

## **Chapter 1 - Purpose and Need for Action**

### **1.1 Introduction**

This environmental assessment (EA) documents the analysis of effects associated with the proposed re-issuance of 20-year special use permits for 84 recreation residences located in Logan Canyon on the Wasatch-Cache National Forest and Logan Ranger District. The current permits for these summer homes will expire December 31, 2008. This EA is not a decision document, but is intended to disclose those impacts important in making a decision whether or not to reauthorize this recreation use under a new special use permit.

### **1.2 Background**

Recreation residences, sometimes referred to as summer homes, are an historic and well-recognized recreation experience for thousands of National Forest visitors. Recreation residences on National Forest System lands were first authorized in 1915 to encourage recreation in National Forests. These cabins are privately owned, but are set on National Forest System lands and thus require agency authorization for the occupancy and use. This authorization takes the form of a special use permit issued for each lot where a summer home is located.

Recreation use in the Logan area began in the early 1900s when the Forest Service took over management of the area. As access from the Cache Valley improved, recreation use also increased. The first special use permit for a summer residence in Logan Canyon was probably issued in the 1930s. Most of the cabins were constructed between 1940 and 1975. Construction of the developed recreation sites (such as campgrounds) also occurred during that time. By the 1960s, most of Logan Canyon was well developed with developed recreation sites and summer homes.

Generally, summer home groups are organized and administered as "tracts." Some tracts have a homeowner's association, elected representatives that work with the Forest Service on issues of community interest. In-lieu lots are sometimes used to relocate a summer home to a site more appropriate for the use. Five vacant, in-lieu lots have been designated in Logan Canyon, two in the Chokeycherry tract and three in the Birch Glen tract.

The 2003 Forest Land and Resource Management Plan for the Wasatch-Cache National Forest (Forest Plan) calls for the recreation residence program to continue and for the Forest Service to work in partnership with holders of these permits to maximize the recreational benefits. A host of requirements are a part of this use of the National Forest. For instance, summer homes must be used at least 15 days per year, but cannot be used as a principal residence. Operations and maintenance requirements for recreation residences are listed in the special use permit, the permit's Operations and Maintenance Plan and in the Wasatch-Cache Recreation Residence Administrative Guide. In addition, each special use permit requires that homeowners comply with all applicable laws, regulations, and ordinances of Federal, State, and local government.

### 1.2.1 Description of Project Area

The project area comprises twelve recreation residence tracts located on the Logan District of the Wasatch-Cache National Forests in Cache County, Utah. This area is situated in the Bear River Mountains located at an elevation of 4800 to 5800 feet and is a very popular recreation destination on the Forest. It is easily accessed from the city of Logan via Highway 89. This highway has been designated as a National Scenic Byway and is utilized by thousands of visitors using not only the amenities along the corridor, but also traveling this route as an artery to the Jackson Hole/Yellowstone area. With this designation, increasing numbers of travelers have been identified and measures taken to protect visual qualities, provide interpretive signing, and construct and maintain roadside facilities. Twelve sites along the Byway provide historic, cultural, and natural resource information to those traveling this scenic route.

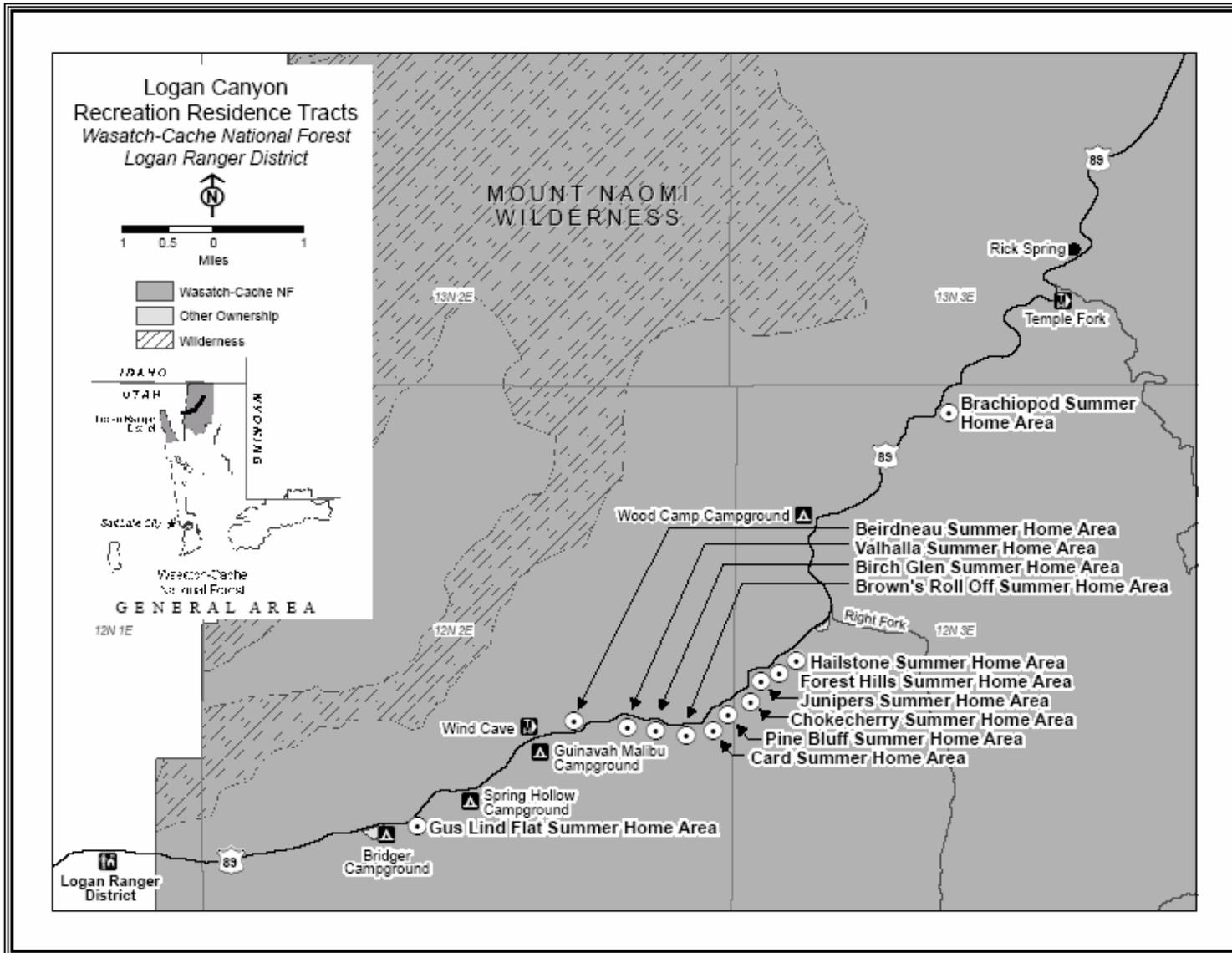
The Logan Canyon area consists primarily of the Logan River and its tributaries, rock canyon cliffs, riparian habitat with deciduous trees, oak/maple/grass on south facing slopes, mixed conifer on north facing slopes and developed recreation areas. The main drainages are the Logan River, Right Hand Fork, Temple Fork and several smaller creeks that flow into the Logan River.

Much of Logan Canyon is primarily managed as a developed recreation area with several campgrounds and picnic areas, fishing access, interpretive sites and several trails and trailheads. During summer months the lower Logan Canyon area is heavily used by visitors for such activities as hiking, biking, camping, picnicking, fishing, bird watching, etc. Winter activities in the recreation area include limited snowmobiling, snow play, cross country skiing, snow shoeing, and some hiking. Overnight public recreation use in Logan Canyon area primarily occurs at the developed campgrounds, with some dispersed camping, some backpacker use to the Mount Naomi Wilderness area, and by the recreation residence use.

There are 12 recreation resident tracts that have a total of 84 cabins. The tracts along this same corridor range from the Gus Lind tract, located about 3.5 miles from the Forest boundary near Logan to the Brachiopod tract, located about 13.6 miles from the Forest boundary. All of the tracts are located between the City of Logan and Temple Fork road along the Logan River. The general area of the recreation residence tracts in Logan Canyon includes portions of Township 12N, Range 2E, Sections 22, 23, 24, 27, 28 and Township 12N, Range 3E, Sections 5, 18, 19. See Figure 1.1 for the vicinity map.

For the purposes of this analysis, the project area for recreation residence tracts is defined as the sum total of the 84 residence lots, 5 in-lieu lots, 15 previously-identified lots within the tracts (but no longer useable due to shifts in the river channel) and the tract roads. This total is approximately 51 acres. The acreage figure does not include interior spaces which were never considered (and will not be considered in the future) as part of the recreation residence tract. The existing occupied recreation residence lots total about 37 acres. The road system for all tracts encompasses 3.3 total miles of road (equivalent to about 5 acres). Maps for the tracts are somewhat outdated, survey corner markers don't exist, and some permittees are believed to have improvements existing outside their original lot boundary. Table 1.1 shows the tract acreages and totals.

Figure 1.1 Vicinity Area Map



**Table 1.1 Tract Acreages**

<b>TRACT</b>	<b># of recreation residences</b>	<b>Acres in residence lots</b>	<b>Miles/Acres of road in tracts</b>	<b>Acres in tracts (including lots, roads, in-lieu lots and previous lots no longer useable)</b>
Gus Lind	5	3.1	.3/.44	5.2
Beirdneau	10	5.9	.53/.77	6.7
Valhalla	3	1.3	.15/.22	2.1
Birch Glen	22	8	.83/.1.2	10.3
Brown's Rolloff	12	4.5	.24/.35	4.9
Lower Card	5	1.7	.14/.20	2.1
Upper Card	6	2.8	.25/.36	4.2
Pine Bluffs	3	1.1	.1/.15	2.2
Chokecherry	12	6.7	.4/.58	10.9
Juniper	3	0.7	.13/.19	1.1
Hailstone	1	0.3	.1/.15	0.95
Brachiopod	2	0.5	.1/.15	0.65
Total	84	36.6	3.3 miles/ 4.7 acres	51.3

Most of the tracts are located close to riparian areas that are wet or damp, and this tends to minimize the threat of fire. To cooperate in efforts to minimize fire occurrence in the summer home tracts, a close relationship is maintained between county and local fire agencies and the Logan Ranger District.

The Forest Hills Tract will not be analyzed in this document. Recent direction has determined that it no longer qualifies as a recreation residence, but as a historic site, and as such is not within the scope of this analysis. Its disposition will be determined through a separate environmental analysis.

There are currently five in-lieu lots listed on the tract maps, three in the Birch Glen tract and two in the Chokecherry tract. In-lieu lots may be designated as alternative residence lots as needed, in accordance with regulations outlined in the Forest Service Manual and the Forest Plan.

### **1.2.2 Recreation Residence Improvements**

Homeowner-constructed features such as homes, decks, sheds, walkways, roads, driveways, patios, permanent grills, and water systems are a visible part of the surroundings. These “improvements” are authorized either in the special use permit for a given lot or, if they serve a community purpose, they are authorized in a permit issued to the tract association. In a few cases, improvements are located slightly beyond the boundaries of any lot, such as a spring development and water line. These are usually authorized in a permit to the summer homeowner, a group of adjacent homeowners, or to the tract association as an off-lot improvement. Individual lot driveways will be listed as improvements on individual lot permits.

Recreation residence holders have formed associations in all of the tracts. Some tract improvements are currently under a Tract Association Special Use Permit and some have not yet been put under permit (see List of Tract Improvements in Appendix F). Some of these tract improvements currently under tract association permits have no expiration dates or dates that may have expired. These tract improvements need to have new special use permits issued to them in the name of the applicable association. The goal is to have tract association permits for these improvements issued prior to 12/31/08. Expiration dates for tract association permits will coincide with the new dates for the recreation residence permits. The permits will include maintenance requirements for the improvements. Roads must have a road maintenance agreement. All of the improvements shown in Appendix F currently exist. No changes or expansions for them are being proposed.

Authorization for water, power, and phone service provided by outside sources to the recreation residence tracts is not addressed in this environmental analysis. Special use permits for these amenities are authorized in other environmental analyses. The Utah Power and Light Company has a special use permit with the Forest Service providing power for recreation residence tracts from Gus Lind to Right Hand Fork, covering all tracts except Brachiopod (which has no power). The Qwest phone company has a special use permit with the Forest Service and provides phone service to Beirdneau, Valhalla, Birch Glen, Brown’s Rolloff, Lower and Upper Card, Pine Bluffs, and Chokecherry recreation residence tracts. There is no phone service in Gus Lind, Juniper, Brachiopod, or Hailstone.

### **1.3 Proposed Action**

The Forest Service proposes to authorize continued recreation residence use of 84 summer homes in the Gus Lind, Beirdneau, Valhalla, Birch Glen, Brown’s Rolloff, Lower Card, Upper Card, Pine Bluffs, Chokecherry, Juniper, Brachiopod, and Hailstone Recreation Residence Tracts. The re-issuance of individual permits for each lot will depend on whether the holder is in compliance with the terms and conditions of their existing authorization. Those who are will be issued a new 20-year special use authorization expiring on December 31, 2028. In cases where the lot is not in compliance with permit requirements by December 31, 2008, but where the holder is making substantial efforts towards that end, a temporary permit will be issued. In this case, a one-year permit will be available to help the owner complete the work that is needed for full compliance (FSM 2721.23a, (9)). Assuming they are able to achieve compliance within that period, these permit holders will then be issued a permit for the remainder of the 20-year term.

No temporary permit will be issued to those holders who do not show due diligence in achieving compliance. In that scenario, the permit will expire on December 31, 2008 and the holder will be required to submit a plan for removal of all improvements from the site and restoration of the lot.

Over the past few years, homes in the above-listed tracts have been inspected and homeowners have been notified of instances where action is needed to make their use consistent with all terms and conditions of their special use permit and other requirements. The actions needed included such items as removing playground-type equipment and zip lines, restoring vegetation around cabins to natural vegetation, refraining from watering, and bringing tract water systems into compliance with county water department regulations. Much of this work has been completed or is underway. It is required that each homeowner be in compliance with all terms and conditions of their current special use permit before a new 20-year special use permit can be issued. Homeowners who fail to bring their use into compliance will be required to remove their recreation residence and all improvements from the National Forest and rehabilitate the site. The proposed action assumes all homeowners will comply.

Associations have been formed for all tracts. The proposed action would authorize new special use permits issued in the name of the applicable association that would cover the improvements assigned to associations for such things as tract roads, gates, bridges, and water systems. Tract association presidents would be responsible for ensuring that roads, bridges, gates and shared water systems are in compliance with terms and conditions outlined by the Forest Service before issuance of tract association permits.

The proposed action would also authorize individual improvements (such as lot driveways) and those improvements held in individual permits (such as the water system at Brachiopod). These improvements would be included in individual permits when they are re-issued.

The proposed action includes three of the five in-lieu lots as potential re-location sites for residents who may be displaced due to riparian/floodplain issues. Two of the in-lieu lots (both located in the Birch Glen tract) would not be available as in-lieu lots under the proposed action. They are located in areas that are wet through much of the spring and summer and would not be acceptable as recreation residence lots.

#### **1.4 Purpose and Need**

The purpose of the proposed action is to provide for continuation of recreation residence use within the existing tracts in Logan Canyon in accordance with the Forest Plan and applicable Forest Service direction. Recreation residences are identified under national policy as a valid use of NFS lands. It is agency policy to continue recreation residence use and to work in partnership with the holders of these permits to maximize the recreational benefits of these residences. The Cabin User Fee Fairness Act of 2000 directed the Forest Service "to ensure to the maximum extent practicable, that the NFS recreation residence program is managed to preserve the opportunity for individual and family-oriented recreation..." The National Environmental Policy Act of 1969, as amended, (NEPA) requires that an environmental analysis be conducted to determine the effects of continuing recreation residence use for another 20-year permit.

The needs for this action include the following:

- Addressing the fact that all existing permits for recreation residences for the Logan Canyon tracts area will expire on December 31, 2008.
- Updating permits to incorporate existing improvements which are consistent with Forest Service requirements and policy, but which have not been previously identified.
- Properly authorizing existing tract association improvements.
- Identifying additional requirements and mitigation measures which are needed to assure compliance with Forest Service policies and permit conditions.
- Designating lots within the existing Logan District tracts where recreation residences could be relocated in order to minimize environmental impacts.

#### **1.4.1 Wasatch-Cache Forest Plan Direction**

Much like a County land use plan, Forest Plans provide the fundamental framework for determining what uses of the land are appropriate in specific areas and outline management requirements across an entire National Forest. Management Prescription Categories (MPCs) provide the “zoning” in the Wasatch-Cache Forest Plan. Recreation residences in Logan Canyon are located in three MPCs. MPC 2.5 applies to tracts in the canyon corridor below Card Guard Station and along the Scenic Byway. The Beirdneau tract is also classified as MPC 2.5, Scenic Byway. This designation is managed to protect and maintain outstanding scenic qualities. Areas within 300 feet of streams fall within MPC 3.1A, where the emphasis is on watershed and aquatic habitat management. This would include all Logan tracts above Card Guard Station. In 3.1A areas, a primary goal is protection and restoration of proper hydrologic function of streams and adjacent riparian areas. Some of the lots in the tracts above Card Guard Station fall into the 2.7 MPC category. This is classified as a special interest area, managed to protect particular values or unique qualities of special interest.

Forestwide management direction also includes standards and guidelines that address recreation residences. They include the following:

- Allow no net increase in the number of recreation residences (S29).
- Recreation residence tracts (including those in Logan Canyon) will continue to be allocated as special use development areas (G82). As listed in the Forest Plan, they include: Beirdneau, Birch Glen, Brachiopod, Brown’s Roll-Off, Chokecherry, Gus Lind, Juniper, Lower Card, Upper Card, Pine Bluff, and Valhalla.

Forest Service policy in FSM 2347 and 2720, and FSH 2709.11, requires that recreation residence permit holders be in compliance with the Forest Plan and other applicable Forest Service requirements before they can be issued a new authorization when their current one expires. In order to assess current compliance, an interdisciplinary team of Forest Service resource specialists reviewed the Logan Canyon tracts and documented their findings in a Consistency Review. In it, they determined that the recreation residence tracts were consistent with the Forest Plan in areas pertaining to recreation, cultural resources, vegetation, wildlife, and transportation. In other areas, such as requirements for aquatics and riparian areas, the team found that actions could be reasonably taken to make recreation residence use consistent with the Forest Plan. Typical actions would include

measures to curb cutting and trimming of vegetation along the riverbank, prohibit use of sandbags along the riverbank, prohibit resident-created dams and berms in the streambed, reduce mowing and trimming of vegetation in riparian areas, removal of wood piles or fire pits in riparian areas, or reduction of parking spurs to one-per-lot.

While the Consistency Review was undertaken at the tract level, compliance for each individual recreation residence is required before a new permit can be issued. Those permit holders who do not undertake the actions necessary to bring their homes into compliance with the Forest Plan, the terms and conditions of their existing permit, and other applicable requirements may not be issued a new 20-year authorization. This may require homeowners to remove their home and all other improvements from the National Forest.

### **1.4.2 Wasatch-Cache Recreation Residence Administrative Guide**

Prior to 2006, the only specific guidance related to how recreation residences should be managed and administered was contained in the terms and conditions of the individual special use permits and a brief set of guidelines included in the prior, 1985 Forest Plan for the Wasatch-Cache National Forest (WCNF 1985). These did not contain adequate direction for what uses might be appropriate on summer home lots, establish limits for more urban types of improvements, include standards for environmental protection, nor include other measures that would have helped both homeowners and the Forest Service permit administrator. To address that need, in 2005 a draft Recreation Residence Administrative Guide was developed for the Wasatch-Cache National Forest and sent to homeowners for comment. Following review of comments and further editing, the final Administrative Guide was put into place in February 2006 and copies were again sent to all recreation residence permit holders. As this EA was being prepared, a revision to the Administrative Guide was completed (Wasatch-Cache NF 2008). Hereafter in this EA, the Administrative Guide referred to is this updated version.

The Administrative Guide describes the desired conditions for a typical lot, its cabin, structures, and other improvements. Major sections of the document include recreation residence use, permit administration, general recreation residence guidelines, construction and reconstruction, building style and design, general lot improvements and management; as well as exhibits for forms, non-compliance and historic properties. The 2008 revision incorporated mostly minor editorial changes. It also includes a section instituting more specific restrictions for those summer homes located near streams and riparian areas. These riparian protection measures are included in Chapter 3 of this EA as Table 1.

### **1.5 Decision to Be Made**

The decision to be made is whether or not to continue recreation residence use on the Logan Canyon tracts for another 20-year term. In addition, the decision includes consideration of whether to authorize, and in some cases amend the authorization, for a number of long-existing improvements in the twelve tracts. Brian Ferebee, Forest Supervisor, is the Forest Service official responsible for making these decisions.

## 1.6 Scoping and Public Involvement

Informally, recreation residence permit holders were apprised of the upcoming permit reissuance process beginning in 2003 in a number of letters sent to them regarding removal or modification of unauthorized improvements. Direct public contact began in April 2006, when a scoping letter was sent to agencies, organizations, recreation residence owners in Logan Canyon and members of the public who had previously expressed interest in being informed of actions or who were potentially affected by the proposed action. Further, the proposal for permit reissuance was listed in the July edition of the Forest's Schedule of Proposed Actions.

A total of five written responses to scoping were received. This included four letters from summer home permittees stating their desires to comply with permit reissuance requirements, and a letter from a local environmental organization. A complete list of comments received during the 2006 scoping period is included in the project record. Content analysis on scoping comments produced issues relevant to this analysis, as listed below.

A preliminary Environmental Assessment was made available on August 10, 2007 to all current recreation residence permittees and other entities that had responded to scoping. Seven letters were received during the 30-day comment period. Individual comments and the Forest Service response for each can be found in Appendix B.

### 1.6.1 Issues

The Interdisciplinary Team developed a list of issues based on comments received during public scoping. Concerns raised by team members were also discussed and added to the issues list. The ID Team then examined the list to determine if the issues identified were driving issues that will be analyzed in Chapter 3, "Affected Environment and Environmental Consequences". Issues were considered non-driving if they were: 1) outside the scope of the proposed action; 2) conjectural; or 3) already resolved by law, policy, or regulation. In addition, comments about homeowner's compliance with the terms and conditions of their existing permits were considered non-driving issues that could be resolved administratively. The issues that are the subject of an in-depth analysis include the following and address the questions of how continued recreation use, including existing tract improvements and the availability of in-lieu lots, would impact the resource areas below.

#### Fish and Wildlife

- What will be the effect of continued recreation residence use on aquatic life, including threatened, endangered, and Forest Service sensitive species, such as the Bonneville Cutthroat trout? As a component of the aquatic ecosystem, how will continued summer home use affect Riparian Habitat Conservation Areas?
- How will continued recreation residence use affect wildlife, including threatened, endangered, and Forest Service sensitive species? What will be the impact to migratory bird species and Forest Service management indicator species?

### Vegetation

- How will continued recreation residence use affect vegetation, including threatened, endangered, and Forest Service sensitive plant species?
- To what extent will continued recreation residence use affect the spread of noxious and non-native invasive plant species?

### Soil and Water

- How will continued recreation residence use affect water quality and quantity? What will be the effects on stream, floodplains, and wetland function?
- To what extent will continued recreation residence use affect soils, including the effects of bare soil conditions created by vehicle and pedestrian traffic within each tract?

### Recreation, Wilderness, Scenery, and Historic Resources

- How will visual resources in Logan Canyon (Scenic Byway Corridor) be affected by continued recreation residence use?
- How will continued recreation residence use affect access and the recreation experience and safety for other visitors to Logan Canyon?
- What will be the effect on recreation residences and other improvements that are eligible for National Register of Historic Places, including those that are located in riparian areas?

### In-Lieu Lot Availability and Effects

- Should the five in-lieu lots identified on the tract maps in the Logan River corridor remain available for use by permittees who may need to move their residences out of riparian areas due to high water or flooding? And if so, what would be the environmental effects of such use?

## **1.6.2 Issues Dismissed**

The following issues were raised initially but dismissed from the list of driving issues because they were either: 1) outside the scope of the proposed action; 2) conjectural; or 3) already resolved by law, policy, or regulation. The rationale is given below.

- 1. Issue: Will recreation residence permit holders be in compliance with State and local government requirements for water use and stream and spring diversions?**

Rationale: Permit holders are currently in compliance with State and Local government requirements and it is fully expected compliance with these requirements will continue. It is not foreseen there will be any issue with this in the future, since recreation residence use will not be expanded beyond current occupancy. Any requests for changes to water systems would need to be in compliance with State and local government requirements for water use.

**2. Issue: What is the need for fire hazard reduction, particularly in riparian vegetation zones?**

Rationale: The vegetation within and immediately adjacent to recreation residence tracts is primarily riparian, mostly consisting of riparian hardwood trees such as box elder, cottonwood, and willows. Fire hazard is dependant upon the location of resources at risk from wildfire relative to the likelihood of suppressing fire in a timely manner. In this particular area, the fire hazard of the recreation residences is fairly low due to the proximity to water and water-loving riparian vegetation. These water loving plants are less likely to burn than plants found in other drier regimes.

Therefore, in this habitat, Riparian Management Objectives (RMOs) that keep and restore natural riparian vegetation will allow for fire protection without the need for further fire hazard reduction (such as presented in the “fire-wise” publications). Many of the “fire wise” type publications are generic to all forest areas, and do not take into consideration the unique attributes of a riparian vegetation type.

In the Forest Plan, Riparian Habitat Conservation Areas (RHCAs) were established to help maintain the integrity of aquatic ecosystems. The Plan states that Riparian Management Objectives (RMOs) should be identified on a site-by-site basis for the RHCAs. The RMO’s for recreational residence tracts, associated off-lot improvements and the areas adjacent to access routes to these tracts were established through discussions with forest staff. The primary objective is to maximize vegetative cover in the RHCA and along the stream channel, while at the same time allow for access of emergency vehicles and reduce occurrence of wild land fires that could threaten public safety and property. After consultation with ID team members, and a follow-up consensus by the Forest Leadership Team, a riparian management objectives table was derived (see Appendix D), indicating the allowable activities appropriate in these RHCAs.