

## **DECISION MEMO**

### **STRAWBERRY RIVER – WATER MONITORING WELLS**

**USDA - FOREST SERVICE  
UINTA NATIONAL FOREST  
HEBER RANGER DISTRICT  
WASATCH COUNTY, UTAH**

#### **INTRODUCTION**

The Strawberry River drainage is located north of Strawberry Reservoir and approximately 20 miles southeast of Heber, Utah. The 2004 Strawberry Watershed Restoration Report identified a dry segment of Strawberry River which is currently downcut and dry most of the season. Water flows in this stretch in the spring during runoff and then dries up later in the season. A restoration plan would be developed based on information obtained from the monitoring wells. Restoring flows to this segment would support restoration to a large area of riparian habitat and contribute toward the overall “properly functioning condition” of the watershed.

#### **PROPOSED ACTION**

The Heber Ranger District of the Uinta National Forest, in coordination with the Utah Reclamation, Mitigation, and Conservation Central Commission (Mitigation Commission), is proposing to drill 9-15 temporary monitoring wells. The purpose of the proposed action would be to monitor groundwater levels in Strawberry Valley to determine groundwater-surface water interaction and viability of restoring stream flow to the existing channel. The project would be located approximately two miles north of the Highway 40 crossing of Strawberry River (Township 2 South, Range 12 West, Sections 9 and 15, USM).

The Mitigation Commission would install a series of monitoring wells on two or three east-west transects in Strawberry River Valley above US Highway 40. The drill and support rigs will utilize existing non-system roads or travel cross-country to access the monitoring sites.

Each transects would include 3-5 piezometers. The peizometers consist of 2” perforated pvc pipe installed in drill holes that will extend no more than six inches above the surface of the ground. Estimated drilling depths range from 10 to 50 feet, depending on the location in the valley. The pipe will be capped to prevent vandalism and protect the peizometer and monitoring equipment.

The piezometers and monitoring equipment are expected to be installed in the late summer – early fall of 2007. Monitoring equipment will periodically need to be accessed by Forest personnel or partners for maintenance & data downloads. The duration of

monitoring activity is dependent on the adequacy of the data produced and is expected to extend for 1-5 years.

## **PURPOSE AND NEED**

The purpose of this proposed action is to monitor ground water levels in the Strawberry River drainage and obtain necessary ground and surface water data to develop a restoration project that focuses on streamflow, riparian habitat, and fishery re-establishment.

## **DECISION AND REASONS FOR MY DECISION**

It is my decision to issue a special use permit to the Mitigation Commission to implement the project as described above. My decision is based on the following factors:

1. Ground disturbance associated with drilling the monitoring wells will be minimal and any effects of this will be short-term.
2. A survey for cultural resources was conducted and no eligible sites were identified.
3. No private land will be impacted by this activity.
4. No roads will be constructed and no herbicides will be used for this project.
5. The proposed action will have no effect on federally listed threatened or endangered aquatic or terrestrial wildlife species and will have no impact on or Forest Service - Region 4 listed sensitive aquatic or terrestrial wildlife species (Wildlife Report 6-27-07, TES Plants Report 7-10-07, Fish Report 7-07).
6. The proposed action will accomplish the purpose and need for this project previously described in this document.

My decision also includes the following mitigation measures:

- Excess drilling fluid and lubricating clay muds will be hauled off site and properly disposed in legal landfills.
- A historic telephone line transects the valley and the project area. The telephone line is not eligible for the National Register; however, the remnant poles will be avoided.
- Equipment will be properly cleaned of dirt, vegetation, and seed source before entering Forest System Lands.
- Bare soil at monitoring sites associated with drilling activity will be re-seeded with native vegetation.
- Install barrier fences and signage on access points to deter illegal OHV use.
- Wetlands at the southern end of the project area will be avoided.
- Minimize stream fords for equipment. Stream bed alteration for fords will not be done. Limit crossing frequency to absolutely essential trips.
- Control cross-country travel to avoid on-site and downstream channel damage, build-up of destructive runoff flows, and sediment delivery to streams.

## CATEGORICALLY EXCLUDING THIS PROJECT

The proposed action is categorically excluded from documentation in an environmental impact statement or environmental assessment. Forest Service Handbook 1909.15 states that *“a proposed action may be categorically excluded from further analysis and documentation...only if there are no extraordinary circumstances related to the proposed action and if:”* ... *“ the proposed action is within a category listed in section 31.1b or 31.2.”* (FSH 1909.15, section 30.3 (ID\_1909.15-2002-2)) The proposed action is within one of the Forest Service Chief’s categories for categorical exclusion (Forest Service Handbook 1909.15, Section 31.2, No. 3):

*“Approval, modification, or continuation of minor special uses of National Forest System lands that require less than five contiguous acres of land.”*

The proposed action fits this category.

FSH 1909.15, Section 30.3 (WO Interim 1909.15-2002-2) lists the following as ‘extraordinary circumstances’:

- 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 – The proposed action has been evaluated by Forest Service ecologists and wildlife biologists. The Forest Service has determined that this project will not adversely affect any federally protected species or critical habitat.

Forest Service Handbook 1909.15 (ID\_1909.15-2002-2) notes *“the mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the degree of potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist.”*

- b. Floodplains, wetlands, or municipal watersheds – Floodplains, wetlands and municipal watersheds are all present within the project area. The Purpose and Need of this project is to obtain necessary ground and surface water data to develop a restoration project that focuses on streamflow, riparian habitat, and fishery re-establishment. Best Management Practices, Forest Plan Standards, and mitigation measures will be utilized during implementation to minimize impact to these resources. Therefore, the Forest Service has determined that this project will not adversely affect present floodplains or wetlands and the decision compliant with *Executive Orders 11988, 11990*, and the *Clean Water Act*. (Hydrology Specialist Report)
- c. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas – The project area does not reside in, and the project would not have any direct, indirect or cumulative impacts on any congressionally designated areas (2003 Forest Plan).

- d. Inventoried Roadless areas (IRAs) – the project is located west of Strawberry River Road and is outside of the Co-Op Creek Roadless Area (#418043). The project would not have any direct, indirect, or cumulative impacts on any IRA (2003 Forest Plan).
- e. Research natural areas – The project area does not reside in, and the project would not have any direct, indirect or cumulative impacts on any research natural areas (2003 Forest Plan).
- f. American Indians and Alaska Native religious or cultural sites – Based on site investigations and scoping, the project area is not known to include, and the project would not have any direct, indirect or cumulative impacts on any American Indian religious or cultural sites (Heritage Report).
- g. Archeological sites, or historic properties or areas – There are no sites within the project area eligible for the National Register. The project, therefore, will have no direct, indirect, or cumulative impacts on any known archaeological sites or historic properties (Heritage Report).

The proposed action will be of limited context and intensity and capable of producing little or no significant environmental effects (40 CFR 1508.4) individually or cumulatively on the quality of the human environment; is within a category listed in FSH 1909.15; and there are no extraordinary circumstances related to the proposed action.

## **PUBLIC INVOLVEMENT AND SCOPING**

An interdisciplinary team of Forest Service specialists reviewed this project. Input from this team was incorporated in the design of the proposed action.

The Project has been listed on the Forest's Schedule of Proposed Actions since the winter 2005 edition. A request for comments was published in the *Provo Daily Herald* on December 15, 2005. These documents and notices are contained in the project file located at the Heber Ranger District Office. In response to these efforts, I received one written comment.

## **FINDINGS REQUIRED BY OTHER LAWS**

This project area is within the Strawberry Reservoir Management Area. The management prescription for this area is 3.2 - Watershed Emphasis (Uinta National Forest 2003 Land and Resource Management Plan). Implementation of this Project is consistent with the 2003 Uinta National Forest Land and Resource Management Plan.

The project area lies within the floodplains of Strawberry River since the purpose and need of the project is to monitor ground water levels in association with the river. Drilling the monitoring holes has been analyzed in detail and would involve minimal

short-term ground disturbance in the greater floodplain areas but would not be located in close proximity to the stream channel or any active wetlands. The proposed action would not impact water quality and is consistent with the Clean Water Act. The project would generate little if any pollutants, and in compliance with the Clean Air Act. Forest Service biologists determined that there would be “no effects” on threatened or endangered species, and “no effects” on Forest Service sensitive species. The proposed action is consistent with the Endangered Species Act. No adverse impacts on birds are anticipated, and this decision is consistent with the Migratory Bird Treaty Act. There will be no implications on mineral resources. No cultural resources would be affected. The decision is consistent with the National Historic Preservation Act, the American Indian Religious Freedom Act, and the Native American Graves Protection and Repatriation Act.

In accordance with Executive Order 12898, this action will not result in any disproportionate impact to minority or low-income populations.

My conclusion is based on a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk. The best available science was utilized in rendering this decision (Project Record).

Implementation of this proposal is consistent with other Federal, State, and local laws for the protection of the environment.

#### **ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES**

Pursuant to *Earth Island Institute v. Ruthenbeck*, No. CIV F-03-386 JKS (E.D. Cal., October 19, 2005), this decision is not subject to appeal.

#### **IMPLEMENTATION**

Implementation of this project may begin immediately.

#### **CONTACT PERSON**

For further information please contact Jeremy Jarnecke, Uinta National Forest Supervisor’s Office, 88 West 100 North, Provo, Utah 84601, or by phone at (801)342-5100.

/s/ Julie K. King  
JULIE K. KING  
District Range  
Heber Ranger District  
Uinta National Forest

August 3, 2007  
Date