

DECISION MEMO
BENMORE PASTURES HABITAT IMPROVEMENT PROJECT

USDA Forest Service - Uinta-Wasatch-Cache National Forest
Spanish Fork Ranger District
Tooele County, Utah

I. INTRODUCTION

The Spanish Fork Ranger District of the Uinta-Wasatch-Cache National Forest has completed an analysis of the Benmore Pastures Habitat Improvement Project. Benmore Pastures is located within the Vernon Management Unit as outlined within the Uinta National Forest 2003 Land and Resource Management Plan. This project was designed in co-operation with the Utah Department of Wildlife Resources as the area lies within sage-grouse nesting/brood rearing habitat.

The Benmore Pastures have been used in research projects since its establishment in 1938, before the Forest Service acquired the land in 1954. These projects addressed the need to improve range productivity, to conserve soil and water, to improvement wildlife habitat, and to reduce flooding. Projects consisted of plowing, burning, harrowing, brush cutters and spraying herbicides. One of the important conclusions reached was that when perennial grasses are seeded into dense stands of sagebrush, they will not become established. Land must be cleared before seeding (Astroth 1984). A recent study (Robinson 2007) reinforced the need to improve the habitat for sage grouse.

A. Project Location

The proposed area of treatment is located south of Vernon in T9S R5W Sections 7, 8, 17, 18, 19 and 20, Tooele County, Utah (see attached map). The treatment area is accessible from existing roads and no new roads will be created. The work will be completed over the next two years.

B. Purpose and Need

1. Purpose

The purpose of this project is to maintain and improve grass/forb species composition, to improve the age class distribution of sage brush, to improve sage-grouse nesting and brood-rearing habitat, to close non-system roads, to reduce hazardous fuels, and move towards fire condition class 1 in the Benmore area.

2. Need

The Benmore Pastures are located within the Vernon Management Unit as outlined within the Uinta National Forest 2003 Land and Resource Management Plan. The management prescription for the proposed project area is (3.3) Aquatic and Terrestrial Habitat – “resources are maintained or improved to achieve desired future conditions for habitats of threatened, endangered, sensitive, and Management Indicator Species”.

Vegetation and sage grouse (*Centrocercus urophasianus*) habitat in the Benmore area is becoming increasingly degraded. Because of fire suppression, there are no naturally occurring mosaics across the landscape. Much of the area is one large sagebrush population. The majority of the sagebrush population consists of a single age class, old and decadent, with not much recruitment of younger sagebrush. Sagebrush canopy cover in some areas is continuous with very few openings, which could only be used by sage grouse for winter habitat. There is a need for more nesting and brood-rearing habitat. There is also a lack of forbs species (a major component of sage-grouse diets) in the understory. Insects associated with flowering plants in the understory provide an essential protein source for the survival of sage grouse chicks.

The Landscape Natural Fire Regime Group is III- infrequent, mixed & surface (less than 75% of the dominant overstory vegetation replaced). The Fire Regime Condition Class is 2- Moderate. Fire regimes have been moderately altered from their natural (historical) range. Risk of losing key ecosystem components is moderate. Fire frequencies have departed from natural frequencies by one or more return intervals (either increased or decreased). These results in moderate changes to one or more of the following: fire size, intensity and severity, and landscape patterns. Vegetation and fuel attributes have been moderately altered from their natural (historical) range. There is potential for Wildland Urban Interface fires as homes are located within one mile of the proposed project area.

There are no records (1948 to present) of any fires within the proposed treated area. However, within the boundaries of the subwatershed, 16% of the area has burned during the period of record. During this time, there were 2 larger fires (in 1976 an unnamed fire; 90 acres; human-caused and in 1994, the East Harker fire; 4,578 acres within the subwatershed; unknown cause). This history of large fires in the subwatershed and lack of historical fires within the treatment area indicates that future large fires are possible.

C. Proposed Action

1. Approximately 850 acres of sagebrush will be treated with a Dixie harrow. Sagebrush will be thinned in a mosaic pattern to create as much edge effect as possible.
2. The treated area will be seeded with native grasses and a variety of forbs desirable to sage grouse and which are adapted to the ecosystem. Native seed will be used as much as feasibly possible.
3. Approximately 4.3 miles of non-system roads will also be treated with the Dixie harrow to make them non-passable.
4. Gates leading into pastures will be locked and utilized for range management.

5. Livestock grazing in the sage brush treatment areas will be deferred until vegetation has reestablished sufficiently, but for no less than two growing seasons.

II. DECISION

A. Description of Decision

My decision is to implement numbers 1 through 5 of the proposed action.

B. Purpose of the Decision

The purpose of this project is to maintain and improve grass/forb species composition, to improve the age class distribution of sage brush, to close non-system roads, to reduce hazardous fuels, and move toward fire condition class 1 in the Benmore area.

III. PUBLIC INVOLVEMENT

An interdisciplinary team (IDT) of Forest Service specialists reviewed this project. Input from this team was incorporated in the design of the proposed action and the specialist reports are contained in the project file. A request for comments was published in the *Provo Daily Herald* on October 24, 2008, letters were mailed to interested parties on October 6, 2008 and the project was posted in the Quarterly Schedule of Proposed Actions. One letter was received. Their comments were considered in the analysis of the project.

IV. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

Proposed actions may be categorically excluded from further analysis and documentation in an environmental impact statement or environmental assessment when they are within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or listed in 36 CFR 220.6 (d) or (e), and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effects.

A. Category of Exclusion

This project fits within the category listed in 36 CFR 220.6 (e) (6): "Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction."

For projects that are categorically excluded, there is no need to repeat a detailed analysis of effects to all resources. In promulgating the categories, the Forest Service has concluded that projects that fit those categories do not individually or cumulatively have a significant effect on the human environment. Thus, once the analysis establishes that this project has no extraordinary circumstances and fits into a category, the responsible official can reach the conclusion that there will be no significant effects to the environment without further analysis.

B. Extraordinary Circumstances

The federal regulations at 36 CFR 220.6 (b) list the following resource conditions that should be considered in determining whether extraordinary circumstances related to a proposed action warrant further analysis and documentation in an EA or EIS:

1. *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 will have no effect on the western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) which was classified as a candidate for listing under the ESA in 2001. The western yellow-billed cuckoo is not present on the Vernon Management Area due to lack of suitable habitat (Project record: Biological Assessment).

The proposed action will have no effect on the Ute ladies'-tresses orchid (*Spiranthes diluvialis*) because the project area is too far from existing known Ute ladies'-tresses populations for there to be a strong chance of it being occupied (Project record: Biological Assessment, Botanist Report).

2. *Floodplains, wetlands of municipal watersheds*

Floodplains: This project's activities are not located within floodplains and will not have any direct or indirect impacts.

Wetlands: This project is not located in and will not have any direct or indirect impacts to wetlands.

Municipal Watersheds: This project is not located in and will not have any direct or indirect impacts to municipal watersheds

3. *Congressionally designated areas such as wilderness, wilderness study areas, or National Recreation Areas*

This project is not located in or near Wilderness or within a Wild or Scenic River corridor. No congressionally designated areas will be affected by this decision.

4. *Inventoried Roadless areas*

The Benmore Pastures project area does not lie within any inventoried roadless areas. This decision will not affect inventoried roadless areas.

5. *Research Natural areas*

The project is not within any proposed, candidate or designated Research Natural Area (2003 Uinta Land Management Plan, Appendix E: Management Prescription Map).

6. Native American religious or cultural sites, archaeological sites, or historic properties or areas

This decision complies with the all laws protecting Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision.

Six archaeological sites were identified within the project area (Heritage Report), and all will be avoided through project design. As a result, no archaeological sites will be affected by the project. The State Historic Preservation Office concurred with this finding.

No known American Indian plant collection or traditional uses occur within the treatment area. None of the activities proposed in this project would eliminate or restrict future opportunities to conduct such activities.

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.

V. FINDINGS REQUIRED BY AND/OR RELATED TO THEIR LAWS OR REGULATIONS

My decision will comply with all applicable laws and regulations summarized below:

National Forest Management Act

This Act requires all projects and activities are consistent with the Forest Land and Resource Management Plan. This project and decision are consistent with the Forest Plan (Section VI of this document).

National Environmental Policy Act

This Act requires public involvement and consideration of potential environmental effects. The documentation of this decision supports compliance with this Act.

Endangered Species Act

The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered or result in adverse modification to such species' designated critical habitat. As required by the Act, potential effects of this decision on listed species have been analyzed and documented in a Biological Assessment.

Sensitive Species (Forest Service Manual 2670)

Only the sage grouse has the potential to occur within the project area. This project will improve habitat for sage grouse. This project will not affect the viability of this species, nor contribute to any decline in the sage grouse population (Project record: Biological Evaluation).

The proposed action will have *no impact* on sensitive plant species. (Project record: Botanists Report).

There are no aquatic species, fisheries or aquatic resources present within the Benmore Pastures (Project record: Fisheries Report).

Migratory Bird Treaty Act

This project and decision are consistent with the MBTA, Executive Order 13186, and the Forest Service/Fish and Wildlife Memorandum of Understanding (Project Record: Migratory Bird Report).

Clean Water Act

The proposed action will comply with the Clean Water Act (Project record: Hydrology Report).

Environmental Justice (Executive Order 12898)

Public involvement occurred for this project, the results of which I have considered in this decision-making. Public involvement did not identify any adversely impacted local minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

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

VI. COMPLIANCE WITH THE FOREST PLAN

My decision is consistent with the 2003 Land and Resource Management Plan for the Uinta National Forest. The management prescriptions for this area include (3.1) Aquatic, Terrestrial, and Hydrologic Resources, (3.3) Aquatic and Terrestrial Habitat, and (6.1) Non-forested Ecosystems.

This project is consistent with the following sub-goals of the Forest Plan:

FW-Goal-2: Biologically diverse, sustainable ecosystems maintain or enhance habitats for native flora and fauna, forest and rangeland health, watershed health, and water quality.

- Sub-goal 2-1: “The fuel management aspect of the fire management program is emphasized through application of hazard reduction activities.”

- Sub-goal 2-6: “Ecosystems on the Forest provide and maintain viable and well-distributed populations of flora and fauna. New listings of threatened, endangered, and sensitive species as a result of Forest Service management activities are avoided.”
- Sub-goal 2-8: “Ecosystem resilience is maintained by providing for a full range of seral stages and age classes (by cover type) that achieve a mosaic of habitat conditions and diversity to meet a variety of desired resource management objectives. Recruitment and sustainability of some early seral species and vegetation communities in the landscape are necessary to maintain ecosystem resilience to perturbations.”
- Sub-goal 2-10: “Management actions maintain ecosystem health and encourage conditions that are within the historic range of variation.”
- Sub-goal 2-23: “Areas identified as being of special concern for habitat such as... greater sage grouse breeding areas in the Vernon and Strawberry Reservoir Management Areas are maintained and, where potential exists, improved or expanded.”

VII. ADMINISTRATIVE REVIEW OF APPEAL

This decision is subject to appeal under Forest Service regulations 36 CFR 215. Appeals must meet the content requirements of 36 CFR 215.14. Appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of the legal notice in *The Provo Daily Herald*. The Appeal Deciding Officer is Brian Ferebee, Forest Supervisor. Appeals must be sent to: Appeal Deciding Officer, Intermountain Region USFS, 324 25th Street, Ogden, Utah 84401; or by fax to 801-625-5277; or by email to: appeals-intermtn-regional-office@fs.fed.us. Emailed appeals must be submitted in rich text (rtf.) or Word (doc.). Documents in other formats (tiff, jpg etc) should be mailed in hardcopy. Appeals may also be hand delivered to the above address, during regular business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday.

VIII. IMPLEMENTATION DATE

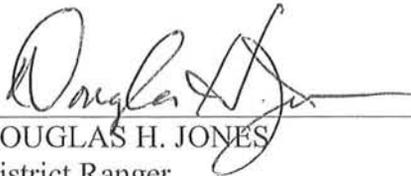
Pursuant to 36 *CFR 215.10 (a) and (b)*, implementation of this project may begin 5 days after the close of the appeal filing period, if no appeal is filed. If an appeal is filed, implementation may not occur for 15 days following the date of appeal disposition.

IX. CONTACT PERSON

Further information about this decision can be obtained from Karen Hartman of this office (801) 798-3571.

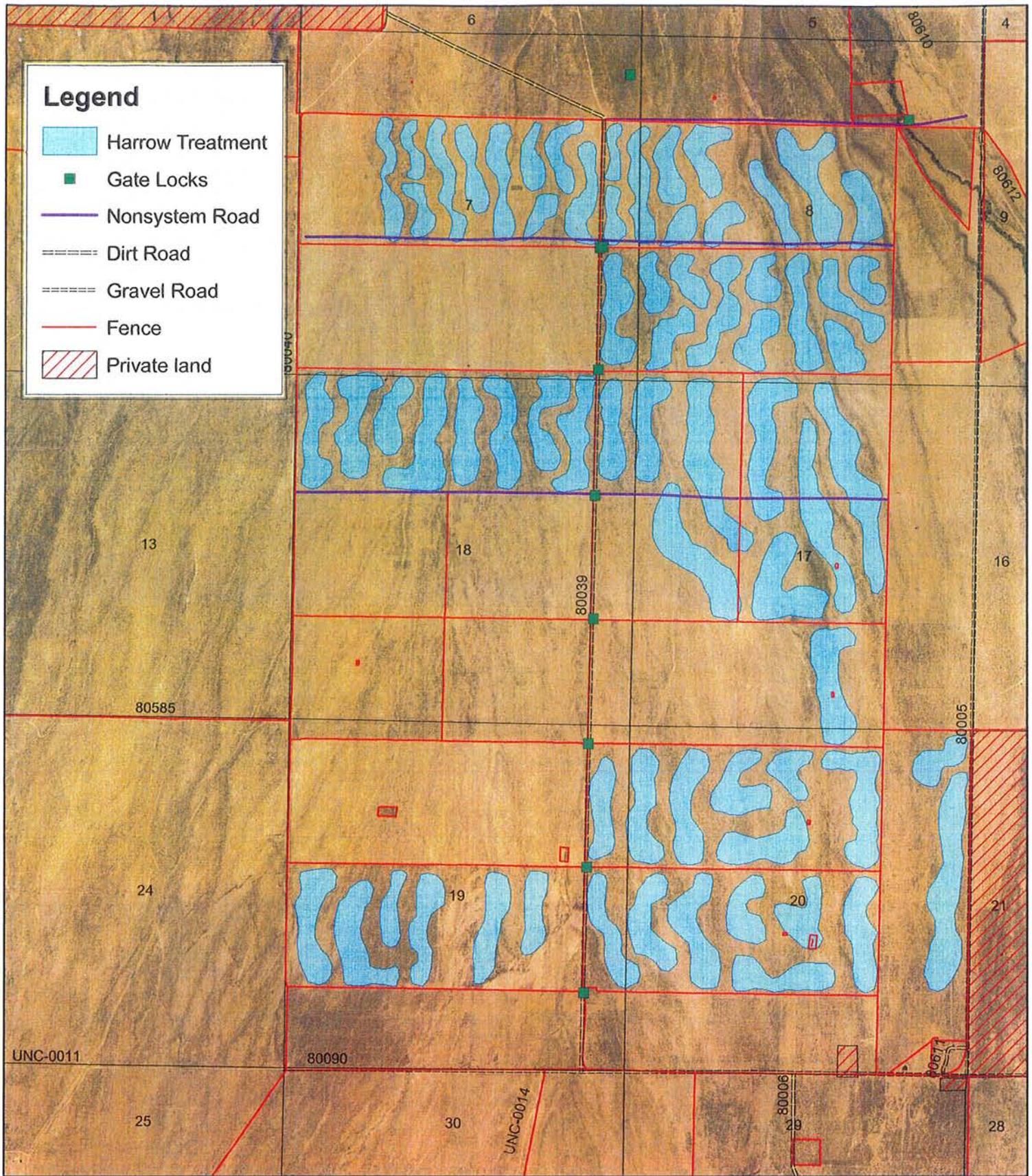
X. SIGNATURE AND DATE

I have concluded that this decision may be categorically excluded from documentation in an environmental impact statement or environmental assessment, as it is within one of the categories listed in 36 CFR 220.6 (e), and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect. 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).



DOUGLAS H. JONES
District Ranger
Spanish Fork Ranger District

7/20/09
Date



Benmore Pastures Habitat Improvement Project



United States
Department of
Agriculture

Forest
Service

Uinta-Wasatch-Cache
National Forest

Spanish Fork,
Utah

