



File Code: 1570

Date: December 14, 2010

Laura and Hanko Kiessner
4832 Milehigh Drive
Salt Lake City, UT 84124

CERTIFIED MAIL – RETURN
RECEIPT REQUESTED
7009 2820 0000 9203 1418

Dear Mr. & Mrs. Kiessner:

This is my decision on the appeal you filed regarding the Mount Olympus Administrative Site Conveyance Decision Notice signed by Brian Ferebee, the Forest Supervisor of the Uinta-Wasatch-Cache National Forest.

My review of your appeal was conducted pursuant to, and in accordance with, 36 CFR 215.18. My review focused on the project documentation and the issues raised in your appeal. I specifically incorporate in this decision the project record, the references and citations in the project record transmittal documentation, as well as the Appeal Reviewing Officer (ARO) analysis and recommendation.

After considering your issues and the project documentation, the ARO recommends the Forest Supervisor decision be affirmed. A copy of the recommendation is enclosed.

Based upon a review of the project documentation provided, I find the issues were adequately considered. I agree with the ARO analysis and conclusions in regard to your appeal issues. I find the Forest Supervisor made a reasoned decision and has complied with all laws, regulations, and policy. After careful consideration of the above factors, I affirm the Forest Supervisor's decision to implement the Mount Olympus Administrative Site Conveyance. Your requested relief is denied.

My decision constitutes the final administrative determination of the Department of Agriculture [36 CFR 215.18(c)].

Sincerely,

/s/ Erin O'Connor (for)
HARV FORSGREN
Appeal Deciding Officer

Enclosure



cc: Brian Ferebee
Cheryl Probert



Forest
Service

Ashley National Forest

Supervisor's Office
355 North Vernal Avenue
Vernal, UT 84078

File Code: 1570

Date: December 13, 2010

Route To:

Subject: Reviewing Officer Recommendation, Mount Olympus Administrative Land Sale -
Appeal #11-04-00-0003 A215

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Laura and Hanko Kiessner protesting the Mount Olympus Administrative Site Conveyance Decision Notice signed by Forest Supervisor Brian Ferebee on the Uinta-Wasatch-Cache National Forest.

My review was conducted pursuant to, and in accordance with, 36 CFR 215.19 to ensure the analysis and decision is in compliance with applicable laws, regulations, policy, and orders. The appeal record, including the appellant's objections and recommended changes, has been thoroughly reviewed. Although I may not have listed each specific issue, I have considered all the issues raised in the appeal and believe they are adequately addressed in the attached document.

RECOMMENDATION

I have reviewed the record and have found that the analysis and decision adequately address the issues raised by the appellant. I recommend the Forest Supervisor's decision be affirmed and the appellant's requested relief be denied.

KEVIN B. ELLIOTT
Appeal Reviewing Officer

Enclosure

cc: Claire Huking, Julie Hubbard



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RESPONSE TO APPEAL ISSUES
Appeal 11-04-00-0002 A215
Laura and Hanko Kiessner
Mount Olympus Administrative Site Project
Uinta-Wasatch-Cache National Forest

Appeal Issue 1. “Objections to a trailhead at the end of Mile High Drive. Understand the Forest Service’s need to sell the 5.75 acres in the Mount Olympus Cove area. However, it is not necessary/needed to provide an easement for a parking lot on this land. Based on your own EA, why would anyone suggest an unneeded parking lot in a high-risk area?”

Response: The decision to create a trailhead and parking area at this location was made in the 2010 Bonneville-Shoreline Trail (BST) Decision Notice (EA, pp. 2; BST DN-FONSI, pp. 2). The Mount Olympus DN/FONSI made the decision to grant an easement to the purchaser of the 5.75 acre parcel providing public access and limited trailhead parking. The Mount Olympus EA tiered to the analysis disclosed in the BST EA, “Potential effects of the trail and trailhead are outside the scope of this decision (Mt. Olympus), though are included in the effects analysis of the BST EA...” the analysis was therefore incorporated into the Mt. Olympus EA by reference (EA, pp. 3).

As stated on page 5 of the Mt Olympus Conveyance EA, “The purpose and need for the sale of the Mt. Olympus administrative site is to provide a portion of funding toward a new government-owned Salt Lake Ranger Office facility.” The need to construct a trail and trailhead as part of the BST is an integral part of the BST EA and as such, the potential impacts of the trail and trailhead to the various resources were analyzed in that EA, and were considered in making a decision on that proposal.

Appeal Issue 1a. “We do not consider it a minor adverse effect when the traffic in our residential area increases.”

Response: Both the BST EA and the Response to comments for the BST address the traffic issue, and both are tiered to in Mount Olympus conveyance document. The BST EA and the Response to Comments (BST Response to Comments, pp.40-41) document states:

It can be assumed that the BST is likely to receive high levels of visitor use. However, it is not likely that increased visitor use would have a measurable effect on traffic and transportation. This assumption is based on the premise that, as with the University of Utah section of the BST, the majority of users would come from neighborhoods located in close proximity to the trail, resulting in a no-net or minimal increase to local traffic and transportation.

Similar to the effects of traffic and transportation, parking may have some adverse effects, but overall they would be minor. The hotspot areas (Mill Creek, Big Cottonwood, and Little Cottonwood canyons and proposed Sandy City connections) would likely absorb most of the parking needs for the anticipated level of visitor use on the BST. Proposed access points in residential areas would primarily serve walk-in use from adjacent neighborhoods.

Appeal Issue 1b. “Vandalism and trash are not minor adverse effects.”

Response: In the Bonneville Shoreline Trail Environmental Assessment, *Private Property Impacts and Traffic, Transportation, and Parking* were issues identified to address vandalism,

trash, and other security concerns as a result of the parking lot and trail head. These issues were addressed in Chapter 3 Affected Environment and Environmental Consequences. The BST response (BST Response to Comments, pp. 35-36) to comments states:

Your issues have been addressed in the EA under Section 3.10. As many of you have noted, under the existing condition there are law enforcement concerns occurring now, these are recognized under the No Action Alternative. Recreational use of public lands in Salt Lake County is expected to rise regardless of whether additional designated trails are built or not. However, there is little evidence that increased use of designated trails increases law enforcement problems. Often the evidence shows that infractions decrease as use increases. As noted in the Northern Utah Bonneville Shoreline Trail Master Plan Appendix J: Bonneville Shoreline Trail (BST). Community Trail Myths:

"The problems we had along the foothills with 4X4 vehicles, gunfire, beer parties, campfires and transients have disappeared. The residents along the system are very pleased and have become users and advocates. On the Ogden River Parkway, the development of the trail system has virtually eliminated crime and unwanted behavior. Only one incident along the three-mile Parkway required a police report in the past twelve months." (Jay Hudson, Assistant to the Mayor, Ogden City February 1996)

The project record for the Mount Olympus Conveyance EA also contains a number of references stating that increased recreational use of trails does not increase crime that substantiates the findings in the BST (Published work, "Worried about Crime on the Eastern Trail?", John Andrews; Published work, "Omaha Recreational Trails: Their Effect on Property Values and Public Safety"; Published work, "Rail Trails and Safe Communities, The Experience on 372 Trails").

Appeal Issue 1c. "We especially do not consider it "no significant impact" when a fire burns down our homes and endangers our lives. The cumulative impacts ARE significant!"

Response: This issue was dismissed from analysis in the Mount Olympus EA because it was analyzed in the 2010 BST EA. The rationale for dismissing this issue was disclosed in the Mount Olympus EA and is described above (EA, pp. 7-8).

The concern as to the effects this trail/trailhead/parking area may have on wildfire, and suggestions that an increase of humans on a corridor such as this may increase the occurrence of human-caused fires are addressed in the BST EA and DN.

The BST EA does acknowledge that, "Research on trails, trail users, both managed and unmanaged, and their effects on fire ignitions and suppression is generally lacking" (BST EA, pp. 3-128). This EA goes on to state that, "It is likely that the greatest potential for increased fire ignition will continue to come as a result in the increase in population and growth of the overall use of these areas" (BST EA, pp. 3-128) "Recreation can affect the fire management program both positively and negatively." (BST EA, pp. 3-130). In summary, the BST EA states that the, "...Alternatives which include the most trail construction and use, may have the greatest potential to increase fire risk through an increase in human activity. However, these Action Alternatives may also have the greatest potential to decrease fire risk" (BST EA, pp. 3-132).

Based on the BST EA and DN, the issue was identified, effects were disclosed, and the information was utilized in the decision to create a trailhead/parking area (BST DN-FONSI, pp. 5).