

Decision Memo

Cook Ranch Irrigation Ditch Special Use Permit Re-Issuance

**Uinta-Wasatch-Cache National Forest
Logan Ranger District
Rich County, Utah**

Decision

I have decided to approve the re-issuance of a special use permit for the Cook Ranch irrigation ditch, located on National Forest System land in North Cheney Creek, east of the Sinks Road on the Logan Ranger District. The special use permit for this irrigation ditch, originally issued in the early 1950's and most recently reissued in the 1990's, has expired. Recently there has been a change in ownership back to previous owners and they desire to have the permit reissued. The irrigation ditch begins in the North Fork of Cheney Hollow (T13N, R4E, Sections 11 and 12) and continues to the east to farm land in Section 13 of T13N, R4E.

The permit re-issuance will cover the same area as previously authorized. There will be no new ground disturbance. The permit holder has been in compliance with the terms and conditions of the permit and has paid all required fees during the permitted period. There will be no changes to the authorized facilities or increases in the scope or intensity of authorized activities. No clearing of vegetation in the ditch will occur without prior authorization from the District Ranger.

Mitigation Measures

No mitigation measures are included in the decision. Environmental effects are avoided by the requirement that there will be no changes to the existing ditch and no new ground disturbance, as described in the decision above.

Scoping and Public Involvement

The proposal was provided to 130 individuals, organizations, and other agencies on the District mailing list in a scoping letter dated June 4, 2008. The project was available for comment during the scoping period (June 4, 2008 through July 7, 2008). The project was included in the spring 2008 Schedule of Proposed Actions (SOPA).

The District received 1 comment letter; the respondent had no concern with the project as long as the permit re-issuance did not allow any change to the authorized facility.

Reason for Categorically Excluding the Proposed Action

Based on public input, interdisciplinary team review, past experience, and consideration of the resource conditions listed below, I have determined the effects of implementing this action will be of limited context and intensity and will result in little or no environmental effect to either the physical or biological

components of the environment. As such, this is a decision that has been categorically excluded from documentation in an Environmental Assessment or Environmental Impact Statement.

The proposed action falls under 36 CFR Part 220 and Forest Service Handbook 1909.15 - Environmental Policy and Procedures Handbook, Chapter 30, Section 31.2 Category 15 – Issuance of a new special use authorization for a new term to replace an existing or expired special use authorization when the only changes are administrative, there are not changes to the authorized facilities or increases in the scope or intensity of authorized activities, and the holder is in full compliance with the terms and conditions of the special use authorization. As described in the mitigation section above, all practicable means to avoid or minimize environmental impacts have been incorporated into the decision. The categorical exclusion is appropriate in this situation because there are no extraordinary circumstances related to the proposed action. There were no significant effects identified for the resource conditions listed below.

a. Federally listed threatened and endangered species or designated critical habitat, or Forest Service sensitive species. The wildlife biologist has reviewed the proposal and has determined there will be “no effect” to any threatened and endangered wildlife species or designated critical habitat and “no impact” to any Forest Service sensitive wildlife species because the irrigation ditch is entirely within a previously disturbed environment. The fisheries biologist has determined there will be “no effect” to any threatened and endangered aquatic species or designated critical habitat and “no impact” to any Forest Service sensitive aquatic species because no TES aquatic species have been found in or near the irrigation ditch. The forest botanist has determined there will be “no effect” to any threatened and endangered plant species or designated critical habitat and “no impact” to any Forest Service sensitive plant species because the project is limited in scope and within a previously disturbed area. Therefore, the Cook irrigation ditch special use permit re-issuance will have no effect on any T,E,S species or critical habitat.

b. Flood plains, wetlands, or municipal watersheds. The forest soil scientist and forest hydrologist have reviewed the proposal to reissue a special use permit for the Cook Ranch irrigation ditch. Because the project is limited in scope and contained within a previously disturbed area, they have determined there will be no effect on any flood plains, wetlands or municipal watersheds.

c. Congressionally designated areas, such as wilderness, wilderness study areas, or National Recreation Areas. The Cook Ranch irrigation ditch is not in a congressionally designated area and thus will have no effect on any such designated area.

d. Inventoried roadless areas. The Cook Ranch irrigation ditch is not located within an inventoried roadless area and therefore, will not have any effect on roadless values or the roadless character of the area.

e. Research Natural Areas. The Cook Ranch irrigation ditch is not in a Research Natural Area and therefore, will have no effect on any RNA.

f. American Indian and Alaska Native religious or cultural sites. Since this project is within a previously disturbed site and contained within an irrigation ditch, the Forest archaeologist has determined there are no potential effects to any religious or cultural sites associated with the re-issuance of this special use permit.

g. Archaeological sites, or historic properties or areas. The Forest archaeologist has determined that no archaeological sites or historic properties or areas will be affected by the re-issuance of this special use permit for the Cook Ranch irrigation ditch.

Findings Required by Other Laws

This decision is consistent with the Revised Forest Plan as required by the National Forest Management Act. The project was designed in conformance with forest plan standards and incorporates appropriate Forest Plan guidelines. The project is within the Bear Management Area (Forest Plan, pages 4-118 to 4-127).

Administrative Appeal Opportunity and Implementation

This decision pursuant to 36 CFR 215.12(f) is not subject to appeal and may be implemented immediately.

Contact Person

For additional information concerning this decision, contact Jennefer Parker, District Ranger, 1500 East Highway 89, Logan, Utah 84321, (435-755-3620).

/s/Brian Ferebee

September 22, 2008

BRIAN FEREBEE
Forest Supervisor

Date

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