



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
787 N. Main Street, Suite 220
Bishop, CA 93514
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



July 8, 2020

Gordon Martin
P.O. Box 148
Mammoth Lakes, CA 93546

LAKES BASIN AND SHERWIN AREA TRAIL ENHANCEMENT PROJECT #58276

Dear Mr. Gordon Martin:

The California Department of Fish and Wildlife (CDFW) received a scoping letter from the U.S. Forest Service for the Lakes Basin and Sherwin Area Trail Enhancement Project #58276 (Project). Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the state. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.)

PROJECT DESCRIPTION SUMMARY

The U.S. Forest Service (USFS), Inyo National Forest, Mammoth Ranger District Project proposes approximately 15 miles of new natural surfaced multi-use, non-motorized trails that will be constructed and will adhere to the USFS trails design specifications Designed Use Pack and Saddle, Trail Class 3 with a target tread of 18-24-inches. Work will be performed by hand tools and/or a small trail machine. The objective of the Project is to provide a well-designed system of multi-use, non-motorized trails that includes multiple loop opportunities of varying lengths and levels of difficulty adjacent to the Town of Mammoth Lakes so as to provide improved trail use experience while reducing impacts to sensitive natural resources. The Project is located on the Inyo National Forest, Mammoth Ranger District in the Sherwin and Lakes Basin area near the Town of Mammoth Lakes, California. It is anticipated that trail construction work will be implemented starting summer of 2020 and into 2021.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the USFS in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the potential for the Project to have a significant impact on biological resources, CDFW believes that additional review and analysis are warranted.

Mule Deer

The Project has potential to disrupt a major deer migration corridor used by the Round Valley herd (RVH). The Project would include construction of a new section of multi-use trail between the Mammoth Rock Trail and the Duck Pass Trail. This proposed section of multi-use trail includes a north-south oriented segment that would pass through Solitude Canyon and eventually cross over the Sherwin Crest, north of Red Cone, into the upper Mammoth Lakes Basin. Solitude Canyon is an historic and essential, high-use migration corridor for the RVH that links low elevation east side Sierra winter range with high elevation west side Sierra summer range.

Mule deer migration routes within Solitude Canyon were not identified; therefore, Project impacts and their significance were not fully analyzed for this species. The RVH occupies winter range in Round Valley, Inyo and Mono counties, California, and summer range on the west side of the Sierra crest in Madera and Fresno counties, California. Solitude Canyon is a traditional migration corridor for the RVH and the essential link maintaining habitat connectivity between these seasonal deer ranges. Radio-telemetry studies have demonstrated that female mule deer from the RVH show strong fidelity to migration routes and seasonal ranges, and that the use of these routes is a learned behavior passed down from adult females to their offspring (Kucera 1992, Monteith et al. 2011).

The Solitude Canyon migration route is used by deer primarily during the annual spring (April-June) and fall migrations (September-November), and is characterized by numerous well-defined, historic deer trails. These deer migration trails enter Solitude Canyon from the northeast and eventually merge into one or two main trails where the canyon narrows between two large boulder fields. The deer trails cross over Sherwin crest through Solitude Pass on the east side of Red Cone, then eventually continue south toward Duck Pass on the Sierra crest.

On June 21, 2020, a CDFW biologist conducted a field reconnaissance survey of the proposed USFS multi-use trail in Solitude Canyon. The biologist noted that the same trail used by migratory deer had also been designated for the proposed multi-use trail as indicated by recent flagging. In addition to deer sign, biologists also observed tracks of mountain lion and black bear on the migration trail, confirming that Solitude Canyon is also a movement corridor for other wide-ranging wildlife species.

CDFW has a long history associated with the collection of deer and other wildlife data in Solitude Canyon, since this area was at one time part of the proposed Sherwin Ski Area. A draft Environmental Impact Statement for the proposed Sherwin Ski Area was completed in March 1983 (USDA Forest Service 1983). The DEIS described the Solitude Canyon migration corridor as being “analogous to a “funnel” where widely dispersed deer on the summer range move through a constricted area (the proposed SSA) to access winter range.”

Mule deer from the RVH currently face considerable stresses that create management challenges for local resource agencies. Habitat loss and conversion from development on seasonal ranges and migration routes, poor forage quality, predation, increased deer-vehicle collisions, and recreational disturbance are all factors that potentially influence the RVH. Hiking, mountain biking and horseback riding would be the most common forms of recreational activity associated with the proposed multi-use trail. These activities could impact the functional quality of the migration corridor for deer and other wildlife through direct disturbance, trampling of adjacent habitat (e.g., wet meadows) and indirectly through discarded food and trash (Boyle and Samson 1985). Moreover, the risk of human-caused wildfire within the migration route would increase with greater human presence. Miller et al. (2001) found that mule deer became alert and then flushed for on-trail hikers at 150 feet and 112 feet, respectively. Deer that are flushed by on-trail hikers could experience increased energetic costs during a time when animals are stressed due to the physical demands of migration. Increased energetic costs could potentially lead to decreased survivorship, especially after a severe winter when deer are still in the process of regaining body condition.

Mule deer are sensitive to human disturbance during migration. Because Solitude Canyon is a narrow migration corridor with just one or two main trails in the narrowest part of the canyon, encounters between deer and humans are inevitable and, therefore; the potential for significant human intrusion impacts is high.

Sierra Nevada Red Fox

Sierra Nevada Red Fox (SNRF) are a native subspecies of montane red fox found in high-elevation regions of the Sierra Nevada, Lassen Volcanic National Park and its environs, and the Oregon Cascades. In the Sierra Nevada, SNRF are found in alpine, subalpine and upper montane habitats, typically above 9,000 feet in elevation. SNRF are currently known to inhabit areas around Sonora Pass and the upper elevations of Mono Creek. These populations have been identified using camera traps and confirmed with genetic analysis. SNRF are state-threatened in California, and the Sierra Nevada Distinct Population Segment of SNRF is proposed for federal listing as endangered by the U.S. Fish and Wildlife Service.

Recent surveys by CDFW biologists out of the Bishop Field Office have detected red foxes near the Mammoth Lakes area, including three detections near Marie Lakes in the upper San Joaquin drainage, one detection on San Joaquin Ridge, and one detection on the Mammoth Crest above McCleod Lake. These detections are presumed to be SNRF based

Mr. Gordon Martin
U.S. Forest Service
July 8, 2020
Page 4

on elevation and habitat, however the subspecies identity has not been confirmed by genetic analysis.

Two recent detections are relatively near the proposed Solitude Canyon trail project. The San Joaquin Ridge detection and the Mammoth Crest detection are approximately 9 and 3.5 miles away, respectively. Portions of the Solitude Canyon project area are above 9,000 feet in elevation and include potential SNRF habitat as described above. We do not have direct evidence of SNRF use of the project area, but we have not surveyed the project area. Based on nearby detections and the suitability of habitat within the project area, it is possible that SNRF either inhabit the project area or use portions of the area as travel corridors. The proposed project should evaluate any potential impacts to SNRF or their habitat.

CONCLUSION

Due to the issues presented in this letter, CDFW concludes that the proposed project does not adequately identify or mitigate the Project's significant, or potentially significant, impacts on biological resources. CDFW has concerns as the trustee agency for wildlife of USFS lands. In addition, because of these issues, CDFW has concerns that the U.S. Forest Service may not have the basis to approve the project.

Please consult with us for additional guidance regarding your project. Questions regarding this letter or further coordination should be directed to Tim Taylor, Environmental Scientist at (760) 932-5749 or timothy.taylor@wildlife.ca.gov.

Sincerely,



Tom Stephenson, PhD
Senior Environmental Scientist

cc: Mathew Paruolo

REFERENCES

- Boyle, S. A., and F. B. Samson. 1985. Effects of nonconsumptive recreation on wildlife: a review. *Wildlife Society Bulletin* 13:110-116.
- Kucera, T. E. 1992. Ecology and population of dynamics of mule deer in the Eastern Sierra Nevada, California. Ph.D. Dissertation. University of California Berkeley, California. USA.
- Miller, S. G., R. L. Knight, and C. K. Miller. 2001. Wildlife responses to pedestrians and dogs. *Wildlife Society Bulletin* 34(5): 1392-1400.
- Monteith, K. L., V. C. Bleich, T. R. Stephenson, B. M. Pierce, M. M. Conner, R. W. Klaver and R. T. Bowyer. 2011, Timing of seasonal migration in mule: effects of climate, plant phenology, and life history characteristics. *Ecosphere* 2:1-34pp.
- USDA, Forest Service. 1983. Draft Environmental Impact Statement for the Sherwin Ski Area, Mono County, California.