

Final Environmental Assessment

Mapleton Bench Land Disposal

**Involving Lands Owned by the
Utah Division of Wildlife Resources**

Mapleton, Utah County, Utah

Decision Relating
to Federal Assistance Grant
#W-10-L

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Prepared by

Utah Division of Wildlife Resources

and the

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CHAPTER ONE

PURPOSE AND NEED FOR ACTION

The purpose of this proposed action is to dispose of 3.8 acres of the Mapleton Bench Unit of the Hobble Creek Wildlife Management Area (WMA) located near southeastern Mapleton in Utah County. The need for the proposed action is that the parcel no longer serves the purpose of providing habitat for big game nor hunting opportunities for Utah hunters. The 3.8 acres of the WMA is located directly adjacent to a housing development. In early April, 2007 a developer illegally trespassed on the parcel and began unauthorized earthwork on the site. The earthwork removed all vegetation on the site and completely recontoured the site to create a detention basin for flooding events. As a result of the actions by the developer and the ongoing housing growth surrounding the WMA, the Utah Division of Wildlife Resources (DWR) proposes to dispose of the parcel.

BACKGROUND

In 1942 the DWR purchased a 124.17-acre parcel from Beneficial Life Insurance Company for \$360 and the deed was recorded with Utah County on January 31, 1942. The tract is known as the Mapleton Bench Unit of the Hobble Creek Wildlife Management Area and contains the affected lands on Mapleton Bench. The property was acquired with Federal Assistance funds through Wildlife Restoration grant W-10-L, titled Springville Game Winter Range to provide winter range for big game species and hunting opportunities.

In April of 2007, DWR became aware of illegal trespass by a developer who was constructing a retention basin on the WMA. The developer's construction effort focused on creation of a stormwater detention / debris settling basin for residential estates being developed on private land bordering the DWR tract. The developer had made application to construct the stormwater detention basin with DWR, and pursued the appropriate communications supporting approval, but no authorization had been granted for the construction at the time the earthwork took place. The DWR issued a "cease and desist" letter (Exhibit A) to the developer, after which, no further earthwork occurred on DWR land. Also, refer to the photographic description of damage to the DWR property, presented as Exhibit B.

After viewing the site, the DWR concluded that the wildlife values of the impacted lands were destroyed beyond any feasible means of recovery; vegetation was removed, or deeply buried, and soil was compacted by the heavy equipment used in the construction. The DWR determined the actions severely damaged the wildlife resources and were no longer useful for wildlife purposes.

The DWR has also determined that the land no longer serves the purpose for which it was acquired and is requesting approval from the U.S. Fish and Wildlife Service, Federal Assistance office to dispose of the land. The land disposal constitutes a federal action subject to the provisions of the National Environmental Policy Act of 1969, as amended. This requires the Service to prepare an Environmental Assessment to analyze the effects on the human

environment and to document the findings. The Service will use this Environmental Assessment to determine if the proposed action is likely to result in significant impacts to the environment. If it is determined that none are likely, the Service will issue a Finding of No Significant Impact (FONSI). If it is determined, conversely, that significant impacts might occur, the Service would be required to prepare an Environmental Impact Statement.

CHAPTER TWO

ALTERNATIVES

Proposed Action

The Proposed Action is to sell the 3.831-acre property on the basis of appraised value. Revenue would be treated as program income. The revenue from the sale of the parcel would be credited to DWR's current Wildlife Restoration Act grant #W-65-M for use in other wildlife management projects.

This process of disposal would proceed on the basis of appraised value determined by a professional appraiser supplying a complete, self-contained appraisal report complying with the provisions of both the *Uniform Appraisal Standards for Federal Land Acquisitions* and the *Uniform Standards of Professional Appraisal Practice*. The appraisal report would be reviewed by an independent review appraiser. Once the original appraiser and the reviewer reached concurrence on the appraised value, the Service would issue a grant amendment allowing DWR to sell the parcel based on that established value.

No Action

No Action would consist of not selling the 3.831-acre tract, the parcel would remain damaged and would provide no habitat resources to wildlife and no hunting opportunity for the public.

Alternative Considered but Dismissed from Further Analysis

One alternative initially considered was to require the developer to restore the wildlife habitat impacted during construction of the detention basin. While on-site remediation would be possible, it would be technically complicated from a vegetation restoration standpoint, given the degree of habitat damage, required earthwork, necessary importation and maintenance of topsoils, and the continued housing growth in the area.

This also recognizes a broader pattern of shifting land use presently occurring in the vicinity and it is expected the ongoing residential development around Mapleton and on surrounding benchlands to increase. Human population growth along the Wasatch Front generates an expanding demand for living space, and the formerly rural lands located near towns receive an intense focus for residential conversion. Such is happening now in the Mapleton area.

Former pastures, grazing lands, and small grain or alfalfa fields are being converted from

isolated rural buffers between town and the bordering foothills into fully developed residential communities. These developments generate a level of human-related disturbance which can severely diminish the ecological values of surrounding wildlife habitats.

Given the degree of human disturbance in the surrounding land parcels, and the fact that this disturbance would impair any habitat values which could be restored successfully on the Mapleton Bench tract, it is not viewed as desirable to direct the investment toward restoration because recovered wildlife values would be subject to immediate, and mounting, disturbance threats.

CHAPTER THREE

AFFECTED ENVIRONMENT

Physical Resources

The property segment proposed for sale is that portion of the DWR property which occurs below Mapleton City's CE-1 zoning line, which correlates closely with the beginning of the steeper hillside. As a result the developer constructed the detention basin on the only flat surface that occurs on the DWR property. The remainder of DWR's Mapleton Bench Unit is all a steeper hillface.

The proposed disposal segment begins at a point which is South 1° 43' 31" East along the Section line 1347.78 feet and West 816.87 feet from the Northeast corner of Section 23, Township 8 South, Range 3 East, Salt Lake Base and Meridian; thence South 43° 46' 26" West along the CE-1 Zone boundary line 643.56 feet; thence South 8° 34' 31" West along said boundary line 538.13 feet; thence North 0° 46' 44" West 989.71 feet; thence North 89° 14' 4" East 538.97 feet to the point of beginning, for a total area of 3.831 acres.

Air Quality

The affected portion of Utah County in which this land occurs is a designated U.S. Environmental Protection Agency (U.S. EPA) "non-attainment area." There are no other measured pollutant categories for which this area fails to attain the U.S. EPA standards. This pollution is typically attributed to fossil fuel exhaust from motor vehicles, industrial activity, space heating, etc.

Water

The property occurs in the Spanish Fork River drainage, and is a dry foothill without perennial streams or surface waters on or adjacent to it.

Biological Resources

Vegetation

The 3.831 acres were covered predominately by cheatgrass and annual sunflowers prior to the construction event, with a few scattered sagebrush plants still persisting in one portion on the north boundary. Currently vegetation is absent from the proposed parcel.

Wildlife

Big game and migratory birds historically used the property. Big game values of the tract had been reduced by conversion over time from sagebrush and native grasses to a predominately cheatgrass-dominated community prior to the construction events.

Fish and Other Aquatic Species

There are no fish or other aquatic species present on or near the site in question.

Endangered, Threatened, or Candidate Species / State Sensitive Species

The following species list was current on August 27, 2007 and shows all Candidate, Threatened, or Endangered species which may have once or may still occur in Utah County, Utah. Of these species, only the yellow-billed cuckoo has any habitat near the subject sale parcel. The Utah Natural Heritage program shows one occurrence of a yellow-billed cuckoo found dead in the town of Mapleton.

Utah County

Common Name	Scientific Name	Status
Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	T
Deseret Milkvetch	<i>Astragalus desereticus</i>	T
Clay Phacelia	<i>Phacelia argillacea</i>	E
Utah Valvata Snail - Historically	<i>Valvata utahensis</i>	E Extirpated
June Sucker	<i>Chasmistes liorus</i>	E
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	C
Brown (Grizzly) Bear - Historically	<i>Ursus arctos</i>	T Extirpated
Canada Lynx - Possibly	<i>Lynx canadensis</i>	T

Historical and Cultural Resources

Normally, a cultural resources survey would have been implemented in the area proposed for sale prior to taking any disposal action. In this instance however, any cultural resources would have been obliterated by the construction event. For this reason it is not known whether any cultural resources occurred on the tract. No historic structures occurred on the site.

Prime and Unique Farmland

No prime or unique farmlands are affected in this action. The DWR land was classified in a land-use database as “dry pasture,” prior to the DWR’s acquisition of the property in the early

1940s for big game winter habitat purposes.

CHAPTER FOUR

ENVIRONMENTAL CONSEQUENCES

Proposed Action

Physical Resources

Air Quality

The proposed action would not have any measurable effect on air quality in the area, nor is any particular mechanism of air-quality impact apparent, in connection with the sale of the land.

Water

The detention basin constructed on the DWR tract would presumably serve to reduce sediment output, to some extent, from upstream housing developments so that downstream water courses would not be impacted from stormwater runoff events. It is unlikely that any measurable effect on water quality would result from selling the land, therefore, as it would remain in service as a debris-settling basin.

Biological Resources

Vegetation

The vegetation was effectively removed during the unauthorized construction of the detention basin, so selling the tract would not affect any vegetation.

Wildlife

Wildlife use of the property essentially ended with the construction event, so that selling the tract would have no further impact on wildlife use of the land. Wildlife was previously impacted by the ongoing housing development occurring adjacent to the parcel.

Fish and other Aquatic Species

No fish or other aquatic species are found on the property, therefore no impacts to aquatic species will occur.

Endangered, Threatened, or Candidate Species / State Sensitive Species

No listed species are found on the site and the site does not provide any habitat needs for listed

species. Yellow-billed cuckoo a candidate species, may be found using shrubby areas for feeding and resting during migration. The sale of the parcel would not have any effect on the listed species, including the cuckoo.

Historical and Cultural Resources

No historic structures occur on site, thus no effects on historical or cultural resources are predicted to result from the proposed action.

No Action

The No Action alternative would not change current management activities on the UDWR tract. Present conditions would generally continue. The detention basin would remain in place, and there would be no measurable values gained for wildlife. Wildlife use across the area would continue to be lessened by general patterns of human disturbance and suburban encroachment. With no sale, there would be no financial revenue to enable reinvestment in other wildlife projects, and the property infringement would remain an unresolved issue between DWR and the Service. As a result, the No Action Alternative would fail to meet the purpose and need.

Cumulative Impacts

No cumulative effects on wildlife are expected from the sale of this tract, as the tract has already been lost in all practical regards as wildlife habitat. It is apparent, however, that cumulative effects related to suburban encroachment are impacting wildlife habitats in the general area, including other Wildlife Restoration Program-funded land purchases.

While beyond the scope of the present analysis or proposed action to remedy such impacts, the impacts of population growth and land development beyond the control of DWR are contributing to a reduction in wildlife values of the wider Mapleton Bench area.

Public Comment Summary

A notice of the availability of the draft EA for public comment was issued in a statewide news release wire for Utah newspapers. The draft EA was also available online at <http://mountain-prairie.fws.gov/federalassistance> website. The review period ran from January 22, 2008, to February 6, 2008. Two comments on the draft EA were received during the comment period and are addressed under the Public Comment Response Section.

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