



Operations and Maintenance Track #4

Document Date: October 12, 2011

Document Contents:

1. "Proposal to the Inyo National Forest: Inaugural Documents of Authority – Operations and Maintenance Opportunities"

Document Summary:

1. Key agreements for operations and maintenance opportunities
 - a. Question and answer document for key operations and maintenance opportunities covering the following topics:
 - i. Planning
 - ii. Design
 - iii. Implementation
 - iv. Operations
 - v. Maintenance
 - vi. Stewardship
 - vii. Marketing/Promotion

Document Contributors:

1. MLTPA/Recreation Comm. Trails Committee – September 27, 2011 @ 3:00 p.m.

In attendance: John Wentworth, Jay Deinken, Bill Taylor, Kim Stravers (MLTPA); Danna Stroud (SMG); Tony Colasardo (TOML Recreation Commission/Trails Committee)

2. Review with Inyo National Forest – October 6, 2011 @ 3:00 p.m.

In attendance: John Wentworth, Jill Morrison, Drew Blankenbaker, Jay Deinken, Bill Taylor (MLTPA); Danna Stroud (SMG); Sean Turner (TOML Recreation Commission/Trails Committee); Mike Schlafmann (INF)

Next Steps:



“Proposal to the Inyo National Forest: Inaugural Documents of Authority” Operations and Maintenance Opportunities

MLTPA/Rec Comm “Trails Committee” – Sept 27 @ 3:00
MLTPA Annex #6

Review with Inyo National Forest – Oct 6 @ 3:00
USFS Conference Room

In attendance: John Wentworth, Jay Deinken, Bill Taylor, Kim Stravers (MLTPA); Danna Stroud (SMG); Tony Colasardo (TOML Recreation Commission/Trails Committee)

In attendance on Oct 6: John Wentworth, Jill Morrison, Drew Blankenbaker, Jay Deinken, Bill Taylor (MLTPA); Danna Stroud (SMG); Sean Turner (TOML Recreation Commission/Trails Committee); Mike Schlafmann (INF)

1) Planning

a) Master Planning/Programmatic Environmental Analysis

i) Can the partners commit to joint master-planning processes?

(1) If yes, how: **Technically, this is possible; however, planning cycles must be in sync. The TOML would need to be the driving force. This would need to serve specific needs of both agencies. Agencies may, however, provide input into master-planning processes.**

Yes. However, it depends on the joint master-planning process. It has been done before. The INF recently did Chair 15 base planning with Mammoth Mountain Ski Area.

ii) Can the partners conduct joint CEQA/NEPA environmental analysis?

(1) If yes, how: **Yes. Both sets of regulations encourage joint documents. The lead agency must be decided and is normally the initiating agency. This may be programmatic as well as project specific. If it's not truly a joint document, coordination between the agencies should occur so that the separate documents are complementary. Joint processes are time and funding efficient. Identifying staff leads/liaisons for each project is critical so that there is one point of contact for each agency.**

Yes. The INF currently conducts two to three per year, so long as the project is defined and the partners then coordinate the process.

b) Strategic Planning

- i) Can the partners participate in long-range strategic planning for the MLTS?
(1) If yes, how: **Yes. Policy adoption by the Inyo National Forest (INF) can be complicated and problematic, so it's preferable to have the Town of Mammoth Lakes (TOML) initiate and facilitate such planning.**

Yes. Based on the above comment, policy is actually easy to set at the local level, but the decisions and plan adoption may be more complicated.

- ii) Can the partners participate in the establishment of long-term goals and priorities for the MLTS?
(1) If yes, how: **Yes. See 1(b)i, above (TOML as proponent).**

Yes. The INF agrees with the previous consensus.

c) Collaborative Processes

- i) Can the partners effectively participate and manage public collaborative-planning efforts?
(1) If yes, how: **Yes. See 1(b)i, above (TOML as proponent). LABSS, SWG, and other projects are examples of successful collaborations.**

Yes. The INF agrees with the previous consensus.

- ii) Does FACA have implications for the participation of the USFS in collaborative planning efforts for the MLTS?
(1) If yes, what are they: **No, so long as the project is initiated and facilitated/convened by an agency other than the INF.**

Yes, FACA has implications, but more importantly it is not a barrier.

d) Focused Planning Efforts

- i) Can the partners participate in focused planning efforts for specific MLTS projects?
(1) If yes, how: **Yes. See 1(b)i, above (TOML as proponent). If the INF has a specific project that they initiate, the TOML may provide the same level of service back to the INF.**

Yes. Partners are currently participating in focused planning efforts. INF agrees with the previous consensus.

2) Design

a) Guidelines and Standards

- i) Can the partners agree to abide by and maintain a joint “Standards Manual”?

(1) If yes, how: **No.**

Yes, contrary to the above statement, the INF can agree to joint standards, such as, design guidelines for trails. The INF frequently adopts local standards. For example, recent coordination on signage and wayfinding guidelines. There is no national trail standard for each forest; these are simply recommendations. Descriptive not prescriptive.

- ii) Can the partners have a “Standards Manual” for the MLTS incorporated into their codes and regulations?

(1) If yes, how: **The TOML can do this, but the INF cannot modify national standards. Incorporation of national standards into the Standards Manual, however, is advisable. Also, if the Standards Manual is part of the annual operations plan for something under special-use permit, then those standards must be met under that permit so long as they do not conflict with the national standards. INF staff may agree, but this cannot be codified. A handover agreement is useful in bridging the information gap between outgoing and incoming staff at the INF.**

Probably not because codes and regulations happen at a national level. The USFS Code of Regulations is intentionally created so that local regulations can be included. This provides for maximum flexibility at forest level. INF could reference the Standards Manual in a site specific decision or in a forest plan on a case-by-case basis.

b) Project Design

- i) Can standards be developed for a coordinated design process for new facilities?

(1) If yes, how: **The INF would not be able to build a TOML-designed facility, but they could agree to such a facility if the TOML initiated, constructed, and maintained it.**

Yes, INF agrees with the previous consensus. INF currently coordinates design processes for new facilities, i.e., Eagle Base. Another example is bathrooms. If the new facility is built by the TOML, the INF would coordinate the design process with the TOML, but the TOML would not have to construct a specific type of toilet.

c) Trail-Alignment Studies

- i) Can the partners participate in coordinated Trail-Alignment Studies?

(1) If yes, how: **Yes. See 1(b)i, above (TOML as proponent).**

Yes. INF agrees with the previous consensus.

3) Implementation

a) Project-Based Environmental Analysis

i) Can the partners agree to conduct joint CEQA/NEPA environmental processes for specific projects?

(1) If yes, how: **Yes. See 1(a)ii, above.**

Yes. The INF agrees with the previous consensus and conducts joint CEQA/NEPA environmental processes regularly.

b) Easements/Access Negotiations

i) Can the partners coordinate efforts to secure easements between various lands administered by the partners?

(1) If yes, how: **Each agency would negotiate a separate easement for their specific purposes, but may provide input to one another.**

Yes, the INF can coordinate efforts to secure easements. For example, the INF is currently trying to do this with Mammoth Meadows/Terry Plum.

c) Project Implementation/Construction

i) Can the partners agree to participate in the coordination of a “proponent”-based capital-projects implementation program?

(1) If yes, how: **Yes, with any agency as the proponent.**

Yes. The INF agrees with the previous consensus. For example, the OSV/OHV staging area projects at Shady Rest and along the Scenic Loop. In this example, the INF applied for the grant, conducted the public planning process, and then plans to pass the construction money to the TOML.

4) Operations

a) Management Plan

i) Can the partners generate and implement a coordinated annual operations and management plan?

(1) If yes, how: **Yes. Many agencies and partners may have a role to play as identified in the annual operating plan, as with the motocross track. A challenge cost-share agreement may be advisable.**

Yes. The INF agrees with the previous consensus.

b) Governance

- i) Can the partners agree to implement and convene a governance program for the MLTS?
(1) If yes, how: **Yes. The INF may inform it, but will not control it or manage it.**

Yes. The INF can participate in whatever form of governance is created for the MLTS, but its authorities may be somewhat restricted. The INF agrees with the proposed composition of such a governance program.

c) Interagency Coordination

- i) Can the partners effectively coordinate their activities for the efficient and responsive management of the MLTS?
(1) If yes, how: **Yes. Appropriate mechanisms must be in place at every level. This could also expand to include activities such as mining, geothermal, etc., that may impact the MLTS.**

Yes. The INF agrees with the previous consensus.

d) Fundraising

- i) Can the partners raise and acquire funds and resources for the benefit of MLTS infrastructure and programs outside of their agency budgets?
(1) If yes, how: **Yes, through grants for federal agencies. Considerations will include who is responsible for improvements once made.**

Yes, the INF agrees with the previous consensus and does this on a regular basis. For example, the INF can write a letter of support, do a match, or leverage joint capacity to apply and secure grant funding.

- ii) Can the partners effectively and efficiently task and deploy funds raised from non-agency resources to the benefit of MLTS infrastructure and programs?
(1) If yes, how: **Yes.**

Yes, the INF agrees with the previous consensus, but emphasizes the needs for an easy and efficient flow of money. For example, the disabled access boat dock at Convict made use of sponsored funds, as well as the Welcome Center plaza. Sponsorship is allowed so long as the sponsor's logo is subordinate to the primary permitted use. See the Forest Service directives regarding advertising policy.

e) Website

- i) Can the partners effectively maintain 21st century technology and information systems to enhance recreation experiences on the MLTS, such as a website?

(1) If yes, how: **Yes. A lead agency is needed. Projects will need to be vetted against changing national standards. The Sawtooth Recreation Area in Idaho may be a resource for this.**

Yes. The INF agrees with the previous consensus.

- ii) Can the partners develop an efficient program for content approval and management consistent with their individual fiduciary responsibilities?

(1) If yes, how: **Yes.**

Yes, the INF would need to and like to review the content, specifically, components relevant to the National Forest.

f) Information Systems

- i) Can the partners effectively manage databases and information systems, such as GIS data, for the benefit of the MLTS?

(1) If yes, how: **Yes. There must be a lead agency and system. Core agreements on standards, protocols, etc., should be in place.**

Yes, the INF agrees with the previous consensus. The INF also noted that all of their GIS data is public data.

g) Interpretive

- i) Can the partners effectively develop, deliver, and maintain an interpretive program as part of the MLTS?

(1) If yes, how: **Yes. There must be a lead agency and system. Core agreements on standards, protocols, etc., should be in place.**

Yes, the INF agrees with the previous consensus.

h) Programs

i) Budgeting

- i) Can the partners effectively coordinate their respective agency resources along with funds raised from outside agency budgets into a reliable and efficient program for budgeting the MLTS, including the prioritization of projects and programs over the short, medium, and long term?

(1) If yes, how: **Yes. There must be a lead agency/coordinating and system. Core agreements on standards, protocols, fiscal years, etc., should be in place. The coordinating committee would not actually spend, but would coordinate the individual spending of each partner.**

Yes, the INF agrees with the previous consensus, so long as the MLTS budget is scalable and reasonable.

j) Regulations/Enforcement

- i) Can the partners effectively coordinate the enforcement of the laws and regulations that affect the MLTS and the experiences of those participating in its recreation opportunities?

(1) If yes, how: **Yes. Laws and regulations fall outside the scope of this potential partnership.**

Yes, but laws and regulations currently fall outside of the scope of this proposed partnership. The INF desires more coordination and better synthesis of the TOML's ordinances and the INF's regulations. This would allow for more enforceable regulations. Leash regulations is a good example.

k) Risk Management (insurance)

- i) Can the partners effectively coordinate the allocation of liability and insurance needs for the MLTS?

(1) If yes, how: **Yes. More research is needed.**

Yes, but the INF made it clear that the federal government is protected and emphasized the need to explore the difference between management and maintenance in the context of insurance needs. If the INF owns a particular facility, they would retain the liability. An example of this is the bathrooms at Horseshoe Lake. Under this scenario, the MLTS could find a sponsor to clean the bathrooms (maintenance). The Forest Service would continue to manage the facility and retain the liability, but the INF would not want the liability of the person cleaning the bathroom. If the TOML takes over the management of the facility, the liability would pass from the INF to the TOML.

l) Benchmarking and Evaluation

5) Maintenance

a) Maintenance Management

- i) Can the partners effectively coordinate resources and opportunities—whether the resources and opportunities are agency based or come from outside the agencies—for the short-, medium-, and long-term maintenance needs of the MLTS facilities and program such as soft-surface trails, MUPs, equestrian-specific trails, Nordic-specific trails, on-street bikeways, etc.

(1) If yes, how: **Yes. The “how” will come from the annual operations plan. Explore other agreements as models.**

Yes. See INF response to Risk Management.

- ii) Can the partners effectively coordinate resources and opportunities for the maintenance of specialized MLTS recreation needs such as equestrian- or Nordic-specific activities?

(1) If yes, how: **Yes. The “how” will come from the annual operations plan. Explore other agreements as models.**

Yes. The INF agrees with the previous consensus.

b) Trailhead Maintenance

- i) Can partners identify specific MLTS facilities from the MLTS inventory (restrooms, soft-surface trails, MUPs, parking areas, trash removal, landscaping, etc.) to which they can commit short-, medium-, and long-term maintenance resources?

(1) If yes, how: **Yes. The “how” will come from the annual operations plan. Explore other agreements as models.**

Yes. The INF agrees with the previous consensus.

c) Equipment Purchase/Maintenance (Annual Capital Outlay)

- i) Can the partners effectively manage the purchase, maintenance, and use of capital assets, such as trail-building or winter-maintenance equipment, for the benefit of the MLTS?

(1) If yes, how: **Yes. The “how” will come from the annual operations plan. Explore other agreements as models.**

Yes, so long as the capital assets are not owned jointly.

d) Staff Training

- i) Can the partners coordinate the training of staff and volunteer resources for consistency and efficiency and for the larger benefit of the MLTS?

(1) If yes, how: **Yes. Agencies regularly hold training sessions to which they invite other partner agencies.**

Yes. The INF agrees with the previous consensus.

6) Stewardship

a) Advocacy

b) Mammoth Trails

c) Trail Protection Policy

- i) Can the partners make short-, medium-, and/or long-term commitments on behalf of facilities they manage with regard to their representation and continued existence as MLTS facilities?

(1) If yes, how: **Yes, if there is a high-level agreement to define it.**

Yes. The INF has the discretion to make commitments on behalf of facilities they manage, but the decisions would be made on a case-by-case basis.

7) Marketing/Promotion

a) Marketing Strategy

- i) Can the partners develop, deploy, and maintain an effective marketing strategy on behalf of the MLTS?

(1) If yes, how: Yes, but more research is needed, as well as a solid definition of “marketing.” The federal agencies tend to provide information rather than promotional materials, but those campaigns might also apply here. Explore how “marketing” applies to wilderness areas.

Yes. Marketing is allowed, so long as the MLTS does not aim to commercialize the National Forest. For example, the INF currently markets the wilderness to promote visitation, but the INF has quotas in place to protect the resource.

b) Trail Maps/Guides

- i) Can the partners develop, maintain, and offer for sale items that include intellectual property such as maps, trail guides, routing information, photographs, and/or collateral soft goods and MLTS-branded items for the benefit of the MLTS?

(1) If yes, how: The TOML can set up licensing agreements, but it is not known how this works with the federal agencies. The intellectual property track will flush this out, as well as intellectual property issues related to items handed out for free and to federal coordination/public domain/use of public funds.

Yes, the INF agrees with previous consensus. An existing scenario is the relationship between ESIA and the INF at the Welcome Center. The INF is interested in less involvement in content approval, but would still like to have a seat at the table to ensure that fiduciary responsibilities are met, i.e., monitoring for illegal content.

c) Trail Events

- i) Can the partners permit/authorize recreation events to take place on MLTS facilities?

(1) If yes, how: Yes. Explore how permit fees may be reinvested back into the MLTS rather than going straight back into the agency or partner’s coffers (fee retention).

Yes. The INF currently permits/authorizes recreation events.