

Document Incomplete

ENVIRONMENTAL STUDY

Project Name: **SR-10; 3200 S. TO 1150 S., PRICE (REEVALUATION)**

PIN: **n/a**

Project No.: **n/a**

Job/Proj: **n/a**

Prepared By: **Justin Peterson**

For guidance in preparing this environmental study, refer to the UDOT Environmental Process Manual of Instruction:

<http://www.udot.utah.gov/go/environmental>

REQUIRED SIGNATURES

I have reviewed the information presented in this Environmental Study and I hereby attest that the document is complete and the details of the document are correct.

Reviewer (Signature): _____ **Date:** _____

Reviewer (Printed): _____

Firm/UDOT Region: _____

FEDERAL AID PROJECTS

Based upon the information provided in this document and the analysis contained herein, the State has determined that, pursuant to the provisions of 23 CFR 771.117(a), this project has no significant impacts on the environment and that there are no unusual circumstances as described in 23 CFR 771.117(b). As such, the State has determined that the project is categorically excluded from the requirements to prepare an environmental assessment or environmental impact statement under the National Environmental Policy Act per 23 CFR 771.117 d(13). The State has been assigned, and hereby certifies that it has carried out, the responsibility to make this determination pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding dated June 23, 2017 executed between the FHWA and the State.

Approved: _____ **Date:** _____

UDOT Region Environmental Manager

1. Purpose and Need for Action

The purpose of the project is to extend pavement life, improve the function of the drainage system, and enhance operational safety within the project area.

Crash data show an increase in crashes along SR-10 as the corridor narrows from four lanes to two lanes (approximately from 1450 South to 3000 South). This is likely due in part to insufficient width (e.g., no center turn lane and narrow shoulders) for vehicles trying to make necessary movements (i.e., slow down to turn left or right) to and from adjoining properties. There is currently no sidewalk along the corridor; pedestrians walk on the roadway shoulder. The sight distance on the vertical curve near MP 67.0 is at the minimum standard. The pavement section along SR-10 is starting to fail due to the large volume of passenger vehicles and truck traffic. A new pavement section is needed to allow the corridor to function to the 20-year design life. The roadway drainage system is also inefficient at capturing roadway runoff.

2. Description

The Proposed Action is to reconstruct approximately 1.9 miles of SR-10 from approximately MP 65.6 to MP 67.5 south of Price, Utah.

Reconstruction of SR-10 would include the following elements:

- Widening to accommodate a 14-foot-wide center turn lane, two 12-foot-wide travel lanes (one south bound and one north bound), and 6-foot-wide shoulders in both directions
- Adding curb, gutter, and 6-foot-wide sidewalks on both sides to serve pedestrians
- Replacing granular borrow, untreated base course, and pavement to extend the life of the pavement section
- Adding turn lanes at Roberson Road, 2750 South, and 3000 South
- Replacing driveways and matching elevation of side streets
- Relocating utilities, as needed
- Installing a new drainage system, including pipes, manholes, and inlets to collect roadway runoff
- Extending or replacing pipe and box culverts, and installing new headwalls and rip rap
- Lowering the profile at the vertical curve near MP 67.0 to improve sight distance.

After the CE was approved on March 15, 2017, Carbon County informed UDOT that Roberson Road, an east-west road intersecting with State Route (SR) 10, was going to be realigned. The proposed SR-10 design was changed to accommodate the new intersection of Roberson Road with SR-10, which is approximately 700 feet north of its current position. In addition, through coordination with PacifiCorp the amount of right-of-way needed to relocate the existing overhead electric utility lines on the west side of SR-10 was reduced. As result, the Section 4(f) use determinations for several eligible historic properties changed.

3. Public Hearing/Opportunity for Public Hearing

- NO** This project could result in public controversy or substantial impacts to adjacent properties, or substantially changes roadway geometry.
- NO** There are significant social, economic, environmental or other effects. If YES, a Categorical Exclusion is not applicable. Consult with UDOT Central Environmental Services.
- NO** UDOT/FHWA has determined that a public hearing is in the public interest.

If the answer to ANY of the above questions is YES, a public hearing or opportunity for a public hearing is required (attach documentation identifying date and location of hearing, summary of comments, and responses to substantial comments, or include certification of opportunity for hearing.)

The following types of public involvement have been provided:

- NO** Public Hearing in accordance with state and federal procedures
- NO** Opportunity for Public Hearing
- YES** Open House
- NO** Other:
- NO** Documentation is attached identifying the date and location of hearing, summary of comments, and responses to substantial comments; or the Certification of Opportunity for a Hearing is attached.

Comments: An open house was held on September 19, 2017, at Creekview Elementary to update the public on changes to the project.

4. Right-of-Way

- YES** Acquisition of Right-of-Way is required.
- NO** The right-of-way required is significant because of its size, location, use, or relationship to remaining property and abutting properties. (If the right-of-way required is significant, the project does not qualify as a Categorical Exclusion.)

5. Cultural

According to the UDOT Region NHPA/NEPA Specialist and/or the Architectural Historian, the Finding of Effect for the project is one of the following:

- NO** No historic properties affected
- NO** No adverse effect
- YES** Adverse effect

Project documentation for determination of eligibility and finding of effect consists of one of the following and is attached:

- NO** Memo from UDOT Region NEPA/NHPA Specialist and/or Architectural Historian stating a finding of No Historic Properties Affected.
- YES** SHPO concurrence with the Determinations of Eligibility and Finding of Effect AND memo from UDOT Region NEPA/NHPA Specialist and/or Architectural Historian stating a finding of No Adverse Effect or Adverse Effect.
- NO** Have letters for Native American Consultation been sent? Attach letters.
- NO** Have letters for federal and state agencies, CLGs, historical societies, etc. been sent? If so attach letters.
- NO** Do the impacts to historic properties require mitigation?

If YES, a signed Memorandum of Agreement (MOA) is attached.

Comments: The proposed changes resulted in reduced impacts to historic properties. UDOT consulted with the USHPO on two separate occasions to update the effects determinations resulting from the design changes. The USHPO concurred with the revised DOEFOEs on April 24, 2017 and September 5, 2017 (see attached). The Memorandum of Agreement, which includes mitigation for documenting the affected properties, was also updated to remove the properties that would no longer result in a greater than de minimis use. The updated Memorandum of Agreement was formalized on September 26, 2017 (see attached).

The project would still result in an adverse effect to three eligible historic properties. These properties include 2067 South, 2305 South, and 2433 South.

6. Paleontological

- NO** This project is one of the 16 types of projects listed in Stipulation III of the Memorandum of Understanding (MOU) with the Utah Geological Survey (UGS) that has no effect on paleontological resources and does not require notification to the UGS. If YES, a memo from the UDOT Region NEPA/NHPA Specialist is attached (can be included in cultural memo).

For all other projects, the UGS has been notified and has responded with the following (attach UGS letter and memo from the UDOT Region NEPA/NHPA Specialist):

- YES** There are no known paleontological localities in the area of potential effects and the formations in the project area have a low potential for containing fossil remains (Class 1 or 2).
- NO** Fossil-bearing formations (Class 3-5) and/or known paleontological localities are present in the area of potential effects, but the UDOT Region NEPA/NHPA Specialist (or paleontologist) has determined that they will not be affected by the project.
- NO** Fossil-bearing formations (Class 3-5) and/or known paleontological localities are present in the area of potential effects and may be affected by construction activities. A survey and/or monitoring by a qualified paleontologist is required.

7. Threatened, Endangered, or Candidate Species

For Federally or State Funded Projects:

- YES** Project will have "**no effect**" to T&E species, or their critical habitats, protected under the Endangered Species Act. If YES, attach "**no effect**" memo or review/comments (in the case of local government projects) from UDOT's Wildlife Biologist.
- NO** Project "**may affect, but is not likely to adversely affect**" T&E species, or their critical habitats, protected under the Endangered Species Act. If YES, attach BA and "concurrency" from the U.S. Fish and Wildlife Services (USFWS). List all mitigation/conservation measures.
- NO** Project "**may affect, and is likely to adversely affect**" threatened and endangered species, or their critical habitats, protected under the Endangered Species Act. If YES, attach BA and USFWS BO. List all mitigation/conservation measures.
- NO** The USFWS has issued a "**jeopardy**" opinion regarding this project. If YES, attach BA and BO as above. This project cannot go forward without being reconsidered.

8. Wildlife

NO Project has the potential to affect state-sensitive species, important wildlife habitat, big game migration routes, habitat connectivity, migratory birds, or fish spawning habitat or fish passage.

Memo from UDOT Wildlife Biologist is attached.

9. Invasive Species

If the project involves earthwork, grading or landscaping, there is potential to introduce or spread invasive weed species.

YES Based upon location, this project has the potential to introduce or spread invasive species included on the noxious weed list of the State of Utah and the county noxious weed lists.

10. Noise

Projects that may affect noise levels to adjacent receptors include changes in roadway alignment, roadway widening and the addition of traffic lanes.

YES This project has the potential to increase noise to adjacent receptors.

NO A noise study is attached.

Comments: Noise study attached to original CE.

11. Wetlands, Water Resources, Storm Water, and Floodplains

Wetlands and Water Resources

- NO** The project is a type that does not have the potential to affect or cross Waters of the United States. If YES, no concurrence letter is needed.
- YES** Project affects waters of the United States (e.g. wetlands, mudflats, lakes, or perennial or ephemeral streams). If NO, have a UDOT Landscape Architect provide a concurrence letter stating they agree with the determination. In order to indicate "NO" on this question, answers to the following statements must also be "NO".
- YES** Project impacts perennial, intermittent, or ephemeral streams that have a riparian vegetation component. If YES, a Programmatic General Permit 40 (PGP40), also known as a Stream Alteration Permit, from the Utah Division of Water Rights will be required.
- NO** Project exceeds the impact limitations for streams or washes indentified in the PGP40. If YES, both a PGP40 and a separate Department of the Army permit will be required.
- NO** Project impacts an ephemeral wash not captured under PGP40 that has an ordinary high water mark (OHWM) with a connected flow to a downstream Traditional Navigable Water and the impact below the OHWM exceeds 1/10 of an acre per crossing. If YES, a Department of the Army permit will be required.
- YES** Project impacts a perennial or intermittent stream below the OHWM less than 1/10 of an acre per crossing. If YES, notification to the U.S. Army Corps of Engineers will be required.
- NO** Project impacts navigable waters of the United States (Lake Powell, Flaming Gorge Reservoir, Bear Lake, Green River - mouth to 20 miles above Green River Station, Colorado River - mouth of Castle Creek to Cataract Canyon - 4.5 miles below mouth of Green River) below the OHWN. If YES, a Section 10 Department of the Army permit will be required.
- YES** Project impacts jurisdictional wetlands. If YES, a Department of Army Nationwide Permit (NWP) will be required for wetland impacts under the 1/2 acre threshold; a Letter of Permission (LOP) will be required for wetland impacts between 1/2 and 1 acre; an Individual Permit (IP) will be required for impacts greater than 1 acre.
- NO** Project impacts non-jurisdictional wetlands. If YES, wetland mitigation may still be required under the federal policy of "no net loss." Consult UDOT Environmental Section.

Storm Water Runoff

- YES** Project disturbs 1 acre or more of ground surface.

If YES, a UPDES Storm Water Discharge Permit for Construction Activities is required from the Utah Division of Water Quality.

Floodplains

YES This project requires new construction or alteration of existing structures within the FEMA designated 100-year flood plain.

If YES, a Development Permit is required from the local permit official.

12. Hazardous Waste

NO Has a visual inspection of the project area found substances that may be hazardous to human health and/or the environment?

YES This project involves excavation beyond or below the existing roadway footprint.

If YES to either question 1 or 2, then site investigations and coordination with DEQ may be necessary.

13. Prime, Unique, Statewide, or Locally Important Farmland

Projects in areas whose land use maps indicate no current or future farming activities would not usually affect farmlands.

NO This project MAY affect Prime, Unique, Statewide, or Locally Important Farmlands.

N/A The Natural Resource Conservation Service letter and Form AD1006 are attached.

14. Air Quality

YES This project has the potential to increase particulate matter due to construction activities.

NO This project adds or alters roadway capacity or will result in increased traffic volumes at signalized intersections.

If YES, the Air Quality Supplement is attached.

15. Relocations

YES There may be relocations of residences or businesses as a result of this project.

Comments: The project will no longer result in the full acquisition and relocation of 2010 South, 2044 South, 2066 South, 2088 South, 2188 South, and 2198 South. Overall, the project will result in the full acquisition and relocation of three properties.

16. Land Use/Urban Policy

NO This project may affect land use or urban policy.

17. Section 4(f) Properties

YES Section 4(f) properties are impacted.

YES An Individual Section 4(f) Evaluation AND written concurrence from UDOT Environmental Services on the Individual Section 4(f) determination is attached.

NO A Programmatic Section 4(f) Evaluation AND written concurrence from UDOT Environmental Services on the Programmatic Section 4(f) determination is attached.

NO The 4(f) property(s) is an historic property and the impact is considered **de minimis**.

N/A SHPO has concurred in writing on UDOT's "**no adverse effect**" determination to historic properties and has been notified of the intent to make a **de minimis** finding. Attach letter to SHPO and **de minimis** agreement letter.

NO The 4(f) property(s) is a park, recreational area, wildlife or waterfowl refuge and the impact is considered **de minimis**.

N/A The official(s) with jurisdiction have concurred, in writing, that the project will "**not adversely affect**" the activities, features, and attributes that qualify the resource for protection under Section 4(f) and have been notified of the intent to make the **de minimis** impact finding. Letters are attached.

N/A The project sponsor has provided public notice and opportunity for public review and comment. Describe public involvement efforts in the comments below.

N/A Written concurrence from UDOT Environmental Services is attached.

18. Other Environmental Factors Considered

This Project, except as noted and explained in attachments, will have no disproportionate, serious or lasting effect on the following:

- NO** Visual
- NO** Social/Economic
- NO** Title VI and/or Environmental Justice
- NO** Natural Resources
- NO** Construction
- NO** Energy
- NO** Geology/Soils
- NO** Wild/Scenic Rivers
- NO** Ecology

19. Conclusion

- NO** This project may have substantial controversy or significant impacts.

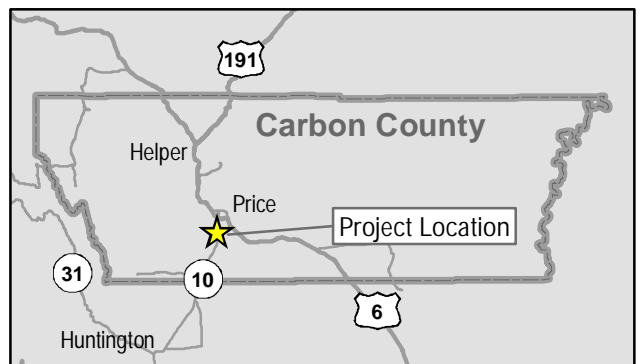
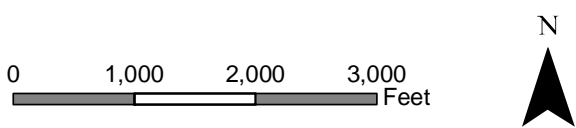
MITIGATION COMMITMENTS

CONSTRUCTION		Responsible
Air Quality	Requirements outlined in Standard Specification 01572 titled "Dust Control and Watering" will be followed.	Contractor
Cultural	UDOT Standard Spec 01355, Parts 3.7 and 3.8	Contractor
Invasive Species	Supplemental Specification 02924S titled "Invasive Weed Control" will be included in the contract documents and outlines BMPs that will be incorporated.	Contractor
PRELIMINARY ENGINEERING		Responsible
Floodplains	The project will require new construction or alteration of existing structures within the FEMA 100-year flood plain. Therefore a flood plain development permit is required from the local community's permit official prior to construction.	Udot Region Environmental
Relocations	Property Owners will be compensated according to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended.	Udot Right Of Way
Water Quality	The project will disturb 1 acre or more of ground surface. Therefore, a storm water pollution prevention plan (SWPPP) must be included in the plans.	Udot Region Environmental
Water Quality 2	UPDES Permit from the Division of Water Quality must be obtained prior to construction.	Contractor

DRAFT



SR-10; South Price to Ridge Road
 Project No.: F-0010(75)66
 PIN: 13664





State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

CARLOS M. BRACERAS, P.E.
Executive Director

SHANE M. MARSHALL, P.E.
Deputy Director

16-1460
16-1251

April 10, 2017

Mr. Cory Jensen
Senior Historic Preservation Specialist
Utah Division of State History
300 Rio Grande
Salt Lake City, UT 84101-1182

RE: UDOT Project No. F-0010(75)66, SR-10, US-6 to Ridge Road, Carbon County, Utah (PIN 13664, UDSH 16-1460). **Revised** Determination of Eligibility and Finding of Adverse Effect.

Dear Mr. Jensen:

The Utah Department of Transportation (UDOT) is preparing to undertake the subject federal-aid project. In accordance with Stipulation II, Part A and Appendix B of the Memorandum of Understanding, State Assumption of Responsibility for Categorical Exclusions (23 USC §326) (executed June 30, 2011), the UDOT assumes responsibility, assigned by the Federal Highway Administration (FHWA), for ensuring compliance with Section 106 of the NHPA and with Section 4(f) of the DOT Act of 1966, as amended. In accordance with the *Second Amended Programmatic Agreement among the FHWA, the Utah State Historic Preservation Officer, the Advisory Council on Historic Preservation, the USACE Sacramento District, and the UDOT Regarding Section 106 Implementation for Federal-Aid Transportation Projects in the State of Utah* (executed June 3, 2013), Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 300101 et seq.), and U.C.A.9-8-404, the UDOT has taken into account the effects of this undertaking on historic properties, and is affording the Utah State Historic Preservation Officer (SHPO) an opportunity to comment on the undertaking. Additionally, this submission is in compliance with Section 4(f) of the Department of Transportation Act of 1966, 23 U.S.C. § 138 (as amended) and 49 U.S.C. § 303 (as amended).

PROJECT DESCRIPTION

This project proposes to construct improvements to SR-10 south of Price, in Carbon County, Utah. The project extends from approximately M.P. 65.4 to 67.5. This project includes widening to accommodate a center turn lane, adding curb, gutter and sidewalk in areas where there is a need to serve pedestrians, extending or replacing pipe and box culverts, lowering the profile at the vertical curve near M.P. 67, rehabilitating pavement, relocating utilities and rehabilitating culverts and installing headwalls, and adding turn lanes at critical intersections.

Robertson Road is an east-west two-lane road west of SR-10. The road currently intersects with SR-10 at approximate milepost (MP) 66.75. Carbon County is planning to relocate the intersection of Robertson Road north to align with 1850 South at approximate MP 66.88. UDOT has elected to accommodate this

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Calvin Rampton Complex • 4501 South 2700 West • Mailing Address P.O. Box 148450 • Salt Lake City, Utah 84114-8450

Received
APR 19 2017
USHPO

change by updating the current design of the SR-10. The original design of SR-10 included a deceleration lane north of Robertson Road and an acceleration lane south of Robertson Road. These lanes have been shifted to the north to coincide with the new intersection with Robertson Road. As a result, impacts to historic properties have changed.

PREVIOUS CONSULTATION WITH THE UTAH SHPO

This letter is a revision of the Determination of Eligibility and Findings of Effect submitted on October 7, 2016 and an addendum on November 7, 2017. UDOT submitted a request for consultation, making determinations of eligibility for 11 previously documented archaeological sites and 49 architectural properties. The UDOT determined that the Proposed Action would result in a finding of Adverse Effect and Section 4(f) greater than *de minimis* impact for 9 architectural properties.

REVISED DETERMINATION OF ELIGIBILITY AND FINDING OF EFFECT

The inclusion of the Robertson Road intersection has resulted in revised impacts to 5 architectural properties previously reported for this project, as depicted in Table 1. The effect on four properties has changed from Adverse Effect to No Adverse Effect and from a Section 4(f) Greater than *de minimis* use to a *de minimis* use. One property (2098 S. Highway 10) remains No Adverse Effect, but with an increase in impacts, and remains a Section 4(f) *de minimis* use.

Address	Date	Style/Type	SHPO Rating/NRHP Eligibility	Finding of Effect	Section 4(f) Use	Figure
?2010 S. Highway 10	1944	1-story service station in Post-WWII: other	EC/Eligible	No Adverse Effect; TCE: 1,480 sq. ft.; Partial Acquisition: 1,037 sq. ft.	<i>de minimis</i>	3
2044 S. Highway 10	1940	1-story foursquare / 20 th century other	EC/Eligible	No Adverse Effect; TCE: 2,653 sq. ft.; Partial Acquisition: 1,220 sq. ft.	<i>de minimis</i>	4
2066 S. Highway 10	1940	1-story foursquare / 20 th century other	EC/Eligible	No Adverse Effect; TCE: 808 sq. ft.; Partial Acquisition: 294 sq. ft.	<i>de minimis</i>	4
2088 S. Highway 10	1941	20 th century other / other residential	EC/Eligible	No Adverse Effect; TCE: 809 sq. ft.; Partial Acquisition: 245 sq. ft.	<i>de minimis</i>	6
2098 S. Highway 10	1970	Mobile home / mobile home	EC/Eligible	No Adverse Effect; TCE: 2,205 sq. ft.; Partial Acquisition: 780 sq. ft.	<i>de minimis</i>	6

SUMMARY

To summarize, the total number of architectural resources with No Adverse Effect has changed from 17 to 21, and architectural resources with an Adverse Effect has changed from 9 to 5 properties. The finding of No Historic Properties Affected for all remaining architectural properties and archaeological sites remains unchanged from the previous DOEFOE. The project new results in 5 Section 4(f) Greater than *de minimis* uses, 20 *de minimis* uses and 1 Section 4(f) temporary occupancy use. The Finding of Effect for the proposed UDOT Project No. F-0010(75)66, SR-10, US-6 to Ridge Road, Carbon County, Utah, remains **Adverse Effect**.

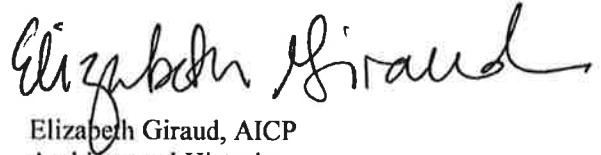
Please review this document and, providing you agree with the findings contained herein, sign and date the signature line at the end of this letter. Should you have any questions or need additional information,

please feel free to contact Liz Robinson at 801-910-2035 or lizrobinson@utah.gov; Elizabeth Giraud at 801-965-4917 or egiraud@utah.gov, or Pam Higgins at 435-253-2524 or phiggins@utah.gov.

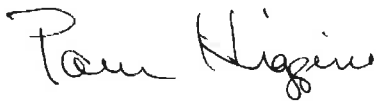
Sincerely,



Liz Robinson, M.A., RPA
Cultural Resources Program Manager
UDOT Environmental Services



Elizabeth Giraud, AICP
Architectural Historian
UDOT Environmental Services



Pamela Higgins
NEPA/NHPA Specialist, Region 4 Area
UDOT Environmental Services

Enclosures

Regarding UDOT Project No. F-0010(75)66, SR-10, US-6 to Ridge Road, Carbon County, Utah, I concur with this Determination of Eligibility and Finding of Effect, submitted to the Utah State Historic Preservation Office in accordance with the *Second Amended Programmatic Agreement*, Section 106 of the NHPA, and U.C.A. 9-8-404, which states that the UDOT has determined that the finding of effect of the project in its entirety remains Adverse Effect.



Cory Jensen
Senior Historic Preservation Specialist

4/24/2017

Date



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

CARLOS M. BRACERAS, P.E.
Executive Director

SHANE M. MARSHALL, P.E.
Deputy Director

16-1251
16-1460

August 28, 2017

Mr. Cory Jensen
Senior Historic Preservation Specialist
Utah Division of State History
300 Rio Grande
Salt Lake City, UT 84101-1182

RE: UDOT Project No. F-0010(75)66, SR-10, US-6 to Ridge Road, Carbon County, Utah (PIN 13664, UDSH 16-1460 & 16-1251).

Revised Determination of Eligibility and Finding of Adverse Effect.

Dear Mr. Jensen:

The Utah Department of Transportation (UDOT) is preparing to undertake the subject federal-aid project. In accordance with Stipulation II, Part A and Appendix B of the Memorandum of Understanding, State Assumption of Responsibility for Categorical Exclusions (23 USC §326) (executed June 30, 2011), the UDOT assumes responsibility, assigned by the Federal Highway Administration (FHWA), for ensuring compliance with Section 106 of the NHPA and with Section 4(f) of the DOT Act of 1966, as amended. In accordance with the *Second Amended Programmatic Agreement among the FHWA, the Utah State Historic Preservation Officer, the Advisory Council on Historic Preservation, the USACE Sacramento District, and the UDOT Regarding Section 106 Implementation for Federal-Aid Transportation Projects in the State of Utah* (executed June 3, 2013), Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 300101 et seq.), and U.C.A.9-8-404, the UDOT has taken into account the effects of this undertaking on historic properties, and is affording the Utah State Historic Preservation Officer (SHPO) an opportunity to comment on the undertaking. Additionally, this submission is in compliance with Section 4(f) of the Department of Transportation Act of 1966, 23 U.S.C. § 138 (as amended) and 49 U.S.C. § 303 (as amended).

PROJECT DESCRIPTION

This project proposes to construct improvements to SR-10 south of Price, in Carbon County, Utah. The project extends from approximately M.P. 65.4 to 67.5. This project includes widening to accommodate a center turn lane, adding curb, gutter and sidewalk in areas where there is a need to serve pedestrians, extending or replacing pipe and box culverts, lowering the profile at the vertical curve near M.P. 67, rehabilitating pavement, relocating utilities and rehabilitating culverts and installing headwalls, and adding turn lanes at critical intersections.

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PREVIOUS CONSULTATION WITH THE UTAH SHPO

This letter is a revision of the Determination of Eligibility and Findings of Effect submitted on October 7, 2016 and an addendum on November 7, 2017 and April 10, 2017. UDOT submitted a request for consultation, making determinations of eligibility for 11 previously documented archaeological sites and 49 architectural properties. The UDOT determined that the Proposed Action would result in a finding of Adverse Effect and Section 4(f) greater than *de minimis* impact for 5 architectural properties.

REVISED DETERMINATION OF ELIGIBILITY AND FINDING OF EFFECT

As the project design progressed it has resulted in revised impacts to 2 architectural properties previously reported for this project, as depicted in Table 1. The effect on these properties has changed from Adverse Effect to No Adverse Effect and from a Section 4(f) Greater than *de minimis* use to a *de minimis* use.

Table 1. Determinations of Eligibility and Findings of Effect for Architectural Properties

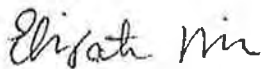
Address	Date	Style/Type	SHPO Rating/NRHP Eligibility	Finding of Effect	Section 4(f) Use
?2188 Highway 10	1946	1-story single dwelling clipped gable cottage	EC/Eligible	No Adverse Effect; TCE: 1,246 sq. ft.; Partial Acquisition: 123 sq. ft.	<i>de minimis</i>
2198 S. Highway 10	1947	1-story single dwelling clipped gable cottage	EC/Eligible	No Adverse Effect; TCE: 1,883 sq. ft.; Partial Acquisition: 192 sq. ft.	<i>de minimis</i>

SUMMARY

To summarize, the total number of architectural resources with No Adverse Effect has changed from 22 to 24, and architectural resources with an Adverse Effect has changed from 5 to 3 properties. The finding of No Historic Properties Affected for all remaining architectural properties and archaeological sites remains unchanged from the previous DOEFOE. The project new results in 3 Section 4(f) Greater than *de minimis* uses, 23 *de minimis* uses and 1 Section 4(f) temporary occupancy use. The Finding of Effect for the proposed UDOT Project No. F-0010(75)66, SR-10, US-6 to Ridge Road, Carbon County, Utah, remains **Adverse Effect**.

Please review this document and, providing you agree with the findings contained herein, sign and date the signature line at the end of this letter. Should you have any questions or need additional information, please feel free to contact Liz Robinson at 801-910-2035 or lizrobinson@utah.gov; Elizabeth Giraud at 801-965-4917 or egiraud@utah.gov, or Pam Higgins at 435-253-2524 or phiggins@utah.gov.

Sincerely,



Liz Robinson, M.A., RPA
Cultural Resources Program Manager
UDOT Environmental Services



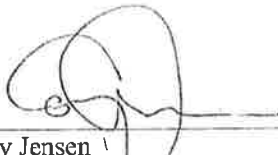
Elizabeth Giraud, AICP
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UDOT Environmental Services

Pam Higgins

Pamela Higgins
NEPA/NHPA Specialist, Region 4 Area
UDOT Environmental Services

Enclosures

Regarding UDOT Project No. F-0010(75)66, SR-10, US-6 to Ridge Road, Carbon County, Utah, I concur with this Determination of Eligibility and Finding of Effect, submitted to the Utah State Historic Preservation Office in accordance with the *Second Amended Programmatic Agreement*, Section 106 of the NHPA, and U.C.A. 9-8-404, which states that the UDOT has determined that the finding of effect of the project in its entirety remains Adverse Effect.



Cory Jensen
Senior Historic Preservation Specialist

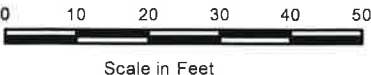
9/5/2017
Date



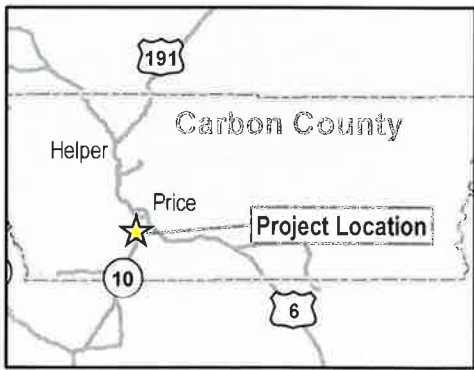
SR-10; 3200 S. to 1150 S., Price
 Project No.: F-0010(75)66
 PIN: 13664

Figure 1

1. The existing corridor is defined by a prescriptive right-of-way. Evidence of the prescriptive right-of-way includes roadway improvements, fences, ditches, and utilities. These were surveyed by UDOT and define the existing right-of-way line.
2. Fee title extends to the center of the roadway, as indicated by property boundaries based on deed descriptions.



-  Partial Acquisition
-  Temporary Construction Easement
-  Eligible Historic Building
-  Easement Line
-  Proposed Right-of-Way Line
-  Existing Right-of-Way Line
-  Property Line



09-0696



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

CARLOS M. BRACERAS, P.E.
Executive Director

SHANE M. MARSHALL, P.E.
Deputy Director

April 13, 2017

Mr. Brad Westwood
Deputy State Historic Preservation Officer
Utah Division of State History
300 Rio Grande
Salt Lake City, UT 84101-1182

RE: Section 4(f) De Minimis Determination Pursuant to SAFETEA-LU Section 6009

Dear Mr. Westwood:

In accordance with Parts 3.1.1 and 3.2.1 of the *Memorandum of Understanding Between the Federal Highway Administration and the Utah Department of Transportation Concerning State of Utah's Participation in the Surface Transportation Project Delivery Program Pursuant to 23 USC §327* (executed January 17, 2017), the Utah Department of Transportation (UDOT) assumes responsibility, assigned by the Federal Highway Administration (FHWA), for ensuring compliance with Section 4(f) of the DOT Act of 1966, as amended. This letter was prepared in accordance with FHWA Guidance regarding Section 6009(a) of the 2005 Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Section 6009 allows increased flexibility with respect to minor transportation impacts to Section 4(f) properties, including historic properties. It simplifies the processing and approval of federally funded transportation projects that have a *de minimis* impact on lands protected by Section (f). For historic properties, a finding of *de minimis* impact on a historic site may be made by the UDOT when Section 106 consultation results in the written concurrence of the State Historic Preservation Office (SHPO) with the determination of "no adverse effect" or "no historic properties affected".

SAFETEA-LU has no other Section 106 implications other than the requirement for written SHPO concurrence with Section 106 findings of effect for individual Section 4(f) properties. It does require UDOT to notify the SHPO of UDOT's intent to utilize the finding of "no historic properties affected" or "no adverse effect" for individual Section 4(f) properties as a basis for making a Section 4(f) *de minimis* use finding.

On December 13, 2005, FHWA issued guidance to implement the Section 6009 provision of SAFETEA-LU. The guidance (attached) includes *Questions and Answers on the Application of the Section 4(f) de minimis Impact Criteria* and offers several points of relevant direction. We refer you to Question 2 of the guidance titled: *De Minimis Impact Findings for Section 4(f) Uses of Historic Properties*.

Therefore, in accordance with the 2005 Guidance, and by transmittal of this letter, the FHWA is notifying your office of UDOT's intent to make the Section 4(f) *de minimis* use finding for properties where a determination of "no historic properties affected" or "no adverse effect" has been concurred in by your office or when your office has not replied within the appropriate timeframe with written concurrence.

Received
APR 19 2017
USHPO

Should you have any questions or need additional information, please feel free to contact Liz Robinson at 801-910-2035 or lizrobinson@utah.gov. Please return this signed letter to UDOT Central Environmental Division.

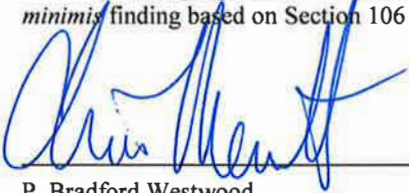
Sincerely,



Brandon Weston
Environmental Services Director
UDOT Central Environmental

Enclosures

By the following signature, the SHPO acknowledges it has been notified of the intent of the UDOT to make a *de minimis* finding based on Section 106 determinations of effect for specific properties.



P. Bradford Westwood
State Historic Preservation Officer


Date

**AMENDMENT TO MEMORANDUM OF AGREEMENT
AMONG
THE UTAH DEPARTMENT OF TRANSPORTATION
AND THE UTAH STATE HISTORIC PRESERVATION OFFICER**

REGARDING

**PROJECT #: F-0010(75)66;
SR-10, US-6 to Ridge Road, Price, Carbon County, Utah**

WHEREAS, the Utah Department of Transportation (UDOT) and the Utah State Historic Preservation Officer (SHPO) executed a Memorandum of Agreement on November 7, 2016, taking into account the effect of **PROJECT #: F-0010(75)66; SR-10, US-6 to Ridge Road, Price, Carbon County, Utah** (the Project) on historic properties; and

WHEREAS, the Project now includes a new intersection with Richardson Road with SR-10 north of the current intersection and therefore will have reduced adverse effects on historic properties; and

WHEREAS, UDOT will send a copy of this executed amendment to the Advisory Council on Historic Preservation (ACHP); and

NOW, THEREFORE, in accordance with Stipulation VII of the Agreement, UDOT and SHPO agree to amend the Agreement as follows:

1. AMEND STIPULATION:

Stipulation I. shall read: UDOT shall be responsible for the documentation of the following buildings in Price, Utah:


- 2067 S. Highway 10
- ?2188 S. Highway 10
- 2198 S. Highway 10
- 2305 S. Highway 10
- 2433 S. Highway 10

The buildings will be documented according to the Utah State Intensive Level Survey Standards (ILS) as required by SHPO. Documentation will include a completed ILS Historic Site Forms, which will be based partly on title searches and obituary research, photographs of the exterior of the buildings, photographs burned onto a gold CD, a sketch map of the property layout, aerial photograph maps indicating the location of the buildings, and a U.S. Geological Survey map (scale: 1:24,000) indicating the location of the buildings. Interior drawings and photographs of the buildings are not required.

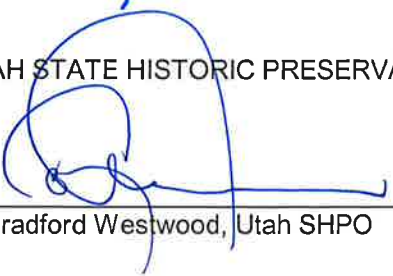
Properties ?2010 S., 2044 S., 2066 S., and 2088 S. Highway 10 are no longer adversely affected and will not require mitigation of effects. The remaining properties listed above will be documented as described in the Agreement.

SIGNATORIES:

UTAH DEPARTMENT OF TRANSPORTATION


Rick Torgersen, UDOT Region Director 5/4/17
Date

UTAH STATE HISTORIC PRESERVATION OFFICE

for 
P. Bradford Westwood, Utah SHPO 5/30/2017
Date

**SECOND AMENDMENT TO MEMORANDUM OF AGREEMENT
AMONG
THE UTAH DEPARTMENT OF TRANSPORTATION
AND THE UTAH STATE HISTORIC PRESERVATION OFFICER**

REGARDING

**PROJECT #: F-0010(75)66;
SR-10, US-6 to Ridge Road, Price, Carbon County, Utah**

WHEREAS, the Utah Department of Transportation (UDOT) and the Utah State Historic Preservation Officer (SHPO) executed a Memorandum of Agreement on November 7, 2016 and an amended Memorandum of Agreement on May 30, 2017, taking into account the effect of **PROJECT #: F-0010(75)66; SR-10, US-6 to Ridge Road, Price, Carbon County, Utah** (the Project) on historic properties; and

WHEREAS, the Project now will have decreased impacts to two (2) historic properties and therefore will have reduced adverse effects; and

WHEREAS, UDOT will send a copy of this executed amendment to the Advisory Council on Historic Preservation (ACHP); and

NOW, THEREFORE, in accordance with Stipulation VII of the Agreement, UDOT and SHPO agree to amend the Agreement as follows:

1. AMEND STIPULATION:

Stipulation I. shall read: UDOT shall be responsible for the documentation of the following buildings in Price, Utah:

- 2067 S. Highway 10
- 2305 S. Highway 10
- 2433 S. Highway 10

The buildings will be documented according to the Utah State Intensive Level Survey Standards (ILS) as required by SHPO. Documentation will include a completed ILS Historic Site Forms, which will be based partly on title searches and obituary research, photographs of the exterior of the buildings, photographs burned onto a gold CD, a sketch map of the property layout, aerial photograph maps indicating the location of the buildings, and a U.S. Geological Survey map (scale: 1:24,000) indicating the location of the buildings. Interior drawings and photographs of the buildings are not required.


Properties ?2188 S. and 2198 S. Highway 10 are no longer adversely affected and will not require mitigation of effects. The remaining properties listed above will be documented as described in the Agreement.

SIGNATORIES:

UTAH DEPARTMENT OF TRANSPORTATION


Rick Torgersen, UDOT Region Director 9/10/17
Date

UTAH STATE HISTORIC PRESERVATION OFFICE

for 
P. Bradford Westwood, Utah SHPO 9/26/2017
Date