

DECISION MEMO
for
**Ski Run Modifications at
Solitude Mountain Resort**

Salt Lake County, Utah
Uinta-Wasatch-Cache National Forest
Salt Lake Ranger District

DECISION AND RATIONALE

I have reviewed Solitude's proposal and the associated environmental review documentation and have decided to approve modifications in the beginner area terrain of Solitude Ski Resort on National Forest System (NFS) land. This authorization will improve the safety and quality of the skiing experience.

1. Tree island removal within the Same Street ski run to allow for the beginners to transit safely through this area. This run is Solitude's primary beginner run and the trees have been identified with a number of accidents related to the run being too confining and the trees being in the direct path of many beginner skiers transiting through this area.
2. Terrain modifications of a tree island at the top of Little Dollie ski run that includes tree removal. The removal of approximately 20 trees will allow for the straightening of the upper part of this run. This will improve the fall line of the run and improve the safety of this beginner run.
3. Tree island removal within the Tude-Dudes ski run to provide better grooming and allow for a better access for intermediate skiers and riders to this run. This will also encourage the intermediate and expert riders to use this run instead of transiting through the lower same street beginner area, thereby reducing congestion and creating a safer skiing area for beginners.

The terrain modifications will open up and improve the safety of three congested beginner slopes that are used extensively for ski school and beginner skiers. The modification will allow improved sight distances and facilitate improved safety of skier and rider merging. These modifications will also provide improved the recreation opportunities at the resort.

The projects have been designed in a manner that will minimize potential impacts on the project area. Overall, I am confident that approval of these proposed actions is in the best interest of the public.

MITIGATION MEASURES

As part of my decision, implementation of the mitigation measures listed below will be required on NFS land and recommended on private land. As the project area is within Salt Lake City's municipal watershed, protection of water quality is a primary consideration. The 2002 Environmental Impact Statement (EIS) and Record of Decision (ROD) regarding Solitude's Master Development Plan (MDP) addressed these and a range of other environmental considerations and identified appropriate mitigation. As a result, I drew on the 2002 ROD in developing the mitigation outlined below.

1. Prior to beginning submit an erosion control plan prepared in accordance with Attachment 1 of the ROD for the 2002 MDP EIS. This plan must be approved by the Forest Service prior to construction on NFS land.
 - a. Top soil should be reserved and stockpiled for re-application to restore soil productivity, re-apply to a depth of 6 to 12 in.
 - b. Following final grading, Forest Service approved seed mix (approx., mountain brome-50%, western wheatgrass-25%, and carex rossii-25%) will be applied.
 - c. The entire area must be covered with single net straw mulch blanket (No. American Green S-75 or equivalent).
2. Minimize impacts on wetlands and riparian areas.
 - a. Minimize ground disturbance in these areas. Bridge or boardwalk areas to avoid impacts.
 - b. Solitude is responsible for contacting the Army Corps of Engineers to determine whether a 404 permit is required.
3. Plant and protect 10 container stock trees for each tree removed. Plant trees at sites approved in advance by the Forest Service.
4. Notify the Forest Service archaeologist immediately if and when any historic or prehistoric resources are exposed during construction activities.

SCOPING AND PUBLIC INVOLVEMENT

A scoping notice detailing Solitude's proposal to modify terrain in the beginner area was distributed by the Salt Lake Ranger District's mailing list on May 5, 2009. A number of individuals, organizations, government agencies and businesses received copies by direct mailings or email. Also, the notice and permit area maps were posted on the USFS website: <http://www.fs.fed.us/wcnf/projects/index.html> and were included in the Summer 2009 Schedule of Proposed Actions. There were no responses to the scoping notice.

REASON FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION

I have determined that the proposed project, as described above, is consistent with the types of actions described under CFR 36 220.6.(e)(3) - Approval, modification, or continuation of minor special uses of National Forest System lands that require less than 5 contiguous acres of land. As noted above, the entire project will affect about an acre of NFS land, within the ski area's special use permit boundary. The potential direct, indirect, and cumulative effects of the entire project were reviewed and considered in my decision.

In regard to extraordinary circumstances, the Forest Service Handbook lists several topics that should be considered (CFR 36 220.6.(b)). Forest Service and contractor resource specialists have visited the project area on numerous occasions, reviewed relevant studies and other published information, and documented their findings regarding these and other potential extraordinary circumstances in the project file and are summarized below.

- 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.** A biological assessment (BA) was prepared for this project. The determination reached was that no federally listed or candidate plant or animal species will be affected. A biological evaluation (BE) was also prepared, concluding that the project would not impact any Forest Service sensitive

plant or animal species.

- b. **Flood plains, wetlands, or municipal watersheds.** As proposed, the ski run modifications would not be near any open water courses or wetlands and mitigation measures no. 1 & 2 above would minimize any potential impacts. Based on these considerations, flood plains, wetlands, or municipal watersheds do not constitute an extraordinary circumstance for this proposed action.
- c. **Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.** The project area does not include any designated wilderness, wilderness study area, or National Recreation Area, so such areas do not constitute an extraordinary circumstance for this proposed action.
- d. **Inventoried roadless areas.** The project area does not include any inventoried roadless areas, so such areas do not constitute an extraordinary circumstance for this proposed action.
- e. **Research Natural Areas.** The project area does not include any Research Natural Areas, so such areas do not constitute an extraordinary circumstance for this proposed action.
- f. **American Indians and Alaska Native religious or cultural sites.** The Forest Archeologist visited the site and felt that there would be no effect on cultural resources and documentation is included in the project file.
- g. **Archaeological sites, or historic properties or areas.** The Forest Archeologist visited the site and found no historical sites, properties or areas.

Based on the findings summarized above, I am categorically excluding this decision from documentation in an Environmental Assessment or Environmental Impact Statement. Based on experience with management activities similar to this, and upon the environmental analysis conducted for this project, the effects of implementing this action will be limited in context and intensity. Connected and cumulative actions have been appropriately addressed, an appropriate category for exclusion has been established by law and documented in the Forest Service Handbook, and our review indicates no extraordinary circumstances to preclude its application.

FINDINGS REQUIRED BY OTHER LAWS

The only finding required by other laws not addressed directly or indirectly above is Forest Plan compliance in accordance with the National Forest Management Act. The proposed action has been evaluated for consistency with the goals, objectives, standards, and guidelines of the 2003 Revised WCNF Forest Plan. The project area is located within a 4.5 Management Area, which emphasizes providing developed recreation opportunities, often under the terms of a special use permit. Thus, the proposed action is consistent with the management area prescription. In terms of more specific Forest Plan direction, my review indicates that the proposed action, with required mitigation measures in place, is consistent with all applicable standards and guidelines.

IMPLEMENTATION DATE

This decision is not an authorization to proceed. Once all conditions and mitigation measures have been met, authorization to begin work will be issued.

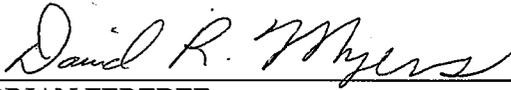
ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision pursuant to 36 CFR 215.12(f) is not subject to appeal. These permitted actions are not one of the 10 activities subject to notice and comment under Forest Service regulations at 36 CFR 215, as clarified on October 19, 2005, by the Federal District Court for the Eastern District of California in Earth Island Institute v. Ruthenbeck.

CONTACT PERSON

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for BRIAN FEREBEE
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Uinta-Wasatch-Cache National Forest

6/22/09
Date

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