

# DECISION MEMO

## SOUTH STRAWBERRY SAGEBRUSH TREATMENT

USDA - Forest Service  
Uinta-Wasatch-Cache National Forest  
Heber-Kamas Ranger District  
Wasatch County, Utah

### Decision

It is my decision to implement the South Strawberry Sagebrush Treatment by mowing approximately 310 acres within the Streeper Creek basin (120 acre) and Lower Trail Hollow (190 acres). No mowing would be done within the Riparian Habitat Conservation areas or wet areas. The crossing of the upper portion of Streeper Creek will be done when that portion of the creek is dry. The Mowing is to take place during late July through August. Noxious weeds in the treatment area will be treated prior to and three years after implementation of the project.

The proposed Upper Willow Creek area (240 acres) was determined to be in satisfactory condition in regards to fuels, wildlife and border line for plant diversity. Therefore it is my decision to not to treat this area at this time

### Background

Streeper Creek Basin: This project site is located in sections 27 and 34, Township 5 South, Range 12 West, Uintah Special Base Meridian with an elevation between 7,600 feet to 8,000 feet. There is one stream adjacent to the project area which is intermittent until about a half mile below the site where it becomes perennial because of springs that flow year round. The Riparian Habitat Conservation Area (RHCA) along this stream near the project site is a class III. Vegetation in the project area consists of mountain big sagebrush (*Artemisia tridentata vaseyana*), rabbitbrush (*Chrysothamnus viscidiflorus*), and a variety of forbs and grasses. Present ground cover is considered to be around 71% with overall soil trend to be stable. This project area is part of the North Streeper sheep allotment.

Lower Trail Hollow: This project site is located in sections 28, 29 and 33, Township 4 South, Range 11 West, Uintah Special Base Meridian with an elevation between 7,840 feet to 7,900 feet. There one stream adjacent to the project are that is intermittent for most of the summer. The riparian area associated with this stream is a class I. Vegetation in the project area consists of mountain big sagebrush (*Artemisia tridentata vaseyana*), rabbitbrush (*Chrysothamnus viscidiflorus*), and a variety of forbs and grasses. Present ground cover is considered to be around 80% with overall soil trend improving. The project area is closed to grazing.

## Purpose and Need

The purpose of this project is to reduce sagebrush density and canopy cover. The need of this project is to reduce fuel build up, maintain and improve wildlife habitat, increase plant diversity and improve ground cover to reduce soil erosion.

## Forest Plan Direction

General management direction outlined for these project sites come from the 2003 Uinta National Forest Land and Resource Plan. These directions include:

### Streeper Creek Basin

#### **Management area – Strawberry Reservoir**

**Management prescription - 5.2 Forested Ecosystems Vegetation Management:** Emphasis is on maintaining or restoring vegetation to achieve multiple resource values and provide for multiple uses. Management area direction also includes timber resource goals and objectives, but achievement of high yields is not the primary purpose. The Forest's suitable timber base is located within this management prescription. Timber volumes harvested are applied to the Forest's allowable sale quantity (ASQ). Management encompasses the full range of activities and uses. Road densities and designs are compatible with multiple resource values. Additional motorized trails may be constructed. Recreation and other developments requiring the construction and reconstruction of roads and trails will be considered.

### Lower Trail Hollow

#### **Management area – Strawberry Reservoir**

**Management prescription -3.2 Watershed Emphasis:** These areas are managed to achieve high quality soil productivity and watershed conditions. Where improvement is needed, it is achieved by implementing watershed improvement projects and applying soil and water conservation practices to land-disturbing activities. Motorized trail opportunities are limited to those existing in 2003. No increase in miles of motorized trails is allowed. Grazing and timber harvest are not allowed.

## Public Involvement

This project was listed in the *Summer 2008 Schedule of Proposed Actions*. A scoping letter was sent to interested parties on June 12, 2008 and a request for comments was published in the *Provo Daily Herald* on June 25, 2008. These documents and notices are contained in the project record located at the Heber Ranger District. In response to these efforts, I received one letter regarding this project.

The comment letter received has been included in the project record. Comments were identified in categories as: beyond the scope of this decision; not site specific to the project area; addressed by Forest Plan direction; and addressed through consideration of environmental effects of the project. Comments identified as not site specific to the decision or beyond the scope of this decision were dismissed from further consideration. Comments identified as addressed by Forest

Plan direction have been noted as part of the decision. Comments identified as addressed through consideration of environmental effects of the project have been noted in making the determination that there are no extraordinary circumstances related to the decision that may result in a significant environmental effect. The issues identified during development of the proposed action and from public response to scoping are addressed in the following section.

ISSUE: Little rabbit brush (*Chrysothamnus viscidiflorus*) grows within the project area and caution should be taken to avoid areas of heavy concentration and actions taken to minimize the potential to increase this shrub.

RESPONSE: Areas of heavy concentration of rabbit brush will be avoided. A search of scientific literature and communication with ecologists indicate that the main factor in the spread of rabbit brush is the spreading of seed and preparation of a seed bed. This is to be migrated as much as possible by doing the treatment before the rabbit brush has gone to seed for that year.

ISSUE: Mountain brush communities (snowberry, service berry etc...) can be found within the area and should be avoided.

RESPONSE: Areas where concentrations of these communities are found will be avoided.

## **Reasons for Categorically Excluding the Project**

Proposed actions may be categorically excluded from further analysis and documentation in an environmental impact statement or environmental assessment when they are within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or listed in 36 CFR 220.6 (d) or (e), and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effects. This project fits within the category listed in 36 CFR 220.6 (e) (6) "*Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction.*" This project fits this category because the removal of sagebrush will increase the diversity of vegetation, increase edge and create openings that will benefit wildlife, including sage grouse which is a species of concern in the area.

## **Consideration of Extraordinary Circumstances**

The federal regulations at 36 CFR 220.6 (b) list the resource conditions that should be considered in determining whether extraordinary circumstances related to a proposed action warrant further analysis and documentation in an EA or EIS. The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions, and if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist. The resource conditions and the degree of potential effect of the proposed action are discussed below.

1. Federally listed threatened or endangered species, or designated critical habitat, species

The proposed action will have no effect on the western yellow-billed cuckoo or the Canada lynx. There will be no impact on the Columbia spotted frog, Peregrine falcon, Flammulated owl, American three-toed woodpecker, Spotted bat, Townsend's big-eared bat, Fisher, American beaver and Bald eagle. There will be a small negative impact to individual Northern goshawk and Boreal toad but not to the population viability. There will be a beneficial impact for the Greater sage-grouse. (Project Record – BE, BA and Wildlife Specialist Report).

The proposed action will have no effect on the Ute ladies'-tresses orchid because there is no habitat for this species in the project area. There will be no impact to Barneby Woody Aster, Dainty Moonwort, Slender Moonwort, Garrett bladderpod, Rockcress draba and Wasatch jamesia because there isn't any suitable habitat in the project area. (Project Record - Plants Biological Assessment/Biological Evaluation).

2. Floodplains, wetlands, or municipal watersheds.

Executive Order 11988 and 11990 requires federal agencies to avoid adverse impacts associated with the occupancy and modification of wetlands or floodplains.

None of the treatments are within floodplains. There will be no effect of flood plains. (Project Record - Water Resource Technical Report).

The project area is in the headwaters of the Strawberry River which has the nearest domestic water intake at Starvation Reservoir, located 55 miles downstream and the water must be treated prior to use. The project will not have a detrimental affect on municipal water supplies. (Project Record - Water Resource Technical Report)

3. Congressionally Designated Areas

The project areas do not reside in, and will not have any direct or indirect impacts on any congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas. (Forest Plan, FEIS pg. 3-581-582 & p. 3-592; Forest Plan Management Prescription Map).

4. Inventoried roadless areas

The Streeper Creek and Trail Hollow sites are not located within an inventoried roadless area.

5. Research Natural Areas.

There are no Research Natural Areas with in or adjacent to the treatment area.

6. American Indians and Alaska Native religious or cultural sites.

No known American Indian plant collection or traditional use areas occur within the treatment area, but it is possible that small-scale plant gathering is currently being done. However, most of the plants of interest identified by the Northern Utes are in vegetation

communities that have widespread distributions and relatively good abundance. As a result, even if tradition plant gathering was to intensify in this area, access to these plants would continue (Project Record: Heritage Report).

7. Archeological sites, or historic properties or areas.

There are no National Register Eligible sites within the treatment area. A Determination of No Significant Effects was made. The State Historic Preservation Office concurred with this determination (Project Record: Heritage Report' SHPO Correspondence).

For projects that are categorically excluded, there is no need to repeat a detailed analysis of effects to all resources. In promulgating the categories, the Forest Service has concluded that projects that fit those categories do not individually or cumulatively have a significant effect on the human environment. Thus, once the analysis establishes that this project has no extraordinary circumstances and fits into a category, the responsible official can reach the conclusion that there will be no significant effects to the environment without further analysis.

The proposed action will not produce significant effects individually or cumulatively on the quality of the human environment; is within a category at 36 CFR 220.6 (e); and there are no extraordinary circumstances related to the proposed action.

## **Findings Required by Other Laws and Regulations**

National Forest Management Act - This decision to implement the Proposed Action is consistent with the intent of the 2003 Forest Plan goals, sub goals and objectives listed on pages 2-1 through 2-24, and incorporated by reference. This decision is also consistent with the desired future condition of the Strawberry Reservoir Management Area on pages 5-121 through 5-134 incorporated by reference. The project incorporates applicable forest wide standards and guidelines and is consistent with the management prescription direction mapped for the area. My decision is compliant with this act.

Clean Water Act – This act requires each state to implement its own water quality standards. The State of Utah Water Quality antidegradation policy requires maintenance of water quality to protect existing beneficial uses on streams designated as Category 1 High Quality Waters. The State of Utah and the Forest Service have agreed through a 1993 Memorandum of Understanding to use Forest Plan Standards & Guidelines and the Forest Service Handbook (FSH) 2509.22 Soil and Water Conservation Practices (SWCPs) as Best Management Practices (BMPs). The use of SWCPs as BMPs meets the water quality protection elements of the Utah Nonpoint Source Management Plan (Project Record – Hydrology and Water Resource Technical Report). My decision is compliant with this act.

Executive Order 11990 of May 1977 – This order requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. In compliance with this order, Forest Service direction requires that analysis be completed to determine whether adverse impacts would result.

Wetlands will not be determinately impacted by this project (Project Record – Hydrology and Water Resource Technical Report). My decision is compliant with Executive Order 11990.

Executive Order 11988 of May 1977 – This order required the Forest Service to provide leadership and take action to (1) minimize adverse impacts associated with occupancy and modification of floodplains and reduce risk of flood loss; (2) minimize impacts of floods on human safety, health and welfare; and (3) restore and preserve natural and beneficial values served by floodplains.

Flood plains will not be determinately impacted by this project (Project Record - Water Resource Technical Report). My decision is compliant with EO 11988.

Endangered Species Act - The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered or result in adverse modification to such species' designated critical habitat.

Based on the disclosure in the Biological Evaluation and Assessment, it has been determined that this project will have “No Effect” on populations of endangered, threatened, or proposed species of fish, wildlife and plants, or designated or proposed critical habitat (Project Record – BE, BA, Wildlife Specialist Report, BE, BA for Plants). My decision is compliant with ESA.

Executive Order 13186 – Based on information in the project file concerning migratory birds, it is expected the proposed action may impact individuals or habitat, but will not likely contribute to a trend towards federal listing or loss of viability to the population or species (Project Record – BE, BA and Wildlife Specialist Report). My decision is compliant with EO 13186.

Executive Order 13112 – Invasive Species – This Executive Order directs that Federal Agencies should not authorize any activities that would increase the spread of invasive species. Based on information in the project file the potential for weeds to spread will be minimal (Project Record – Rangeland Resource Technical Report). My decision is compliant with EO 13112.

American Antiquities Act of 1906 and the National Historic Preservation Act of 1966 – Based on reports in the project file documentation, it has been determined there would be no measurable effects to any historic properties relative to this decision (Project Record - Heritage Report). My decision is compliant with these acts.

Prime Farmland, Rangeland and Forest Land (Secretary of Agriculture Memorandum 1827) – There is no prime farmland within the project area. The Decision does not the make any changes to the grazing allotments (Project Record - Rangeland Resource Technical Report). My decision is compliant with this memorandum.

Executive Order 12898 of February 16, 1994 “Federal Actions to Address Environmental Justice on Minority Populations and Low-income Populations” - This order requires federal Agencies to the extent practicable and permitted by law to make achieving environmental justice part of its mission by identifying and addressing as appropriate disproportionately high and adverse human health effects, of its programs and policies and activities on minorities and low-income populations in the United States and territorial possessions. In compliance with this Executive Order the Uinta National Forest through scoping and public involvement attempted to identify interested and affected parties, including minorities and low-income populations for this project. No minorities and low-income populations affected by this action were identified during public involvement activities. My decision is compliant with EO 12898.

Travel Management Rule of November 9, 2005 – (36 CFR Parts 212 and 261) – The rule requires designation of roads, trails, and areas open to motor vehicle use. It prohibits the use of motor vehicles off the designated system. My decision does not designate any routes for public motorized use. It is consistent with the Travel Management Rule.

## **Administrative Review or Appeal Opportunities**

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215. Appeals must meet the content requirements of 36 CFR 215.14. Appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of this notice in the *Provo Daily Herald*. Appeals must be sent to: Appeal Deciding Officer, Intermountain Region USFS, 324 25<sup>th</sup> Street, Ogden, Utah 84401; or by fax to 801-625-5277; or by email to: appeals-intermtn-regional-office@fs.fed.us. Emailed appeals must be submitted in rich text (rtf) or Word (doc) and must include the project name in the subject line. Appeals may also be hand delivered to the above address, during regular business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday. The publication date in the *Provo Daily Herald*, newspaper of record, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

## **Implementation Date**

Implementation of this project may begin no sooner than 5 days following the 45 day appeal period after publication of the notice of the decision.

## **Contact Information**

For further information please contact Jim Percy during normal office hours (weekdays, 8:00 a.m. to 4:30 p.m.) at the Heber-Kamas Ranger District – Uinta-Wasatch-Cache National Forest, 2460 South Highway 40 Heber City, UT 84032, or by phone at (435) 654-0470.

## **Signature and Date**

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JEFF E. SCHRAMM  
District Ranger  
Heber-Kamas Ranger District  
Uinta-Wasatch-Cache National Forest

Date

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