

Mammoth Lakes Town Council

Agenda Action Sheet

Title: Approve Memorandum of Understanding (MOU) with the Inyo National Forest Designating Town of Mammoth Lakes as a Cooperating Agency for Over-Snow Vehicle (OSV) Planning Efforts under Subpart C of the Travel Management Rule.

Council Meeting Date: 3/1/2023

Prepared by: Daniel C. Holler, Town Manager

Recommended Motion: Approve and Authorize the Town Manager to sign Memorandum of Understanding (MOU) with the Inyo National Forest Designating Town of Mammoth Lakes as a Cooperating Agency for OSV Planning Efforts under Subpart C of the Travel Management Rule, subject to final USFS approval.

Summary:

The Forest Service is completing the Inyo National Forest Over-Snow Vehicle (OSV) Use Designation Process, in accordance with the 2005 (Amended in 2015) Travel Management Rule (36 CFR 212, Subparts B and C; Travel Management Rule). The process includes completion of the National Environmental Protection Act (NEPA) process and the preparation of the environmental impact statement (EIS).

The Forest Supervisor of the Inyo National Forest is the responsible official for development and approval of the OSV Use Designation Project. Under the provisions of the Council for Environmental Quality's Regulations for Implementing NEPA (40 CFR Parts 1500-1508):

The Forest Service may designate a State, County, or local government agency as a “cooperating agency” to assist the Forest Service in preparing an EIS for a project on National Forest System lands (40 CFR 1501.8 and 1508.1). Cooperating agencies have jurisdiction by law or special expertise on environmental issues related to the project. A cooperating agency may provide special expertise or assistance to the lead agency in analyzing the effects of the lead agency’s proposed action.

The Town would serve as a cooperating agency with special expertise relevant to the preparation of the EIS for the OSV Use Designation Process, with the rights and duties of a cooperating agency as set forth in this MOU and the CEO regulations at 40 CFR 1501.8. This ensures various planning documents of the Town are used through the process and for early and continued dialogue between the Town and the Forest Service.

Staff is recommending Council approve the attached draft MOU designating the Town as a cooperating agency and authorize the Town Manager to sign the MOU, subject to final review and approval of the Inyo National Forest.