that a real MDP must be prepared before substantial work on the NEPA

analysis can begin. I know how complicated this has been, but i fear that it will look like "the Forest Service took 6 months just to decide that an MDP is required, with still no light at the end of tunnel." I know too it's not really consistent with the approach we're trying to advocate in the training, but it's tough to get out the bind you're in with no actual MDP to work from. Allowing the MDP to be developed while NEPA scoping is in progress (for example) might help deal with some of the fallout.

Sorry to ramble...this is a tough issue!

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**Loren M
Kroenke/R4/USDAFS** To Steve Scheid/R4/USDAFS
03/03/2011 10:21 AM cc
Subject Re: Snowbird MDP letter final review 

Steve - I'll take a look at the letter today. In the meantime, thought you might be interested in some recent incidents in Colorado related to boundary management/side country.

http://www.denverpost.com/business/ci_17516665?obref=obinsite

http://www.denverpost.com/business/ci_17515949

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Steve Scheid/R4/USDAFS


Steve Scheid/R4/USDAFS To Sylvia G Clark/R4/USDAFS@FSNOTES, Catherine
03/03/2011 08:33 AM Kahlow/R4/USDAFS@FSNOTES
cc Cheryl Probert/R4/USDAFS@FSNOTES
Subject Snowbird MDP letter final review

Sylvia/Cathy, I have completed the final edits for the letter to Snowbird regarding their MDP based on Cheryl's comments. I have sent them in the database to Cheryl and could not figure how to get you in the chain, so am forwarding you a copy of the final draft for your review. My hope is that we can finalize this to get it off ASAP. Please give this a hard look and feel free to discuss with me or Cheryl. - Steve

[attachment "Snowbird MDP letter.doc" deleted by Loren M Kroenke/R4/USDAFS]

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Loren M Kroenke/R4/USDAFS To Steve Scheid/R4/USDAFS
03/03/2011 02:59 PM cc
Subject Re: Snowbird MDP letter final review 

Steve - Some comments attached....take or leave. Probably the biggest 2 items - 1) think i'd just deny/reject the current MDP proposal, rather than preliminarily accept it, and 2) even though it runs counter to our idealized flowchart, I'd give serious thought to agreeing to take a no-Twin Peak project proposal into the early stages of NEPA while a full MDP is being prepared.



Snowbird MDP response_3_3_11.doc

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