

DRAFT ENVIRONMENTAL ASSESSMENT

MILLVILLE FACE PARCEL DISPOSAL, TRADE FOR HARDWARE RANCH PARCEL

July 16, 2015

**Wildlife and Sport Fish Restoration, U.S. Fish and Wildlife
Service Amendment Proposal W-12-L-17**

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CHAPTER 1: PURPOSE AND NEED

Introduction

The State of Utah, Department of Natural Resources, Division of Wildlife Resources (UDWR) is seeking approval from the U.S. Fish and Wildlife Service (Service), Wildlife and Sport Fish Restoration Program (WSFR) to dispose of a 1.45-acre parcel of the Millville Face Wildlife Management Area in Cache County, Utah, in a trade to acquire a 40-acre private parcel interior to (surrounded on three sides by) the Hardware Ranch Wildlife Management Area (WMA) in Cache County, Utah.

The Service's approval of the disposal would constitute a federal action subject to the provisions of the National Environmental Policy Act of 1969 (NEPA). The Service therefore required an Environmental Assessment (EA) to analyze the effects on the human environment and document the findings. The Service will use the draft EA and associated public review process to determine if the proposed action is likely to result in significant impacts to the human environment. If no significant adverse impacts are described, the Service can issue a Finding of No Significant Impact (FONSI). If significant impacts might occur, the Service would be required to prepare an Environmental Impact Statement (EIS) to assess the impacts before it could approve the action.

Purpose and Need

Project Purpose

The purpose of the proposed project is to dispose of a small piece of land that has limited usefulness for wildlife or for recreational activities, in exchange for acquisition of a larger parcel that would add greatly to the Hardware Ranch WMA. After disposal of the Millville Face parcel, the landowner will manage it along with his home property, and also it will continue to be used under a pre-existing easement by an irrigation company.

Need for Action

The disposal project is needed to facilitate acquisition of the 40-acre parcel of land interior to (surrounded on three sides by) the Hardware Ranch WMA. The current landowner of the Hardware Ranch parcel lives adjacent to the Millville Face parcel, and prefers to include the trade of the Millville Face parcel as part of the consideration UDWR will pay for the Hardware Ranch parcel, rather than just accept money. Since he controls the main access to the Millville Face Property via his private driveway, he would like to gain control over the parcel of land so that he can better manage it.

Proposed Action

The Proposed Action would authorize a trade of a 1.45-acre parcel of the Millville Face WMA as partial consideration for acquisition of 40-acre parcel at Hardware Ranch WMA.

Study Area

The study area is the Millville Face parcel which is located approximately three (3) miles east of Hyrum, in Cache County, Utah. See Figure 1 – Project Location Area.

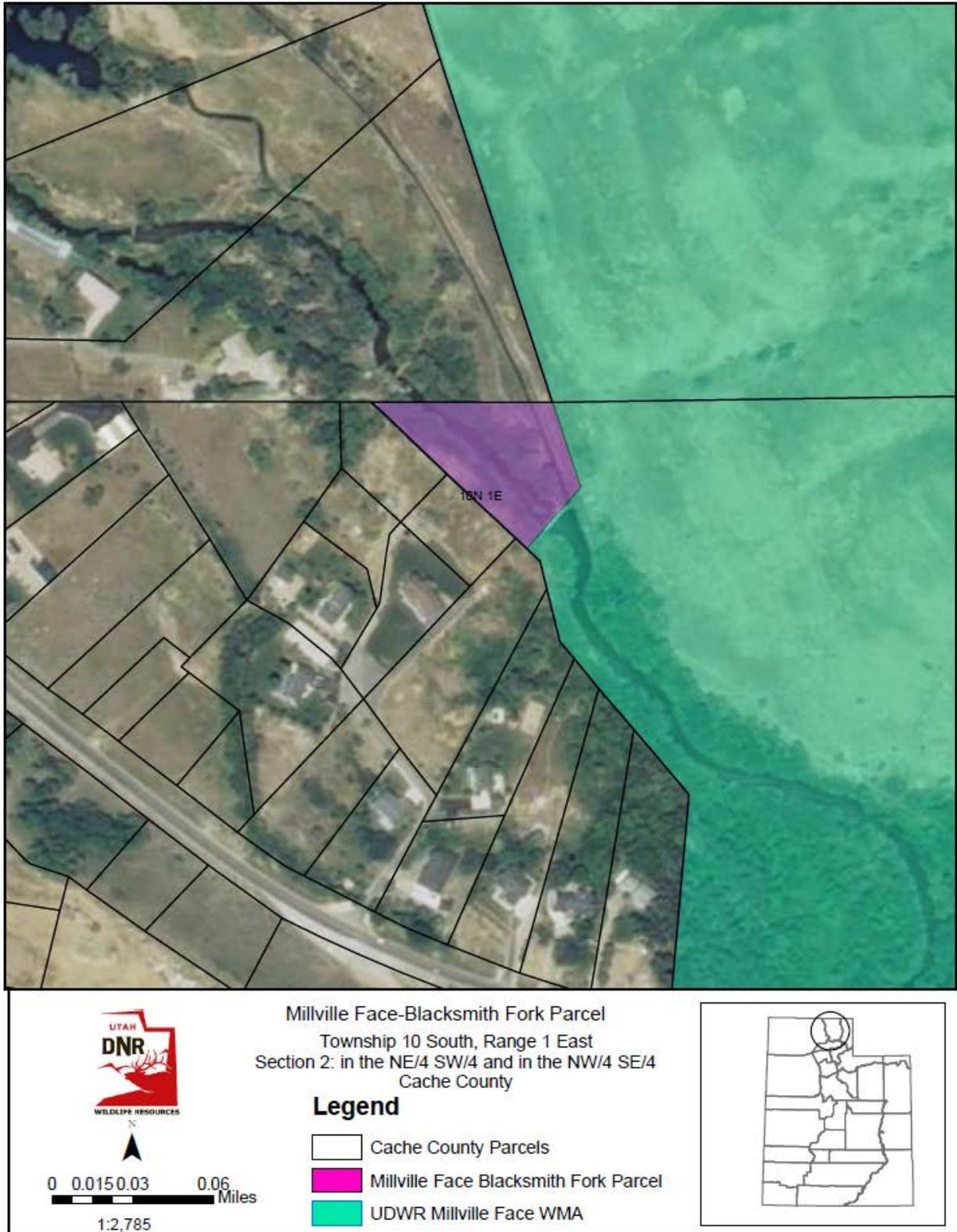


Figure 1. Project Location Study Area

Project Background

The Millville Face proposed disposal parcel is located approximately three miles east of Hyrum in Cache County, Utah, in Section 2, Township 10 South, Range 1 East, Salt Lake Base & Meridian. UDWR acquired the affected Millville Face property in 1972 from Utah Power and Light under the name “Millville Big Game Management Area” through grant #W-12-L-8, to enhance big game winter range. It was acquired using U.S. Fish and Wildlife Service funds at the rate of 75% federal investment. The WMA is managed for game animals and other wildlife.

The parcel proposed for disposal is a small piece of the Millville Face WMA that spans the Blacksmith Fork River. The 1.45-acre parcel was fenced out of the larger WMA due to topographic constraints and to leave the river section available for angling. Since that time, private homes have been built up to the edge of the 1.45-acre parcel. The parcel is surrounded on the southwest and north by private property, where there is no public access, and is bounded on the remaining sides to the southeast and northeast by a deer fence and the larger area of the Millville Face WMA.

Access to the property for angling has been very limited due to the deer fence on the east side, and private property on the north and southwest sides. Some anglers may access the Blacksmith Fork river section that passes through the property; they do so by making their way through a hole in the deer fence from the larger area of the WMA, or by trespassing on private property from the west side of the river. The more frequently utilized stretch of the river for angling is upstream of the 1.45-acre parcel. This would also be accessed from the WMA, and the area is more open and overlooks the widened river above a diversion dam. UDWR would retain that area.

An irrigation company holds a pre-existing easement for a diversion dam on the 1.45-acre Millville property, and much of the property is utilized for the irrigation company activities including presence of and maintenance of the diversion dam, the canal/pipeline, and the access road (See Figures 2, 3 and 4). During the farming season much of the river’s flow is diverted into a canal for delivery to water shareholders for agriculture.



Figure 2. View looking down the canal on east side of Millville parcel.



Figure 3. View of upstream side of diversion dam and irrigation outflow equipment.



Figure 4. View of access road looking toward the diversion system

The UDWR Regional Supervisor, Regional Wildlife Biologist, Habitat Manager, and Aquatics Biologists analyzed the proposed project and determined that disposal of the Millville Face 1.45-acre property would have little or no impact on public recreation or on UDWR's management of the remainder of Millville Face WMA, because the property is outside the deer fence and has not been actively managed since the fence was installed. UDWR determined that the public interests and wildlife values would be unaffected by the disposal of this parcel and loss of the federal interest in the property. If the parcel is used as consideration for acquisition of the Hardware Ranch 40-acre parcel, the federal interest will be transferred to that property.

The Hardware Ranch property acquisition has been a very high priority for UDWR, in order to reduce livestock grazing and to eliminate potential residential or commercial development on the property. If the parcel were sold to other private buyers, there would be a high likelihood of development as cabin properties or other residential or recreational use. The parcel is surrounded on three sides by the

Hardware Ranch WMA, and gates and fences separate the parcel from the WMA. UDWR believes that trading the Millville Face parcel as partial consideration for the Hardware Ranch parcel will be a beneficial trade.

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CHAPTER 2: ALTERNATIVES

Introduction

This chapter discusses the No-action Alternative, the Proposed Action Alternative, and other Alternatives considered.

The No-Action Alternative

Under the No-Action Alternative, UDWR would retain the 1.45-acre parcel near Hyrum, and would not acquire the 40-acre parcel near Hardware Ranch, and no WSFR grant amendment would be needed. The alternative of not disposing of the 1.45-acre parcel in a trade for 40 acres at Hardware Ranch would scuttle the plan to acquire the Hardware Ranch parcel. Since the landowner does not accept this as an alternative, UDWR would likely be unable to complete the transaction. The landowner would then potentially sell the Hardware Ranch parcel to another private buyer, and UDWR would forfeit the opportunity to include the Hardware Ranch parcel in the larger WMA with all the benefits that would convey. Under this alternative, UDWR would retain the 1.45-acre parcel, and the use of that parcel would remain the same. UDWR would still be responsible for managing this small, isolated piece of land outside the deer fence. Limited angling opportunity would still be present, but would not be favorable and therefore would not contribute greatly to the benefits of owning the parcel.

Purpose and Need Compliance

The No-Action Alternative does not meet the purpose and need of the project because it would:

- not enable acquisition of the Hardware Ranch parcel
- retain the 1.45 -acre parcel near Hyrum that has very limited wildlife use or angler use
- continue to require UDWR to manage the 1.45-acre parcel

The No-action Alternative fails to meet the Purpose and Need for the project.

Proposed Action Alternative

The Proposed Action Alternative would involve disposal of 1.45-acres of Millville Face WMA, and transfer of the federal interest to a new acquisition at Hardware Ranch. The Proposed Action Alternative would include:

- Trade the 1.45-acre parcel as partial consideration for the 40-acre parcel near Hardware Ranch WMA.
- Transfer the federal interest from the Millville Face 1.45-acre parcel to the 40-acre Hardware Ranch parcel.
- Manage the Hardware Ranch parcel with the surrounding Hardware Ranch WMA for wildlife habitat and public recreation.

- Eliminate UDWR responsibility for managing the 1.45-acre parcel that has very limited angling access or use.
- Allow the landowner to take on the responsibility for management of the 1.45-acre parcel.

Purpose and Need Compliance

The Proposed Action Alternative would meet the Purpose and Need for the project because it would facilitate acquisition of the Hardware Ranch parcel that UDWR wants to include in the overall wildlife management of Hardware Ranch WMA, and would dispose of a small parcel that has very limited wildlife benefit or use by anglers, and that is difficult to manage.

Other Alternatives Considered and Dismissed

One other alternative considered was to retain the Millville Face parcel, and just pay money for the Hardware Ranch parcel. The landowner determined that inclusion of the Millville parcel in a trade was the preferred method of transaction for his side. UDWR, upon studying the situation, determined that including the Millville Face parcel in a trade would be a benefit to UDWR in that the Millville parcel was no longer serving the purpose of providing wildlife habitat, or incidental angler access. As a result, UDWR decided that not trading the Millville parcel was not a viable alternative, and this alternative was dismissed.

CHAPTER 3: AFFECTED ENVIRONMENT

Introduction

The purpose of this chapter is to describe the existing conditions of the human and natural environment within the study area. The study area for this analysis was the 1.45-acre Millville Face parcel subject to disposal.

Affected Environment

Existing conditions were identified based on field investigations, coordination with federal, state, and local agencies, and literature and data file searches.

The scoping process identified the following resource topics of concern:

- Biological Resources
- Wetland Resources
- Cultural Resources
- Recreation
- Visual Resources

Resources Not Addressed in the Environmental Assessment

Resources not addressed in this EA include resources that are not present in the study area and/or would not be impacted by the Proposed Action. The resources considered for inclusion but eliminated from further analysis based on a no impact determination include:

- Soils – There will be no alterations to the soils in the project area; the presence of the river, including the potential for seasonal flooding, and the irrigation company infrastructures preclude any changes to the soil surface.
- Prime, Unique, and Statewide Important Farmland –The Natural Resource Conservation Service (NRCS) soils report for the project area showed 27% “rough, broken land” in the area east of the river to the deer fence boundary, reflecting the ground disturbance due to the irrigation company infrastructure. Forty-one percent of the parcel was indicated as “steed gravelly loam, 0 to 3 percent slopes” typical of abandoned riverine deposits, primarily in the area west of the river and to the boundary of the private properties. The project area does not include any land that is currently being used for agricultural production. No prime, unique, or statewide important farmlands were identified in the project area.
- Floodplains –The Proposed Action Alternative would not alter or impair the floodplain associated with Blacksmith Fork. The irrigation company would continue diverting most or all of the river into the canal during the irrigation season. The diversion dam would continue to have minimal effect on seasonal floods due to its low height.
- Wild and Scenic Rivers – There are no designated Wild and Scenic Rivers in the project area.

- Wilderness – There are no proposed wilderness areas in the project area, thus the Proposed Action would not disturb lands that are protected now or proposed for protection under the Wilderness Act of 1964, nor would the project introduce any additional lands for consideration as wilderness.
- Climate Change –The Proposed Action would not contribute to climate change, nor would it create vulnerability to climate impacts. Implementation of the Proposed Action will be consistent with Executive Order 13514 Federal Leadership in Environmental, Energy, and Economic Performance.
- Air Quality –The project area is either in or very near the Logan PM2.5 nonattainment area under the Clean Air Act criteria pollutants. The Proposed Action Alternative would not cause any violations of or contribute substantially to a violation of any ambient air quality standard. There will be no change in the use of the property as a result of the Proposed Action. Therefore, there will be no resultant air quality issues further contributing to the nonattainment status.
- Hazardous Waste – A search of the Utah Department of Environmental Quality’s (UDEQ) Division of Environmental Response and Remediation (DERR) interactive map did not identify any hazardous material sites in the project area. Further, due to its remote location, previous usage, and its designation as a wildlife management area, there is a low probability of encountering hazardous waste in the project area. Broken cement pieces were found partially buried near the irrigation canal works, likely deposited by repair of portions of the cement canal in 1986.
- Energy –No energy resources exist in the project area, and there will be no changes resulting from the proposed action. Potential hydroelectric development could be a possibility in the future, but is unlikely due to the irrigation company ownership of the water rights in the Blacksmith Fork River, and seasonal de-watering of the river below the irrigation diversion.
- Environmental Justice Populations –The Proposed Action Alternative would not have an adversely high and disproportionate impact on minority or low-income populations. No potentially adverse impacts to environmental justice populations were identified.
- Socioeconomics – There will be no socioeconomic effects of disposal of the 1.45-acre parcel. The only economic use of the parcel has been the irrigation company diversion operation, to deliver water to surrounding farms. There will be no change to this activity because the irrigation company holds an easement on the property.
- Construction Impacts – No construction is anticipated as a result of this Proposed Action Alternative. The property is almost entirely taken up by the irrigation company access road, the

canal, and the river and it is unlikely that any structure, other than the irrigation company cement diversion dam and associated cement canal, could be placed on the property.

Biological Resources: Wildlife, Fish Habitat, and Threatened and Endangered Species

Section 7 of the Endangered Species Act (ESA) of 1973 (7 USC §136, 16 USC §1531 et seq.), as amended, requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) if listed species or designated Critical Habitat may be affected by a Proposed Action. According to the USFWS Information, Planning, and Conservation System (IPAC), the following species in Table 1 that are listed under the endangered Species Act (ESA) were identified as potentially being present in the study area:

Table 1. Threatened and Endangered Species Potentially Present in the Project Area

Common Name	Scientific Name	Status
Birds		
Greater sage-grouse	<i>Centrocercus urophasianus</i>	Candidate
Yellow-billed cuckoo	<i>Coccyzus americanus</i>	Proposed Threatened
Flowering Plants		
Ute ladies'-tresses	<i>Spiranthes diluvialis</i>	Threatened
Mammals		
Canada lynx	<i>Lynx canadensis</i>	Threatened

Source: USFWS IPAC (accessed on March 10, 2015)
There were no critical habitats found within the study area.

Further, the following migratory birds listed in Table 2 were identified as being potentially present in the study area:

Table 2. Migratory Birds Potentially Present in the Project Area

Species Name	Bird of Conservation Concern (BCC)	Seasonal Occurrence in Project Area
American bittern (<i>Botaurus lentiginosus</i>)	Yes	Breeding
Bald eagle (<i>Haliaeetus leucocephalus</i>)	Yes	Wintering
Brewer's Sparrow (<i>Spizella breweri</i>)	Yes	Breeding
Burrowing Owl (<i>Athene cunicularia</i>)	Yes	Breeding
Calliope Hummingbird (<i>Stellula calliope</i>)	Yes	Breeding
Cassin's Finch (<i>Carpodacus cassinii</i>)	Yes	Year-round
Eared Grebe (<i>Podiceps nigricollis</i>)	Yes	Breeding
Ferruginous hawk (<i>Buteo regalis</i>)	Yes	Year-round
Fox Sparrow (<i>Passerella iliaca</i>)	Yes	Breeding
Golden eagle (<i>Aquila chrysaetos</i>)	Yes	Year-round
Lewis's Woodpecker (<i>Melanerpes lewis</i>)	Yes	Year-round
Loggerhead Shrike (<i>Lanius ludovicianus</i>)	Yes	Year-round

Long-billed curlew (<i>Numenius americanus</i>)	Yes	Breeding
Olive-sided flycatcher (<i>Contopus cooperi</i>)	Yes	Breeding
Pinyon Jay (<i>Gymnorhinus cyanocephalus</i>)	Yes	Year-round
Sage Thrasher (<i>Oreoscoptes montanus</i>)	Yes	Breeding
Short-eared Owl (<i>Asio flammeus</i>)	Yes	Year-round
Swainson's hawk (<i>Buteo swainsoni</i>)	Yes	Breeding
Williamson's Sapsucker (<i>Sphyrapicus thyroideus</i>)	Yes	Breeding

Source: USFWS IPAC (accessed on March 10, 2015)

Wildlife Resources

Wildlife occurrence records are scant for this particular parcel. Most of the WMA does not contain riparian habitat. Although the parcel was part of a larger acquisition primarily oriented around big game winter range, it is not used much now by big game (the parcel occurs below the big game fence). Big game species (mule deer, elk) would still be able to access this parcel, but use is sporadic. The parcel likely receives some use by upland species on a seasonal basis. The upland species which occur on the property include chukar and cottontail rabbit. These species only inhabit this area infrequently. Cougar, coyote, weasel, bobcat, raccoon, skunk, badger and beaver are visitors on this tract and only raccoon, skunk, weasel, and beaver frequent the riparian corridor. Ultimately this is not a rich wildlife habitat, which has led UDWR to seek disposal.

To determine which species of concern may be present in the study area, the UDWR requested information from the Utah Natural Heritage Program (UNHP), which identifies one species from the Utah Sensitive Species List: burrowing owl (*Athene cunicularia*) for which the database had recent records of occurrence within two miles of the study area (Utah Natural Heritage Program Letter, Appendix).

Aquatic Resources

The last fish survey was completed in August of 1987. Results indicated a number of brown trout, thought to be a result of high water that year (likely flushed downstream from the canyon reach). Also present in lower numbers were mountain whitefish, sculpin species and cutthroat trout. No sensitive, endangered, or threatened fish species were identified in this section of the Blacksmith Fork River. Sport fish (brown trout, cutthroat trout, mountain whitefish, and rainbow trout) are present during the parts of the year (UDWR Fishing Report, Blacksmith Fork, Appendix) when the stream is not dewatered by irrigation company withdrawals during the summer.

However, this reach is dewatered nearly every year in which water is at or below normal levels. Water quantity (April-October) was cited as the major limiting factor to establishing a viable fishery. A self-sustaining year-round fishery is unavailable for this reach and additional fish surveys in this reach have been discontinued. No records of any amphibian or reptile populations were noted in the files.

We retrieved annual daily-mean data for the stream at the study area from U.S. Geologic Service, National Water Information System, to compare the mean cubic feet per second flows for the past 101 years with allowed irrigation withdrawals: during the irrigation months April through October, the

average daily mean flow was 154 cubic feet per second, and the irrigation company water rights at that diversion allow up to 110 cubic feet per second diverted for irrigation. The streambed on the parcel is on average 71% de-watered by this activity during this period.

Wetland Resources

The wetland resource present on the Millville Face 1.45-acre parcel consists of the Blacksmith Fork River segment that traverses the property for approximately 100 meters. The river experiences seasonal fluctuations in flow due to precipitation and snowmelt runoff, and due to water diversions by irrigation companies, and the fluctuating flows have created ephemeral side channels and abandoned meanders. The soil is mostly cobble and gravel, with sandy silt soil on the elevated areas. The vegetation consists of box elder (*Acer negundo*), narrowleaf cottonwood (*Populus angustifolia*), sumac (*Rhus aromatica* var. *trilobata*), apple (*Malus pumila*), sagebrush (*Artemisia* sp.), broom snakeweed (*Gutierrezia sarothrae*), red twig dogwood (*Cornus sericea*), woods rose (*Rosa woodsii*), alfalfa (*Medicago sativa*), and grasses (genus *Poaceae*). (Personal observation, authors).

Cultural Resources

The cultural resources present in the 1.45 acres consist of the irrigation diversion dam, the outflow control mechanism, and the cement canal, although these facilities were constructed in 1986, and thus do not constitute historic structures (See Report U-15-UQ-0103s in Appendix). Prior to the construction of the existing cement structures, the irrigation company would push boulders into the stream every spring to create a diversion structure, and would then dismantle this rock dike in the fall at the end of the irrigation season (Personal communication, authors, neighboring landowner).

No other cultural effects were found in a survey of the property.

Recreation

Angling is the likely most prevalent recreation activity in the study area. However, no records have been kept for angler use at this site. The angling opportunity in this particular stretch of the river is inferior to opportunities upstream of this location. Overhanging tree branches and other woody vegetation crowd the banks on both sides of the river, making access to the streamside very difficult, and limiting the ability of an angler to cast a line. An angler could walk in the stream to fish at some flow levels, but, again, casting a line would be difficult unless managers or natural events (flood runoff, for example) cleared out some of the overhanging vegetation.

Other wildlife related recreational activities such as bird watching may have occurred at the study site, but no documented records exist.

Visual Resources

The visual resources of the study area are the 100 meters of river with a cobbled streambed, the vegetation of mixed trees, shrubs and grasses, and the view to the east of the WMA above on the hill. The view towards the west of the site consists of private homes and large outdoor yard areas associated with the homes. Some of the private properties have various fence types bordering the study area.

Within the study area there are prominent signs of human disturbance relating to the irrigation diversion structure: a graded dirt road, the cement diversion dam across the river, a 5-foot deep cement canal along the east side of the property, a tall gate system controlling the outflow to the canal, and several piles of soil imbedded with pieces of debris, rock and broken cement, wood, and metal from previous irrigation company construction activities.

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CHAPTER 4: ENVIRONMENTAL CONSEQUENCES OF THE ALTERNATIVES

Introduction

This chapter will compare the likely outcomes of the Proposed Action Alternative versus the No-Action Alternative, to examine how the choice of alternatives will affect the human environment with either beneficial or adverse consequences.

The National Environmental Policy Act (NEPA) requires consideration of direct, indirect, and cumulative effects, plus identification of measures to mitigate these impacts. Impacts are described as follows:

- **Direct impacts** are those caused by the action and occur at the same time and place (40 CFR §1508.8).
- **Indirect impacts** are those caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable (40 CFR §1508.8). Indirect effects are generally less quantifiable but can be reasonably predicted to occur.
- **Cumulative impacts** are those impacts to the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions (40 CFR §1508.7).

Biological Resources: Wildlife, Fish Habitat, and Threatened and Endangered Species

The No-Action Alternative

Under this alternative, the biological resources of the Millville Face 1.45-acre parcel would likely remain the same: degraded wildlife habitat due to the presence of the irrigation company infrastructure and water withdrawal activities. Due to the encumbrance of the irrigation company's easement, including partial dewatering of the river during irrigation season, no change or improvement of wildlife habitat or angler opportunity would be likely. There are no high numbers of common wildlife species occurring here now, nor is there much potential to increase management influence. Migratory birds, passerine species in particular, likely achieve some limited benefit from the small amount of riparian habitat occurring on the tract, but there is no reason to expect this riparian habitat to be removed. It likely would persist regardless of who owns the tract.

Preferred Alternative

The Preferred Alternative, to trade the 1.45-acre parcel as partial consideration for the 40-acre Hardware Ranch parcel, would transfer ownership of the 1.45-acre parcel to a private landowner, who lives adjacent to the parcel, and who has controlled most of the access to the parcel. Due to constraints of the presence of the river, and the irrigation company easement, it is unlikely that there would be any changes in the use of the parcel when it is under private ownership. The landowner would continue to grant access to the parcel for irrigation company maintenance of the diversion structure and canal, as he is required to do under the irrigation company easement. The irrigation company would continue to make water withdrawals from the stream, with resulting effects on biological resources. However, no *changes* in impacts to the biological resources are expected as a result of this action.

Wildlife occurrence records are scant for this particular parcel. The parcel as part of the WMA was acquired as big game winter range. However, it is not used much now by big game because it occurs below the big game fence. Big game species (mule deer, elk) could still access the parcel, but use by these species is sporadic. The parcel likely receives some use by upland species on a seasonal basis. The upland species which occur on the property include chukar and cottontail rabbit. These species only inhabit this area infrequently. Cougar, coyote, weasel, bobcat, raccoon, skunk, badger and beaver are visitors on this tract and only raccoon, skunk, weasel, and beaver frequent the riparian corridor. The presence of a dry ditch during part of the summer would likely continue to limit wildlife and fishery benefits on the tract even after it is traded to private ownership. Ultimately, this parcel does not contain rich wildlife habitat, which is the reason for UDWR to seek disposal.

UDWR's sensitive species biologist studied this proposal and the Utah Natural Heritage Program letter regarding sensitive species in the vicinity of the study area, which noted recent occurrences of burrowing owl within a two-mile radius of the study area. The sensitive species biologist determined that there are no burrowing owls in the study area and disposal of this property would, therefore, not likely affect any Threatened, Endangered, or Sensitive species.

Due to constraints of the presence of the river, and the irrigation company easement that precludes substantive change in the use of the property, it is unlikely that there would be any adverse effects on any of the species on the lists provided by USFWS in Tables 2 and 3.

Wetland Resources

The No-Action Alternative

Under the no-action alternative, UDWR would continue to own the Millville parcel, and the wetland resources of the Millville Face 1.45-acre parcel would remain the same, due to continued water withdrawals authorized by the water rights held by the irrigation company. The diversion dam provides little or no protection against flooding, but could continue to cause ephemeral wetland formation during periods of high runoff, by forcing water into side channels.

Preferred Alternative

Under this alternative of disposal of the parcel, the wetland resources of the Millville Face 1.45-acre parcel would remain the same, due to continued water withdrawals authorized by the water rights held by the irrigation company. The diversion dam would continue to provide little or no protection against flooding, but could continue to create ephemeral wetlands during periods of high runoff, by forcing water into side channels.

Cultural Resources

The No-Action Alternative

There are no eligible sites for nomination to the National Registry of Historic Places on the Millville Face 1.45-acre parcel. The irrigation company constructed the current infrastructure in 1986, and would

continue to maintain the equipment. Retention of the property by UDWR would have no effect on any cultural resources.

Preferred Alternative

There are no eligible sites for nomination to the National Registry of Historic Places on the Millville Face 1.45-acre parcel. The irrigation company constructed the current infrastructure in 1986, and would continue to maintain the equipment. No other cultural resources were identified. Transfer of the property to private ownership would have no effect on any cultural resources.

Recreation

The No-Action Alternative

The limited amount of recreation that may occur on the Millville 1.45-acre parcel may or may not continue if UDWR continues to own the parcel. There are no documented records of anglers using this particular stretch of the Blacksmith Fork River. Other recreational uses, such as bird watching, could be conducted as well or better from outside the parcel. Overhanging trees and shrubs make angling in this reach difficult.

Preferred Alternative

The limited amount of recreation that may occur on the Millville 1.45-acre parcel may or may not continue after transfer to private ownership. There are no documented records of anglers using this particular stretch of the Blacksmith Fork River. Under private ownership, the new owner could attempt to restrict angler access by fencing and posting “no trespass” around the parcel. The new owner could make changes to the vegetation, for example, opening the tree canopy, to enhance angler access.

Upstream reaches of the river are less subject to water diversions and present better angling opportunities, and UDWR would retain those reaches. Other recreational uses, such as bird watching, could be conducted as well or better from outside the parcel, on property retained by UDWR.

Visual Resources

The No-Action Alternative

The visual resources of the Millville parcel are unlikely to be altered if UDWR retains ownership. UDWR could decide to remove some of the debris left by irrigation company activities. The irrigation company infrastructure would remain, and future repairs and maintenance could be negotiated between UDWR and the irrigation company. If UDWR continued to own this parcel, it could decide to clear out trees and brush to open the river canopy, thus altering the visual resource. It could choose to build small outbuildings or sheds if allowed by the zoning and code restrictions of Cache County, although no need has arisen to do so in the past, and would be unlikely in the future.

Preferred Alternative

The visual resources of the Millville parcel are unlikely to be altered after transfer to private ownership, but could be altered. The new owner may choose to remove some of the debris left by irrigation company activities, or to remove some vegetation along the river. The new owner could construct small

structures such as sheds, within the zoning and code restrictions imposed by Cache County. The irrigation company infrastructure would remain, and future repairs and maintenance would be negotiated between the new owner and the irrigation company.

Cumulative Impacts

A cumulative impact is defined in 40 C.F.R. §1508.7 as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.”

The action of transferring ownership of the 1.45-acre Millville parcel is unlikely to have cumulative impacts to the environment. The small size of the property, and the constraints on the property, so limit the potential changes in use, that there are not foreseeable future actions that would significantly alter the character or function of the Millville property.

Chapter 5: COMMENTS AND COORDINATION

Public Involvement

No public meetings were held in connection with this EA; however, public input was solicited through publication of the proposal in the Herald Journal News (a newspaper of general circulation for the study area) for two weeks commencing May 6, 2015. (See the Affidavit of Publication in Appendix).

Angler groups were notified by telephone, and were mailed a description of the proposed project, maps and photos of the subject lands, and were invited to comment on the proposal. The angler groups that submitted comments responded positively, including supporting disposal of the Millville parcel. (See email letters, Appendix).

The proposed project was presented to the Cache County Council at their public meeting May 12, 2015. The UDWR Regional Supervisor, the Regional Habitat Manager, and the Salt Lake Office Wildlife Realty Specialist presented the project, and the landowner attended the meeting to voice his support for the transaction. The County Council responded unanimously with a motion to accept and note the information provided, and to thank UDWR for presenting the project to the County.

Letters were sent to the Utah Legislature Senator and Representative for the study area, describing the proposed project. (See Legislature letters, Appendix.)

Coordination and Review of the EA

The Service is seeking public review of the proposed action and will accept all public comments related to this proposed action for a fifteen day (15) from the date the assessment is published on the Service website. The Draft EA can be found at:

<http://www.fws.gov/mountain-prairie/R6Update/wsfr/nepa.php>. Written comments will be accepted until 5:00pm, July 31, 2015, and can be mailed to the address below:

Draft Environmental Assessment – Millville Face Parcel Disposal, Trade for Hardware Ranch Parcel.

U.S. Fish and Wildlife Service

Wildlife and Sport Fish Restoration Program

134 Union Blvd., Denver Federal Center

Lakewood, CO 80228

Chapter 6: PREPARERS AND CONTRIBUTORS

List of Preparers

Name	Organization	Project Role	Education	Years of Experience
Eddie Bennett	U.S. Fish and Wildlife Service (WSFR)	Grant Manager	M.S. Biology	17
Therese Meyer	Utah Division of Wildlife Resources (UDWR)	Environmental Analysis	MS, Biology	11
William James	Utah Division of Wildlife Resources (UDWR)	Environmental Impact Analysis	MS, Forest Resources	23

List of Contributors

Monson Shaver, Archaeologist, Utah Division of Wildlife Resources (UDWR)

Paul Thompson, Northern Regional Aquatics Program Manager, Utah Division of Wildlife Resources (UDWR)

Scott Walker, Northern Regional Habitat Program Manager, Utah Division of Wildlife Resources (UDWR)

Justin Dolling, Northern Regional Supervisor, Utah Division of Wildlife Resources (UDWR)

Jacque Trout, U.S. Fish and Wildlife Service (USFWS)

Chapter 7: REFERENCES

U.S. Geologic Service National Water Information System, USGS 10113500 Blacksmith Fork:
<http://nwis.waterdata.usgs.gov>

Utah Department of Natural Resources, Division of Water Rights:
<http://www.waterrights.utah.gov/wrinfo>

Natural Resources Conservation Service, Web Soil Survey:
<http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

National Wild and Scenic Rivers System: <http://www.rivers.gov/utah.php>

U.S. Department of the Interior, Bureau of Land Management, Wilderness Areas, Utah:
http://www.blm.gov/ut/st/en/prog/blm_special_areas/utah_wilderness.html

Utah Department of Environmental Quality, Division of Air Quality: <http://www.airquality.utah.gov/>

Utah Department of Environmental Quality, Division of Environmental Response and Remediation:
<http://www.environmentalresponse.utah.gov/>

Utah Ecological Services US Fish and Wildlife Service T&E and Migratory Bird lists:
http://ecos.fws.gov/tess_public/reports/species-by-current-range-county?fips=49005
and: <http://ecos.fws.gov/ipac/project/2CRCW-ZYY7Z-DH3A5-UNIY3-IIAI44/overview>

Utah Division of Wildlife Resources, Fishing Report, Blacksmith Fork River:
<http://wildlife.utah.gov/hotspots/detailed.php?id=1156881839>

APPENDICES

Utah Natural Heritage Program Letter

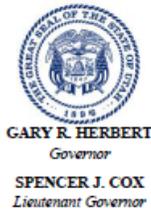
UDWR Fishing Report, Blacksmith Fork River

Cultural survey: Monson Shaver, SHPO consultation

Public Legal Notice Affidavit

Angler Groups' Letters

Letters to Senator and Representative



State of Utah
DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Wildlife Resources

GREGORY SHEEHAN
Division Director

March 6, 2015

Therese Meyer
Utah Division of Wildlife Resources
1594 W. North Temple, Suite 2110
Salt Lake City, Utah 84114

Subject: Species of Concern Near the Millville Face WMA, Cache County, Utah

Dear Therese Meyer:

I am writing in response to your email dated March 2, 2015 regarding information on species of special concern proximal to a portion of the Millville Face WMA located in Section 2 of Township 10 North, Range 1 East, SLB&M in Cache County, Utah.

The Utah Division of Wildlife Resources (UDWR) does not have records of occurrence for any threatened, endangered, or sensitive species within the project area noted above. However, within a two-mile radius there are recent records of occurrence for burrowing owl, a species included on the *Utah Sensitive Species List*.

The information provided in this letter is based on data existing in the Utah Division of Wildlife Resources' central database at the time of the request. It should not be regarded as a final statement on the occurrence of any species on or near the designated site, nor should it be considered a substitute for on-the-ground biological surveys. Moreover, because the Utah Division of Wildlife Resources' central database is continually updated, and because data requests are evaluated for the specific type of proposed action, any given response is only appropriate for its respective request.

In addition to the information you requested, other significant wildlife values might also be present on the designated site. Please contact UDWR's habitat manager for the northern region, Scott Walker, at (801) 476-2776 if you have any questions.

Please contact our office at (801) 538-4759 if you require further assistance.

Sincerely,

A handwritten signature in black ink that reads "Sarah Lindsey".

Sarah Lindsey
Information Manager
Utah Natural Heritage Program

cc: Scott Walker



UDWR Fishing Report, Blacksmith Fork River

5/19/2015

Utah Division of Wildlife Resources



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Blacksmith Fork River

Fishing report

- **Rating:** *Good*
- **Conditions:** When the river was checked on May 12, fishing was pretty good. The flows are good and the water is a little off-color because of recent rain. Anglers are having success using blue wing olives and other nymphs. Many thanks to Jodie Anderson for that report.

Details

- **Location:** Northern Utah
- **Directions:** Go south from Logan to Highway 101 in Hyrum, and go east on Highway 101. The river runs along the Highway.
- **Type:** Blue Ribbon
- **Size:** 15 Miles
- **Elevation:** 4757 to 7700 feet
- **Hours:** NO restrictions
- **Likely catch:** Brown Trout, Cutthroat Trout, Mountain Whitefish, Rainbow Trout
- **Possible catch:**
- **Regulations:** To see what statewide or special regulations apply to this waterbody, please read the current [Fishing Guidebook](#).
- **Site amenities:** Limited camping
- **Handicap access:** None
- **Site description:**

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<http://wildlife.utah.gov/hotspots/detailed.php?id=1156881839>

1/2



Negative Cultural Resources Inventory Report Form

State Project Number: U-15-UQ-0103

Report Title: Cultural Resource Inventory of the Blacksmiths Fork/Millville Face Land Exchange

Report Date: 3/2/2015 Report Author(s): Monson Shaver

Principal Investigator: Monson Shaver

List of Other Individuals in Survey: Therese Myer (DWR)

Project Background:

State of Utah, Division of Wildlife Resources' (UDWR) proposes to exchange 1 acre of property at the mouth of Blacksmiths Fork Canyon for forty acres of property along the boundaries of Hardware Ranch.

Area of Potential Effect Definition:

The APE consists of a 1 acre parcel situated along either side of the river within Township 10N, Range 1 East, Section 2. The water diversion structure, built in 1986, remains the property of the Providence Blacksmith Fork Irrigation Company and the Millville Irrigation Company.

Identification Strategies (archaeological, historical, and ethnographic):

Multiple meandering pedestrian transects was employed along each side of the stream. Ground visibility was considered low with heavy vegetation in this riparian environment leaving a ground coverer of 95%.

Location(s) and Date(s) of Pre-Field Records Search:

1. Utah Division of State History: CURES and State Historic files
2. Federal/State Office: [Click here to enter text.](#)
3. Historic Records/Maps: General Land Office Maps of 1856, 1877, 1898, were reviewed showing indications of the canyon road and no other cultural resources.
4. Other: [Click here to enter text.](#)

Results of Pre-Field Records Search (sites & projects within .5 mile of APE and site leads from historic research):

Landt M.J., R.A. Gruebel and J.E. Pfertsh

2009 Class III Cultural Resource Inventory of the Ruby Pipeline Project: Utah Segment - Rich, Cache and Box Elder Counties, Utah. Alpine Archaeological Consultants, Inc., Montrose Colorado. Utah State Project No. U-08-A1-0075b,p,s,f.

Jensen, E.

1987 Millville Canyon Big Game Winter Range Improvement. Cultural Resource Summary Report. USDA Forest Service Intermountain Region. Utah Antiquities Project No. U-87-FS-0505f.

Schmitt, D.N.

1994 Cultural Resources Survey of 15 Acres Near Millville, Utah for the Utah Department of Wildlife Resources and the Town of Millville. Antiquities Section, Division of State History Salt Lake City, Utah. Utah Antiquities Project No. U-94-UC-0718s.

- 1995 Archaeological Survey of Proposed Parcel Exchanges for the Division of Wildlife Management in Cache County, Utah. Antiquities Section, Division of State History Salt Lake City, Utah. Utah Antiquities Project No. U-95-UC-0235s.
Shaver, M. W.
- 2010 A Negative Short Report of the Millville Face WMA Habitat Improvement #1210 Survey Cache County, Utah. Utah Division of Wildlife Resources Salt Lake City. Utah Antiquities Project No. U-10-UQ-0805s.
- 2012 A Negative Short Report of the Millville Face Shrub Planting Project #2322 Cache County, Utah. Utah Division of Wildlife Resources Salt Lake City. Utah Antiquities Project No. U-12-UQ-0369s
- 2013 Cultural Resource Inventory of the Millville Face Fire Emergency Stabilization Project #2839 Cache County, Utah. Utah Division of Wildlife Resources Salt Lake City. Utah Antiquities Project No. U-13-UQ-0812s
- 2014 Cultural Resource Inventory of the Millville Face Feul Break FF&SL, Cache County, Utah. State of Utah, Division of Wildlife Resources Salt Lake City. Utah Antiquities Project No. U-14-UQ-0818s
Stokes, W. L.
- 1986 Geology of Utah. Utah Museum of Natural History Occasional Paper No. 6, Utah Museum of Natural History and the Utah Geological Survey, Salt Lake City.

Date(s) of Survey: 2-24-2015

Description of Findings:

No significant cultural resources were identified.

Conclusion & Management Recommendations:

The Utah Division of Wildlife Resource has made a determination of no historic properties affected for the Blacksmiths Fork/Millville Face Land Exchange.

Required Materials:

7.5' Quadrangle Base map(s) for Project Area

7.5' Quadrangle Base map (s) for Surveyed Area (if different than #1)

Additional Materials as needed:

Isolated Occurrences Form(s)

Site Forms

Civil
PROOF OF PUBLICATION

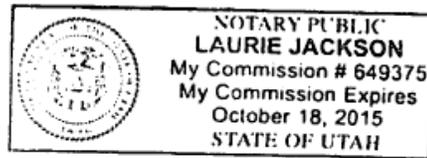
STATE OF UTAH
COUNTY OF CACHE, ss

On this 13th day of May , A.D. 2015 personally appeared before me JAIME MAW who being first being duly sworn, deposes and says that (s)he is the Principal Legal Clerk of the Cache Valley Publishing Co., publishers of The Herald Journal a daily newspaper published in Logan City, Cache County Utah, and that the Legal Notice, a copy of which is hereto attached was published in said newspaper for 2 issue(s) and that said notice also published on utahlegals.com on the same days(s) as publication in said newspaper

Commencing on the following days:
05/06/2015 05/13/2015

 _____, Principal Legal Clerk
Subscribed and sworn to before me on this 13th day of May , A.D. 2015

 _____, Notary Public
Commissioned in the State of Utah
My Commission expires 10/18/2015



LEGAL NOTICE
The Utah Division of Wildlife Resources proposes to dispose a 1.45-acre parcel of land on the Blacksmith Fork River in Cache County, in a trade using the property as payment for acquisition of a 40-acre parcel of land adjacent to Hardware Ranch Wildlife Management Area in Cache County. It will be used for wildlife habitat and public recreation in conjunction with the surrounding Hardware Ranch WMA, and the 1.45 acre parcel will continue to be used for the Blacksmith River corridor, and with irrigation company diversion dam and canal on it. If you would like to comment on this proposal, please send your written correspondence to:
Theresa Meyer
Utah Division of Wildlife Resources
1594 W. North Temple,
Suite 2110
Salt Lake City, UT 84114-6301
Publication Date: May 6 and 13, 2015

Angler Groups, Notification (similar letters to three groups) and Response

5/7/2015

Mail - Blacksmith Fork, Hardware Ranch



Therese Meyer <theresemeyer@utah.gov>

Blacksmith Fork, Hardware Ranch

1 message

Therese Meyer <theresemeyer@utah.gov>
To: Jim DeRito <jderito@tu.org>

Thu, May 7, 2015 at 11:20 AM

Jim,

We just spoke on the phone - this is the email I sent to Paul Holden of Cache Anglers, so I'll just resend to you:

I work with Utah Division of Wildlife Resources, in the Habitat Section. I am working on a land trade in which DWR would trade a 1.45 acre parcel on the Blacksmith Fork River near Hyrum for 40 acres of inholding at Hardware Ranch. The owner of the Hardware Ranch land lives next to the Blacksmith Fork piece.

There is not good access to the Blacksmith Fork parcel because there are private homes on the west and north, and the deer fence of the Millville Face WMA on the east and south. Also, irrigation companies have a diversion dam and road and cement canal on the Blacksmith Fork parcel, and the river is mostly de-watered through there all summer.

I will attach a couple of photos. There is ~380 feet of river, overhung with branches, with poor access. DWR would be keeping the river land from the diversion dam upstream, which is better angler access.

Our Regional people, including habitat and aquatics folks, have all signed off on this trade, because they don't feel that this stretch of Blacksmith Fork has much angler access value. Paul Thompson and Ben Nadolski both studied the situation and agreed to dispose this piece of land.

We wanted to let you know our plan, as you represent a group of anglers. We do hope that you will agree this is an acceptable trade to get the 40 acres at Hardware. Would you like to discuss this or have more information? My contact info is in the signature line.

Regards,

Therese

--

Therese Meyer
Wildlife Realty Specialist
1594 West North Temple, Suite 2110
PO Box 146301
Salt Lake City, UT 84114-6301
(801) 538-4866
FAX (801) 538-4709

2 attachments



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6589K

<https://mail.google.com/mail/u/0/?ui=2&ik=b3d6821da1&view=pt&search=sen&th=14d2f64921e1d7b43&siml=14d2f64921e1d7b4>

1/2

5/7/2015

Mail - Blacksmith Fork, Hardware Ranch



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5/11/2015

Mail - RE: Blacksmith Fork land swap



Therese Meyer <theresemeyer@utah.gov>

RE: Blacksmith Fork land swap

1 message

James DeRito <JDeRito@tu.org>

Mon, May 11, 2015 at 6:41 AM

To: Paul Holden <pholden442@gmail.com>, "theresemeyer@utah.gov" <theresemeyer@utah.gov>, Paul Thompson <paulthompson@utah.gov>

Therese,

The land swap sounds fine to me as well.

Thank you for asking for input.

Jim

Jim DeRito

Fisheries Restoration Coordinator

Trout Unlimited

44 W. Spring Creek Pkwy

Providence, UT 84332

C: 208-360-6165

From: Paul Holden [mailto:pholden442@gmail.com]

Sent: Sunday, May 10, 2015 5:47 PM

To: theresemeyer@utah.gov; James DeRito; Paul Thompson

Subject:

Hi Theresa, Cache Anglers would support the land trade. We agree that the parcel along the river is not a valuable fishery site at present and will not be until we get stream access and an Instream flow in this reach of the river.

Thanks much,

<https://mail.google.com/mail/u/0/?ui=2&ik=b3d6821da1&view=pt&search=inbox&th=14d42fe57ebda4b7&siml=14d42fe57ebda4b7>

1/2

Angler Groups Response (cont'd)

5/11/2015

Mail - RE: Blacksmith Fork land swap

Paul Holden
President
Cache Anglers

DRAFT



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Wildlife Resources

GREGORY SHEEHAN
Division Director

May 15, 2015

Senator Peter C. Knudson
1209 Michelle Drive
Brigham City, UT 84302

Dear Senator Knudson:

The Utah Division of Wildlife Resources (UDWR) proposes to purchase 40 acres of open land in your District. The 40 acre parcel is an inholding in the Hardware Ranch Wildlife Management Area. The landowner approached UDWR to offer the land, and is a willing seller. UDWR will trade 1.45 acres of UDWR land on the Blacksmith Fork River near Hyrum, adjacent to the landowner's home property, to the landowner as partial consideration.

Adding the 40 acres to Hardware Ranch WMA will enable the Division to manage the acreage for wildlife and public recreation. The Blacksmith Fork parcel is encumbered with an irrigation company easement, and has very limited public access.

We presented this proposed land trade before the Cache County Council at their regular meeting May 12, 2015. The Council voted unanimously to accept the information presented without comment and thanked us for notifying them.

As per Utah Code 23-21-1.5, we are notifying you of this proposed acquisition of real property held in private ownership and ask for your support.

If you have any concerns or need more information, please contact Therese Meyer, Wildlife Realty Specialist, at (801) 538-4866.

Sincerely,

Gregory Sheehan **ACTING DIRECTOR**
Director

Cc: Representative R. Curt Webb

1594 West North Temple, Suite 2110, PO Box 146301, Salt Lake City, UT 84114-6301
telephone (801) 538-4700 • facsimile (801) 538-4709 • TTY (801) 538-7458 • www.wildlife.utah.gov





State of Utah
DEPARTMENT OF NATURAL RESOURCES
MICHAEL R. STYLER
Executive Director
Division of Wildlife Resources
GREGORY SHEEHAN
Division Director

May 15, 2015

Representative R. Curt Webb
65 West 100 North
Logan, UT 84321

Dear Representative Webb:

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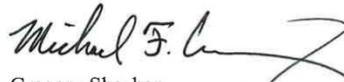
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Sincerely,


Gregory Sheehan
Director **ACTING DIRECTOR**

Cc: Senator Peter C. Knudson

