Figures

Photos

None

Chapter 3. Planning and Environmental Compliance

As presented in this handbook, “planning” refers to the process of determining the most appropriate placement, use, and maintenance of a trail or system of trails. Historically, trails and unpaved roads in California’s state park system often existed when the property was acquired. The roads and trails were constructed to meet the needs of the previous property owners, which seldom adequately serve the needs of the park unit or meet sustainability guidelines. Proper trail planning ensures that recreational trail opportunities are available at their fullest potential, while providing adequate and often enhanced protection for cultural and natural resources. Park-wide or regional trail planning is the preferred and most effective avenue for establishing trailheads, recreational trail corridors, and trail linkages.

The planning process can be very complicated. Depending on the geographic area and the issues that need to be addressed, planning can take years to accomplish and involve many stakeholders. Approaches to trail planning vary between agencies and organizations. The Department has its own trail planning policy, described in the following pages, which can be adapted for use by any organization. In this chapter, the trail planning process is outlined for use on individual trail projects or for the development of a comprehensive road and trail management plan.

3.1 Departmental Trail Policy

Through a public planning process, the Department will strive to meet the recreational, educational, and interpretive needs of its diverse trail users by developing trails within state parks consistent with park unit classification, general plan directives, cultural and natural resource protection, public safety, accessibility, user compatibility, and other legal and policy mandates. Multi-use trails and trail connectivity with adjacent pubic trail systems will be considered in development of trail plans or individual trails.

3.2 The Planning Process

The purpose of a trail, the user groups it will serve, its length, and other features and amenities are determined through the planning process. A plan can encompass a large geographic area, such as a state, region, or park unit, or be specific to individual trails. The planning model presented in this chapter is applicable to regional systems, as well as individual trails. It is intended to be a guide only. In particular, this model is useful for planning:

- Park-wide or regional trail systems that incorporate multiple new alignments;
- Changes to designated uses that involve more than one trail;
- Identification and establishment of trail corridors linking multiple jurisdictions; and
- Road to trail conversions or abandonment of roads (in whole or part).

Activities that may not require a comprehensive plan (e.g. General Plan, Road and Trail Plan, Area Management Plan) include:

- A single new road or trail if it does not contradict previous planning efforts and would not contribute to cumulative impact associated with multiple projects within the same area.
- Modifications to existing trails (including partial reroutes);
- Rehabilitation of an existing trail; and
- Maintenance activities.

3.2.1 Define the Scope

A detailed project description should be developed based on the geographical scope of the plan, including the specific trail or system of trails. In state parks, system wide planning efforts typically include the complete trail system and associated amenities, such as trailheads, parking, restrooms, and other visitor use facilities. Because trail users often use park roads as part of their trail recreation, it is also common to include unpaved roads when planning a trail system.

In the early stages, the scope and project description may change as relevant information is gathered. For large, complex plans, seek the input of other agencies, stakeholders, and the public to assist with scope development. Data from surveys, interviews, and workshops should be combined with staff recommendations and used to identify a preliminary plan including proposed change-in-use designations. Adjustments to the scope should be based on input from the public, stakeholders, and specialists.

3.2.2 Develop Goals and Objectives

The goals of a trail plan describe the desired end result. Objectives describe how to achieve the goals. These elements provide the foundation of a plan and assist in developing justification for the plan. Without goals and objectives, a plan can lack meaning and direction. In developing project goals, consider the following questions:

- What is the purpose of the plan?
- What user groups will be affected?
- Are there other components involved, such as education, interpretation, rehabilitation, or restoration?
- Are there agency policies that mandate a planning effort or provide specific guidelines that must be followed?
- Does the project involve multiple jurisdictions, and will a common goal be achieved?

3.2.3 Existing Document Research

Collect all relevant planning and policy documents that have been prepared for the geographic area, including those prepared by other agencies or quasi-public

organizations. Start with the agency that has stewardship authority over the park. Other types of planning documents with relevant information may include transportation corridor plans and general land use plans. Additionally, a number of regulatory agencies may have policies governing land use in the area. Often times there are encumbrances on the land in the form of deed restrictions, easements, or leases. Determine any restrictions that may result from these encumbrances early to avoid legal ramifications down the road.

Resource information, such as soils, slope characteristics, and habitat types, is generally more readily available in local planning documents. In addition, the amount of resource information available in GIS is growing.

Regional planning documents can be used to support a project, especially where agency jurisdictions overlap. For example, another agency may have already developed a comprehensive plan that identifies land uses and circulation patterns in the region. Ideally, a trail project is specifically named in the plan. Even when it's not specifically named, if the concept meets the objectives of the agency's plan, it can be used to justify the project. This type of project justification is one of the things granting agencies and organizations look for in evaluating a proposal.

3.2.4 Gathering Data

Data is essential to inform decision making. It should be objective information about the physical site or project area, as well as subjective information regarding public interests and regional issues. Data should be consolidated and organized for efficient use during the planning process.

The types of information useful to trail projects include:
- Unit classification policies and use restrictions;
- Maps of land ownership, easements, and right-of-ways;
- Restrictions imposed by deeds and covenants;
- Control agency regulations and concerns;
- Landscape and/or topographic limitations;
- Sensitive natural and/or cultural resources;
- Water quality issues; and
- Potential user types and associated mechanical wear.

3.2.4.1. Site Inventory and Assessments

Site inventories and assessments are used to determine the types and conditions of existing features and to guide decisions about trail alignment. The scope of the plan determines the extent of the assessment. For regional plans, GIS can be used to assemble large amounts of information over large areas. However, GIS can have low accuracy when relating the information to specific ground points. Without GIS and/or other accurate spatial data, information must be

gathered through site evaluations. Even with GIS and other spatial data, information should always be verified in the field.

A base map that illustrates the project area and depicts various elements on the landscape is a good tool for compiling inventory and assessment data and communicating it to stakeholders. Often by developing graphic displays of information, issues and recommendations become easier to understand. A base map is also good for plotting potential trail corridors and control points as they emerge in the planning process. Topographic maps and aerial photographs are useful in the development of base maps.

Some of the common information critical to trail inventory and assessment include:

- Natural and cultural resources;
- Location of sensitive and/or critical habitats such as wetlands and riverine systems;
- Topographic conditions and limitations;
- Soils; and
- Aesthetics and visitor experiences, such as vistas and points of interest.

In a dynamic system like that of a park, there is no substitute for site-specific data, but it may not be feasible or efficient to gather for large scale planning efforts. Usually, at this stage in planning, preliminary decisions can be made based on review of the best available data. Depending on the scale of the project, it may not be feasible or efficient to gather site-specific data until implementation of specific projects identified in the plan. Other site-specific considerations for trail placement are given in Chapter 5, *Trail Layout and Design*.

3.2.4.2. Special Studies

Special studies or surveys may be required by the environmental review or regulatory agency to better understand particular elements of the natural and cultural resources of the area. For large scale planning efforts such as a trail management plan, it may not be feasible, efficient, or fiscally responsible to gather detailed information for projects that may not actually occur. In these instances, the best available information can be used during initial planning with more detailed site investigations conducted prior to specific project development. Trail projects planned within the habitat of rare, endangered, or threatened plant and/or animal species may trigger the need for special studies or surveys. Based on the results of these studies, recommendations are formulated to reduce or eliminate possible impacts. Many times these solutions are included in the environmental document as avoidance, minimization, or mitigation measures. If in doubt as to whether a special study or survey may be required, consult an environmental compliance specialist. If it is known that a control agency will

likely require a special study, consult with that agency early in the project planning process.

3.2.5 Outside Input

3.2.5.1. Agency Participation

Identify and involve pertinent agency stakeholders with regional jurisdiction and/or abutting ownership. Since trails are transportation systems, they often connect various jurisdictions. Additionally, control agencies frequently have permit authority within project jurisdictions. Asking for agency participation can help identify critical issues early in the process. Moreover, agencies involved in project review are more likely to play a supportive role when seeking approvals and implementing projects. Agencies that participate in trail planning may include:

- Local, state, and federal land managers;
- Public safety and emergency services providers; and
- Local, state, and federal control agencies.

3.2.5.2. Public and Stakeholder Input

Public input is critical to identifying trail system needs and issues and for review of proposals and alternatives. It can produce valuable feedback and provide an opportunity to work out issues that may interfere with the environmental review or permitting process later. Stakeholders may include:

- Trail users;
- Community organizations;
- Adjacent property owners;
- Non-profit landowners/managers;
- Agencies or corporations with utility easements; and
- Concessionaires.

3.2.5.3. Visitor Surveys

Written or oral visitor surveys conducted over time can be used to identify the needs and issues of trail users. Be sure to survey users during various seasons and periods of use. Surveys can help gauge:

- Demand for existing uses (hiking, biking, equestrian);
- Demand for new uses;
- Levels of use (including seasonal changes in use);
- Levels of illegal trail use;
- Attitudes toward potential changes;
- Satisfaction with existing facilities; and
- Issues to be discussed at public meetings and workshops.

3.2.5.4. Public Meetings

Public and stakeholder meetings are another means to obtain focused input. Meetings of this nature can also be used to formulate the scope and goals for large, more comprehensive plans. Formats for public meetings can vary. Seek experienced advice to maximize the effectiveness of these meetings.

3.2.6 Plan Development

3.2.6.1. Data Analysis

Important information to be mined from data includes features that are desirable or suitable for trail use and physical constraints, such as landform limitations, environmentally sensitive areas, safety hazards, or ownership issues. Analyze data to identify patterns and trends in the landscape. For example, the use of a map overlay system may show a possible trail corridor through sensitive habitats, so that a potential location for a corridor is generated from the data. (See Figure 3.1.) Corridor locations that emerge during this analysis should be verified in the field for accuracy.

GIS is a useful tool for land-based data analysis, especially over large geographic areas. With GIS, various data layers can be compiled on a map for comparison. The number of comparisons is only limited by the amount of data available. When GIS is not available, a similar technique can be done using base maps overlaid with transparencies. In this technique, the number of comparisons is limited to the number of transparencies that can be layered and still seen. For small projects, graphic analysis can be done by plotting the data on a base map. Multiple maps may be needed to keep the graphic from becoming too confusing. Regardless of the method, having graphic representation is valuable for showing opportunities and limitations on the landscape.

For analyzing non-site data, a matrix is another good technique that's easy to use. A matrix often presents data with side-by-side comparisons that are easy to understand. The sample Feasibility Matrix below illustrates data analysis to determine the feasibility of proposed trail plan elements. (See Figure 3.2.) The primary purpose of the matrix is to make objective decisions based on the data, which produces a stronger and more defensible plan. A Site Compatibility Matrix can also be used to compare data regarding trail uses and resource conditions. (See Figure 3.3.)

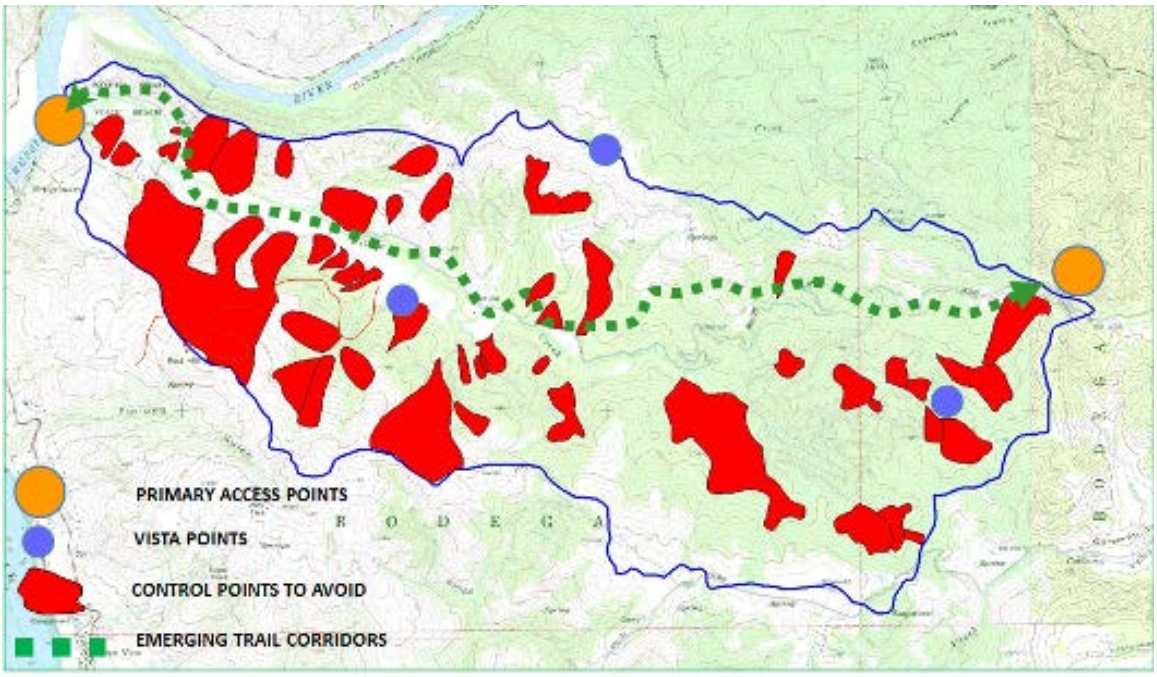

Figure 3.1 - Data Analysis Map

		Big Boy State Park Trails Plan														
		Feasibility of Proposed Trails & Facilities Matrix														
		Evaluation Criteria														
Proposed Plan Elements	**Regulatory**	Meets Park General Plan Guidelines	Meets all-access (ADA) requirements	Complies with Secretary of Interior Standards &	Complies with CA Coastal Act	**Operational**	Operate with current staff & budget	Compatible with adjacent land uses	Serves to Protect Resources	Increases Public Access	Raises visitor safety concerns	**Visitor Experience**	Provide trail connectivity or loop trail	Recreational opportunities	Educational opportunities	Promotes Multi-Use Access
PARKING																
Trailhead - North		+	--	0	+		--	--	+	+	--		+	+	--	+
Trailhead - South		+	+	+	+		+	+	+	+	--		+	+	--	+
PUBLIC RESTROOM																
North Lot		+	0	0	+		--	--	+	--	--		0	--	0	--
South Lot		+	+	+	+		--	+	+	--	0		0	--	0	--
TRAILS																
Access to Everything Loop		+	+	+	+		+	+	--	+	0		+	--	+	+
North Loop Trail		+	0	0	+		--	+	+	--	0		+	+	+	+
Historic Loop Trail		+	+	+	+		--	+	+	+	--		+	+	+	+
Salmon Creek Trail		+	--	0	+		--	+	+	+	0		+	+	+	+
Backcountry Experience		+	0	0	--		+	--	+	+	--		+	+	+	0
PICNIC SITES																
Big Trees Picnic Grounds		+	--	0	+		+	+	0	+	--		--	+	+	+
OTHER SITE IMPROVEMENTS																
Big View Overlook		+	+	--	+		0	+	--	--	0		0	+	+	+
Future Visitor Center		+	--	--	+		0	+	0	0	--		0	+	+	+
Future Admin Area		+	--	--	+		0	+	0	0	0		0	0	0	+
Historic Mine Site		+	+	+	+		--	+	0	0	--		--	+	+	+
FUTURE CONSIDERATIONS																
		Evaluation Key: yes: + maybe: -- no: 0														

Figure 3.2 - Feasibility Matrix

		Big Boy State Park Trails Plan													
		Site Compatibility Matrix													
		Evaluation Criteria													
Proposed Plan Elements	**Natural Resources**	Special Status Plant Habitat	Creeks & Drainages	Wetland Habitat	Views and Vistas	**Land Capability**	Durable Soil Types	Erodible Soils	Flat Topography (less than 10% slope)	Geologic Instabilities	Deed Restrictions	**Cultural Resources**	Helps Preserve Known Historic Resources	Prehistoric Site Conflicts	Compatible With Historic District Guidelines
PARKING															
Trailhead - North		0	0	0	+		+	--	+	0	--		--	0	+
Trailhead - South		0	0	0	+		+	--	+	0	--		--	0	+
PUBLIC RESTROOM															
North Lot		0	0	0	--		+	--	+	0	--		0	--	--
South Lot		0	0	0	--		+	--	+	0	--		0	0	--
TRAILS															
Access to Everything Loop		0	--	0	+		+	--	+	0	0		--	0	+
North Loop Trail		--	+	--	+		+	0	--	0	0		+	--	+
Historic Loop Trail		0	+	--	+		+	0	0	0	0		+	0	+
Salmon Creek Trail		0	+	--	+		+	0	0	0	0		+	0	+
Backcountry Experience		--	+	+	+		+	--	0	0	--		+	+	0
PICNIC SITES															
Big Trees Picnic Grounds		0	0	0	+		+	0	+	--	--		+	0	+
OTHER SITE IMPROVEMENTS															
Big View Overlook		--	--	--	+		+	--	--	--	0		--	--	+
Future Visitor Center		0	0	0	--		+	0	+	0	0		--	0	+
Future Admin Area		0	0	0	0		+	0	+	0	--		--	0	0
Historic Mine Site		+	0	--	0		--	0	+	0	0		--	0	0
FUTURE CONSIDERATIONS															
		Evaluation Key:	***yes: +***	***maybe: --***	***no: 0***										

Figure 3.3 - Site Compatibility Matrix

3.2.6.2. Alternatives

In complex trail planning projects, a series of alternatives should be developed. Often public interest or the environmental review process requires that alternatives be considered. For simple plans, less emphasis is put on developing alternatives.

3.2.6.3. Evaluations

Each of the steps identified in this outline should undergo some form of evaluation to ensure accuracy and validity. Specific proposals should be verified in the field (“ground truthed”) to shed light on the feasibility and potential adverse consequences, thereby saving time and ensuring the project’s credibility before its next level of evaluation.

3.3 Road and Trail Management Plans

A formal road and trail management plan (RTMP) should be completed prior to making significant parkwide changes to existing trail usage, design, or alignment, constructing new trails, or eliminating existing trails. Increases in use, changes in user types, significant park acquisitions, damage from natural disasters such as wildfire, and the need to restrict use for public safety or to prevent significant resource damage may trigger the need for an RTMP. When timely development of an RTMP is not possible, existing trails are evaluated individually as staff time and funding permit. Most significant changes to trails require public participation.

It is unusual, but possible, that an RTMP is developed without a general plan for the park unit already in place. If an RTMP is developed in the absence of an approved general plan, it should not conflict with any future general plan and may require a higher level of environmental review than those in a park with a general plan that has already been through environmental review. Once approved, the environmental document serves as an umbrella document for all projects in the plan. When the park is prepared to construct a new trail or change an existing trail as described in the RTMP, the initial environmental review will already have been completed. Required project surveys and permits still have to be obtained but documents necessary for approval may be reduced.

To initiate the development of an RTMP, district staff write a brief synopsis of the need for a plan and forward it to the district superintendent. Often, a CEQA Project Evaluation Form can describe the need for such a plan by demonstrating:

- Recommendations for an RTMP in an approved statewide trail plan, regional trail plan, or park general plan;
- Resource-related damage from currently recognized trails, volunteer trails, or illegal trail use;
- Recreational opportunities that are needed and potentially available;
- Public requests for new trail construction, trail re-routing, or changes in designated trail uses; and
- Other regional trail planning and development efforts that impact state park property or trails.

The decision to proceed with developing an RTMP or other trail-related action is based on a number of factors including:

- An assessment of public recreational needs;
- The potential impact to other users;
- Park and regional resources; and
- The fiscal, administrative, and maintenance capabilities of the unit, district, and headquarters staff.

There should be a written record of the superintendent’s decision to proceed with an RTMP that includes the alternatives considered, facts on which the decision was based, and a recommended sequence of subsequent actions.

Within the Department, RTMPs should follow a standardized format. The table of contents for a typical RTMP is included in Appendix H. The process is summarized below:

1. Develop the planning team. The planning team should consist of multi-disciplinary staff from the park sector, district, and headquarters. Outside consultants may be added as necessary or required.

2. Inventory and Mapping. A road and trail inventory is conducted and a base map with associated route attributes is created. The Department's inventory and assessment process was developed to provide an objective and consistent method for determining problems with road and trail infrastructure and associated solutions as well as to officially record road and trail information such as physical characteristics and allowed uses. The data collection process relies on easily repeatable and non-controversial measurements of features and conditions. Terminology and methods are standardized and applicable throughout the state and across various environments to provide reliable comparisons between watersheds, parks, or other geographic areas of interest. The base map and route attributes conform to the Department's established guidelines for categorization, segmentation, and classification of roads and trails described in Chapter 2, *Trail System Development and Management*.

3. Public and Stakeholder Input. As appropriate to the park, data is gathered from park users and other stakeholders. Typically, data includes information on issues pertinent to road and trail use and sustainability. Public or stakeholder workshops are held to allow those people to assist in identifying needs, suggest routes and restoration opportunities, and provide general comments. Trail use surveys are conducted during different seasons and times to solicit input from trail users.

4. Evaluate and synthesize data. Data is collated, compared, and assessed. Issues such as trail sustainability, safety, adequate infrastructure, connectivity, land use compatibility, and potential user conflicts are identified.

5. Development of proposal and alternatives. To develop alternatives, staff consider stakeholder input, accessibility needs, resource issues, National Historic or Recreation Trail certification or nomination, and linkages to transit and other recreational trails and facilities outside the park. Recommendations for plan alternatives may include maintenance strategies, new routes, new or alterations to trailhead facilities or change-in-use designations.

6. Administrative Draft RTMP. A preferred plan is developed for review by departmental staff.

7. Public Draft RTMP. Following review and necessary revisions of the Administrative Draft, a Public Draft RTMP is developed. A public meeting, as determined by plan specifics, may be initiated to solicit additional comments related to the plan.

8. Final Draft RTMP/Environmental Document. The Final Draft RTMP is developed to include the appropriate draft environmental document as required by law. Additional public and agency comments are solicited through the required environmental review process.

9. Public Review. Departmental staff receive and evaluate public and agency comments submitted through the required environmental document review period and respond as appropriate per CEQA guidelines. The draft may be modified as necessary to incorporate public or agency comments or concerns.

10. Final RTMP/Environmental Document. The final RTMP and associated environmental document, including changes resulting from public or agency comments as required, is produced and recommended for adoption.

3.4 Change-In-Use Process

The Department has developed a process to facilitate and make consistent the review of change-in-use proposals that would add or remove uses from existing recreational roads and trails in the state park system. This process is intended to identify those changes that best accommodate accessibility and recreational activities appropriate for each road or trail. Specifically, the process is intended to achieve the following objectives:

- Implement the Department's Trail Policy, including consideration of multi-use trails and trail connectivity;
- Ensure that projects can be implemented in a manner that avoids, minimizes, or mitigates significant impacts to the environment;
- Inform decision-making to include the diversity of resources and users at each park unit;
- Ensure that changes are considered in a transparent process; and
- Establish a process for decision making with objective criteria for evaluating proposed changes to trails.

A Change-in-Use Evaluation can provide the planning team with critical information, including:

- Existing conditions;
- Compatibility with the park's classification and other trail uses;
- Effects to trail circulation patterns;
- Effects to trail safety;
- Effects to trail sustainability;
- Effects or impacts to natural and cultural resources; and
- Effects or impacts to facility maintenance and operational costs.

The Change-In-Use evaluation form can be found on both the Department's intranet and public website.

Recommendations based on evaluation results typically fall into one of the following categories:

- Conditional approval that includes design modifications or repairs;
- Conditional approval that includes management options;
- Approval;
- Disapproval;
- Development of a unit general plan or RTMP; or
- Put on hold.

When a change-in-use is conditionally approved, all required conditions need to be implemented, project specific environmental compliance completed, and funding secured prior to the change taking affect.

A process flow chart has been developed to assist staff in the evaluation process. (See Appendix D.) The principal steps are outlined below. The first four steps should be completed as part of the overall planning process. The second half is conducted for each individual project.

1. Request for change-in-use submitted to district by a user group, departmental staff, neighboring agency, or other stakeholder.
2. Evaluation and Trail Log prepared.
3. Change-in-Use Evaluation completed.
4. Recommendation submitted by evaluation team.
5. Project Evaluation Form for CEQA prepared.
6. Construction Work Log prepared.
7. Construction cost estimate prepared.
8. Work plan developed.
9. Project implemented.

3.5 Environmental Review - CEQA and NEPA

The goals of environmental regulations are often parallel to those of trail management on public land. Protection of the environment is of paramount importance, as is providing a quality recreational trail experience. Environmental reviews such as CEQA (state) and NEPA (federal) are complex processes that play an important role in trail planning. Knowing the definitions, purposes, and components of these review processes will significantly aid planning efforts.

A wealth of information exists on the subject of environmental regulation, and outside sources are available with complete descriptions and guidelines for meeting CEQA and NEPA requirements. Basic information on CEQA and links to the current statute and guidelines can be found online.

3.5.1 Purpose

In general terms, CEQA and NEPA help ensure the conservation of natural and, in the case of CEQA, cultural resources during the implementation of a project by identifying avoiding, minimizing, and mitigating potential resource impacts. CEQA

and NEPA each have their own statutes and guidelines that must be followed. Be aware that differences exist between the two acts and they are not interchangeable.

3.5.2 Key Definitions

CEQA applies to all projects undertaken by or requiring approval from state and/or local government agencies in California. NEPA is the federal equivalent to California's CEQA and applies to all projects undertaken on federal land or any project with a federal nexus such as federal funding.

Project refers to a proposed activity, such as trail construction, that has the potential to impact the environment. A project may be either a physical change to a trail or a change-of-use.

Environmental documents are prepared in accordance with CEQA or NEPA. CEQA documents include Initial Studies, Negative Declarations (ND), Mitigated Negative Declarations (MND), and Draft and Final Environmental Impact Reports (EIR). NEPA documents include Environmental Assessments (EA), Findings of No Significant Impact (FONSI), and Environmental Impact Statements (EIS).

Lead Agency is the government agency responsible for compliance with CEQA, which is usually the agency carrying out the project. The Department is the lead agency for all projects occurring on state park property. The Department has the authority to approve its own environmental documents, even if the project requires permits from other agencies.

The *Responsible Agency* includes all public agencies other than the lead agency that have permit authority over a proposed project.

Significant effect on the environment refers to a substantial or potentially substantial adverse change in the environment caused by the proposed project. There is no clear definition of "significant effect" and the term is subject to interpretation at all levels, including in a court of law. If there is any doubt as to what is considered "significant," consult an expert.

Threshold of Significance is the level at which the Lead Agency finds the effects of a project to be "significant." A quantitative or qualitative standard or performance level is often used to determine the threshold of significance.

Mitigation Measure is a tool or technique for eliminating, avoiding, rectifying, compensating for, or reducing significant effects. Where avoidance of adverse impacts is not feasible, mitigation measures are required to reduce the potential impacts to a less than significant level. Mitigation measures can be developed into Best Practices (BPs) and incorporated into project recommendations. Outlining BPs can also be helpful during regulatory permitting.

3.5.3 Meeting Environmental Review Obligations

A refined and detailed description of the plan or project simplifies compliance with CEQA. The more concise the project description, the easier it will be to understand the potential impact(s) that may result through implementation.

Preparation of an environmental document requires a thorough understanding of the physical environment of the plan or project area. If little is known about the environment, data must be gathered and inventories conducted before potential effects can be assessed. Depending on the sensitivity of resources, this process can be costly and time consuming, causing delays in the project. At this stage in the process, inventories and assessments of the environment conducted as part of the data-gathering phase should be complete and can be used in the preparation of the environmental document. If significant time has passed since that data was originally gathered, inventories may need to be updated.

CEQA and NEPA assess the potential impacts of plans and projects by examining their components and determining how the plan or project will affect the environment. This decision is ultimately subjective, but a detailed analysis conducted as part of the planning process can reduce the subjectivity.

NEPA requires that project alternatives be considered. Alternatives that were considered during the planning process can meet this requirement. A common alternative considered in most environmental documents is “no project.” If it was not considered during the planning phase, it can be added as part of the environmental review.

The results of the analysis may dictate certain conditions be imposed on a project. Commonly known as “mitigation measures,” they can range from simple steps that limit construction activities to times and locations that create the least impact, to large programs to re-establish wetlands or conduct long-term site monitoring.

3.5.4 Levels of CEQA Documents

Since this handbook is focused on trails at the statewide level, CEQA requirements are emphasized. The documentation required to comply with CEQA depends on the scope of the project and environmental factors in the project area. The more simple the project, the less complicated the environmental review process is. A very basic undertaking may not be considered a project under CEQA. More complex projects may involve multiple levels of analysis. Figure 3.4 depicts a flow chart for the basic CEQA process as described below.

The *Project Evaluation Form* (PEF or DPR 183) is the environmental checklist used by the Department to initiate the environmental review process and identify the documents required for compliance. It is initiated after the project has been scoped, and a project description and preliminary design developed. This form is required of every proposed project in the California state park system.

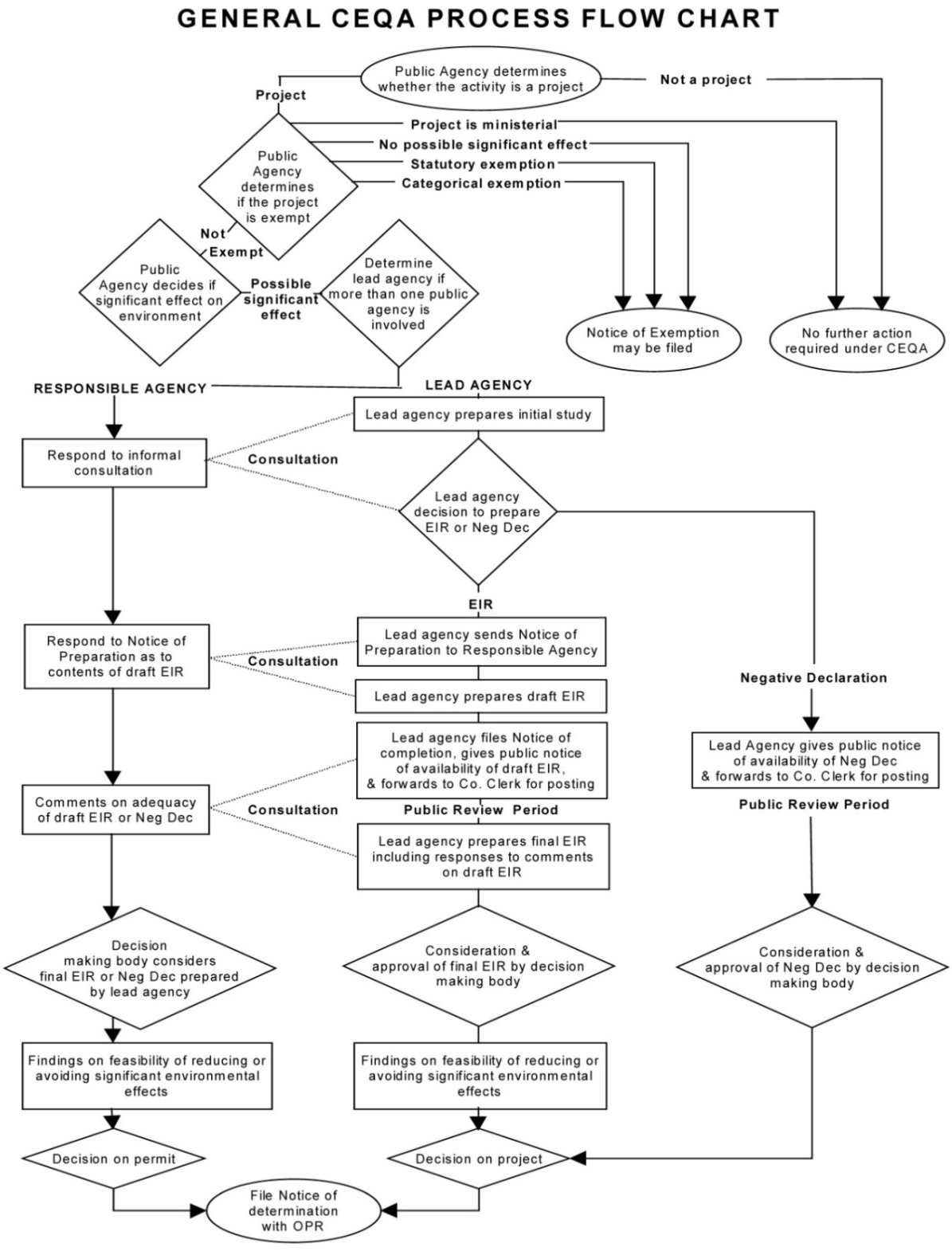

Figure 3.4 - CEQA Flow Chart*

* From the Department Operations Manual, Chapter 0600, Environmental Review

It is Department policy that all trail projects be submitted to the Department's Accessibility Section via the PEF to ensure compliance with applicable laws and regulations, such as the Americans with Disabilities Act. This coordination process is outlined in the Department Operations Manual Section 2608 and should include projects that may otherwise be exempt from environmental review, such as repair of a bridge or other structure.

Public Resources Code Section 5024.5, a subsection of CEQA, requires protection of cultural resources on lands owned or leased by the Department ("5024 review"). This review is common to all departmental projects and is part of the Department's project review and compliance procedures.

In 2015, the Public Resources Code was amended to establish that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (Pub. Resources Code, § 21080.3.1.)

Based on the findings of the PEF, one of the following four environmental documents is completed.

A *Notice of Exemption* (NOE) is a brief notice filed after it is determined that a project is exempt from CEQA. The project must meet either statutory or categorical exemptions listed in CEQA Guidelines.

A *Negative Declaration* (ND) describes why a plan or project subject to CEQA review will not have a significant effect on the environment.

A *Mitigated Negative Declaration* (MND) describes measures that will be employed to avoid significant impacts when it is determined that the project could have a significant effect on the environment, but mitigation measures would lessen these effects to a point where no significant effects would occur.

An *Environmental Impact Report* (EIR) is prepared if there is substantial evidence that a project may have a significant effect on the environment that cannot be adequately mitigated to avoid significant effects. The EIR analyzes the environmental effects and proposes ways to mitigate or avoid the effects. An EIR can take a year to prepare and is usually done by an outside consultant with expertise in preparing such documents.

3.5.5 Special Considerations for Trails

Trails are linear facilities of varying lengths. As such, trails can impact much more land than conventional park facilities, and, consequently, there is a high potential for encountering sensitive resources. Fortunately, due to the narrowness of trails, there are opportunities to avoid impacts. A thorough knowledge of the land, backed by sufficient data, will help the environmental review process flow more smoothly.

3.6 Regulatory Permits

The permit process varies depending on the project's jurisdictional boundaries and can be quite arduous. An expert should be consulted to determine the required permits for a particular project and assist in their development. Some permits require that environmental review be completed prior to application, whereas others allow concurrent development. Some permits can take a lot of time to acquire, so it is best to know the timelines associated with each required permit during the planning phase.

Below is a list of permits and consultations that may be required for planning and developing trails.

Permit Type / Purpose	Agency or Jurisdiction
Jurisdictional wetlands (404)	Army Corps of Engineers (federal)
Stream alteration (1600)	Calif. Dept. of Fish & Wildlife (state)
Erosion control (4010)	Regional Water Quality Control Board (local and statewide)
Coastal development	County or Coastal Commission (local and statewide)
Various	Tahoe Reg. Planning Agency (local)
ESA Sect. 7* - consultation	US Fish & Wildlife Service (federal)
ESA Sect. 7* - consultation	NOAA Fisheries
ESA - state listed - consult	Calif. Dept. of Fish & Wildlife (state)

* Per Section 7 of the Endangered Species Act, when rare, endangered, and/or threatened plant or animal species are known to exist in the project area, a consultation process must be started with the appropriate agency.