

DECISION MEMO
for
Yurt Relocation and Trail Modifications at
Solitude Mountain Resort

Salt Lake County, Utah
Uinta-Wasatch-Cache National Forest
Salt Lake Ranger District

DECISION AND RATIONALE

I have reviewed Solitude's proposal and the associated environmental review documentation and have decided to approve the following elements described below that involve National Forest System (NFS) land. These elements constitute the proposed action addressed in this Decision Memo:

1. Relocation of the Yurt from the Redman Campground to a site near the base of the Sunrise lift and associated access route for visitors and servicing and maintenance. Solitude is authorized to operate the Yurt on a year-round basis.
2. Terrain modifications at the intersection of Little Dollie and Pokey Pine ski runs that includes tree removal and minimal grading.

Relocation of the yurt will continue the popular activity in a location that will eliminate the need to set up and remove the yurt on a seasonal basis and reduce the impact to the Forest Service campground where it is currently located. The new location provides year-round recreation opportunities and improves Solitude's ability to service and maintain the facility in a secure and aesthetic location. The relocation of the yurt will require only minimal short-term ground disturbance for the spanning of intermittent streams for the summer access route. All winter access and service will be conducted over the snow.

The terrain modifications will open up a trail intersection on two congested beginner slopes that are used extensively for ski school. The modification will allow improved sight distances and facilitate improved skier and snowboarder merging. These two projects will provide improved the recreation opportunities at the resort.

MITIGATION MEASURES

As part of my decision, implementation of the mitigation measures listed below will be required on NFS land and recommended on private land. As the project area is within Salt Lake City's municipal watershed, protection of water quality is a primary consideration. The 2002 Environmental Impact Statement (EIS) and Record of Decision (ROD) regarding Solitude's Master Development Plan (MDP) addressed these and a range of other environmental considerations and identified appropriate mitigation. As a result, I drew on the 2002 ROD in developing the mitigation outlined below.

1. Prior to beginning submit an erosion control plan prepared in accordance with Attachment 1 of the ROD for the 2002 MDP EIS. This plan must be approved by the Forest Service prior to construction on NFS land.
 - a. Top soil should be reserved and stockpiled for re-application to restore soil productivity, re-apply to a depth of 6 to 12 in.
 - b. Following final grading, Forest Service approved seed mix (approx., mountain brome-

- 50%, western wheatgrass-25%, and carex rossii-25%) will be applied.
- c. The entire area must be covered with single net straw mulch blanket (No. American Green S-75 or equivalent).
2. Minimize impacts on wetlands and riparian areas.
 - a. Minimize ground disturbance in these areas. Bridge or boardwalk areas to avoid impacts.
 - b. Solitude is responsible for contacting the Army Corps of Engineers to obtaining a 404 permit under the Clean Water Act, if one is required.
 3. Prior to removal of any trees or earth grading, flag the final layout and contact the Forest Service to coordinate a field review with the Forest Silviculturalist to ensure proper billing of timber resources.
 4. Plant and protect 10 container stock trees for each tree removed. Plant trees at sites approved in advance by the Forest Service.
 5. Notify the Forest Service archaeologist immediately if and when any historic or prehistoric resources are exposed during construction activities.

SCOPING AND PUBLIC INVOLVEMENT

A scoping notice detailing Solitude's proposal to relocate the Yurt and to modify terrain in the Moonbeam area was distributed the Salt Lake Ranger District's mailing list on May 9, 2008. A number of individuals, organizations, government agencies and businesses received copies by direct mailings or email. Also, the notice and permit area maps were posted on the USFS website: <http://www.fs.fed.us/wcnf/projects/index.html> and were included in the Summer 2008 Schedule of Proposed Actions. There were no responses to the scoping notice.

REASON FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION

I have determined that the elements of the proposed project located on NFS land, as described above, are consistent with the types of actions described under 36 CFR 220.6(e)(3) - Approval, modification, or continuation of minor special uses of National Forest System lands that require less than five contiguous acres of land. The entire project will affect less than 1 acre of NFS land and is within the ski area's special use permit boundary. The potential direct, indirect, and cumulative effects of the entire project were reviewed and considered in my decision.

Forest Service and contractor resource specialists visited the project area, reviewed relevant studies and other published information, and documented their findings in the project file. There were no significant issues raised during scoping and no extraordinary circumstances to resource conditions were identified. The following resource conditions found at 36 CFR 220.6 (b) were considered:

- a. **Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.** A biological assessment (BA) was prepared for this project. The determination reached was that no federally listed or candidate plant or animal species will be affected. A biological evaluation (BE) was also prepared, concluding that the project would not impact any Forest Service sensitive plant or animal species.
- b. **Flood plains, wetlands, or municipal watersheds.** As proposed, the access route to the yurt during the summer crosses two intermittent streams. Mitigation measure no. 2 above would minimize potential impacts by spanning the streams and also calls for appropriate permitting under Section 404 of the Clean Water Act, which requires minimization of impacts. Based on these considerations, flood plains, wetlands, or municipal watersheds do not constitute an

extraordinary circumstance for this proposed action.

- c. **Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.** The project area does not include any designated wilderness, wilderness study area, or National Recreation Area, so such areas do not constitute and extraordinary circumstance for this proposed action.
- d. **Inventoried roadless areas.** The project area does not include any inventoried roadless areas, so such areas do not constitute an extraordinary circumstance for this proposed action.
- e. **Research Natural Areas.** The project area does not include any Research Natural Areas, so such areas do not constitute an extraordinary circumstance for this proposed action.
- f. **American Indians and Alaska Native religious or cultural sites.** The Forest Archeologist visited the site and felt that there would be no effect on cultural resources and documentation is included in the project file.
- g. **Archaeological sites, or historic properties or areas.** The Forest Archeologist visited the site and found no historical sites, properties or areas.

Based on the findings summarized above, this decision is categorically excluded from documentation in an Environmental Assessment or Environmental Impact Statement. Based on experience with management activities similar to this, and upon the environmental analysis conducted for this project, the effects of implementing this action will be limited in context and intensity. Connected and cumulative actions have been appropriately addressed, an appropriate category for exclusion has been established by regulations and documented in the Forest Service Handbook, and our review indicates no extraordinary circumstances to preclude its application.

FINDINGS REQUIRED BY OTHER LAWS

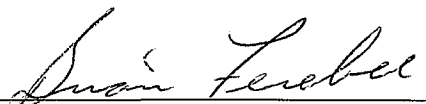
The only finding required by other laws not addressed directly or indirectly above is Forest Plan compliance in accordance with the National Forest Management Act. The proposed action has been evaluated for consistency with the goals, objectives, standards, and guidelines of the 2003 Revised WCNF Forest Plan. The project area is located within a 4.5 Management Area, which emphasizes providing developed recreation opportunities, often under the terms of a special use permit. Thus, the proposed action is consistent with the management area prescription. In terms of more specific Forest Plan direction, my review indicates that the proposed action, with required mitigation measures in place, will ensure the project is consistent with applicable standards and guidelines.

IMPLEMENTATION

Pursuant to 36 CFR 215.12(f), this decision is not subject to appeal. The proposal is not one of the activities subject to appeal under the 215 rules as clarified on October 19, 2005 by the Federal District Court for the Eastern District of California in Earth Island Institute v. Ruthenbeck. This decision is not an authorization to proceed. Once all conditions and mitigation measures have been met, a written authorization to begin work will be issued.

CONTACT PERSON

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8/6/08

Date

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