

## FINDING OF NO SIGNIFICANT IMPACT

### **Mapleton Bench Land Disposal Involving Lands Owned by the Utah Division of Wildlife Resources. Utah County, Utah**

#### **Utah Division of Wildlife Resources Wildlife and Sport Fish Restoration Project (W-10-L)**

The U.S. Fish and Wildlife Service (Service) has prepared this document in accordance with the procedures for compliance with the National Environmental Policy Act as it applies to the Federal Aid in Fish and Wildlife Restoration Acts (64 Stat. 430; 16 U.S.C. Sec. 777 et. seq. and 50 State 916; 16 U.S.C. Sec. 669 et. seq.).

The Utah Division of Wildlife Resources (Division) and the Service prepared an Environmental Assessment (EA) entitled *Mapleton Bench Land Disposal Involving Lands Owned by the Utah Division of Wildlife Resources, Utah County, Utah*. In the EA, the Service analyzed the potential impacts of a proposal for the Division to dispose a total of 3.8 acres of the Mapleton Bench Unit of the Hobble Creek Wildlife Management Area (WMA) land. The proposed disposal requires approval by the Service of an amendment to the original grant for purchase of WMA lands under the Federal Aid in Wildlife Restoration Act of 1937.

In 1942, the DWR purchased a 124.17-acre parcel which contains the affected lands on the Mapleton Bench Unit. The property was acquired with Wildlife and Sport Fish Restoration funds through Wildlife Restoration Grant W-10-L, titled Springville Game Winter Range, to provide winter range for big game species and hunting opportunities.

In April of 2007, DWR became aware of an illegal trespass by a developer who was constructing a retention basin on the WMA. The developer's construction effort focused on creation of a storm water detention / debris settling basin for residential development on private land bordering the WMA. The developer had made application to construct the storm water detention basin with DWR, but no authorization had been granted for the construction at the time the earthwork took place. The DWR issued a "cease and desist" letter to the developer, after which, no further earthwork occurred on the WMA.

After viewing the site, the DWR concluded that the wildlife values of the impacted lands were impacted beyond any feasible means of recovery; vegetation was removed or deeply buried and the soil was compacted by the heavy equipment used for construction of the detention basin. The DWR determined the actions severely damaged the wildlife resources of the site and it was no longer useful for wildlife purposes.

The Preferred Alternative is to sell the 3.8 acre property on the basis of appraised value. The revenue from the sale would be credited to DWR's current Wildlife Restoration Act Grant #W-65-M for use in other wildlife management projects.

This action would proceed based on the appraised value determined by a professional appraiser supplying a complete, self-contained appraisal report complying with the provisions of both the *Uniform Appraisal Standards for Federal Land Acquisitions* and the *Uniform Standards of Professional Appraisal Practice*. The appraisal report would be reviewed by an independent review appraiser. Once the original appraiser and the reviewer reached concurrence on the appraised value, the Service would issue a grant amendment allowing DWR to sell the parcel based on that established value.

A second alternative initially considered was to require the developer to restore the wildlife habitat impacted during construction of the detention basin. Although possible, on-site remediation would be technically complicated from a vegetation restoration standpoint due to the degree of habitat damage, required earthwork, and the necessary importation and maintenance of topsoils. The continued housing growth in the area was also taken into account.

This action also recognizes a broader trend of shifting land use occurring in the Mapleton area. Human population growth along the Wasatch Front generates an expanding demand for living space, and the formerly rural lands located near towns receive an intense focus for residential conversion. Ongoing residential development around Mapleton and on surrounding bench-lands is expected to increase. Former pastures, grazing lands, and small grain or alfalfa fields are being converted from isolated rural buffers between town and the bordering foothills into fully developed residential communities. These developments generate a level of human-related disturbance which can severely diminish the ecological values of surrounding wildlife habitats.

Given the degree of human disturbance in the surrounding land parcels and the fact that this disturbance would impair any habitat values which could be restored successfully on the Mapleton Bench tract, it is likely that investment toward restoration of Mapleton's wildlife values would be subject to immediate, and mounting, disturbance threats and therefore, would not satisfactorily serve the purpose for which the property was originally acquired.

Under the "no-action" alternative, the Division would not dispose of the 3.8-acre tract, and the parcel would remain damaged and would provide no habitat resources to wildlife and no hunting opportunity for the public.

No Federally-listed species or candidates species for Federal listing that occur in Utah County are likely to be affected by the project activities. No listed species are found on the site and the site does not provide any habitat needs for listed species. Yellow-billed cuckoo a candidate species, may be found using nearby shrubby areas for feeding and resting during migration. The sale of the parcel would not have any effect on the listed species, including the cuckoo.

A cultural resources database file search was conducted on January 16, 2008 by the Division Archaeologist; this revealed one previous survey (U-01-FS-0216f,s) in the current project area.

The survey was conducted by the U.S. Forest Service and covers 2.4 of the 3.8 acres considered for disposal. No cultural material was identified in the survey within one mile of the area currently being disposed.

We solicited public comment on the EA through a public notice in the Sanpete County Daily Herald and on the Service's website for Region 6. We received two comment letters on the project. One comment addressed the illegal trespass and the loss of habitat on the Division's disposal parcel and another comment addressed the removal private land off the tax rolls and reduced tax revenue. The developer involved in the trespass incident will donate to the Division 7.5 acres of land with suitable habitat for the Federally endangered June sucker. Complete responses to the comments are in the final EA and were evaluated in coordination between the Division and the Service. The proposed actions and measures to offset impacts are not considered to have significant impacts on the human environment. The EA is on file at the U.S. Fish and Wildlife Service, Division of Wildlife and Sport Fish Restoration, 134 Union Boulevard, Lakewood, Colorado, 80228, and is available for public review upon request.

Based on review of the EA, I have determined that the proposed action is not a major Federal action that would significantly affect the quality of the human environment within the meaning of Section 102 (2) (c) of the National Environmental Policy Act of 1969. Consequently, we will not prepare an environmental impact statement.

#### APPROVAL

Signed by Acting Regional Director Gary Mowad

2/19/08

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Regional Director, U.S. Fish and Wildlife Service, Region 6

Date