

Chapter 1

The Purpose and Need

1.1 Introduction

This chapter outlines the environmental review process, introduces the proposed action and the purpose and need it addresses, specifies the decisions to be made regarding the proposal, describes the scoping process and issues, and lists permits which may be required to implement the proposal.

Subsequent chapters in the document describe the alternatives (Chapter 2), provide information on the current condition of potentially affected resources and identify environmental consequences of the alternatives (Chapter 3), list the preparers of this environmental impact statement (EIS) (Chapter 4), document consultation and coordination with other organizations (Chapter 5), and provide the literature cited (Chapter 6). The appendices provide more detailed information to support analyses presented in the EIS.

1.1.1 Function of the EIS

Because the proposed action has the potential to significantly affect the human environment, the National Environmental Policy Act of 1969, as amended (NEPA), requires that an EIS be prepared to assess and disclose the environmental affects of the proposal and alternatives to it.

The primary purpose of an EIS is disclosure of the environmental effects of implementing a proposed action or any of the alternatives. The EIS is not a decision document. The Forest Service decision associated with this analysis will be documented in a separate Record of Decision (ROD) signed by the Forest Supervisor of the Wasatch-Cache National Forest. Decisions to be made in consideration of this environmental analysis are described later in this chapter. In particular, the EIS is intended to:

- Document the development and evaluation of the proposed action and alternatives as the basis for a Forest Service decision.
- Provide the site-specific environmental analysis of the activities encompassed by the range of alternatives.
- Describe, analyze, and disclose the biological, physical, and socioeconomic impacts associated with implementing each of the alternatives.
- Identify the long-term, direct, and indirect effects of the alternatives (40 CFR 1508.8).
- Disclose the effects of past, present, and reasonably foreseeable future actions that interact in a cumulative fashion with the direct and indirect impacts (40 CFR 1508.7).
- Indicate possible mitigating measures that may be used to avoid, minimize, eliminate, or reduce adverse impacts (40 CFR 1508.20).

- Provide a comprehensible, reliable, and informative document for interested public agencies, groups, and individuals.

1.2 Proposed Action

The Forest Service proposes to relocate a total of 5.4 miles of the Millville Peak and Logan Peak Roads (Forest Road 20168 and 20042, respectively) to avoid areas where excessively steep road grades and substantial erosion are causing a high voltage power cable buried beneath the road to become increasingly exposed. The high voltage cable provides power to the State-owned communication site on Logan Peak. The new roadway would be relocated away from the cable and designed to maintain a road grade primarily of 8% or less, with a few short segments of steeper grades where necessary for layout of the route. The new alignment would be less than one quarter mile from the existing roadway (at the greatest extent) and would have a maintenance level of 2 (designed for high clearance vehicles) the same as the existing roads. The old roadways would be physically closed with barrier rock and logs and would be revegetated using native seed.

The 20,000-acre analysis area is located approximately 5 miles east and south of Logan, Utah in Cache County (see Project Area Map in Appendix A). It is generally situated between Logan Canyon to the north, Cache Valley on the west, Millville Canyon on the south, and “Red Ridge” (just east of Millville Peak road) on the east.

The management prescriptions within which a portion of the roads would be relocated, Management Prescriptions 3.1w (Watershed Emphasis) and 2.7 (Special Interest Areas), allow no road construction. Re-alignment of the road within the 3.1w or 2.7 management prescriptions would necessitate a non-significant amendment of the Forest Plan allowing a one-time exemption (waiver) for reconstructing the road.

More detailed information on the proposed action is provided in Chapter 2.

1.2.1 Background Information

The State of Utah, Information Technology Services, owns a high voltage electrical power line buried beneath the surface of the public access roadway through Cowley Canyon [via Cowley Canyon-Herd Hollow road (20047) and Adams Corral road (20052)] past White Bedground Camp [via Millville Peak road (200168)] and on up to Logan Peak [via Logan Peak road (200142)]. The 16-mile power line was buried beneath this public access roadway over twenty years ago to provide power to the State-owned radio communications facility on Logan Peak.

The original proposal for providing electrical power to the communication site was an overhead power line up Mill Hollow, as documented in an Environmental Assessment Report for Logan Peak dated May 5, 1980. However, in early 1985, the proposed 3.5 mile aerial route through Mill Hollow was abandoned after State and Forest Service officials determined the above ground installation would be unreliable and difficult to maintain.

The State of Utah then requested a revision to the Environmental Assessment Report and a special use permit to allow for the installation of a buried cable utilizing the public access roadway originating in Cowley Canyon. The revised route was approved by the Forest Service and the power line was installed beneath the road in late 1986. The State of Utah contracted with Utah Power & Light for installation of the cable.

Since 1986 when the cable was buried, normal vehicular and off-road recreational traffic, combined with irregular road maintenance and substantial erosion, have severely damaged the surface of the roadway, exposing the power line at several locations along the 16-mile route. Portions of this public access road are extremely steep (greater than 20% grade) and as such, are subject to substantial seasonal runoff and erosion, leading to further exposure of the power cable.

As illustrated in Figure 1.1, the roadway is also excessively rocky in some sections, making it extremely difficult to bury the cable deeper. The large and angular-shaped rocks also make travel difficult and dangerous for technicians trying to access the communications site for maintenance and repairs. A letter from the State of Utah to the Logan District Ranger, dated January 20, 2000, noted that technicians had destroyed several tires driving up the rough road to service the communications site (letter available in the project file).



Figure 1.1 Large, angular rock in the Logan Peak Road (20042)

State communications technicians, using high clearance vehicles, visit the Logan Peak communications facility an average of twice a month during the summer and fall to perform regular maintenance. In the winter, travel is on a less frequent basis by over-the-snow machines.

During the summer of 2000, Forest Service personnel began maintenance work on those portions of the damaged roadway that could be repaired. This effort was placed on hold after a close encounter with the buried power line. It was deemed a safety hazard working with large equipment in proximity to the high voltage power cable, especially without

knowing the exact depth of the cable. In early summer 2001, the State of Utah, utilizing satellite imagery and metal detectors, mapped the entire power line route with detailed cable depth information.

Using the cable depth information, the Forest Service resumed repairing sections of the roadway again in August 2001. However, repair of the roadway was successful only to about one half mile past White Bedground Camp (on the Millville Peak road 200168). Beyond this point, Forest engineers and the road maintenance crew found that the road was too steep and too rocky to effectively repair in its current location. Road grades exceeded 20% in some sections and the cable was found near the surface in several locations. The road was too steep to hold gravel for any length of time and too rocky to bury the cable deeper. (Photos are available in the project file). Once again, the maintenance and repair of the road was suspended.

The State of Utah Division of Information Technology Services became increasingly concerned with the inability to safely and regularly visit the communication site for maintenance. In an August 9, 2002 letter to the Logan District Ranger, the State of Utah (Division of Information Technology Services) noted, "without the electric service provided by the buried power line, the site's value as a communication facility will be drastically reduced." The letter further pointed out that "without a properly maintained road, the power line cannot be safely supervised or maintained." The State of Utah, in addition to other local, State, and federal agencies which rely on the communications facility on Logan Peak, wrote letters to the District Ranger stressing the importance of safe access to this vital communications facility. (Letters are available in the project record.)

In 2003, in partnership with the US Forest Service, the State of Utah proposed a short-term solution that facilitated localized emergency repairs on the roadway at locations where the power cable could be safely and effectively covered. In those locations where Forest engineers determined the roadway could be repaired, the cable was buried deeper and additional gravel was placed on top. However, this could only be accomplished in those sections where the roadway was flat enough to hold the gravel from eroding away. This was a short-term solution for only a portion of the entire route.

A proposal for a long term solution involved relocation of the section of road above White Bedground. Beyond this point, the roadway becomes very steep and rocky. The cable could not be buried deeper because of extensive bedrock. The grade of the roadway in some sections exceeded 20% and would not hold additional gravel placed over the cable. Therefore, the proposal was to relocate the road off the buried (and increasingly exposed) high voltage power cable and continue to provide ground access to the communication site on Logan Peak.

1.3 Purpose and Need for Action

The purpose of the Millville Peak/Logan Peak road relocation project is for public safety through resource improvement to provide a safe, reliable, ground access route for maintenance of the vital, State-owned communications facility on Logan Peak.

The first two-thirds of the 16-mile roadway accessing the communications site has been repaired and maintained where the cable could be buried deeper and where the road would hold gravel and proper drainage could be installed. However, along the later section where the roadway gets excessively steep (road grades in excess of 20%) and rocky, road damage has resulted in the cable becoming increasingly exposed. Travel on this section of the road is unsafe and limits access to the communications facility on Logan Peak. According to engineering reports and letters from the State of Utah (available in the project file), the cable can no longer be safely covered and the road damage cannot be corrected by maintenance. Figure 1.2 illustrates one of several locations of the exposed cable.



Figure 1.2 Exposed cable along the Logan Peak Road (20042)

The potential for death and serious injury is substantial around those locations where the cable has become exposed. The potential for long power outages at this critical public safety communications facility also places law enforcement, fire and emergency medical services, homeland security, and public transportation operations at risk.

Severe damage to the roadway also impacts the State technicians' accessibility to the communications facility at Logan Peak. While ground access to the site is a priority, the primary concern is with the rapidly deteriorating condition of the power line and the potential for death and serious injury. Liability with respect to power line safety is shared by the State and Forest Service as the power line is owned by the State of Utah, but utilizes an "open to the public" accessible right-of-way managed by the Forest Service.

This action is needed to eliminate the public safety hazard posed by the exposed electrical power cable and to improve ground access to this vital communications facility located on Logan Peak. This action responds to the goals and objectives outlined in the Revised Wasatch-Cache Forest Plan and helps move the project area towards desired conditions described in the plan. Forest Plan Guideline G86 provides for the continuation of the Logan Peak communications site for non-commercial use (page 4-55).

1.4 Decision to be Made

Given the purpose and need, the deciding official in reviewing the proposed action, other alternatives, and the environmental consequences will make the following decision(s):

The decision to be made is whether or not to relocate this section of the Millville Peak and Logan Peak roads and if so, specifically where and to what degree.

The decision will be made by the WCNF Forest Supervisor and will be documented in a Record of Decision, subject to public review and appeal.

1.5 Forest Service Guidance

Roadless Area Conservation Rule

The Millville Peak road forms part of the boundary between the Mount Logan North Roadless Area (19,200 acres), the Mount Logan South Roadless Area (17,000 acres), and a small portion of the Mount Logan West Roadless Area (5,300 acres). The section of road to be relocated would be constructed within and near the edges of these three roadless areas. Guidance for what actions are allowed or prohibited in roadless areas is provided in the recently reinstated 2001 Roadless Area Conservation Rule (2001 Roadless Rule).

The 2001 Rule established prohibitions to road construction/reconstruction and timber harvest in areas identified in the 2000 Roadless Area Conservation Final Environmental Impact Statement. However, exceptions to these prohibitions (such as road construction/reconstruction) are allowed in certain situations, including “where needed to prevent irreparable resource damage that arises from the design, location, use, or deterioration of a classified road that cannot be mitigated by road maintenance...only if the road is deemed essential for public or private access, natural resource management, or public health and safety” (§ 294.12(4) Prohibition on road construction and road reconstruction in inventoried roadless areas). Relocation of a portion of the Millville Peak and Logan Peak roads, where needed to prevent irreparable resource damage, is essential for public health and safety. See Appendix B for further information on roadless areas and compliance with the 2001 Roadless Rule.

Travel Management Rule

On November 2, 2005 the Forest Service released the Travel Management Rule (36 CFR 212 and 261) which governs the use of motor vehicles on National Forest System lands. The proposed action (Alternative A) would change the designated use of a Forest road (Top Spring Hollow 4x4 #20126) to a motorized ATV trail. The sub-alternative to the proposed action (Alternative A.1) would maintain the road as a high clearance road. Further information on compliance with this rule will be included in Chapter 3, Section 3.3 Recreation.

Forest Plan Direction

This analysis is tiered to the Final Environmental Impact Statement for the 2003 Wasatch-Cache National Forest (WCNF) Revised Land and Resource Management Plan (Revised Forest Plan). The Revised Forest Plan guides natural resource management activities on lands administered by the WCNF and describes management goals and objectives, resource protection methods, and desired resource conditions. The Forest Plan divides National Forest System lands into management areas based on resource needs and opportunities. The Millville Peak/Logan Peak Road Relocation Project is contained within the Cache Box Elder Management Area and lies within Management Prescription Categories 3.1w (Watershed Emphasis) and 2.7 (Special Interest Areas). Appendix C provides direction from the Forest Plan relevant to this project, including desired conditions, goals and objectives, and standards and guidelines.

Best Available Science

The techniques and methodologies used in this analysis consider the best available science. The analysis includes a summary of the credible scientific evidence which is relevant to evaluating reasonably foreseeable impacts. The analysis also identifies methods used and references scientific sources relied on. When appropriate, the conclusions are based on the scientific analysis that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information.

Roads Analysis

A roads analysis, led by Forest engineers, was conducted for the Millville Peak/Logan Peak analysis area by the interdisciplinary team in 2006 and documents the resource values and impacts for the managed system of maintenance level 1 and 2 roads. The report is available in the project file. The Wasatch-Cache National Forest Roads Analysis (USDA Forest Service 2002), completed as part of the Revised Forest Plan, describes the condition of maintenance level 3, 4, and 5 roads. That analysis is incorporated by reference into this environmental analysis.

The roads analysis is a process designed to inform managers and interested publics of the strategic intent of the road system for forest management and use. It is used to identify the compatibility of the existing road system with ecological, social, and economic constraints. It also provides interdisciplinary teams and decision makers the context for site specific analysis; sets priorities for more detailed analysis and program planning; and, identifies issues requiring further evaluation for both existing roads and roads which may be planned in the future.

1.5.1 Incorporation by Reference

Some material in this document tiers to or incorporates by reference related information in order to reduce the size and degree of redundancy in this document. Material incorporated by reference includes the following:

- Material specifically cited or otherwise used in preparation of this document is hereby incorporated by reference.
- Information in this document tiers to the direction in the WCNF Revised Forest Plan and its Record of Decision. Information in the Revised Forest Plan FEIS is hereby incorporated by reference.
- The entirety of the supporting project record is hereby incorporated without further reference.

1.6 Public Involvement

An important aspect of the environmental analysis process is the participation of the public and other agencies in identifying issues and concerns regarding the potential impacts of a proposal. The issues and concerns are then considered in developing alternative ways of meeting the purpose and need.

1.6.1 Scoping

Regulations of the Council on Environmental Quality require that Federal agencies involved in NEPA analyses include “an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action” (40 CFR 1501.7). This “scoping” is intended to focus the analysis on the important issues associated with implementing a proposal and to set aside concerns that are unrelated or not central to the pending action. As soon as practicable after the decision to prepare an EIS, the agency must publish a notice of intent in the Federal Register.

The Notice of Intent (NOI) for the Millville Peak/Logan Peak Road Relocation Project was published in the Federal Register on April 12, 2006. The NOI asked for public comment on the proposal by May 12, 2006. A scoping letter dated April 7, 2006 was mailed to 142 individuals and organizations on the Logan District mailing list. In

addition, as part of the public involvement process, a public information meeting was held on April 25, 2006.

Eighteen responses were received during scoping. All of the letters and emails were reviewed and individual comments were placed in general issue categories by the interdisciplinary team. A complete listing of the individual comments and issue categories is available in the project record.

1.6.2 Issues

The ID Team identified relevant issues to be addressed in the EIS based on input from the public, other agencies, and internal comments. These issues guided the formulation of alternatives and provided a framework for the effects analysis documented in this EIS.

1.6.2.1 Aquatic Resources

- Roads may deliver sediment and impact aquatic resources

There are natural and manmade water features within the analysis area which provide habitat for tiger salamanders and aquatic invertebrates. Road construction associated with the relocation of portions of the Millville Peak and Logan Peak roads may affect aquatic habitat and these species. Relocation of roads away from water sources and restoration of existing roads may reduce sediment delivery and improve aquatic habitats.

Indicator used to compare alternatives:

- a. Miles of roads within Riparian Habitat Conservation Areas (RHCAs)

The proximity of roads to streams can be an indicator of the roads' impact on stream habitat quality. Likewise, this indicator can be an effective means of comparing the impacts of the various alternatives on stream habitat quality.

1.6.2.2 Recreation

- Relocating a portion of the Millville Peak and Logan Peak roads may affect the recreation experience for visitors to the area. Experiences may be affected by changes or loss of opportunities due to road closures or changes in allowed uses. Improvements to the road may change traffic patterns or increase use. There were also concerns for winter recreation in that creating a new road cut in the steep slopes of the project area might affect their experience.

Indicators used to compare alternatives:

- a. Changes in recreation and access opportunities and the relative effect on the recreation experience
- b. Changes in Recreation Opportunity Spectrum (ROS) in the project area

1.6.2.3 Roadless Areas

- Relocation of portions of the Millville Peak and Logan Peak roads may affect roadless area values of the Mount Logan North, Mount Logan South, and Mount Logan West roadless areas

Road construction and related activities (such as logging and vegetation removal, cut banks, fill slopes, and the closure of the old road with rocks and logs) associated with relocating portions of the Millville Peak and Logan Peak roads may affect roadless area values as described in the Revised Forest Plan. These values include soils and water; sources for drinking water; diversity of plants and animals communities; recreation opportunities spectrum; landscape character and scenic integrity; traditional cultural properties; and locally identified unique characteristics.

Indicator used to compare alternatives:

- a. Acres affected in each roadless area and the qualitative effect on roadless values

1.6.2.4 Scenery

- Road construction and road closure activities may affect the scenery of the area

Road construction and related activities (such as logging and vegetation removal, cut banks, fill slopes, and the closure of the old road with rocks and logs) associated with relocating new portions and closing old portions of the Millville Peak and Logan Peak roads may affect the scenic integrity of the viewshed.

Indicator used to compare alternatives:

- a. Miles of road construction (and acre equivalent) and the qualitative extent to which scenery of the landscape may be affected

1.6.2.5 Soil and Water

- Road construction may affect soil productivity; road construction on steep slopes may cause erosion and sediment delivery, affecting water resources. Some degraded areas within the analysis area need to be improved.

Road construction and related activities (such as logging and vegetation removal, cut banks, and fill slopes) associated with relocating portions of the Millville Peak and Logan Peak roads may affect soil and water resources in the watershed. Relocation and restoration of current degraded portions of the roads may reduce sediment delivery and improve watershed conditions.

Indicators used to compare alternatives:

- a. The indicator for measuring improvement in soil quality is the degree to which alternatives stabilize and restore soils on existing roads made obsolete (decommissioned) by the proposed action or alternatives.
- b. The indicator for water quality is the relative potential for sediment delivery from roads into stream channels and lakes (based on the width and ground cover quality of the vegetation buffer strip separating the roads and waterways).

1.6.2.6 Vegetation

- Clearing trees for the new road sections may affect the age-class distribution of forested cover types across the ecological section

Cutting and removal of trees associated with relocating portions of the Millville Peak and Logan Peak roads may affect the relative mix of age classes in forested cover types across the ecological section within which the project area lies (refer to S13 in the Revised Forest Plan, page 4-39).

Indicators used to compare alternatives:

- a. Percentage of stand acres affected
- b. Percentage (by age class) of forested cover type affected within the ecological section

1.6.2.7 Wildlife

- The proposed road relocation project may affect wildlife species or their habitats. Potentially affected species include USFWS-listed Threatened, Endangered, Proposed and Candidate species, Forest Service Intermountain Region-listed Sensitive species, WCNF Management Indicator Species (MIS), migratory birds, and general species of local concern.

The project area supports a variety of wildlife species and habitats and is within a larger corridor that serves as linkage habitat for forest carnivores such as the Canada lynx. The road relocation project may have varying effects on wildlife species and their habitats, depending on the location and type of road and timing of road construction activities.

Indicators used to compare alternatives:

- a. Miles of road construction (and/or acres modified) within specific vegetation types (habitats) for select species
- b. Changes in open road density by 6th order watershed

1.6.3 Other Disclosures

Initial evaluation of the project indicated there would be little to no effect on the following resources, and effects on them would not vary between alternatives. Therefore, the following resources are not covered in detail, but are discussed briefly below to add to the overall understanding of the project.

1.6.3.1 Heritage Resources

In addition to review under NEPA, consideration of effects on heritage resources is mandated under Section 106 of the National Historic Preservation Act (NHPA) as implemented by 36 CFR Part 800. Requirements include the need to identify significant properties that may be affected by the proposed action or alternatives. Historic properties are defined as archeological sites, standing structures, or other historic resources listed in or determined eligible for listing in the National Register of Historic Places.

For purposes of analysis of effects on heritage resources, the Area of Potential Effect (APE) for this project is the proposed and alternative road locations and an approximate 50 meter buffer zone on either side of the centerline.

Field inventory and methodology

A Class III intensive pedestrian heritage resource inventory was performed on the APE for this proposed road relocation project. A 50 meter wide meandering transect was walked on either side of the centerline of the proposed road and provided for 100-meter survey coverage of the APE. Areas that were proposed to be subjected to potential ground disturbance activities were given extra care and intensive investigation.

Results of the analysis

No cultural resources were identified as a result of the Class III pedestrian survey. The Forest Service has made the determination that this proposed undertaking will result in No Historic Properties Affected [36CFR 800.4(d) (1)]. The Utah State Historic Preservation Office concurred with this determination in a letter dated October 18, 2006 and recommended no further action.

Therefore, regardless of the alternative selected, there would be no effect on heritage resources in the area. In the unlikely event a cultural resource was encountered during a construction activity, that activity would be stopped and SHPO would be contacted. Construction would resume when the appropriate protective action had been taken.

Since there are no direct or indirect effects to heritage resources, consequently, there will be no cumulative effects resulting from the project. The Heritage Resources Report is available in the project file.

1.6.3.2 Rangeland Resources

The proposed road relocation is within the White Rock sheep allotment and adjacent to the Providence cattle allotment. The White Rock allotment is grazed by approximately 1150 sheep between July and September each year. The Providence allotment is grazed by approximately 149 head of cattle between June and September each year.

Providence Lake, an unnamed lake east of Logan Peak, and Providence road pond are used for stock watering. These features are ephemeral and have only seasonal water in them during spring snow melt.

Sheep and cattle grazing resulted in considerable impacts to soil resources from the 1800s until the 1930s, when active grazing management took effect in the area. Since then, a gradual improvement in land conditions has occurred as indicated by increased ground cover and absence of active soil erosion in most areas within grazing allotments. While grazing still occurs in the area, it appears to have little impact on the few aquatic species within the proposed project area. In fact, periodic dredging of Providence Lake and the unnamed pond east of Logan Peak provide the only habitat for amphibians in this area.

Whether or not the road is relocated, water will continue to be provided to the grazing livestock and permittees will continue to have adequate access to range improvements. To “what degree, where, and how” are decisions made in range management and are not decisions to be made in this analysis. Therefore, aspects of range management will not be further analyzed in this document.

1.6.3.3 Rare Plants

A review of maps and aerial photography for the area surrounding the proposed road relocation of the Millville Peak road (20168) and Logan Peak road (20042) identified areas of highest *potential* habitat for three rare plants. These include the Forest Service-listed sensitive species Maguire whitlow grass (*Draba maguirei*), clustered lady’s slipper (*Cypripedium fasciculatum*), and Logan wild buckwheat (*Eriogonum brevicaulum* var. *loganum*).

Highest *potential* habitat for *Draba maguirei* and *Cypripedium fasciculatum* was indicated to be in the SE ¼ of Section 35 (T12N, R2E) through the saddle into Section 2 to the NW ¼ of Section 11 (T11N, R2E). This is in a Douglas-fir forest type.

The area of highest *potential* habitat for *Eriogonum brevicaulum* var. *loganum* was indicated to be in the NE ¼ of Section 10 and SW ¼ of Section 3 (T11N, R2E). This is in a subalpine fir forest type.

The habitat along the proposed relocation route alternates between open conifer and mixed mountain shrub. Underneath the conifer there is a fairly dense mix of shrubs including snowberry, currant, mountain lover and sagebrush. There is a good mix of tall forbs in the area as well, including goldenrod, geranium, lupine, and licorice root.

Several field visits to the area in August 2006, along the proposed Millville Peak and Logan Peak relocation routes in the *potential* habitats identified above, found no *Draba maguirei* or *Cypripedium fasciculatum* populations or individuals, and no *suitable* habitat was found. Random checks of the remaining proposed route in Sections 10 and 11 (T11N, R2E) yielded similar results. *Suitable* habitat was found for *Eriogonum brevicaule var. loganum*, but no populations or individuals were found.

A July 2006 field visit located a population of *Eriogonum brevicaule var. loganum* near the toe of the slope before the Logan Peak road (20042) climbs up to Logan Peak, in the NE ¼, ¼ of the SW ¼ of Section 3 (T11N, R2E). The population is vigorous with limited disturbance. The population is immediately south of the point at which the existing road prism narrows and fairly steep drop offs occur on either side of the road. Even though the population is immediately adjacent to the road, no threats were observed and none are expected due to the extremely steep drop offs.

Protection for the known population of Logan buckwheat is provided for (see Mitigation Measures, Section 2.5). Since there were no populations of Maguire whitlow grass or clustered lady's slipper occurring in the affected area and potential effects to Logan wild buckwheat would be mitigated under all action alternatives, effects to any of the above mentioned rare plants will not differ between alternatives and therefore will not be discussed further in this document.

The Botany technical report is available in the project file.

1.6.3.4 Noxious Weeds

Construction of new road sections can provide new vectors for transportation of noxious weed seeds, potentially introducing new noxious weed infestations into the analysis area. Closing out the old road sections can make it more difficult to access existing weeds infestations, because access would have to be on foot rather than by vehicle. This could potentially make it harder to effectively treat and prevent the spread of existing weed infestations.

This is not of great concern here because there is only one weed infestation, Dyers woad, known within the analysis area. It occurs in Providence Canyon. There are no other weeds recorded within the analysis area. Infestations of Dyers woad, burdock, field bindweed, and Canada thistle have been recorded outside the project area, along the Millville Peak road (20168) near White Bed Ground Camp. Of these, Canada thistle is the only one with wind dispersed seed that could have potential to drift in and establish during the construction of the new road. Dyers woad, burdock and bindweed would have to be carried in by some other means. Implementation of the Wasatch Cache Integrated Weed Management Strategy would minimize the spread of these weeds into the analysis

area. The strategy includes such things as washing construction equipment before it enters the area (see Mitigation, Section 2.5).

Because the road is being proposed for realignment, the vector for weed transportation is not going away it is just being relocated. The potential threat of noxious weed introduction would remain the same and would be the same for all alternatives because a road would still be in place in all of the alternatives (even if it is only for administrative use in Alternative B). Ensuring the old road is weed free prior to closing it out would be included in all action alternatives (see Mitigation, Section 2.5).

The Botany technical report is available in the project file.

1.6.3.5 Socioeconomics and Environmental Justice

Executive Order 12898 (signed by President Clinton on February 11, 1994) entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” and Departmental Regulation 5600-2 direct Federal agencies to integrate environmental justice considerations into federal programs and activities. Environmental justice means that, to the greatest extent practicable and permitted by law, all populations are provided opportunity to comment before decisions are rendered upon, are allowed to share in the benefits of, are not excluded from, and are not affected in a disproportionately high and adverse manner by government programs and activities affecting human health or the environment.

Implementation of the proposed action or any of the alternatives would be consistent with the Executive Order and would not have a discernable effect or disproportionate adverse impact on minorities or low-income populations. Public input is sought and incorporated into this document, regardless of age, race, income status, gender, or any other social/economic characteristics.

Executive Order 12898 also directs agencies to consider patterns of subsistence hunting and fishing when an agency action may affect fish or wildlife. Implementation of the proposed action or any of the alternatives would not alter opportunities for subsistence hunting or fishing by Native American tribes. An opportunity to comment on the proposal was provided to Native American tribes (see project file).

1.6.4 Issues Dismissed

Issues dismissed were those identified as: 1) outside the scope of the proposed action; 2) already decided by law, regulation, Forest Plan, or other higher level decision; 3) irrelevant to the decision to be made; or 4) conjectural and not supported by scientific or factual evidence. The Council on Environmental Quality (CEQ) NEPA regulations explain this delineation in Sec. 1501.7, “...identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review...” The dismissed issues and reasons regarding their categorization are discussed below.

- Unauthorized use of the old road will occur if it is not effectively closed

This issue will be addressed through mitigation included in all action alternatives. Barriers (such as rock) will be used at the intersections with the new road. Logs will be placed within the old road prism to deter motorized use. The surface will be revegetated with native seed. The effectiveness of the closure will be periodically monitored.

- Concern with vandalism of the communications site

The concern regarding the safety of the communications site and the potential for vandalism is beyond the scope of this analysis. The State of Utah owns the facility and is responsible for its protection.

1.7 Permits and Authorizations

Table 1.1 Permits, approvals, authorizations, and consultations that may be required for implementation of the decisions made for the depending on the specific activities associated with each alternative.

Agency	Type of Action	Description of Permit/Action
Forest Service	<p>Forest Service Decision</p> <p>Preparation of a Biological Assessment (BA)</p> <p>Preparation of a Biological Evaluation (BE)</p> <p>Authorization of an amended (or new) Special Use Permit to the State of Utah</p>	<p>The decision to relocate the Millville Peak/Logan Peak roads is made in compliance with the National Environmental Policy Act (NEPA).</p> <p>In accordance with the Endangered Species Act, the Forest Service must complete a BA assessing the impact of the proposed action or any of the alternatives on federally listed threatened or endangered species. In compliance with agency policy, a BE must be prepared assessing the potential impacts to Regional Forester-listed sensitive plant and animal species.</p> <p>Selection of Alternative A, A.1, or B would necessitate the preparation of a new Special Use Permit to the State of Utah. The existing permit covers the power cable buried beneath the road</p>
Fish and Wildlife Service (FWS)	Endangered Species Act, Section 7 Consultation	A BA/BE, prepared by the Forest Service, is available in the project file. A determination of “no effect”, “no impact” was made for TES species. Therefore, no consultation with the FWS is required.
State of Utah Department of Natural Resources, Division of Wildlife Resources (DWR)	Review and comment	The DWR is responsible for the management and protection of wildlife and fish resources.
State Historic Preservation Office (SHPO)	Consultation on National Historic Preservation Act, Section 106 (review and compliance process)	SHPO is responsible for the protection of all heritage resources in the state. A concurrence letter was received on October 18, 2006.
Northwest Band of the Shoshone Nation	Consultation on sacred sites	Protection of sacred sites. Scoping letter mailed on April 7, 2006. No comment received.