
DECISION MEMO

Alpine Scenic Backway Hazardous Fuels Reduction

USDA – Forest Service
Uinta National Forest
Pleasant Grove Ranger District
Utah County, Utah

BACKGROUND

The Alpine Scenic Backway (SR92) attracts an estimated one million people each year. The topographic lay of the land through which the Alpine Scenic Backway is characterized as a steep V-shaped canyon. The section of highway above Sundance Resort gains 1,800 feet in elevation in about three miles. If a fire were to ignite anywhere in the lower section of the canyon, there is potential for fire to run up the canyon. Employees, residents, and visitors at or near the Sundance Resort, visitors to the BYU alumni camp (Aspen Grove), and forest users along the Alpine Scenic Backway have two routes available for evacuating the area in the event of a large fire, either south toward Provo Canyon or northwest toward American Fork Canyon. In a worst-case situation, fire would run uphill at a rapid rate, posing a safety hazard to forest users and residents trying to leave the area and firefighters trying to access the area.

Interspersed oak, maple and understory shrub and grass vegetation provides a continuous layer of fuel from the forest floor to the overstory tree canopy. Fire history information indicates that the conifer stands and other vegetation in and around the area at the higher elevations have not burned for nearly 150 years. This is not outside of the natural fire interval for the aspen/conifer vegetation. However, the understory vegetation of brush and shrubs is outside of natural conditions, primarily because of the suppression of fire.

Historically, oakbrush stands burned naturally every 35-60 years. Based on fire history data for oakbrush along the Wasatch Front, these stands have not burned in the last 100 years or more. It is estimated that two to three natural fire intervals have been missed in the oakbrush vegetation, primarily because of fire suppression. As a result, oakbrush has grown thick, old, and now provides a nearly continuous pathway for fire to travel. Understory herbaceous vegetation associated with the aspen and conifer vegetation is fairly continuous and would provide a ready fuel source if a fire were to be ignited in these stands.

The objectives of the proposal are to create a shaded fuel break along the highway corridor to slow down the progression of a wildfire, to facilitate the safe evacuation of visitors and residents in the event of a wildfire, and to allow the safe ingress/egress of firefighting personnel in the event of a wildfire.

The project area is generally located between points four miles north of Provo Canyon and four miles east of the mouth of American Fork Canyon. The legal description is Township 4 South, Range 2 East,

Section 24; Township 4 South, Range 3 East, Sections 6, 7, 8, 18 and 19, 20, 28, 29, 30, 32, and 33; Township 5 South, Range 3 East, Section 4, Salt Lake Base Meridian, Utah County, Utah.

DECISION

It is my decision to reduce accumulations of hazardous fuels along the Alpine Scenic Backway using the following activities:

Mechanically thin aspen, oak, maple and understory shrub and grass for a distance of up to 150-300 feet from the edge of the highway (where slope allows) in an undulating pattern. Trees and brush at or below six inches diameter breast height (DBH) will be cut, along with branches up to a height of eight feet on larger trees. Trees larger than six inches DBH may be removed only if they are dead, dying, or a hazard to work crews or the public.

Chip the cut vegetation and distribute the chips on the ground to provide organic material for soil protection to minimize erosion potential. Trees too large to be chipped will be cut, bucked into small pieces, and left on site.

Estimated acreage to be treated is expected not to exceed 300 acres. No roads will be constructed, and no sale of any removed materials will take place.

The project will also include the following mitigation and conservation measures, as well as all other applicable 2003 Uinta National Forest Land and Resource Management Plan standards and guidelines and other relevant direction:

1. Conduct no treatment/thinning activity on woody riparian species within buffer or identified Riparian Habitat Conservation Areas except thinning small encroaching conifer (<3" DBH) in the riparian zone between Mutual Dell and the South Fork Guard Station. No thinning should occur in these areas if it would cause disturbance to Threatened, Endangered or Sensitive species or would result in conditions exceeding Forest Plan guideline S&W-4 for groundcover.
2. Where possible, contour fall trees to reduce potential erosion.
3. Conduct only essential access and work in the stream area.
4. Keep equipment on the road or in turn-outs during the fuels treatment.
5. Place staging activities and material/equipment storage well away from streams.
6. Feather edges and create irregular shapes to avoid unnatural lines between cut areas and remaining vegetation.
7. Flush cut stumps within 100 feet of the road.

Because understory vegetation, such as oak brush, grows back relatively quickly, my decision includes authorization to conduct a follow-up mechanical thinning treatment within five years of completion of the initial treatment. Only a similar mechanical thinning of small-diameter woody vegetation within the project area boundaries is authorized for follow-up treatment unless further analysis is completed.

PUBLIC INVOLVEMENT

On May 9, 2003, a scoping letter was sent to potential interests for a hazardous fuel reduction project proposal covering an area from above Sundance Resort northwest to Timpooneke Campground. After further consideration, the area from Timpooneke Campground to the South Fork Guard Station was added to the project proposal and a new scoping letter was sent out on December 2, 2004. In addition, a request for comments on the proposed action was published in the *Provo Daily Herald* on December 9, 2004. An additional request for comments was published in the *Provo Daily Herald* on October 19, 2005. An announcement of this project was also published in the Summer 2003, Autumn 2003, Winter 2004, Spring 2004, Summer 2004, Autumn 2004, Winter 2004, Spring 2005, Summer 2005, Autumn 2005 editions of the *Schedule of Proposed Actions*.

In response to the solicitation and outreach, six comments were received. Issues identified during development of the proposed action and from public responses to scoping are addressed in the following section:

The South Fork of American Fork Creek has several important game fish species, including brown trout, brook trout, and rainbow trout. Removing vegetation too close to the stream may result in impaired water quality, loss of stream bank stability, and decreased cover and shading for fish.

No treatment will be conducted on woody riparian species within buffer or identified Riparian Habitat Conservation Areas except thinning small encroaching conifer (<3" DBH) in the riparian zone between Mutual Dell and the South Fork Guard Station. No thinning will be done in these areas if it could cause disturbance to Threatened, Endangered or Sensitive species or would result in conditions exceeding Forest Plan guideline S&W-4 for groundcover.

Because the project area lies within a popular big game hunting area, we recommend that treatments not be conducted during the 2005 general season deer and elk hunts.

The current schedule is to conduct this activity in the spring of 2006. We would not expect any disruption to big game hunting. The highway is used for access to surrounding areas, and we will manage traffic appropriately to minimize traffic disruptions.

Why doesn't this proposal consider the entire length of the exit route on Forest Service land?

The section of the Alpine Loop Scenic Backway proposed for hazardous fuel reduction under this project is the most narrow and windy section of the highway. Safety is a primary objective of this project. Reducing vegetation along this very narrow section will improve safety for the public and emergency personnel.

The disclosure and analysis should consider the effects of follow-up maintenance treatments.

Because understory vegetation, such as oak brush, grows back relatively quickly, the decision includes authorization to conduct a follow-up mechanical thinning treatment within five years of completion of the initial treatment. Only a similar mechanical thinning of small-diameter woody vegetation within the project area boundaries is authorized for follow-up treatment unless further analysis is completed.

The proposed treatments will involve impacts to Threatened, Endangered and Sensitive species and Management Indicator Species.

Biological evaluations and assessments and specialist reports were completed for Threatened, Endangered, Sensitive and Management Indicator Species. See paragraph (a) of the section “Categorically Excluding this Project” for a summary of effects analyses on Threatened, Endangered, and Forest Service Sensitive species. Biological evaluations also documented that this project would not affect the population trend or population viability of any species identified as Management Indicator Species on the Uinta National Forest.

The site-specific analysis must include an analysis of effects to migratory birds.

Site-specific analysis of potential project effects on migratory birds is found in the Wildlife Biologist Report and Biological Evaluation (project file). The wildlife biologist concluded that the proposed action would likely not affect population trend or population viability of any migratory bird species because 1) the spatial scale of the project is extremely small relative to the amount of similar habitat available across the Uinta National Forest, 2) the low intensity of the action (i.e., understory vegetation would be only thinned and habitat would not be lost or fragmented), and 3) the duration of the effect would be short because understory vegetation would grow back rapidly.

CONSISTENCY WITH LAW, FOREST SERVICE POLICY AND DIRECTION, AND THE UINTA NATIONAL FOREST LAND AND RESOURCE MANAGEMENT PLAN

The Alpine Scenic Backway Hazardous Fuels Reduction project is consistent with the 2003 Uinta National Forest Land and Resource Management Plan (2003 Forest Plan). The project area lies within the American Fork Management Area and the Lower Provo Management Area as identified in the Forest Plan. The management prescription for the project area is primarily 4.4 Dispersed Recreation along the highway corridor (Forest Plan, page 5-23). The Recreation Opportunity Spectrum designation for the area is Roaded Modified (Forest Plan, page 5-24), and the Visual Quality Objective is Retention (Forest Plan, page 5-25). The project will be conducted to minimize visual impacts. The activities may be slightly evident to the casual observer for one season.

There are no floodplains or wetlands within the project area, and none of these areas will be impacted. The project is consistent with the Clean Water Act.

This decision complies with the Endangered Species Act as well as policy direction on threatened and endangered species management established in sections 2670 and 2672.4 of the Forest Service Manual (FSM). A Biological Assessment (project file) was prepared in accordance with legal requirements set forth under Section 7 of the Endangered Species Act. The Biological Assessment was completed following direction in the Joint Counterpart Endangered Species Act Section 7 Consultation Regulations, which were published in the Federal Register on December 8, 2003 (Federal Register, pages 68254 to 68265). The Joint Counterpart Regulations apply to this decision because the proposed action is a fuels reduction project that supports the National Fire Plan. Under the Joint Counterpart Regulations, the Forest Service is not required to seek written concurrence from the U.S. Fish and Wildlife Service for National Fire Plan projects with biological determinations of “May Affect – Not

Likely to Adversely Affect.” A “May Affect – Not Likely to Adversely Affect” determination was made for Canada lynx for this project. Biological determinations for all other species listed under the Endangered Species Act were “No Effect.”

This decision complies with the Migratory Bird Treaty Act and Executive Order 13186, which provide for the protection of migratory birds. Executive Order 13186, *Responsibilities of Federal Agencies To Protect Migratory Birds*, and directs federal agencies to take certain actions to further implement the Migratory Bird Treaty Act. Under Executive Order 13186, federal agencies are directed to avoid or minimize adverse impacts on migratory bird resources, and ensure that environmental analyses of federal actions required by the National Environmental Policy Act evaluate the effects of actions and agency plans on migratory birds. Analysis of potential project impacts on migratory birds is found in the Wildlife Biologist Report and Biological Evaluation (project file). Implementation of this project may result in the unintentional take of migratory birds (nests and eggs), but the Forest Service will minimize, to the extent practicable, adverse impacts, and these potential impacts have been analyzed and documented in the Wildlife Biologist Report and Biological Evaluation.

Cultural resource investigation was conducted for this project. No historic properties will be affected by the project. The decision is consistent with the National Historic Preservation Act, the American Indian Religious Freedom Act, and the Native American Graves Protection and Repatriation Act.

In accordance with Executive Order 12898, this action will not result in any disproportionate impact to minority or low-income populations.

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

CATEGORICALLY EXCLUDING THIS PROJECT

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are listed within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 sections 31.b or 31.2, and there are no extraordinary circumstances related to the decision that may result in significant individual or cumulative environmental effects.

The proposed action conforms with the Healthy Forest Initiative and fits within the Forest Service Chief’s categories of actions that require a project or case file and a decision memo. That category is as follows (Forest Service Handbook 1909.15, Section 31.2, No. 10):

Hazardous fuels reduction activities using prescribed fire, not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching, and mowing, not to exceed 1,000 acres.

Hazardous fuel reduction activities using this category are limited to areas:

- 1) In the wildland-urban interface; or

- 2) Condition Classes 2 or 3 in Fire Regime Groups I, II, or III, outside the wildland-urban interface;
- 3) Shall be identified through a collaborative framework as described in “A Collaborative Approach for Reducing Wildland Fire Risks to Communities and Environment 10-Year Comprehensive Strategy Implementation Plan”;
- 4) Shall be conducted consistent with agency and Departmental procedures and applicable land and resource management plans;
- 5) Shall not be conducted in wilderness areas or impair the suitability of wilderness study areas for preservation as wilderness; and
- 6) Shall not include the use of herbicides or pesticides or construction of new permanent roads or other new permanent infrastructure; and may include the sale of vegetative material if the primary purpose of the activity is hazardous fuels reduction.

This project occurs in wildland-urban interface; was identified and approved by the Northern Utah Interagency Fuels Committee; is consistent with agency and Departmental procedures, and the 2003 Uinta National Forest Land and Resource Management Plan; is not in a wilderness nor will it impair the suitability of a wilderness study area for preservation as wilderness; and will not use herbicides or pesticides or construct new permanent roads or other new permanent infrastructure.

Forest Service Handbook 1909.15, Section 30.3 lists the following as “extraordinary circumstances”:

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 – The potential effects of the proposed action on species or critical habitat listed under the Endangered Species Act were reviewed and documented by a botanist, fisheries biologist, and wildlife biologist from the Uinta National Forest (Biological Assessment, project file). It was determined that the proposed action would have “*No Effect*” on the following species classified under the Endangered Species Act or their critical habitat: Ute ladies’-tresses (Threatened), Deseret milkvetch (Threatened), clay phacelia (Endangered), Utah valvata snail (Endangered), June sucker (Endangered), bald eagle (Threatened), and Western yellow-billed cuckoo (Candidate). The determination was “*May Affect – Not Likely to Adversely Affect*” (NLAA) for Canada lynx (Threatened).

Potential effects also were reviewed and documented for Forest Service sensitive species (separate plant, fish, and wildlife specialist reports; project file). It was determined that the proposed action would have “*No Impact*” on the following species classified as sensitive by the Intermountain Region of the Forest Service: dainty moonwort, Rockcress draba, Garrett bladderpod, Bonneville cutthroat trout, Colorado River cutthroat trout, Columbia spotted frog, peregrine falcon, greater sage-grouse, and fisher. It was determined that the proposed action “*May Impact Individuals or Habitat, but Will Not Likely Contribute to a Trend Towards Federal Listing or Loss of Viability to the Population or Species*” for the following species: Barneby woody aster, slender moonwort, Wasatch jamesia, northern goshawk, flammulated owl, American three-toed woodpecker, spotted bat, and Townsend’s big-eared bat.

b. Floodplains, wetlands, or municipal watersheds – The Forest Service has determined that this project will not adversely affect floodplains, wetlands or municipal watersheds. The project area does not include any floodplains, wetlands or municipal watersheds.



c. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas – The project area does not reside in, and the project will not have any direct, indirect or cumulative impacts on, wilderness, wilderness study areas, or national recreation areas. While there is no designation, a section of the South Fork of the American Fork River has been determined eligible for Wild and Scenic River designation. The section within the project area is eligible under the recreational classification. The Forest Plan states that vegetation management may be conducted along recreational wild and scenic river corridors if mitigation to protect the immediate river environment, water quality, scenic, fish, wildlife, and other values is employed. A small amount of fuel reduction treatment is planned along this section of the highway; however, the highway itself serves as a buffer. The treatment is on the westside of the highway and this section of the river section is on the eastside of the highway.

d. Inventoried roadless areas (IRAs) – The project area occurs in portions of two roadless areas—Mount Timpanogos Roadless Area (#0418032) and Mill Canyon Peak Roadless Area (#0418041). Effects to the roadless areas will be minor and short term because the spatial scale of the project is small and of low intensity, and the understory vegetation will grow back rapidly. All project activities will be conducted along the Alpine Scenic Backway corridor.

e. Research natural areas – The project area does not reside in, and the project will not have any direct, indirect or cumulative impacts on, any research natural areas.

f. American Indians and Alaska Native religious or cultural sites – Heritage resource inventories of the areas of potential effects for the Alpine Scenic Backway Hazardous Fuels Reduction project were completed in September 2004. No sites of any kind were found that may be affected by this project. As a result, no American Indians religious or cultural sites will be affected by the proposed fuel reduction project (See project file).

g. Archeological sites, or historic properties or areas – Heritage resource inventories of the areas of potential effects for the Alpine Scenic Backway Hazardous Fuels Reduction project were completed in September 2004. No sites of any kind were found that will be affected by this project. As a result, no historic properties (national register eligible sites) will be affected by the proposed fuel reduction project (See project file).

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.

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.

ADMINISTRATIVE REVIEW AND IMPLEMENTATION

Pursuant to *Earth Island Institute v. Ruthenbeck*, No. CIV F-03-386 JKS (E.D. Cal., October 19, 2005), 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 Peter W. Karp, 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.

If no appeals are received, this decision may be implemented no sooner than five days following the close of the appeal period. If an appeal is received, implementation may begin 15 days following the disposition of all appeals.

CONTACT PERSON

For further information about this decision or project, please contact Riva Duncan, Fuels Specialist, at the Uinta National Forest Supervisor's Office, 88 West 100 North, Provo, Utah, or by phone at (801) 342-5141.

/s/ Pamela J. Gardner

December 15, 2005

Pamela J. Gardner
District Ranger
Pleasant Grove Ranger District

Date

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