



**U.S. Department of the Interior
Bureau of Land Management**

August 2022

**Mayflower All-Season Trails and Lift
DOI-BLM-UT-W010-2021-0015-EA
Decision Record**



**Salt Lake Field Office
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Decision Record
Mayflower All-Season Trails and Lift
DOI-BLM-UT-W010-2021-0015-EA

Decision

Based on my review of the Mayflower All-Season Trails and Lift Environmental Assessment (EA) (DOI-BLM-UT-W010-2021-0015-EA) and consideration of field office staff recommendations, I have selected Alternative B (Proposed Action) and have determined that approving the project as described is in conformance with the Park City Management Framework Plan (MFP) (BLM 1975), as amended.

Specifically, my decision approves BLX Mayflower LLC (c/o Extell Development Company) (Extell), to hold a right-of-way (ROW) to construct, operate, and maintain ski trails, hiking and biking trails, and one ski lift which traverse approximately 121.5 acres of BLM-managed lands. The project will utilize BLM-managed lands that are entirely surrounded by private and state lands. A small portion (4.2 acres) of the requested ROW will be used to develop hiking and biking trails that will connect to a larger hiking and biking trail system being developed on Extell's private lands. The requested ROW will be effective up to a 30-year term with the option to renew.

The project area is illustrated in Appendix A of the EA. Protective measures will be applied as identified in Appendix C of the EA.

Compliance and Monitoring

Compliance and monitoring for this activity will be conducted by the Salt Lake Field Office at least once during construction and periodically during the operation of the project. These inspections will be made to determine compliance with the Plan of Development and the EA's protective measures. The BLM will continue monitoring once a year for the first five years and then on a five-year cycle thereafter.

Authorities

Approving the project is appropriate in this situation because there are no impacts potentially having effects that may significantly affect the environment. A Finding of No Significant Impact was issued.

My authority to approve this action is contained in Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761) (FLPMA), as amended. Granting the ROW is appropriate because it is consistent with the BLM's multiple use and sustained yield mission as established by FLPMA.

Alternatives Considered

I considered two alternatives (Alternative A –No Action and Alternative B – Applicant's Proposal). I did not consider other action alternatives. The alternatives carried forward represent those identified as reasonable (40 CFR § 1502.14), are based on the issues that were identified by the IDT, and respond to the purpose and need as identified in Section 1.2 of the EA. The issues identified did not precipitate the need to create stand-alone alternatives to resolve them. Design features were incorporated into the Proposed Action (Appendix C) that would minimize potential impacts. Additionally, the approval of Alternative B meets the purpose and need to respond to Extell's application for a ROW to construct, operate, and maintain ski trails, hiking and biking

trails, and a ski lift that traverse BLM-managed lands. The need for the federal action is established by the BLM's statutory and regulatory responsibilities regarding ROWs pursuant to Title V of FLPMA and the BLM's implementing regulations (43 Code of Federal Regulations [CFR] § 2800).

Rationale for Decision

Approving this project is consistent with and furthers the objectives of the Park City Management Framework Plan (MFP) (BLM 1975), as amended. The MFP did not include decisions related to the issuance of ROWs on the lands addressed by the MFP. Instead, the MFP's decisions focus on the retention or disposal of the BLM-managed lands. All of the BLM-managed lands affected by the project were identified for disposal in the Park City MFP. The MFP also included a recreational objective to "provide for an increase and diversity of quality and quantity recreational experiences while: (1) Providing outdoor recreation opportunities for all individuals; (2) Maintaining proper outdoor recreation standards of open space; [and] (3) Minimizing environmental degradation wherever possible." (MFP at page 21). The approval of this project will provide access and recreational opportunities to different groups on land-locked BLM-managed lands. Best Management Practices will be applied to maintain environmental integrity.

This project was posted to the NEPA Register on September 28, 2021. A 33-day comment period was offered (June 22, 2022 through June 25, 2022) on the EA and its Unsigned FONSI. A news release providing notification of the start of the public comment period was also issued to local media on June 22, 2022. Six comment letters were received (Section 4.2.1 of the EA). Comments were addressed in Appendix D of the EA.

An invitation to consult on the project was sent via certified letter on November 3, 2021 to the following Tribes: Pueblo of Jemez, Confederated Tribes of the Goshute Reservation, Skull Valley Band of the Goshute Tribe, Paiute Indian Tribe of Utah, Ute Indian Tribe, and the Northwestern Band of the Shoshone Nation. None of these tribes identified any specific concerns as part of the consultation effort. However, the Hopi did request additional consultation in the event Native American sites not previously recorded were encountered during project implementation.

A Class III cultural resource inventory was completed for the area of potential effects (Utah State Report Number U20HP0925). No Adverse Effects determination was forwarded to the Utah State Historic Preservation Office (SHPO) on December 6, 2021. SHPO concurrence (U20HP0925) was received on December 7, 2021.

There are no areas of critical habitat designated or Lynx Analysis Units (LAUs) in the project area. This conclusion was confirmed with the US Fish and Wildlife Service on September 16, 2021.

Administrative Remedies

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Instructions for filing an appeal are contained on the attached Form 1842-1.

My decision shall take effect immediately and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR § 2801.10(b)).

Approval

Jessica Wade
Field Manager

Attachment

1. Appeal Form 1842-1