

## CHAPTER FOUR: COMMENTS AND COORDINATION

Chapter 4 describes the early and ongoing coordination activities, summarizes key issues and pertinent information received from the public and agencies, and lists those agencies and persons that were consulted. Chapter 4 is organized as follows:

- **4.1 Public and Agency Coordination:** This section includes descriptions of key meetings with agencies and with the public in general.
- **4.2 Agency Correspondence:** This section details the correspondence letters and e-mails from agencies.

### 4.1 PUBLIC AND AGENCY COORDINATION

Public involvement activities included:

- A project Web site maintained through UDOT at [www.udot.utah.gov/i15southea](http://www.udot.utah.gov/i15southea) that contained project information and updates on upcoming meetings and provided methods of contacting the project team.
- Newsletters, flyers, press releases, and other public notices.
- A Project Information Line with a recorded message that was updated regularly.

The following is a list of meetings held between February 1, 2010 and March 29, 2012 as part of the coordination process for the I-15 South Environmental Assessment (EA), including a brief summary of minutes. The minutes are included in the Administrative Record.

In addition, regular team meetings were held with representatives from the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT), the City of St. George, Washington City, Hurricane City, the Dixie Metropolitan Planning Organization (DMPO), Horrocks Engineers, and HDR Engineering.

- February 1, 2010: I-15 South EA Kick-off Meeting
- February 2, 2010: Dixie Transportation Expo
- March 23, 2010: Meeting with U.S. Fish and Wildlife Service (USFWS)
- April 1, 2010: Meeting with USFWS
- April 5, 2010: Managed Lanes Workshop
- April 13, 2010: Meeting with Red Cliffs Desert Reserve
- May 3, 2010: Meeting with the U.S. Army Corps of Engineers (USACE)
- March 8, 2011: Dixie Transportation Expo
- August 2, 2011: Meeting with City of St. George
- September 27, 2011: Meeting with FHWA Regarding Threatened and Endangered Species Coordination
- October 25, 2011: BLM Coordination
- October 25, 2011: Red Cliffs Desert Reserve Coordination
- November 7-9, 2011: Cost Estimate Validation Process (CEVP)
- November 7, 2011: Meeting with USFWS
- December 15, 2011: Meeting with City of Hurricane
- January 12, 2012: Meeting with Washington City
- January 25, 2012: Habitat Conservation Plan (HCP) Advisory Board Meeting
- January 31, 2012: CEVP Results Meeting
- February 7, 2012: Dixie Transportation Expo
- February 24, 2012: Meeting with Washington City Council
- March 7, 2012: Dixie Transportation Advisory Committee (DTAC) Presentation
- March 29, 2012: Presentation to the St. George City Council

### **February 1, 2010: I-15 South EA Kick-off Meeting**

This meeting was held at the Horrocks Engineers' St. George Office. The purpose of the meeting was to introduce the I-15 South EA project to the project team which included representatives from FHWA, UDOT, City of St. George, Washington City, Hurricane City, DMPO, Horrocks Engineers, and HDR Engineering.

### **February 2, 2010: Dixie Transportation Expo**

The Dixie Transportation Expo is an annual event provided to foster interactive communications among the public and transportation related entities regarding current projects, upcoming projects, planning processes and general transportation information. The 2010 Transportation Expo was held at the Dixie Center with approximately 800 people in attendance. The Transportation Expo included a booth from the I-15 EA South project. Interested members of the public were able to learn about the project and have their questions answered from project representatives.

### **March 23, 2010: Meeting with USFWS**

This meeting was held at the USFWS' Salt Lake City Office. The purpose of this meeting was to introduce the I-15 South EA project to USFWS. Topics discussed included:

- I-15 South EA project limits - at this time it appears that most corridor widening will occur in the median, within UDOT right-of-way
- Known species locations and critical habitat for Threatened & Endangered Species
- Survey methodologies - USFWS will review survey methodologies
- Schedule - the Biological Assessment completion date is targeted for Fall 2010
- USFWS' Contacts - Paul Abate will be the contact for fish species, Renee Chi will be the contact for the desert tortoise, and Nathan Darnall will be the contact for bird species

### **April 1, 2010: Meeting with USFWS**

This meeting was held at the USFWS' Salt Lake City Office. The purpose of this meeting was to coordinate with additional USFWS staff regarding Threatened and Endangered Species in the project area. Topics discussed included similar items as discussed in the March 23, 2010 meeting with USFWS.

### **April 5, 2010: Managed Lanes Workshop**

This meeting was held at the Horrocks Engineers' St. George Office. The purpose of the meeting was to discuss the managed lanes analysis. Topics discussed included:

- UDOT's currently policy on managed lanes - generally there needs to be at least three general purpose lanes before a managed lane would be considered/implemented
- Applicability of managed lanes to I-15 between mileposts (MP) 0 and 16 - the only types of managed lanes that may be applicable to the I-15 corridor, given the future volume and capacity projections, and should be considered for further analysis are high-occupancy vehicle (HOV) lanes and truck only lanes

### **April 13, 2010: Meeting with Red Cliffs Desert Reserve**

This meeting was held at the Horrocks Engineers' St. George Office. The purpose of the meeting was to introduce the I-15 South EA project to the Red Cliffs Desert Reserve. Topics discussed included:

- Project limits and scope
- Potential impacts to Red Cliffs Desert Reserve property as a result of the project
- On-going coordination with USFWS
- Impacts to the desert tortoise and associated habitat (will be addressed in Biological Assessment)
- Potential mitigation options for impacts to the Red Cliffs Desert Reserve, including areas where opportunities for acquisition may exist
- Project schedule

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### **May 3, 2010: Meeting with USACE**

This meeting was held at the Horrocks Engineers' St. George Office. The purpose of the meeting was to discuss the general project scope with the Corps pertaining to wetlands and waters of the U.S. and their desired level of involvement in the project. Topics discussed included:

- Preliminary wetland delineations
- Potential impacts to wetlands and waters of the U.S.
- Issues surrounding the Virgin River
- The Corps' role as a cooperating agency and their desired level of participation in monthly team meetings
- Project schedule

### **March 8, 2011: Dixie Transportation Expo**

The Dixie Transportation Expo is an annual event provided to foster interactive communications among the public and transportation related entities regarding current projects, upcoming projects, planning processes and general transportation information. The 2011 Transportation Expo was held at the Dixie Center and was attended by approximately 450 people. The Transportation Expo included a booth from the I-15 EA South project. Interested members of the public were able to learn about the project and have their questions answered from project representatives.

### **August 1, 2011: Meeting with City of St. George**

This meeting was held at the St. George City Office. The purpose of this meeting was to review the preliminary alternatives with the City. Topics of discussion included:

- Project summary to date
- Preliminary alternatives considered
- Preferred build alternative
- Issues of concern to St. George
- Project schedule

### **September 27, 2011: Meeting with FWHA Regarding Threatened and Endangered Species Coordination**

The purpose of this meeting was to review past coordination efforts with the USFWS, the Red Cliffs Desert Reserve, and the BLM regarding potential impacts to threatened and endangered species and discuss future coordination needs. Topics discussed included:

- Proposed improvements and construction methods to be included in the Proposed Action
- Potential impacts to several threatened and endangered species, such as the Holmgren milkvetch, dwarf bear-poppy, Virgin River chub, woundfin, southwestern willow flycatcher, and desert tortoise
- Potential environmental protection measures, such as botanical and tortoise exclusionary zones during construction, stormwater treatment, not allowing any water to be removed from the Virgin River, and any pile driving to be performed outside of respective nesting, breeding, or spawning seasons

### **October 25, 2011: BLM Coordination**

This meeting was held at the BLM office in St. George, Utah. The purpose of the meeting was to coordinate with the BLM regarding potential impacts to threatened and endangered species. Topics discussed included:

- Proposed project scope, construction activities, and schedule
- Potential impacts to several threatened and endangered species, such as the Holmgren milkvetch, dwarf bear-poppy, Virgin River chub, woundfin, southwestern willow flycatcher, and desert tortoise in regards to lands under their jurisdiction
- Whether the Red Cliffs Desert Reserve was included in BLM-administered lands and therefore would constitute a National Conservation Area
- Potential mitigation measures that could be implemented to offset potential impacts

### **October 25, 2011: Red Cliffs Desert Reserve Coordination**

This meeting was held at the Red Cliffs Desert Reserve office in St. George, Utah. The purpose of the meeting was to coordinate with the Red Cliffs Desert Reserve regarding potential impacts to threatened and endangered species. Topics discussed included:

- Proposed project scope, construction activities, and schedule
- Potential impacts to several threatened and endangered species, such as the Holmgren milkvetch, dwarf bear-poppy, Virgin River chub and woundfin, southwestern willow flycatcher, and desert tortoise in regards to lands under their jurisdiction
- Whether the Red Cliffs Desert Reserve was included in BLM-administered lands and therefore would constitute a National Conservation Area
- Potential mitigation measures that could be implemented to offset potential impacts

### **November 7-9, 2011: CEVP Workshop**

This meeting was held in Richfield, Utah on the Snow College Richfield campus over the course of several days, including a pre-workshop telephone conference call on October 24. The purpose of the meeting was for UDOT to perform a CEVP analysis of the project to quantify uncertainty in the project cost and schedule for two “book-end” funding / deliver scenarios (either a series of Design-Bid-Build projects or a single Design-Build project funded at different times; to identify and quantify cost and schedule risks and opportunities; and to identify potential risk mitigation strategies to set the stage for risk management.

Under the Design-Bid-Build project scenario, it was assumed that the project would be built in three largely independent phases as follows:

- Phase 1 would consist of three projects: Brigham Road Interchange and auxiliary lanes (to be funded in August 2012); Green Springs Drive, Mall Drive and mainline, and the St. George Boulevard Interchange (to be funded in July 2014); and initial SR-9 Interchange improvements (to be funded in July 2016)
- Phase 2 would be a single project involving the widening of I-15 from Milepost 4 to Milepost 16 and widening of the bridges at 700 South and 100 South in St. George and Main Street in Washington, plus rehabilitation of existing pavement (to be funded in July 2020).
- Phase 3 would consist of the Atkinville Interchange and mainline, the Washington Parkway Interchange, and final SR-9 Interchange improvements and auxiliary lane (to be funded in July 2025).

Under the Design-Build project scenario, it was assumed that sufficient funding would be available by July of 2013 for it to be delivered as a single Design-Build contract.

The results of the CEVP analysis indicated that, at a 70% confidence level, the Design-Build base cost is higher in 2011 dollars than the Design-Bid-Build base cost and has a higher risk component; however, the Design-Build has a lower total year-of-expenditure cost at the 70th percentile primarily because the shorter duration and earlier start saves in inflation costs. The primary cost risk is uncertainty in the change-order allowance, with other uncertainties including market condition uncertainty, contractor incentive costs (Design-Build only), and uncertainty in the cost of items not yet quantified in the base estimate. Cost savings opportunities include the potential to save money by changing the typical design roadway section, construction engineering support (Design-Bid-Build only), and bridge costs.

### **November 7, 2011: Meeting with USFWS**

The purpose of this meeting was to coordinate with USFWS regarding potential impacts to threatened and endangered species. Topics discussed included:

- Proposed project scope, construction activities, and schedule, including what constitutes the limits of construction and preliminary design for the new Virgin River bridge
- Potential impacts to several threatened and endangered species, such as the Holmgren milkvetch, dwarf bear-poppy, Virgin River chub, woundfin, southwestern willow flycatcher, and desert tortoise

- Future land use plans for the area on the east side of I-15 near the new Southern Parkway Interchange
- Potential water quality impacts and stormwater treatment proposals
- Potential mitigation measures that could be implemented to offset potential impacts

### **December 15, 2011: Meeting with the City of Hurricane**

This meeting was held at the Horrocks Engineers' St. George Office. The purpose of the meeting was to review the preliminary alternatives with the City. Topics of discussion included:

- Project summary to date
- Preliminary alternatives considered
- Preferred build alternative
- Issues of concern to Hurricane
- Project schedule

### **January 12, 2012: Meeting with Washington City**

This meeting was held at the Horrocks Engineers' St. George Office. The purpose of the meeting was to review the preliminary alternatives with the City. Topics of discussion included:

- Project summary to date
- Preliminary alternatives considered
- Preferred build alternative
- Issues of concern to Washington City
- Project schedule

### **January 25, 2012: HCAP Advisory Board Meeting**

This meeting was held at the Washington City Council Chambers in Washington, Utah. The purpose of the meeting was to present the project to the Advisory Board of the Red Cliffs Desert Reserve and receive any comments from them regarding the project and potential impacts to the Reserve. Topics discussed included:

- General overview of the project
- Potential impacts to the Red Cliffs Desert Reserve as a result of the project
- Coordination to date with USFWS pertaining to the Reserve
- Proposed mitigation ratios for identified impacts
- Project schedule

### **January 31, 2012: CEVP Results Meeting**

This meeting was held in Richfield, UT at the UDOT Region 4 Office and included a WebEx and conference. The purpose of the meeting was to update the UDOT Region 4 upper management on the results of the CEVP Workshop held in November of 2011. The CEVP team explained the process that was followed and went over the final report. Main topics of discussion included the proposed phasing plan for improvements, costs of the improvements, and assumptions made regarding risks, inflation, and other key elements that could affect the overall project costs and schedule.

### **February 7, 2012: Dixie Transportation Expo**

The Dixie Transportation Expo is an annual event provided to foster interactive communications among the public and transportation related entities regarding current projects, upcoming projects, planning processes and general transportation information. The 2012 Transportation Expo was held at the Dixie Center and was attended by approximately 426 people. The Transportation Expo included a booth from the I-15 EA South project. Interested members of the public were able to learn about the project and have their questions answered from project representatives.

### **February 21, 2012: Meeting with Washington City Council**

This meeting was held at the Washington City Council Chambers in Washington, Utah. The purpose of the meeting was to update Washington City officials on the status of the Environmental Assessment. Topics discussed included:

- The status of the EA
- The Preferred Alternative
- The remaining project schedule
- Key environmental issues and noise walls
- Phasing of improvements.

Specific attention was given to the Green Springs Drive, Washington Parkway, and SR-9 interchanges as these are the ones within Washington City limits. Discussion with the Council was held and there was general agreement on what was being presented in the EA.

### **March 7, 2012: Dixie Transportation Advisory Committee (DTAC) Presentation**

This meeting was held at Five County Association of Governments office in St. George, UT. The purpose of this meeting was to present the proposed project to the Dixie Transportation Advisory Committee (DTAC) Committee members. The presentation included:

- An overview of the proposed project, including the purpose and need for the project
- The results of traffic studies performed in the project area
- Proposed improvements to be included in the project
- Proposed construction phasing
- The results of the CEVP analysis
- A summary of potential impacts to environmental resources (i.e., threatened and endangered species, noise, cultural resources, and water quality)

### **March 29, 2012: Presentation to the St. George City Council**

This presentation was included as part of the St. George City Council work meeting, held at the St. George City office. The purpose of the presentation was to update St. George City officials on the status of the Environmental Assessment. Topics discussed included:

- The status of the EA
- The Preferred Alternative
- The remaining project schedule
- Key environmental issues and noise walls
- Phasing of improvements

Specific attention was given to the Southern Parkway, Brigham Road, and St. George Boulevard interchanges as these are the ones within St. George City limits. Discussion with the Council was held and there was general agreement on what was being presented in the EA.

## 4.2 AGENCY CORRESPONDENCE

Correspondence letters (both sent and received) are shown in Table 4-1 and are included in the following pages, in order by date.

**Table 4-1 Correspondence**

Date	To	From	Subject
February 17, 2010	Jeanine Borchardt Paiute Indian Tribe of Utah	Edward Woolford FHWA	Tribal Consultation
Identical copies sent to: <ul style="list-style-type: none"> <li>Charlotte Lomelie, Band Chairwoman, Shivwits Band of Paiute Indian Tribe of Utah</li> <li>Ona Segundo, Band Chairwoman, Kaibab Band of Paiute Indians</li> <li>Leroy Shingoetewa, Chairman, Pueblo of Hopi</li> <li>Philbert Swain, Chairman, Moapa Band of Paiute Indians</li> <li>Curtis Cesspooch, Chairman, Ute Indian Tribe of the Uintah &amp; Ouray Reservation</li> </ul> CC to: <ul style="list-style-type: none"> <li>Dorena Martineau, Cultural Resources Manager, Paiute Indian Tribe of Utah</li> <li>Shanan Martineau, Cultural Resources Manager, Shivwits Band of Paiute Indian Tribe of Utah</li> <li>Charley BULlets, Southern Paiute Consortium Director, Kaibab Band of Paiute Indians</li> <li>Leigh Kuwanwiswma, Director, Hopi Cultural Preservation Office</li> <li>Donna Domingo, Director, Cultural Committee, Moapa Band of Paiute Indians</li> <li>Betsy Chapoose, Director, Cultural Rights and Protection, Ute Indian Tribe of the Uintah &amp; Ouray Reservation</li> </ul> Project Initial Tribal Notification Form sent to: <ul style="list-style-type: none"> <li>Anthonai Tom, Chairwoman, Indian Peaks Band of the Paiutes</li> <li>Lora E. Tom, Chairwoman, Cedar Band of Paiutes</li> </ul> CC to: <ul style="list-style-type: none"> <li>Earnestine Lehi, Cultural Resource Representative, Indian Peaks Band of the Paiutes</li> <li>Eleanor Tom, Cultural Resource Representative, Cedar Band of the Paiutes</li> </ul>			
March 1, 2010	Edward Woolford FHWA	Dorena Martineau Paiute Indian Tribe of Utah	Tribal Consultation
March 5, 2010	Edward Woolford FHWA	Leigh J. Kuwanwiswma The Hopi Tribe	Tribal Consultation
March 10, 2010	Edward Woolford FHWA	Curtis Cesspooch Ute Indian Tribe of the Uintah & Ouray Reservation	Tribal Consultation
March 11, 2010	Eric Hansen UDOT	Robert Sandberg Red Cliffs Desert Reserve	Desert Tortoise
March 16, 2010	Edward Woolford FHWA	Shanan Martineau Shivwits Band of Paiute Indian Tribe of Utah	Tribal Consultation
March 22, 2010	Edward Woolford FHWA	Kristine Curry State of Utah, School Trust Lands and Administration	Agency Scoping
April 15, 2010	Eric Hansen UDOT	Lori Hunsaker SHPO	APE Consultation
April 27, 2010	Kelly Beck DNR/RDCC	Rebecka Stromness UDOT	Agency Scoping
April 27, 2010	Scott Hirschi Washington County Eco- nomic Development Council	Rebecka Stromness UDOT	Agency Scoping
April 27, 2010	Jeff Harding Hurricane Valley Chamber of Commerce	Rebecka Stromness UDOT	Agency Scoping

Date	To	From	Subject
April 27, 2010	Ron Thompson Washington County Water Conservancy District	Rebecka Stromness UDOT	Agency Scoping
April 27, 2010	Bob Sandberg Red Cliffs Desert Reserve	Rebecka Stromness UDOT	Agency Scoping
April 27, 2010	Steve Meisner Virgin River Program	Rebecka Stromness UDOT	Agency Scoping
April 27, 2010	Ryan Marshall SunTrans	Rebecka Stromness UDOT	Agency Scoping
April 27, 2010	Russ Behrmann Red Cliffs Desert Reserve	Rebecka Stromness UDOT	Agency Scoping
May 3, 2010	Larry Svoboda Environmental Protection Agency	Edward Woolford FHWA	Agency Scoping
May 3, 2010	Jim Crisp U.S. Bureau of Land Management	Edward Woolford FHWA	Agency Scoping
May 3, 2010	Judy Watanabe FEMA	Edward Woolford FHWA	Agency Scoping
May 3, 2010	Larry Crist U.S. Fish and Wildlife Service	Edward Woolford FHWA	Agency Scoping
May 3, 2010	Karen L. Clementsen U.S. Army Corp of Engineers	Edward Woolford FHWA	Agency Scoping
May 17, 2010	Nicole Tolley Horrocks Engineers	Robert Sandberg Red Cliffs Desert Reserve	Agency Scoping Response
June 15, 2010	Nicole Tolley Horrocks Engineers	Jimmy Tyree BLM	Agency Scoping Response
January 13, 2011	Jason Gipson US Army Corps of Engineers	Edward Woolford FHWA	Agency Scoping Response
November 16, 2011	Dale Gourley Bighorn Archaeological Consultants	Martha Hayden Utah Geological Survey	Paleontological Survey
February 24, 2012	Gary Esplin St. George City	Randall Taylor UDOT	Section 4(f) No Use Finding Concurrence Request
March 28, 2012	Lori Hunsaker SHPO	Eric Hansen UDOT Region 4	Determination of Eligibility and Finding of Effect
April 12, 2012	Edward Woolford FHWA	Paul W. West UDOT Environmental Services	Request for FHWA to Initiate Formal Section 7 Consultation with USFWS
April 12, 2012	Larry Crist USFWS	Edward Woolford FHWA	Request to Initiate Formal Section 7 Consultation
July 5, 2012	Jennifer Elsken UDOT Cultural Resources Program Manager	LaShavio Johnson Advisory Council On Historic Preservation	Notification of Adverse Effect





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Utah Division  
February 17, 2010

2520 West 4700 South, Suite 9-A  
Salt Lake City, UT 84118-1847  
801-963-0182  
801-963-0093  
<http://www.fhwa.dot.gov/utdiv/utah.htm>

PIN: 7842  
In Reply Refer To: F-I15-1(86)0  
HDA-UT

Ms. Jeanine Borchardt, Tribal Chairwoman  
Paiute Indian Tribe of Utah  
440 North Paiute Drive  
Cedar City, UT 84720

Subject: UDOT Project F-I15-1(86)0: Interstate 15 Milepost 0 to 16 EA Study, Washington  
County, Utah.  
Invitation to be a Section 106 Consulting Party

Dear Ms. Borchardt:

The Federal Highway Administration (FHWA), in cooperation with the Utah Department of Transportation (UDOT), is administering preparation of an Environmental Assessment (EA) to evaluate community needs and potential environmental, cultural, and socio-economic impacts of proposed transportation improvements along Interstate 15 from Milepost 0 to 16, in Washington County, UT. The study area travel corridor extends roughly from the Arizona border to Harrisburg Junction. Funding for the EA study and the future proposed undertaking comes from federal sources. The proposed improvements will include repairing, improving, and widening the right-of-way (ROW) to accommodate additional lanes, construction of new freeway interchanges at 700 South in St. George and at Main Street in Washington City, and reconstruction of and improvements to existing interchanges located at Mileposts 2, 4, 8, 10, and 16.

The EA study will consider problems that currently exist with travel along this portion of the I-15 corridor and propose solutions that will increase capacity and accommodate current and future community needs. Increased capacity is critical as a 300% increase in traffic is projected along portions of the corridor over the next 25 years. Important issues that will be addressed are traffic congestion, noise, business and community impacts, failing intersections, and access control. A seven-part map and overview showing areas along the I-15 corridor that will potentially be affected by the proposed undertaking is enclosed.

In accordance with the regulations published by the Advisory Council on Historic Preservation, 36 CFR Part 800, the FHWA and UDOT request that you review this information to determine if there are any historic properties of traditional religious and/or cultural importance that may be affected by this undertaking. If your organization is aware of any historic properties that may be impacted by the proposed project, we request your notification as such and your participation as a consulting party during the development of the environmental document. Qualified



Ms. Jeanine Borchardt  
February 17, 2010  
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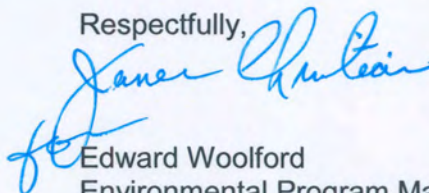
archaeologists will complete a previous project file/record search and cultural resource inventory of areas previously unevaluated. A review copy of the resulting report will be provided.

At your request, FHWA and UDOT staff will be available to meet with you to discuss any concerns you might have. Please be assured that we will maintain strict confidentiality about certain types of information regarding traditional religious and/or cultural historic properties that might be affected by this proposed undertaking. We would also appreciate any suggestions you might have about any other groups or individuals that we should contact regarding this project.

A response within thirty (30) days would be appreciated should you have concerns about this project and/or wish to be a consulting party. Please feel free to contact me at 801-963-0078 x 235 or at [edward.woolford@dot.gov](mailto:edward.woolford@dot.gov) or Eric Hansen at 435-979-4549 or at [erichansen@utah.gov](mailto:erichansen@utah.gov)

Thank you for your attention to this project notification and any comments you may have.

Respectfully,

A handwritten signature in blue ink, appearing to read "Edward Woolford". The signature is stylized and includes a large initial "E".

Edward Woolford  
Environmental Program Manager

Enclosures: Project Location Maps

cc: Ms. Dorena Martineau, Cultural Resources Manager  
Eric Hansen, NEPA/NHPA Specialist - UDOT Region 4

EWOOLFORD:dm

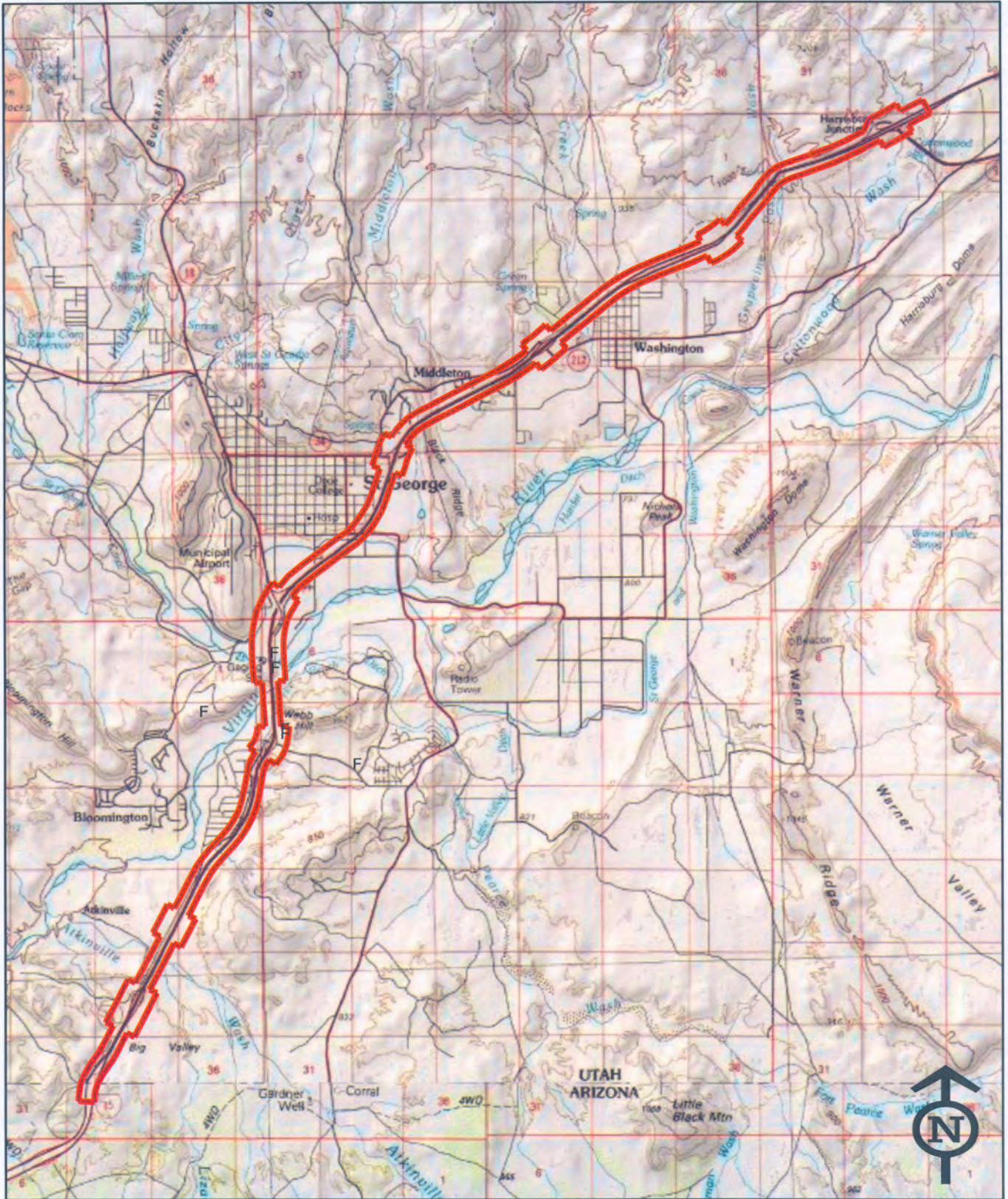
Ms. Jeanine Borchardt  
February 17, 2010  
Page 3 of 4


IDENTICAL COPIES OF THIS LETTER SENT TO:

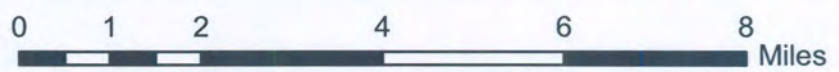
Original to:	CC to:
Ms. Jeanine Borchardt, Tribal Chairwoman Paiute Indian Tribe of Utah 440 North Paiute Drive Cedar City, UT 84720	Ms. Dorena Martineau Cultural Resources Manager Paiute Indian Tribe of Utah 440 North Paiute Drive Cedar City, UT 84720
Ms. Charlotte Lomeli, Band Chairwoman Shivwits Band of Paiute Indian Tribe of Utah 26 South 400 West La Verkin, UT 84745	Ms. Shanan Martineau Cultural Resources Manager Shivwits Band of Paiute Indian Tribe of Utah 6060 West 3650 North Ivins, UT 84738.
Ms. Ona Segundo, Band Chairwoman Kaibab Band of Paiute Indians HC 65, Box 2 Fredonia, Arizona 96022	Mr. Charley Bullets Southern Paiute Consortium Director Kaibab Band of Paiute Indians HC 65, Box 2 Fredonia, Arizona 96022
Mr. Leroy Shingoitewa, Chairman Pueblo of Hopi P.O. Box 123 Kykotsmovi, AZ 86039	Mr. Leigh Kuwanwisiwma, Director Hopi Cultural Preservation Office Pueblo of Hopi P.O. Box 123 Kykotsmovi, AZ 86039
Mr. Philbert Swain, Chairman Moapa Band of Paiute Indians P.O. Box 340 Moapa, NV 89025	Ms. Donna Domingo, Director Cultural Committee Moapa Band of Paiute Indians P.O. Box 340 Moapa, NV 89025
Mr. Curtis Cesspooch, Chairman Ute Indian Tribe of the Uintah & Ouray Reservation P.O. Box 190 Fort Duchesne, UT 84026	Ms. Betsy Chapoose, Director Cultural Rights and Protection Ute Indian Tribe of the Uintah & Ouray Reservation P.O. Box 190 Fort Duchesne, UT 84026

PROJECT INITIAL TRIBAL NOTIFICATION FORM SENT TO THE FOLLOWING (IN ACCORDANCE WITH TRIBAL SECTION 106 PAs; SENT BY THE UDOT REGION ARCHAEOLOGIST):

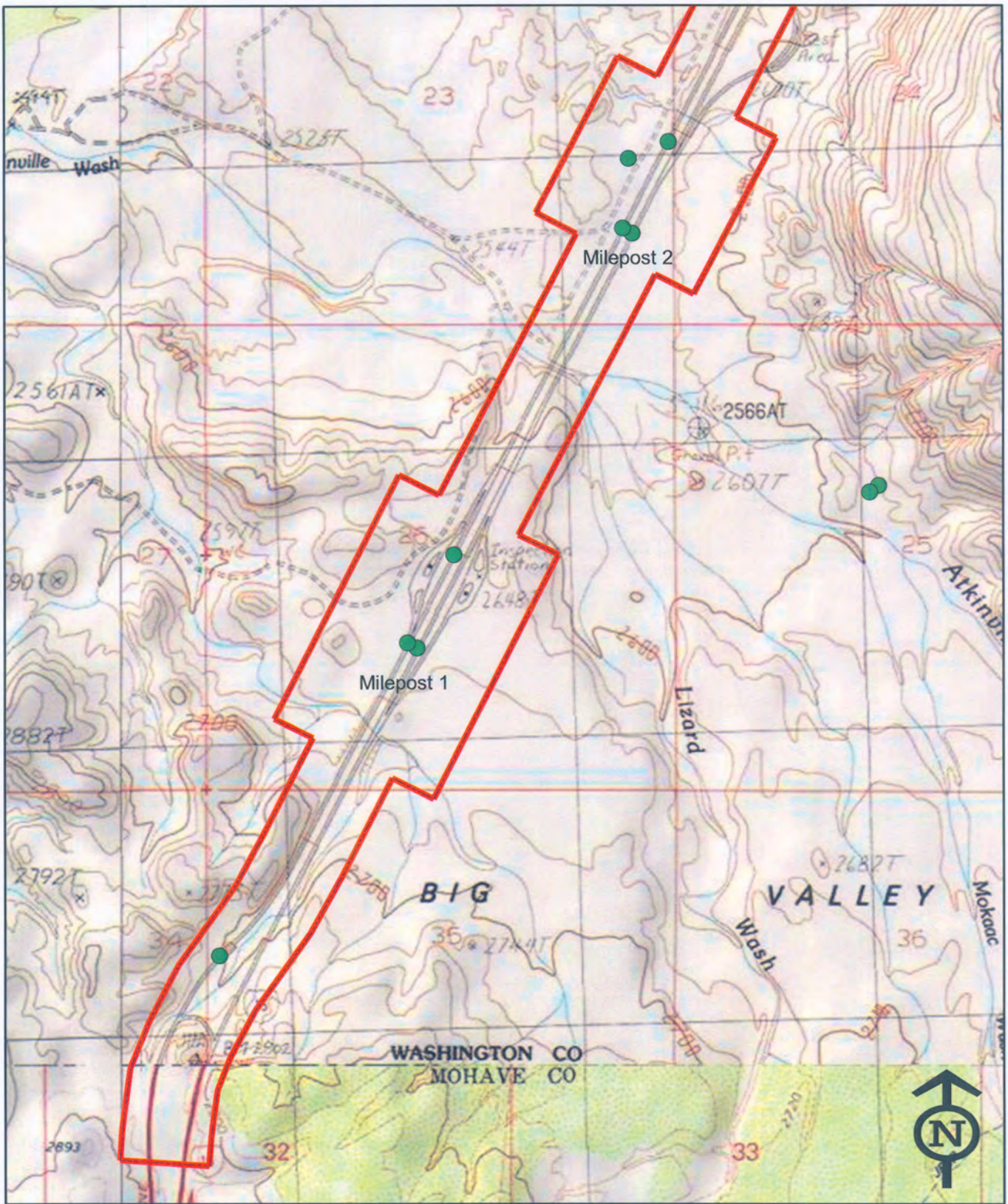
Original to:	CC to:
Ms. Anthonia Tom, Chairwoman Indian Peaks Band of the Paiutes 526 South 940 West Cedar City, UT 84720	Earnestine Lehi Cultural Resource Representative Indian Peaks Band of the Paiutes P.O. Box 975 Cedar City, UT 84721
Ms. Lora E. Tom, Chairwoman Cedar Band of the Paiutes 4655 North Utah Trail Cedar City, UT 84720	Ms. Eleanor Tom Cultural Resource Representative Cedar Band of the Paiutes 4562 Wagonwheel Drive Cedar City, UT 84721




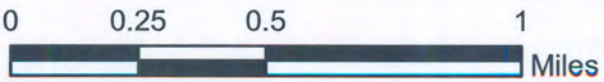
 I-15 Corridor Project Area



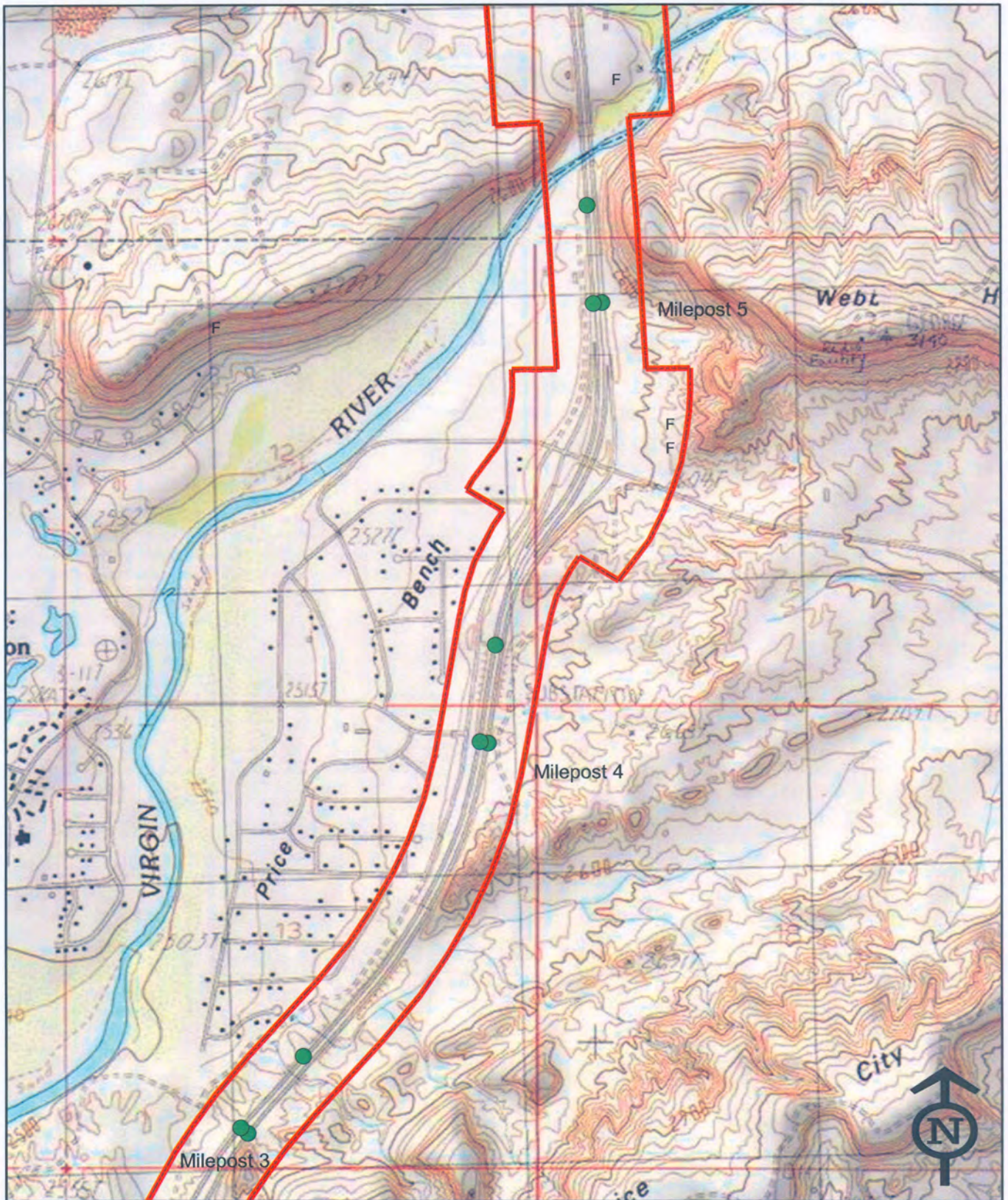
Location of area potentially effected by proposed improvements along the I-15 corridor from Milepost 0 to 16, Washington County, Utah.



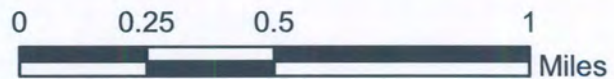
 I-15 Corridor Project Area



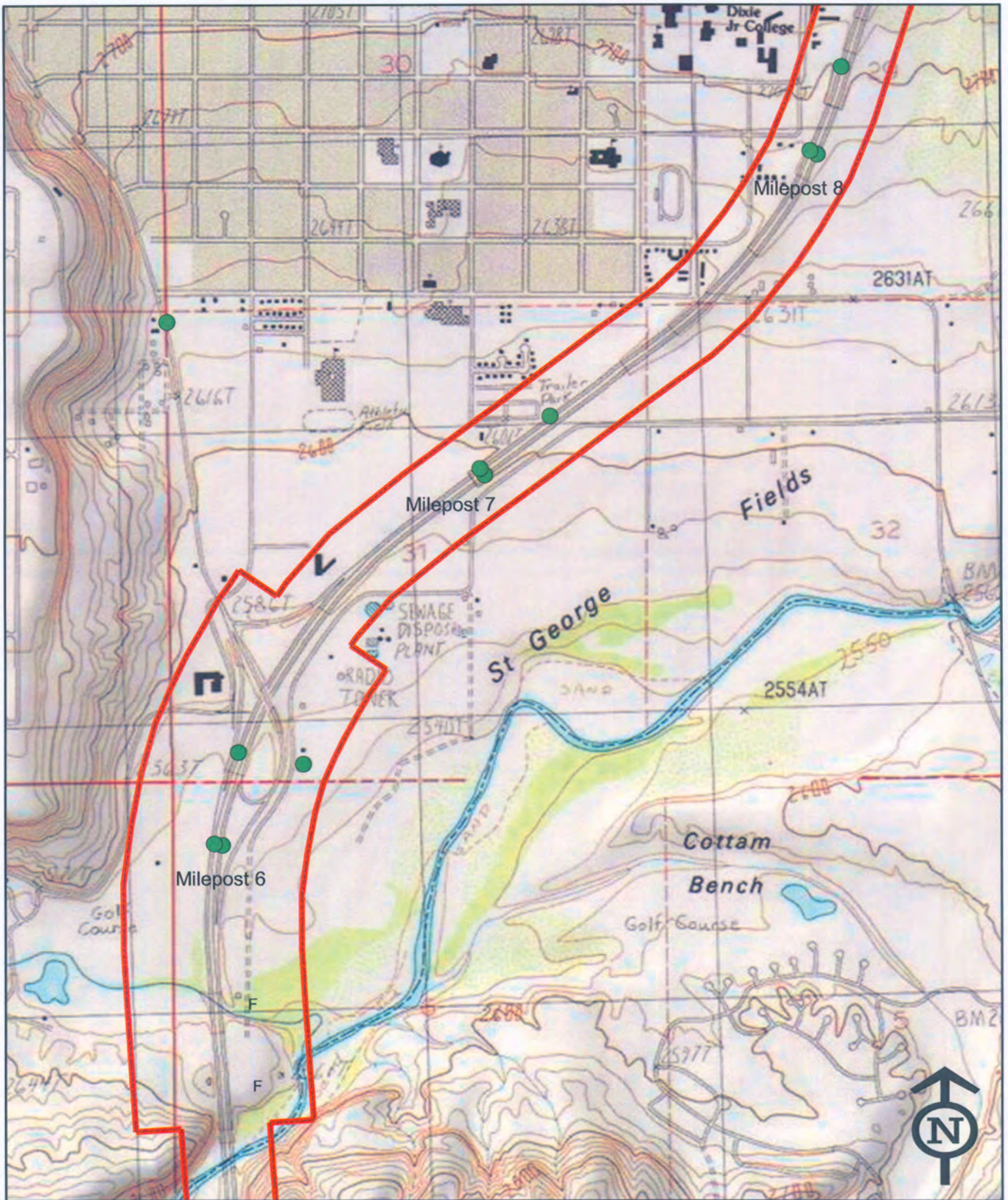
Location of area potentially effected by proposed improvements along the I-15 corridor from Mileposts 0 - 2, on the White Hills and St. George USGS 7.5' Quadrangles, Washington County, Utah. Page 1 of 7.




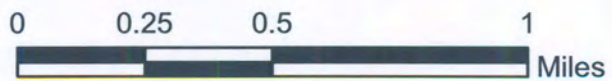
 I-15 Corridor Project Area



Location of area potentially effected by proposed improvements along the I-15 corridor from Mileposts 3 - 5, on the St. George USGS 7.5' Quadrangle, Washington County, Utah. Page 2 of 7.

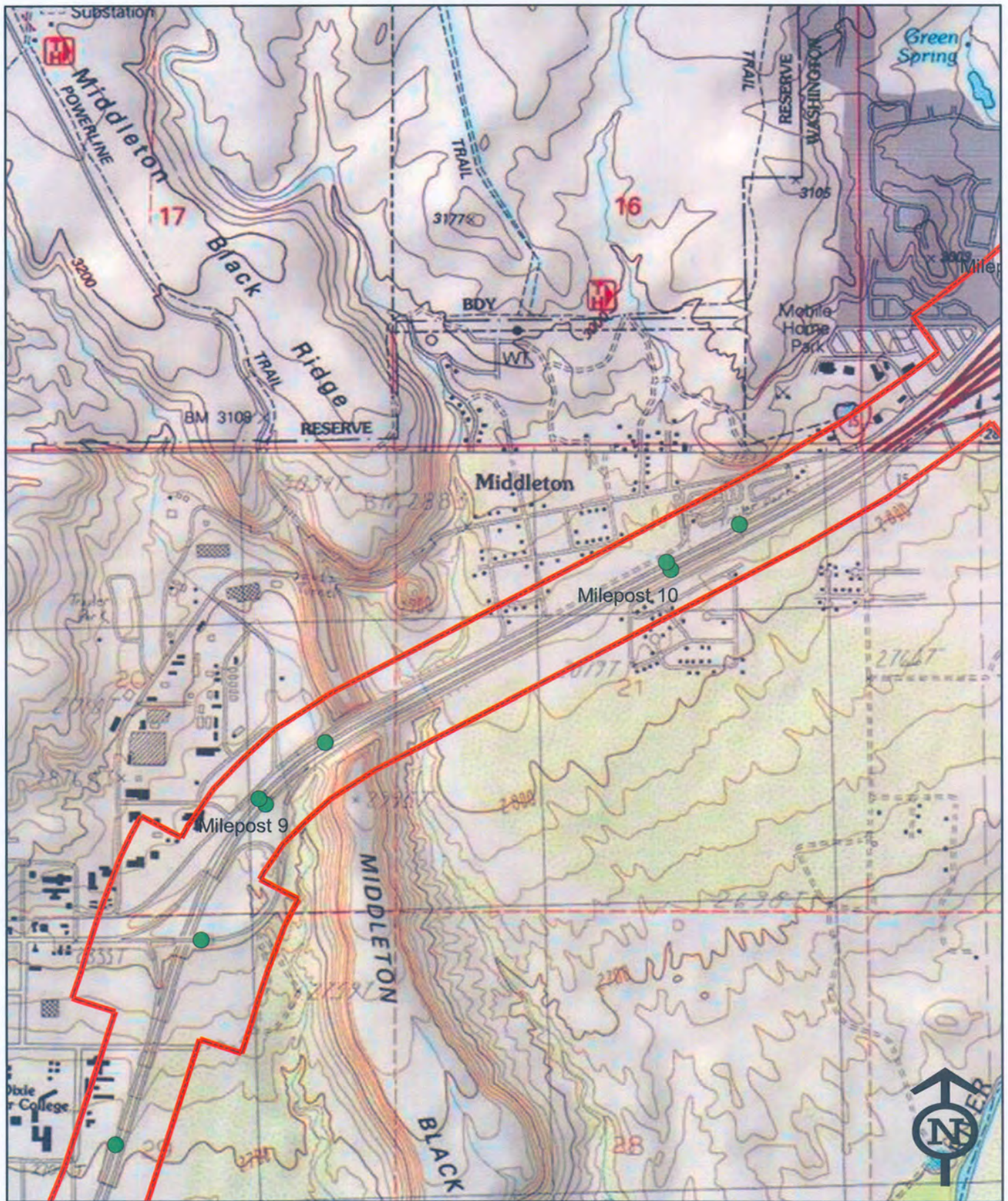


 I-15 Corridor Project Area

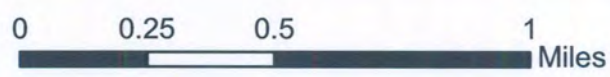


Location of area potentially effected by proposed improvements along the I-15 corridor from Mileposts 6 - 8, on the St. George USGS 7.5' Quadrangle, Washington County, Utah. Page 3 of 7.

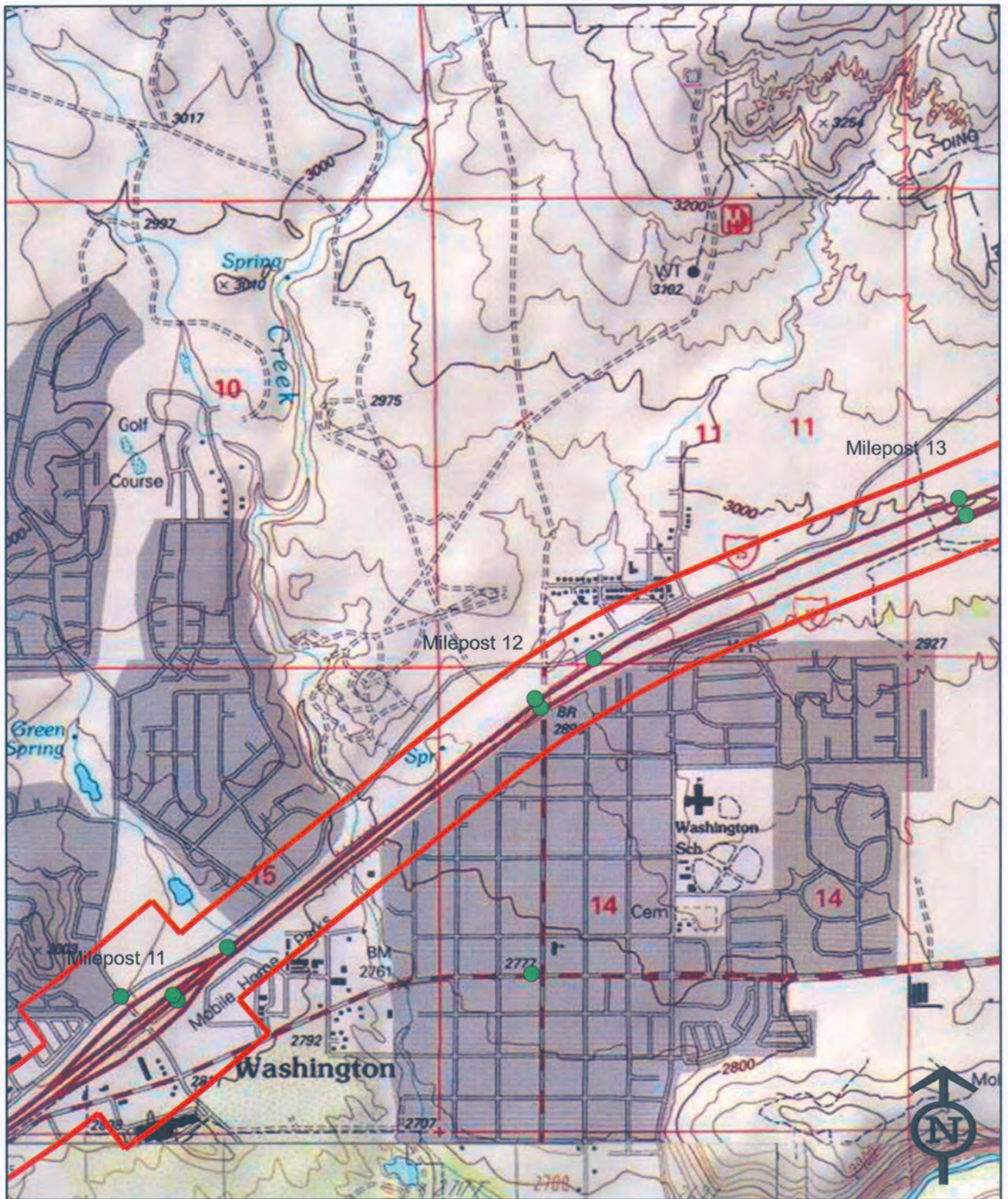





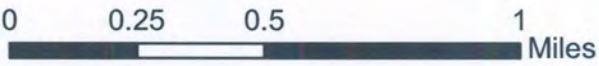
 I-15 Corridor Project Area



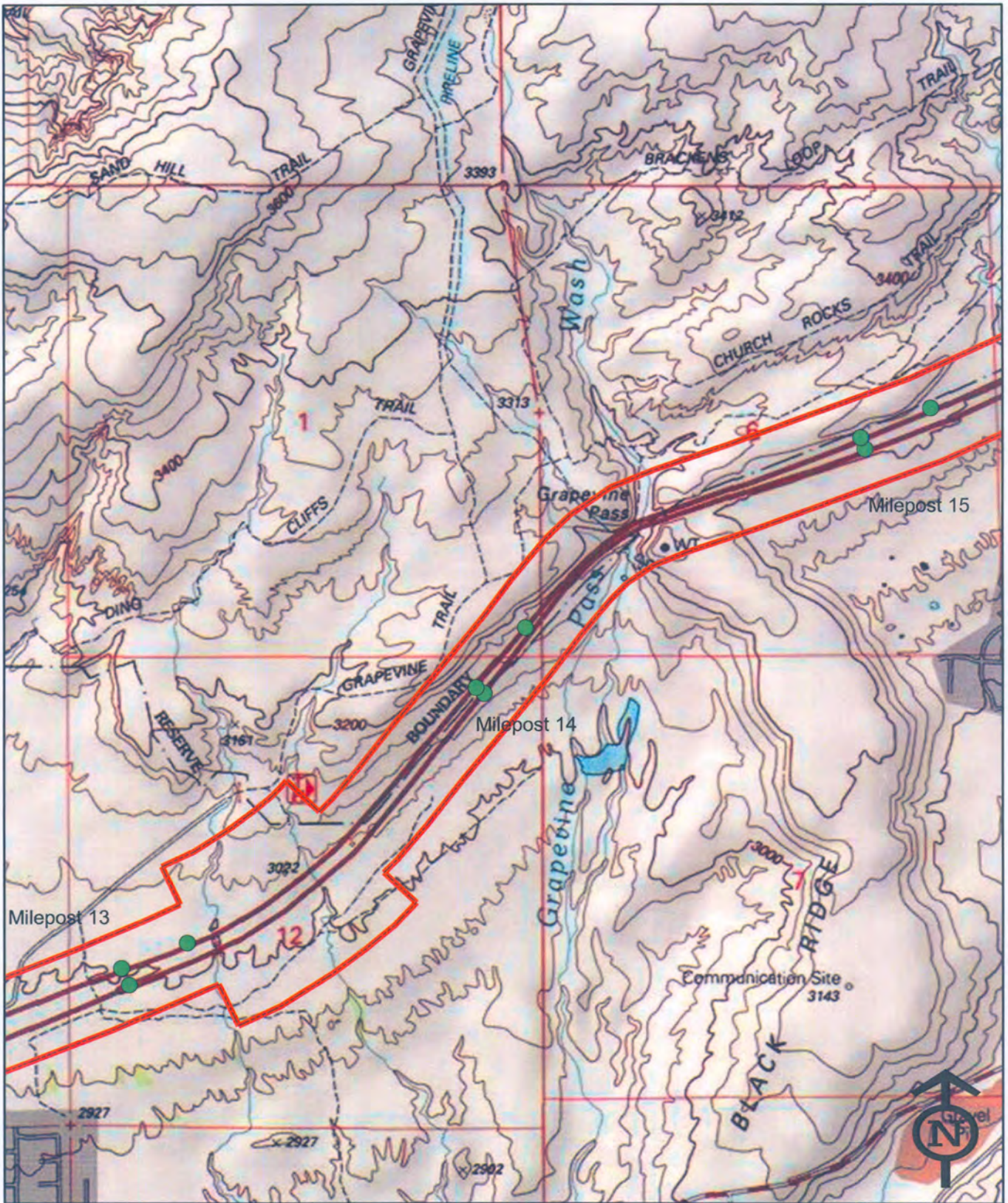
Location of area potentially effected by proposed improvements along the I-15 corridor from Mileposts 9-10, on the St. George and Washington USGS 7.5' Quadrangles, Washington County, Utah. Page 4 of 7.




 I-15 Corridor Project Area



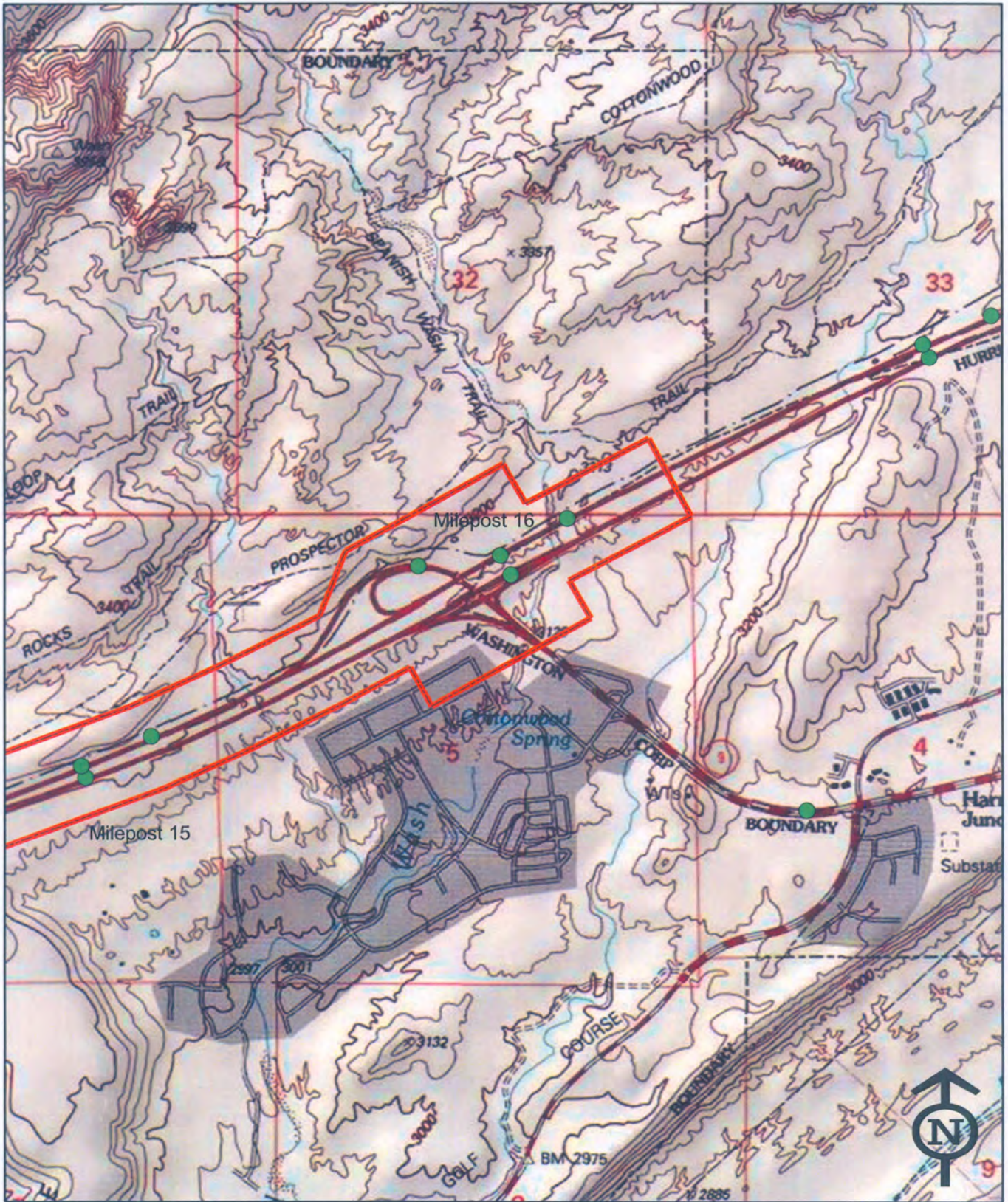
Location of area potentially effected by proposed improvements along the I-15 corridor from Mileposts 11 - 13, on the Washington and Harrisburg Junction USGS 7.5' Quadrangles, Washington County, Utah. Page 5 of 7.



 I-15 Corridor Project Area

0 0.25 0.5 1 Miles

Location of area potentially effected by proposed improvements along the I-15 corridor from Mileposts 13 - 15, on the Harrisburg Junction USGS 7.5' Quadrangle, Washington County, Utah. Page 6 of 7.



 I-15 Corridor Project Area

0 0.25 0.5 1 Miles

Location of area potentially effected by proposed improvements along the I-15 corridor near Milepost 16, on the Harrisburg Junction USGS 7.5' Quadrangle, Washington County, Utah. Page 7 of 7.

**From:** "Martineau, Dorena (IHS/PHX)" <Dorena.Martineau@ihs.gov>  
**To:** <edward.woolford@dot.gov>  
**CC:** <erichansen@utah.gov>, <lomeli20034@aol.com>  
**Date:** 3/1/2010 11:43 AM  
**Subject:** Interstate 15 Milepost 0 to 16 EA Study

March 1, 2010

Dear Mr. Woolford,

Subject: F-115-1 (86)0: Interstate 15 Milepost 0 to 16 EA Study, Washington  
County, Utah

The Paiute Indian Tribe of Utah is in receipt of your letter dated February 17, 2010 and has reviewed the material and do not have any objections pertaining to the above named project. The particular area that the proposed project is being considered for are lands that are part of the aboriginal Southern Paiute homelands. At this time we are not aware of any archaeological resources in or near the proposed sites. As you are aware the Tribe supports the identification and avoidance of prehistoric archaeological sites and traditional cultural properties.

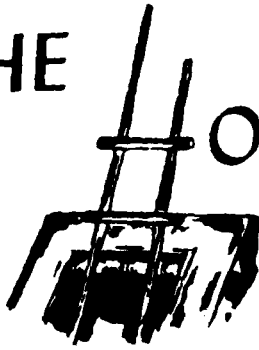
The Paiute Tribe sincerely appreciates the consideration and efforts you and your staff have made to consult with the Tribes. Please keep us informed on any updates or changes to the project.

Sincerely,

Dorena Martineau  
Cultural Resources  
Paiute Indian Tribe of Utah  
440 North Paiute Drive  
Cedar City, Utah 84721  
Phone: 435-586-1112 ext. 107

cc: Eric Hansen, NEPA/NHPA Specialist - UDOT Region 4  
Charlotte Lomeli, Shivwits Band Chairwoman

THE



HOPI TRIBE

Leroy Shingoitewa  
CHAIRMAN

Herman G. Honanie  
VICE-CHAIRMAN

March 5, 2010

Edward Woolford, Environmental Program Manager  
Federal Highway Administration, Utah Division  
2520 West 4700 South, Ste. 9A  
Salt Lake City, Utah 84118-1847

Re: Interstate 15; Milepost 0-16, Washington County (7842)

Dear Mr. Woolford,

Thank you for your correspondence dated February 17, 2010, regarding the Federal Highway Administration (FHWA) and Utah Department of Transportation (UDOT) preparation of an environmental assessment of proposed improvements along Interstate 15 between mileposts 0 and 16 in Washington County. Because the Hopi Tribe claims cultural affiliation to prehistoric cultural groups in Utah, and the Hopi Cultural Preservation Office supports identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, we appreciate FHWA's and UDOT's continuing solicitation of our input and your efforts to address our concerns.

The Hopi Cultural Preservation Office considers the archaeological sites of our ancestors to be Hopi Traditional Cultural Properties. Therefore, to assist us in determining if this proposal may impact cultural resources significant to the Hopi Tribe, if prehistoric cultural resources are identified that will be adversely impacted by project activities, please provide us with copies of the cultural resource survey report of the area of potential effect and any proposed draft treatment plans for review and comment.

Should you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office. Thank you again for your consideration.

Respectfully,

Leigh J. Kuwanwisiwma, Director  
Hopi Cultural Preservation Office

xc: Eric Hansen, UDOT

---

From: Curtis Cesspooch [mailto:CurtisC@utetribe.com]  
Sent: Wednesday, March 10, 2010 11:09 AM  
To: Woolford, Edward (FHWA)  
Subject: I-15

Mr. Woolford, thank you for your letter informing us of the UDOT F-115 Project. I'm sure that the Piate Tribes in that area will provide input on the project. Thank you for your consideration. But, we would like to be informed of any cultural items that might be found. Thank you again, Curtis R. Cesspooch.



March 11, 2010

Dear Mr. Hansen,

Thank you for the opportunity to respond to the study being conducted on the proposed improvements to I-15 from Milepost 0 thru Milepost 16.

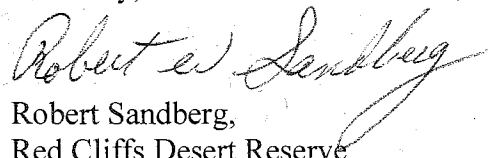
Our office has no information regarding cultural resources along this corridor, however we do have concerns and information regarding desert tortoise in portions of the proposed improvements.

If, as your letter indicated, the ROW of I-15 is widened in the area between Mileposts 13 and 16, it could impact the Red Cliffs Desert Reserve. The Reserve was set aside as mitigation for the federally threatened Mojave Desert tortoise. The north side of the Interstate borders the Reserve between the referenced mileposts. Any encroachment on the Reserve would negatively impact the desert tortoise and certainly be of concern to us and to the US Fish and Wildlife Service, requiring coordination and mitigation of the acreage affected by the encroachment.

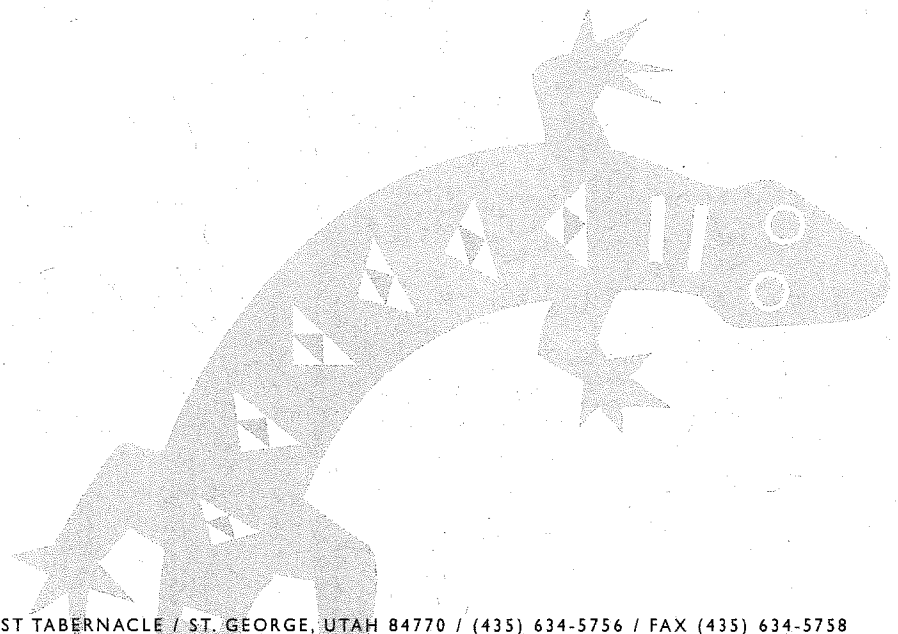
Additionally, if the proposal would include work being conducted outside existing ROW fencing between Mileposts 0 and 4, and between Mileposts 13 and 16, tortoise clearance surveys would need to be conducted by qualified biologists prior to construction activities and exclusion fencing would be required at any areas of encroachment into the Reserve between Mileposts 13 and 16.

Again, we appreciate your request for information and concerns, and want to be involved throughout the process. We have information on the Reserve as well as tortoises and other sensitive species in the area that we would be happy to provide if it would be of assistance in your study.

Sincerely,

  
Robert Sandberg,  
Red Cliffs Desert Reserve

RS:by





---

From: [shayjaym@hotmail.com](mailto:shayjaym@hotmail.com) [mailto:[shayjaym@hotmail.com](mailto:shayjaym@hotmail.com)] On Behalf Of shanan M.  
Sent: Tuesday, March 16, 2010 12:53 PM  
To: Woolford, Edward (FHWA)  
Subject: Proposed Transportation Improvements

This letter is in regards to F-0018(42)4 HDA-UT.  
and F-I15-1(86)0 HDA-UT

The Shivwits Band has Cultural sites all along the proposed transportation improvement along SR-18 (Bluff Street), from St George Blvd. to Red Hills Parkway and all around the Airport Hill. But as you can see by the many developments over the years, they have been destroyed or buried over.

The Shivwits People have lived throughout the Washington County area and the Proposed transportation improvement along Interstate 15 from milepost 0 to 16, in Washington County is in the path of our original homelands.

We would like be involved in the proposed project and as a consulting party in the event you come across any cultural findings. You can contact me me at 435-773-1821 or through this e-mail.

I am sending this through email since I have not responded at an earlier date but I can also sent this letter by mail for your records if need be on an official Shivwits letterhead.

Thank you for your time.

Shanan Martineau  
Cultural Resources Manager  
6060 W 3650 N  
Ivins, UT 84738  
Phone: 435-773-1821  
Fax: 435-656-8002

---

Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. Sign up now.  
<[http://www.windowsslive.com/campaign/thenewbusy?ocid=PID27925::T:WLMTAGL:ON:WL:en-US:WM\\_HMP:032010\\_2](http://www.windowsslive.com/campaign/thenewbusy?ocid=PID27925::T:WLMTAGL:ON:WL:en-US:WM_HMP:032010_2)>

>>> Kristine Curry 3/22/2010 11:22 AM >>>

Mr. Hansen,

Thank you for the letter sent to Kenny Wintch dated March 10, 2010, pertaining to the above referenced project. We appreciate having the opportunity to voice any concerns we might have.

At this time, we do not have any concerns about this project nor do we wish to be a consulting party, but we would like to be kept informed about this project. Thank you very much in advance for this.

Please address any future correspondence to my attention as I will be acting as your contact. Thanks!

Kristine

Kristine Curry  
Archaeologist  
State of Utah, School and Institutional Trust Lands Administration  
675 E. 500 S. Suite 500  
Salt Lake City, UT 84102  
Phone: (801) 538-5181  
Fax: (801) 355-0922



**State of Utah**

GARY R. HERBERT  
*Governor*

GREG BELL  
*Lieutenant Governor*

**Department of Community and Culture**

PALMER DePAULIS  
*Executive Director*

**State History**

PHILIP E. NOTARIANNI  
*Division Director*

April 15, 2010

Eric Hansen, Region 4 NEPA/NHPA Specialist  
Utah Department of Transportation  
c/o Five County Association of Governments  
1070 West 1600 South #B  
St. George UT 84770

RE: APE Consultation for an EA of Proposed Transportation Improvements along Interstate 15 from Milepost 0 to 16 in Washington County, Utah

In Reply Please Refer to Case No. 10-0427

Dear Mr. Hansen: *Eric*

The Utah State Historic Preservation Office received your request for our comment on the above-referenced project on April 5, 2010.

USHPO concurs with UDOT's determination of Potential to Affect cultural resources by the undertaking.

This letter serves as our comment on the determinations you have made, within the consultation process specified in §36CFR800.4. If you have questions, please contact me at 801-533-3555 or [Lhunsaker@utah.gov](mailto:Lhunsaker@utah.gov) or contact Jim Dykman at 801-533-3523 or [Jdykman@utah.gov](mailto:Jdykman@utah.gov)

Sincerely,

Lori Hunsaker  
Deputy State Historic Preservation Officer - Archaeology



UTAH STATE HISTORICAL SOCIETY  
ANTIQUITIES  
HISTORIC PRESERVATION  
RESEARCH CENTER & COLLECTIONS



State of Utah

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

## DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
Executive Director

CARLOS M. BRACERAS, P.E.  
Deputy Director

April 27, 2010

Kelly Beck, RDCC Administrator  
DNR/RDCC  
1594 West North Temple  
Salt Lake City, UT 84114

**Subject: Environmental Assessment**  
**I-15 MP0 to MP16**  
**UDOT Project No. F-I15-1(66)0**

Dear Mr. Beck,

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help UDOT decide how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

Environmental resources previously identified in the project area include threatened and endangered species, noise, cultural resources, and river/stream crossings.

**At this time we request your assistance in identifying potential resources, concerns, requirements, or recommendations you may have relating to the proposed project. A formal scoping meeting will not be held for this project, but we are available to meet with individual agencies as needed. Additionally, further opportunity for comment will be provided at the public hearing, anticipated for Late 2010/Early 2011.**

Please send your input to Nicole Tolley at Horrocks Engineers, 2162 West Grove Parkway, Suite 400, Pleasant Grove, Utah 84062 or email to [nicolet@horrocks.com](mailto:nicolet@horrocks.com) by **May 24, 2010**. We appreciate your participation on this project. If you have any questions or comments regarding this letter, please contact Nicole with Horrocks Engineers at 801-763-5154.

Sincerely,

A handwritten signature in blue ink that reads "Rebecka Stromness".

Rebecka Stromness

cc: Clayton Wilson, UDOT Project Manager  
Nicole Tolley, Horrocks Engineers  
project file

Attachment: Project Location Map



UTAH

Project Location

Project Study Area

Washington

St. George

Bluff Street

Santa Clara River

Virgin River

Southern Parkway

15

SR-9

### **I-15 EA Project Location Map**

#### **St. George Quad Map**

- T43S R16W Section 34, 35, 26, 23, 24, 13, 12
- T43S R15W Section 7, 6
- T42S R15W Section 31, 32, 29, 20, 21, 22

#### **Washington Quad Map**

- T42S R15W Section 15, 14, 11

#### **Harrisburg Junction Quad Map**

- T42S R15W Section 11, 12, 1
- T42S R14W Section 6,5





State of Utah

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GREG BELL  
Lieutenant Governor

## DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
Executive Director

CARLOS M. BRACERAS, P.E.  
Deputy Director

April 27, 2010

Scott Hirschi  
Washington County Economic Development Council  
225 S. 700 E.  
St. George, UT 84770

**Subject: Environmental Assessment  
I-15 MP0 to MP16  
UDOT Project No. F-I15-1(66)0**

Dear Mr. Hirschi,

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help UDOT decide how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

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Sincerely,

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Rebecka Stromness

cc: Clayton Wilson, UDOT Project Manager  
Nicole Tolley, Horrocks Engineers  
project file

Attachment: Project Location Map



State of Utah

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

## DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
Executive Director

CARLOS M. BRACERAS, P.E.  
Deputy Director

April 27, 2010

Jeff Harding  
Hurricane Valley Chamber of Commerce  
1155 W. State St.  
Hurricane, UT 84737

**Subject: Environmental Assessment  
I-15 MP0 to MP16  
UDOT Project No. F-I15-1(66)0**

Dear Mr. Harding,

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help UDOT decide how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

Environmental resources previously identified in the project area include threatened and endangered species, noise, cultural resources, and river/stream crossings.

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Sincerely,

A handwritten signature in cursive script that reads "Rebecka Stromness".

Rebecka Stromness

cc: Clayton Wilson, UDOT Project Manager  
Nicole Tolley, Horrocks Engineers  
project file

Attachment: Project Location Map



State of Utah

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Governor

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Lieutenant Governor

## DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
Executive Director

CARLOS M. BRACERAS, P.E.  
Deputy Director

April 27, 2010

Ron Thompson  
Washington County Water Conservancy District  
136 N. 100 E.  
St. George, UT 84770

**Subject: Environmental Assessment  
I-15 MP0 to MP16  
UDOT Project No. F-I15-1(66)0**

Dear Mr. Thompson,

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help UDOT decide how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

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Sincerely,

A handwritten signature in cursive script that reads "Rebecka Stromness".

Rebecka Stromness

cc: Clayton Wilson, UDOT Project Manager  
Nicole Tolley, Horrocks Engineers  
project file

Attachment: Project Location Map





State of Utah

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Lieutenant Governor

## DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
Executive Director

CARLOS M. BRACERAS, P.E.  
Deputy Director

April 27, 2010

Bob Sandberg  
Washington County HCP Administration (Red Cliffs Desert Reserve)  
10 N. 100 E  
St. George, UT 84770

**Subject: Environmental Assessment  
I-15 MP0 to MP16  
UDOT Project No. F-I15-1(66)0**

Dear Mr. Sandberg,

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help UDOT decide how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

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Sincerely,

A handwritten signature in cursive script that reads "Rebecka Stromness".

Rebecka Stromness

cc: Clayton Wilson, UDOT Project Manager  
Nicole Tolley, Horrocks Engineers  
project file

Attachment: Project Location Map



State of Utah

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Lieutenant Governor

## DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
Executive Director

CARLOS M. BRACERAS, P.E.  
Deputy Director

April 27, 2010

Steve Meisner  
Virgin River Program  
136 N. 100 E.  
St. George, UT 84770

**Subject: Environmental Assessment  
I-15 MP0 to MP16  
UDOT Project No. F-I15-1(66)0**

Dear Mr. Meisner,

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help UDOT decide how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

Environmental resources previously identified in the project area include threatened and endangered species, noise, cultural resources, and river/stream crossings.

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Please send your input to Nicole Tolley at Horrocks Engineers, 2162 West Grove Parkway, Suite 400, Pleasant Grove, Utah 84062 or email to [nicolet@horrocks.com](mailto:nicolet@horrocks.com) by **May 24, 2010**. We appreciate your participation on this project. If you have any questions or comments regarding this letter, please contact Nicole with Horrocks Engineers at 801-763-5154.

Sincerely,

A handwritten signature in cursive script that reads "Rebecka Stromness".

Rebecka Stromness

cc: Clayton Wilson, UDOT Project Manager  
Nicole Tolley, Horrocks Engineers  
project file

Attachment: Project Location Map



State of Utah

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Lieutenant Governor

## DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
Executive Director

CARLOS M. BRACERAS, P.E.  
Deputy Director

April 27, 2010

Ryan Marshall  
SunTrans  
953 E Redhills Pkwy  
St. George, UT 84770

**Subject: Environmental Assessment  
I-15 MP0 to MP16  
UDOT Project No. F-I15-1(66)0**

Dear Mr. Marshall,

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help UDOT decide how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

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Sincerely,

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Rebecka Stromness

cc: Clayton Wilson, UDOT Project Manager  
Nicole Tolley, Horrocks Engineers  
project file

Attachment: Project Location Map



State of Utah

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Lieutenant Governor

## DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
Executive Director

CARLOS M. BRACERAS, P.E.  
Deputy Director

April 27, 2010

Russ Behrmann  
St. George Chamber of Commerce  
97 E St George Blvd  
St. George, UT 84770

**Subject: Environmental Assessment  
I-15 MP0 to MP16  
UDOT Project No. F-I15-1(66)0**

Dear Mr. Behrmann,

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help UDOT decide how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

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Sincerely,

A handwritten signature in cursive script that reads "Rebecka Stromness".

Rebecka Stromness

cc: Clayton Wilson, UDOT Project Manager  
Nicole Tolley, Horrocks Engineers  
project file

Attachment: Project Location Map



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Utah Division

May 3, 2010

2520 West 4700 South, Suite 9-A  
Salt Lake City, UT 84118-1847  
801-963-0182  
801-963-0093

<http://www.fhwa.dot.gov/utdiv/utah.htm>

In Reply Refer To:  
HDA-UT

Mr. Larry Svoboda, Director, NEPA Programs  
U.S. Environmental Protection Agency  
1595 Wynkoop Street  
Denver, CO 80202-1129

Dear Mr. Larry Svoboda:

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help the project team determine how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

Environmental resources previously identified in the project area include threatened and endangered species, noise, cultural resources, and river/stream crossings.

**At this time we request your assistance in identifying potential resources, concerns, requirements, or recommendations you may have relating to the proposed project. A formal scoping meeting will not be held for this project, but we are available to meet with individual agencies as needed. Additionally, further opportunity for comment will be provided at the public hearing, anticipated for Late 2010/Early 2011.**

Please send your input to Nicole Tolley at Horrocks Engineers, 2162 West Grove Parkway, Suite 400, Pleasant Grove, Utah 84062 or email to [nicolet@horrocks.com](mailto:nicolet@horrocks.com) by **May 24, 2010**. We appreciate your participation on this project. If you have any questions or comments regarding this letter, please contact Roland Stanger, FHWA at (801) 963-0182 or Clayton Wilson, UDOT PM at (435) 893-4744.

Yours truly,

Edward T. Woolford  
Environmental Program Manager





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Utah Division**

May 3, 2010

2520 West 4700 South, Suite 9-A  
Salt Lake City, UT 84118-1847  
801-963-0182  
801-963-0093

<http://www.fhwa.dot.gov/utdiv/utah.htm>

In Reply Refer To:  
HDA-UT

Mr. Jim Crisp, Project Manager, Regulatory Division  
U.S. Bureau of Land Management (BLM)  
345 East Riverside Drive  
St. George, UT 84790

Dear Mr. Crisp:

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help the project team determine how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

Environmental resources previously identified in the project area include threatened and endangered species, noise, cultural resources, and river/stream crossings.

**At this time we request your assistance in identifying potential resources, concerns, requirements, or recommendations you may have relating to the proposed project. A formal scoping meeting will not be held for this project, but we are available to meet with individual agencies as needed. Additionally, further opportunity for comment will be provided at the public hearing, anticipated for Late 2010/Early 2011.**

Please send your input to Nicole Tolley at Horrocks Engineers, 2162 West Grove Parkway, Suite 400, Pleasant Grove, Utah 84062 or email to [nicolet@horrocks.com](mailto:nicolet@horrocks.com) by **May 24, 2010**. We appreciate your participation on this project. If you have any questions or comments regarding this letter, please contact Roland Stanger, FHWA at (801) 963-0182 or Clayton Wilson, UDOT PM at (435) 893-4744.

Yours truly,

Edward T. Woolford  
Environmental Program Manager





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Utah Division**

May 3, 2010

2520 West 4700 South, Suite 9-A  
Salt Lake City, UT 84118-1847  
801-963-0182  
801-963-0093

<http://www.fhwa.dot.gov/utdiv/utah.htm>

In Reply Refer To:  
HDA-UT

Ms. Judy Watanabe, Utah NFIP Coordinator  
Federal Emergency Management Agency  
P.O. Box 141710  
1110 State Office Building  
Salt Lake City, UT 84114-1710

Dear Ms. Judy Watanabe:

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help the project team determine how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

Environmental resources previously identified in the project area include threatened and endangered species, noise, cultural resources, and river/stream crossings.

**At this time we request your assistance in identifying potential resources, concerns, requirements, or recommendations you may have relating to the proposed project. A formal scoping meeting will not be held for this project, but we are available to meet with individual agencies as needed. Additionally, further opportunity for comment will be provided at the public hearing, anticipated for Late 2010/Early 2011.**

Please send your input to Nicole Tolley at Horrocks Engineers, 2162 West Grove Parkway, Suite 400, Pleasant Grove, Utah 84062 or email to [nicolet@horrocks.com](mailto:nicolet@horrocks.com) by **May 24, 2010**. We appreciate your participation on this project. If you have any questions or comments regarding this letter, please contact Roland Stanger, FHWA at (801) 963-0182 or Clayton Wilson, UDOT PM at (435) 893-4744.

Yours truly,

Edward T. Woolford  
Environmental Program Manager





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Utah Division

May 3, 2010

2520 West 4700 South, Suite 9-A  
Salt Lake City, UT 84118-1847  
801-963-0182  
801-963-0093

<http://www.fhwa.dot.gov/utdiv/utah.htm>

In Reply Refer To:  
HDA-UT

Mr. Larry Crist  
U.S. Fish & Wildlife Service  
2369 W. Orton Circle, Suite 50  
West Valley City, UT 84119

Dear Mr. Crist:

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help the project team determine how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

Environmental resources previously identified in the project area include threatened and endangered species, noise, cultural resources, and river/stream crossings.

**At this time we request your assistance in identifying potential resources, concerns, requirements, or recommendations you may have relating to the proposed project. A formal scoping meeting will not be held for this project, but we are available to meet with individual agencies as needed. Additionally, further opportunity for comment will be provided at the public hearing, anticipated for Late 2010/Early 2011.**

Please send your input to Nicole Tolley at Horrocks Engineers, 2162 West Grove Parkway, Suite 400, Pleasant Grove, Utah 84062 or email to [nicolet@horrocks.com](mailto:nicolet@horrocks.com) by **May 24, 2010**. We appreciate your participation on this project. If you have any questions or comments regarding this letter, please contact Roland Stanger, FHWA at (801) 963-0182 or Clayton Wilson, UDOT PM at (435) 893-4744.

Yours truly,

Edward T. Woolford  
Environmental Program Manager







U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Utah Division**

May 3, 2010

2520 West 4700 South, Suite 9-A  
Salt Lake City, UT 84118-1847  
801-963-0182  
801-963-0093

<http://www.fhwa.dot.gov/utdiv/utah.htm>

In Reply Refer To:  
HDA-UT

Ms. Karen L. Clementsen  
US Army Corps of Engineers, Sacramento District  
321 North Mall Drive, Suite L-101  
St George, UT 84790

Dear Ms. Karen L. Clementsen:

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) has initiated an Environmental Assessment (EA) that will consider improvements to I-15 between MP0 and MP16 in Washington County, Utah. The EA will serve to help the project team determine how best to address existing and projected transportation demands along the I-15 corridor in this area and will evaluate any potential social, economic, and environmental impacts of the proposed transportation improvements. See attached project location map for the project study area.

Environmental resources previously identified in the project area include threatened and endangered species, noise, cultural resources, and river/stream crossings.

**At this time we extend an invitation to the US Army Corp of Engineers to become a Cooperating Agency. In addition, we request your assistance in identifying potential resources, concerns, requirements, or recommendations you may have relating to the proposed project. A formal scoping meeting will not be held for this project, but we are available to meet with individual agencies as needed. Additionally, further opportunity for comment will be provided at the public hearing, anticipated for Late 2010/Early 2011.**

Please send your input to Nicole Tolley at Horrocks Engineers, 2162 West Grove Parkway, Suite 400, Pleasant Grove, Utah 84062 or e-mail to [nicolet@horrocks.com](mailto:nicolet@horrocks.com) by **May 24, 2010**. We appreciate your participation on this project. If you have any questions or comments regarding this letter, please contact Roland Stanger, FHWA at (801) 963-0182 or Clayton Wilson, UDOT PM at (435) 893-4744.

Yours truly,

Edward T. Woolford  
Environmental Program Manager





UTAH

Project Location

Project Study Area

Washington

St. George

Bluff Street

Santa Clara River

Virgin River

Southern Parkway

15

SR-9

### **I-15 EA Project Location Map**

#### **St. George Quad Map**

- T43S R16W Section 34, 35, 26, 23, 24, 13, 12
- T43S R15W Section 7, 6
- T42S R15W Section 31, 32, 29, 20, 21, 22

#### **Washington Quad Map**

- T42S R15W Section 15, 14, 11

#### **Harrisburg Junction Quad Map**

- T42S R15W Section 11, 12, 1
- T42S R14W Section 6,5





May 17, 2010

Ms. Nicole Tolley  
Horrocks Engineers  
2162 West Grove Parkway, Suite 400  
Pleasant Grove, UT 84062

Dear Ms. Tolley:

Thank you for your letter of April 27, 2010 requesting assistance in identifying potential issues regarding the proposed improvements to I-15 between MP 0 and MP 16.

Those items that concern our department are in relation to the I-15 ROW adjacent to the Reserve from approximately MP 13.5 and MP 16. Our concern is one of insuring the integrity of the tortoise proof fencing along the ROW and avoiding any incursion into the Reserve. We are unsure of the scope of the improvements and unsure if the proposal includes any widening of the interstate or ROW that would take any Reserve lands. If so, that would definitely be a concern that would need to be addressed in the environmental document.

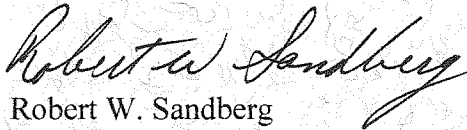
In meeting with some of UDOT's representatives, they expressed a possible need to redesign the exit at MP 16 that could entail extending into the Reserve. Again that would be an issue that would need to be fully explored in the EA and consulted on with the USFWS. Any land removed from or impacted by the construction of improvements would need to be mitigated in accordance with USFWS criteria. Our office does have some knowledge of properties within the Reserve where opportunities for acquisition may exist. These properties may be able to help meet mitigation requirements that might result from the proposal.

Other issues surrounding the proposal would include the need for tortoise presence surveys and removals where necessary within the tortoise habitat areas. The potential need for biological monitors on site during the construction activities and tortoise awareness training of construction personnel if there is work inside the Reserve. Timing and duration of the project could influence the need and intensity of monitoring as well. Reclamation options used in cut stabilization and rehabilitation at the conclusion of the project is an area that should be addressed in the EA as well. The methods used to seed along with timing of seeding and the possibility of planting species that are fire resistant and could function as a "green strip" as well are examples of options that should be considered in the EA.

Nicole Tolley  
May 17, 2010  
Page 2

We very much appreciate the opportunity to provide information and input to this proposal and will be available to answer questions or provide clarification on issues relative to desert tortoise and the Reserve as they relate to your proposal.

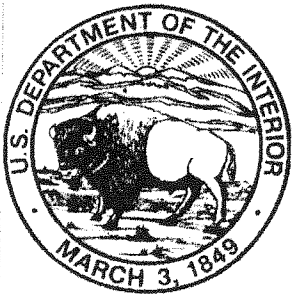
Sincerely,



Robert W. Sandberg  
HCP Administrator

cc: Rebecka Stromness  
Utah Dept. of Transportation  
Calvin L. Rampton Complex  
4501 South 2700 West  
Salt Lake City, Utah 84119-5998

RS:by



## United States Department of the Interior



**BUREAU OF LAND MANAGEMENT**  
Color Country District - St. George Field Office  
345 East Riverside Drive  
St. George, Utah 84790  
Phone: (435) 688-3200 Fax: (435) 688-3252  
<http://www.blm.gov>

**IN REPLY REFER TO:**  
UTC030

June 15, 2010

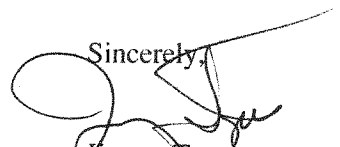
Nicole Tolley  
Horrocks Engineers  
2162 West Grove Parkway, Suite 400  
Pleasant Grove, Utah 84062

Dear Ms. Tolley:

Please, give us your recommendation on what our official role in the I-15 Improvement Project (project) should be during this environmental assessment process (ie. cooperating agency). A detailed project proposal along with alternatives, are required to determine actual impacts on resource values. We have identified the following resource values which maybe potentially impacted by the project, and have listed our concerns, and recommendations.

The project could potentially affect the following federally threatened, endangered, candidate species, or federally designated critical habitats: desert tortoise (Federally Threatened), Desert Tortoise Designated Critical Habitat, dwarf bear poppy (Federally Endangered), Shivwits milkvetch (Federally Endangered), Shivwits Milkvetch Designated Critical Habitat, Holmgren milkvetch (Federally Endangered), Holmgren Milkvetch Designated Critical Habitat, Virgin River chub (Federally Endangered), Virgin River Chub Designated Critical Habitat, woundfin (Federally Endangered), Woundfin Designated Critical Habitat, Southwestern willow flycatcher (Federally Endangered), Southwestern Willow Flycatcher Designated Critical Habitat, and yellow-billed cuckoo (Federal Candidate Species). Several BLM Sensitive Species could potentially be affected by this project (ie. Gierisch globemallow, Parry sandpaper plant). A biological survey along the project corridor should be conducted to determine the extent of T&E, and BLM Sensitive Species. Impacts to threatened and endangered species should be analyzed through a biological assessment to determine the affects of the project on these species. If it's determined that the project may affect threatened and endangered species, a Section 7 Consultation with the U.S. Fish and Wildlife Service, Utah Field Office, 2369 West Orton Circle, Suite 50, West Valley City, Utah 84119 should be conducted.

Sincerely,



Jimmy Tyree  
Field Office Manager



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Utah Division

January 13, 2011

2520 West 4700 South, Suite 9-A  
Salt Lake City, UT 84118-1847  
801-955-3500  
801-955-3539  
<http://www.fhwa.dot.gov/utdiv/utah.htm>

In Reply Refer To:  
HDA-UT

Mr. Jason Gipson  
Chief, Nevada-Utah Regulatory Branch  
US Army Corps of Engineers  
533 West 2600 South, Suite 150  
Bountiful, UT 84010

Re: Request to become a Cooperating Agency for the I-15 South Environmental Assessment,  
Washington County, Utah  
UDOT Project No. F-I15-1(66)0 (PIN 7843)

Dear Mr. Gipson:

The Federal Highway Administration (FHWA), in cooperation with the Utah Department of Transportation (UDOT), is initiating an Environmental Assessment (EA) on a proposal to address transportation needs on I-15 in Washington County, Utah. The study area is on I-15 between Mile Post (MP) 0 and MP16. The primary purpose of the project is to address the projected 2040 traffic demand by providing a Level-of-Service (LOS) D or better in the study area.

The I-15 South EA may consider alternatives that could impact Waters of the US, and may require a Section 404 permit. Pursuant to 33 CFR 325.8(c), "If another agency is the lead agency as set forth by the CEQ regulations (40 CFR 1501.5 and 1501.6(a) and 1508.16), the district engineer will coordinate with that agency as a cooperating agency under 40 CFR 1501.6(b) and 1508.5 to insure that agency's resulting EIS may be adopted by the Corps for purposes of exercising its regulatory authority." With this letter, we extend the US Army Corps of Engineers an invitation to become a cooperating agency with UDOT and FHWA in the development of the I-15 South EA so that the EA and all Section 106 of the National Historic Preservation Act (NHPA) and Section 7 of the Endangered Species Act (ESA) consultation initiated as part of the EA can be adopted by the USACE.

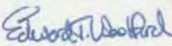
Cooperating agencies are, by definition, also participating agencies. In accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, and pursuant to Section 6002 of SAFETEA-LU, participating agencies have the responsibility to identify as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. Other typical roles of a participating agency include the following:

1. Providing input on the purpose and need, reviewing and providing input to the range of alternatives considered, and the methodologies and level of detail required in the alternatives analysis.
2. Participating in coordination meetings and joint field reviews as appropriate.
3. Timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

If your agency accepts the invitation to become a cooperating agency, please sign the concurrence line below. In accordance with Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU; Public Law 109-059), codified as Section 139 of amended Chapter 1 of Title 23, United States Code (23 USC 139), if your agency declines the invitation to become a cooperating agency, please respond in writing that the USACE (1) has no jurisdiction or authority with respect to the project, (2) has no expertise or information relevant to the project, and (3) does not intend to submit comments on the project.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EA, please contact me directly at (801) 955-3524 or at [edward.woolford@dot.gov](mailto:edward.woolford@dot.gov).

Sincerely,



Digitally signed by Edward T. Woolford  
DN: cn=Edward T. Woolford, o=Federal  
Highway Administration, ou=Utah Division,  
email=Edward.Woolford@DOT.gov, c=US  
Date: 2011.01.13 12:07:54 -0700

Edward Woolford  
Environmental Program Manager

Attachments: Project Location Map

c: Mr. Clayton Wilson, UDOT Region 4 Project Manager  
Mr. Jared Barton, UDOT Region 4 Environmental Manager  
Mr. Eric Hansen, UDOT Region 4 NEPA/NHPA Specialist  
Ms. Betsy Skinner, UDOT Environmental Manager  
Mr. Russell Youd, Horrocks Project Manager

EWOOLFORD:dm

---

Pursuant to 40 CFR 1501.5 and 1501.6(a), 33 CFR 325.8(c), and Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the USACE accepts the invitation to be a cooperating agency under NEPA for the I-15 South EA, and designates FHWA as the lead Federal agency for purposes of satisfying the requirements under Section 106 of NHPA and Section 7 of ESA.

By: \_\_\_\_\_

Jason Gipson, USACE Branch Chief  
Nevada-Utah Regulatory Branch

Date: \_\_\_\_\_

1/20/2011

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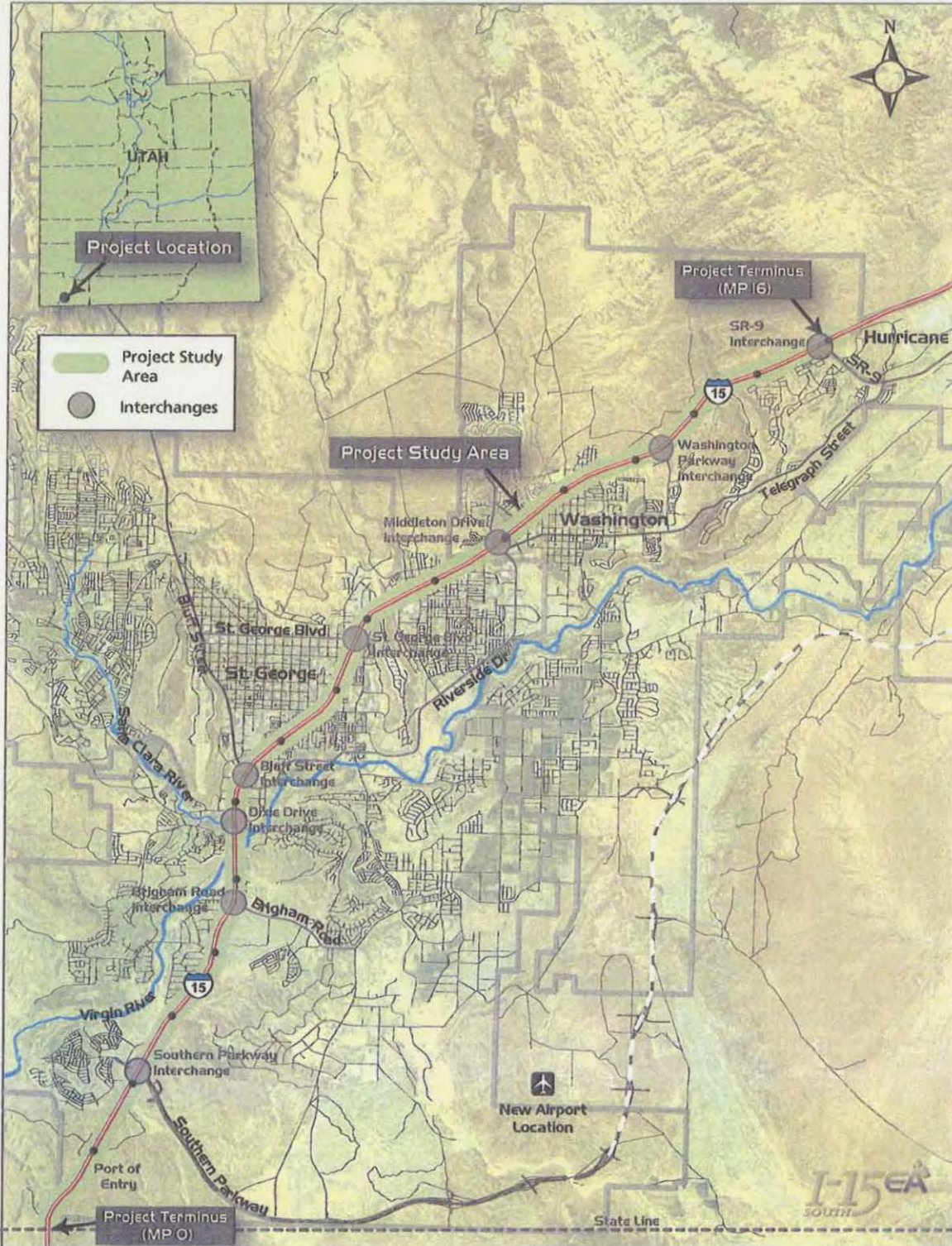


Figure 1-1 Project Location





GARY R. HERBERT  
*Governor*

GREG BELL  
*Lieutenant Governor*

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
*Executive Director*

### Utah Geological Survey

RICHARD G. ALLIS  
*State Geologist/Division Director*

November 16, 2011

Dale Gourley  
Bighorn Archaeological Consultants  
3706 Nicholas Drive  
Santa Clara UT 84765

RE: Paleontological File Search and Recommendations for the Cultural Resource Inventory of the I-15 Milepost 0 – 16 Highway Improvements, Washington County, Utah  
U.C.A. 79-3-508 (Paleontological) Compliance; Request for Confirmation of Literature Search according to the UDOT/UGS Memorandum of Understanding.

Dear Dale:

I have conducted a paleontological file search for the I-15 Milepost 0 – 16 Highway Improvements Project in response to your letter of November 14, 2011. This project qualifies for treatment under the UDOT/UGS executed Memorandum of Understanding.

There are numerous paleontological localities recorded in our files for this project area, where the highway crosses outcrops of Mesozoic bedrock, mostly in the northern part of the project right-of-way. Quaternary and Recent alluvial and volcanic deposits that are exposed over most of the southern portion of this project right-of way have a low potential for yielding significant vertebrate fossil localities (PFYC 1 -2). However, the Mesozoic bedrock units, especially the Jurassic Kayenta Formation and Triassic Chinle Formation that are exposed throughout the northern part of the project area and in limited outcrops over the rest of the project area have a moderate to high potential for yielding significant vertebrate fossil localities and tracksites (PFYC 3 – 4). If these units will be disturbed by construction activities, the office of the State Paleontologist recommends that a paleontologist evaluate this project to mitigate any potential impacts to paleontological resources. Otherwise, unless fossils are discovered as a result of construction activities, this project should have no impact on paleontological resources.

If you have any questions, please call me at (801) 537-3311.

Sincerely,

Martha Hayden  
Paleontological Assistant





State of Utah

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

## DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
Executive Director

CARLOS M. BRACERAS, P.E.  
Deputy Director

February 24, 2012

Gary Esplin  
St. George City Manager  
175 East 200 North  
St. George, UT 84770

Re: UDOT Project No. F-I15-1(66)0; I15 South Environmental Assessment  
Section 4(f) No Use Finding Concurrence Request

Dear Mr. Esplin,

The purpose of this letter is to document the Utah Department of Transportation's (UDOT) analysis of, and to request your concurrence with UDOT's recommendation that, pursuant to 23 Code of Federal Regulations (CFR) §774.3(b), a "no Section 4(f) use" finding is appropriate for the Virgin River Trail (a Section 4(f) resource) that would be affected by the subject project.

In accordance with the National Environmental Policy Act of 1969 (NEPA), the Federal Highway Administration (FHWA) and UDOT are preparing an Environmental Assessment (EA) to assess the potential environmental impacts resulting from the proposed project, as well as the documentation required by Section 4(f) of the Department of Transportation Act (49 USC §303).

Section 4(f) requires special efforts be made to preserve public park and recreation lands, wildlife and waterfowl refuges, and historic sites during federal transportation projects. According to 23 CFR §774.3, the use of a Section 4(f) property may not be approved unless the Administration determines that either:

- There is no feasible and prudent avoidance alternative, as defined in § 774.17, to the use of land from the property; and the action includes all possible planning, as defined in § 774.17, to minimize harm to the property resulting from such use; or
- that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures) committed to by the applicant, will have a *de minimis* impact, as defined in § 774.17, on the property.

According to 23 CFR §774.17, a Section 4(f) "use" occurs:

- When land is permanently incorporated into a transportation facility;
- When there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose as determined by the criteria in §774.13(d) or
- When there is a constructive use of a Section 4(f) property as determined by the criteria in §774.15

In this case, the Virgin River Trail crosses under I-15 in the area of the Virgin River bridge and therefore the portion of the trail that lies within the proposed project area would need to be temporarily and periodically closed for use during construction activities in the vicinity of the Virgin River in order to protect users of the trail from injury. No construction activities or other use of the trail is proposed as part of the project. Further, a detour route would be provided during closure periods, thus allowing continued use of the trail.

The temporary, periodic closures of the trail would constitute a temporary occupancy of the Section 4(f) property. However, a temporary occupancy of land that meets certain conditions is considered so minimal as to not constitute a use within the meaning of Section 4(f) (see 23 CFR §774.13(d)). All of the following conditions must be met:

- Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
- Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
- There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
- There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

For the Virgin River Trail, the duration of the occupancy would be temporary and occur periodically during construction activities in the vicinity of the trail, with no change in ownership of the land. There would be no physical changes made to the Section 4(f) property, with the scope of work contemplating only a temporary closure of access to the trail during construction. There would be no permanent adverse physical impacts and, due to the inclusion of the detour route, there would be no interference with the activities, features, or attributes of the trail on either a temporary or permanent basis. Access to the trail will be fully restored once the safety concerns are no longer present.

UDOT intends to recommend to FHWA that the temporary occupancy of the Virgin River Trail is so minimal as to not constitute a use within the meaning of Section 4(f) under the exception in 23 CFR §774.13(d). Prior to making this recommendation to FHWA, UDOT is required to obtain written concurrence from the officials with jurisdiction over the Section 4(f) properties as to the above conditions being met. The purpose of this letter is to request your concurrence with UDOT's assessment of the above conditions.

Based on the foregoing analysis, it is UDOT's recommendation that a no use finding be approved by FHWA for the Virgin River Trail. Your signature below will indicate to FHWA your concurrence with this finding.

If you have any questions or would like to discuss this further, please contact me at 435-893-4714 or [randalltaylor@utah.gov](mailto:randalltaylor@utah.gov).

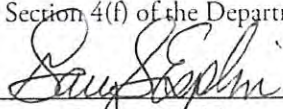
Sincerely,



Randall Taylor  
Utah Department of Transportation

I concur with UDOT's assessment of the conditions required for a "no Section 4(f) use" finding for the Preferred Alternative for UDOT Project No. F-115-1(66)0; I15 South Environmental Assessment, in accordance with Section 4(f) of the Department of Transportation Act and 23 CFR §774.13(d).

Concurrence:



Gary Espin, City Manager  
City of St. George

Date:

3/1/12

Concurrence:



Edward Woolford  
Federal Highway Administration

Date:

4-10-12



State of Utah

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

## DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
*Executive Director*

CARLOS M. BRACERAS, P.E.  
*Deputy Director*

March 28, 2012

Ms. Lori Hunsaker  
Deputy State Historic Preservation Officer  
Utah Division of State History  
300 Rio Grande  
Salt Lake City, UT 84101-1182

RE: Project No. F-I15-1(86)0  
*I-15 South EA*  
Determination of Adverse Effect

Dear Ms. Hunsaker:

In cooperation with the Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT) is planning to improve the ROW of a 16.5-mile-long segment of Interstate 15 (I-15) in Washington County, UT, extending from milepost 0 at the Utah/Arizona state line to milepost 16.5. Improvements will include construction of additional travel and auxiliary lanes and bridge and interchange reconstruction. The potential effects of the undertaking on historic properties are being evaluated as part of an environmental assessment (EA), *I-15 EA South*. The following provides a brief description of the project, defines the Area of Potential Effects (APE), reviews the Section 106 consultation record, makes a Determination of Eligibility (DOE) and Finding of Effects (FOE) for historic properties located within the current APE; proposes potential measures to mitigate adverse effects of construction to archaeological sites in the APE; and summarizes the results of the Utah Geological Survey's (UGS) review and mitigation recommendations for documented and potential fossil localities in the area. This document was prepared to assist the Federal Highway Administration in consultation with potentially interested parties, the State Historic Preservation Officer, and the Advisory Council on Historic Preservation.

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 USC 470 et seq.), U.C.A.9-8-404, and the *First Amended Programmatic Agreement Among the Federal Highway Administration, the Utah Department of Transportation, the Utah State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Section 106 Implementation for Federal-Aid Transportation Projects in the State of Utah* (executed April 16, 2010), the FHWA has taken into account the effects of this undertaking on historic properties and is giving the Advisory Council on Historic Preservation (ACHP) and 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 Overview

FHWA and UDOT propose to make transportation improvements to meet the projected 2040 travel demand on an approximately 16.5-mile-long segment of Interstate 15 located between milepost 0 at the Arizona state line and milepost 16.5 near the SR-9 freeway Interchange (Figure 1). The project area passes through the cities of St. George, Washington, and Hurricane in Washington County, UT. Improvements will include construction of additional travel and auxiliary lanes, construction of an overpass, and reconstruction of existing bridges and interchanges along the corridor. Brief descriptions of the proposed improvements are outlined below.

- Constructing one additional general purpose lane on I-15 in both the northbound and southbound directions between the Southern Parkway and SR-9
- Constructing auxiliary lanes between the Point-of-Entry and Southern Parkway, between Brigham Road and St. George Boulevard, and between Washington Parkway and SR-9
- Constructing an additional lane for the southbound to eastbound movement, for a total of three left-turn lanes, at the Southern Parkway Interchange
- Adding an additional thru lane in each direction on the Southern Parkway at the Southern Parkway interchange
- Removing the existing roundabouts and constructing a stop light interchange at the Brigham Road interchange
- Reconstruct/widen the I-15 bridges over the Virgin River
- Construct an I-15 overpass for the Mall Drive crossing.
- Converting the existing diamond interchange to a diverging diamond interchange at the St. George Boulevard Interchange
- Re-configuring the Red Hills Parkway/Green Springs Drive intersection to a thru-turn configuration
- Converting the left-turn movements on the crossroad to a dual left configuration and adding some right turn lanes on the ramp terminals at the Washington Parkway Interchange
- Improving the SR-9 Interchange by refining the southbound exit deceleration coming into the loop ramp, upgrading the loop ramp geometry, creating a three lane exit ramp northbound, creating a two lane entrance ramp southbound, and creating additional lanes on SR-9 between the I-15 interchange and the Coral Canyon interchange.

## Area of Potential Effects

The APE for the current proposed transportation improvements comprises approximately 977 acres and includes the entire area encompassed by the I-15 ROW between mileposts 0 and 16.5 and selected locations outside the ROW for proposed detention ponds and interchange improvements (Figure 1). Areas outside the I-15 ROW encompass roughly 50 of the 977 total acres, of which approximately 40 acres are located within the SR-9 ROW. When the project was initiated (before any design work had been done) in March of 2010, an APE was derived by UDOT in consultation with the Utah SHPO that encompassed private, BLM and SITLA-managed land outside the UDOT ROW along the entire 16.5-mile corridor. Following development of the *I-15 South EA Preferred Alternative* and subsequent design refinements, a smaller project footprint was established with only minor impacts outside the I-15 and SR-9 ROW corridors and the APE was adjusted accordingly.

The APE passes through privately-owned land and lands under the jurisdiction of the BLM, SITLA and the Red Cliffs Desert Reserve (RCDR) in Washington County, UT. The APE traverses portions of

Section 32 of T. 42S R. 14W, Sections 4, 5, and 6 of T. 42S R. 14W, Sections 1, 11, 12, 14, 15, 20, 22, 29, 31, and 32 or T. 42S R. 15W, Sections 6 and 7 of T. 43S R. 15W, and Sections 12, 13, 23, 24, 26, 34, and 35 of T. 43S R. 16W on the Harrisburg Junction, St. George, Washington, and White Hills, Utah, USGS 7.5' Quadrangles.

### Section 106 Consultation

Tribal and agency consultation was initiated through notification letters mailed out in March of 2010. Notified tribal parties included the Paiute Indian Tribe of Utah (PITU), the Shivwits, Kaibab, Moapa, Indian Peaks, and Cedar Bands of the Southern Paiutes, the Pueblo of Hopi, and the Ute Indian Tribe of the Uintah and Ouray Reservation. Agencies with jurisdiction over lands adjacent to the APE including RDCR, BLM, SITLA and the U.S. Army, Corps of Engineers (Corps) were notified at this time. Certified local government representatives from the cities of Hurricane, Washington, and St. George were also notified. The letters described the scope of work, requested information on historic properties of traditional religious and/or cultural importance in the area, and served an invitation to participate in the project as Section 106 consulting parties.

Responses were received from the Shivwits Band, PITU, the Hopi Tribe, the Ute Tribe, and the RCDR. The Ute responded on March 11, 2010 that they would like to be kept informed on any cultural items that might be found and that they were confident that PITU would provide input on the project as a consulting party. The Shivwits responded on March 16, 2010 that they would like to be involved in the project as a consulting party in the event that UDOT encounters any archaeological sites in the APE. PITU responded on March 1, 2010 that the lands considered in the EA study area are considered part of the aboriginal Southern Paiute homelands and requested to be kept informed on any updates or changes to the project. The Hopi responded on March 5, 2010 that they be kept informed if prehistoric resources are identified that will be adversely impacted by project activities and requested review copies of cultural resource survey reports and draft treatment plans. The RDCR responded on March 11, 2010 and requested to be included in project correspondence and be consulted on any potential impacts to desert tortoise habitat. The APE was inventoried for cultural resources by Bighorn Archaeological Consultants (BHAC) in December of 2011 and January of 2012. The results of the investigation were documented in a draft report that was sent to tribal and agency consulting parties on February 27, 2012 for review and comment.

### Archaeological Resources

The APE was inventoried for cultural resources by Bighorn Archaeological Consultants (BHAC) in December of 2011 and January of 2012, Antiquities Project No. U-11-HO-1029bps. The results of the recent BHAC investigation are documented in the enclosed report, *Cultural Resource Inventory of the I-15 Milepost 0 to 16 Highway Improvements Project, Washington County, Utah*. The report documents the results of a pre-field literature search and field inventory of the project APE. According to the results of the literature search, 130 previous cultural resource inventories have been conducted in the vicinity of the project area resulting in the recording of 181 previously recorded archaeological sites. Fifty-three of the previous inventories encompassed portions of the project APE. Fieldwork consisted of revisiting all previously recorded sites in the APE and pedestrian survey of approximately 408 acres of land within the corridor not previously inventoried within the last 10 years. As a result of the investigation, BHAC documented six new sites and 18 previously recorded sites within the project APE (Table 1, Figure 1). Another two sites, 42WS2347 and 42WS2362, were originally present within the project corridor

Table 1. I-15; MP 0 – 16, EA Cultural Resources

<b>Newly Recorded Sites</b>					
<b>Site No.</b>	<b>Site Type</b>	<b>Land Status</b>	<b>NRHP Eligibility</b>	<b>Effect</b>	<b>Mitigation</b>
42WS5796	Euro-American Road	Private/ SITLA	Not Eligible	No Effect	N/A
42WS5797	Euro-American Historic Canal	Private/ SITLA	Not Eligible	No Effect	N/A
42WS5798	Euro-American Trash Scatter	BLM	Not Eligible	No Effect	N/A
42WS5800	Euro-American Road	Private/ SITLA	Not Eligible	No Effect	N/A
42WS5801	Euro-American Road	SITLA	Not Eligible	No Effect	N/A
42WS5799	Aboriginal Rock shelter /Granary	Private	Eligible (d)	No Effect	Avoid
<b>Previously Recorded Sites – Updated</b> <i>(NRHP Eligibility Reevaluated)</i>					
<b>42WS1220</b> 42WS0357	Southern Paiute Open Artifact Scatter	SITLA	Eligible (d)	<b>Adverse</b>	<b>Data Recovery</b>
<b>42WS1221</b> 42WS356 42WS1222 42WS1223 42WS2364	Virgin Anasazi Open Artifact Scatter	Private/ SITLA	Eligible (d)	<b>Adverse</b>	<b>Data Recovery</b>
<b>42WS0355</b> 42WS1235	Aboriginal Open Lithic Scatter	SITLA	Eligible (d)	<b>Adverse</b>	<b>Data Recovery</b>
42WS2346	Virgin Anasazi Open Artifact Scatter	SITLA	Eligible (d)	No Effect	Avoid
42WS2349	Aboriginal Open Lithic Scatter and Source Area	SITLA	Not Eligible	No Effect	N/A
42WS2361	Aboriginal Open Lithic Scatter	SITLA	Not Eligible	No Effect	N/A
42WS4285	Euro-American Road	SITLA	Not Eligible	No Effect	N/A
42WS4713	Euro-American Road	Private/ BLM/ SITLA	Not Eligible	No Effect	N/A
<b>Previously Recorded Sites – Not Updated</b> <i>(NRHP Eligibility Previously Determined)</i>					
42WS1840	Aboriginal Open Lithic Scatter	Private/ SITLA	Not Eligible	No Effect	N/A
<b>42WS2232</b> 42WS157	Pueblo III Euro-American Open Habitation/ Historic Campsite	Private	Eligible (c, d)	No Effect	Avoid
42WS4283	Southern Paiute Open Campsite	SITLA	Eligible (d)	<b>Adverse</b>	<b>Data Recovery</b>
42WS4707	Basketmaker III Pueblo I Euro-American Open Habitation and Historic Campsite	Private	Eligible (d)	No Effect	Avoid
42WS4708	Virgin Anasazi Open Campsite	Private	Not Eligible	No Effect	N/A
42WS4709	Aboriginal Rock Art	Private	Eligible (c, d)	No Effect	Avoid
42WS4710	Aboriginal Rock Shelter	Private	Eligible (d)	No Effect	Avoid
42WS4711	Aboriginal Rock Shelters	Private	Eligible (d)	No Effect	Avoid
42WS4712	Euro-American Road	Private	Not Eligible	No Effect	N/A
42WS5794	Euro-American Canal	Private/ SITLA	Not Eligible	No Effect	N/A



but have since been destroyed by development; and a third site, 42WS4706, underwent data recovery within the UDOT right-of-way during the recent Dixie Drive Interchange project and has been paved over. While each of the 18 extant previously recorded sites were revisited during the inventory, BHAC determined that only eight warranted site updates and reevaluation.

### Determination of Eligibility

Eleven archaeological sites documented within the project APE are determined eligible for inclusion in the NRHP under Criterion D (42WS355, 42WS1220, 42WS1221, 42WS2232, 42WS2346, 42WS4283, 42WS4707, 42WS4709, 42WS4710, 42WS4711, & 42WS5799). 42WS2232 and 42WS4709 are also determined eligible under Criterion C. All are aboriginal in origin and consist of a rock art site (42WS4709), three rock shelter sites (42WS4710, 42WS4711, and 42WS5799), a lithic scatter (42WS0355), a Southern Paiute artifact scatter (42WS1220), a Southern Paiute open camp site (42WS4283), two Virgin Anasazi artifact scatters (42WS 1221, 42WS2346), and two Virgin Anasazi habitation sites with historic components (42WS2232 and 42WS4707). The remaining thirteen sites (42WS1840, 42WS2349, 42WS2361, 42WS4285, 42WS4708, 42WS4712, 42WS4713, 42WS5794, 42WS5796, 42WS5797, 42WS5798, 42WS5800 & 42WS5801) have been previously determined not eligible for NRHP listing, or were recommended not eligible as a result of BHAC investigation. UDOT concurs with the current recommendations of BHAC and previous determinations and determines that the sites are not eligible for NRHP listing.

### Finding of Effect

The results of U-11-HO-1029bps were used in the design of the roadway improvements and refinement of the preferred alternative near documented cultural resources in an effort avoid and/or minimize adverse effects to historic properties in the vicinity. Potential adverse effects of construction to NRHP-eligible properties in the APE were assessed according to the established criteria (36 CFR 800.5). Construction of the preferred alternative will adversely affect portions of two sites located within APE. This includes approximately 20% of the area encompassed by the site boundary of 42WS1220 and approximately 20% of the area encompassed by the site boundary of 42WS1221. Two additional sites, 42WS0355 and 42WS4283, may be impacted by construction. The boundaries of 42WS0355 and 42WS4283 are plotted adjacent to or within 15 m of the outside margin of the APE and may be affected by construction. Because of the margin of error in mapping the location of the sites in relation to design, these sites are counted as being adversely affected.

### Proposed Mitigation

Construction of the preferred alternative will be completed in phases over the course of 20-30 years. In order to adequately address and resolve any adverse effects of the project's multiple phased undertakings, FHWA is inviting UDOT, the BLM, SITLA, the Corps, the RDCR, the State Historic Preservation Officer, other consulting parties, and the Advisory Council on Historic Preservation to participate in developing a Programmatic Agreement in accordance with 36 CFR 800.6 and 36 CFR 800.14(4)(b) to take into account and resolve any potential adverse effects that the proposed undertaking may have on historic properties in the APE. The PA will require development of a written data recovery plan and research design for individual sites that will be submitted for review and approval by the consulting parties and the SHPO prior to implementation. The BLM, SITLA, Corps, and RDCR are cooperating

agencies with jurisdictions in the project boundaries, and are consulting parties who have been included in all phases of the Section 106 consultation and are invited signatories to the PA.

Proposed mitigation for sites 42WS1220 and 42WS1221 will include archaeological data recovery in advance of construction. Those sites with boundaries plotted adjacent to or within 15 m of the outside margin of the APE, 42WS0355 and 42WS4283, will be staked when the highway section is under active development to determine whether they will be affected or not. If affected, these sites will go to data recovery under the written treatment plan developed per stipulations in the PA. Unaffected site portions located outside areas designated for construction use will be protected from ground disturbing activities through implementation of a special provision in the construction contract that explicitly identifies the areas needing protection and requires construction of temporary fencing.

### Paleontological Resources

On November 16, 2011, in response to a UDOT inquiry regarding paleontological resources in the area, Ms. Martha Hayden of the UGS replied that there are numerous paleontological localities recorded in UGS files for this project area where the highway crosses outcrops of Mesozoic bedrock, mostly in the northern part of the project area. Quaternary and Recent alluvial and volcanic deposits that are exposed over most of the southern portion of this project right-of way have a low potential for yielding significant vertebrate fossil localities. However, the Mesozoic bedrock units, especially the Jurassic Kayenta Formation and Triassic Chinle Formation that are exposed throughout the northern part of the project area and in limited outcrops over the rest of the project area have a moderate to high potential for yielding significant vertebrate fossil localities and track sites.

If these units will be disturbed by construction activities, the office of the State Paleontologist recommends that a paleontologist evaluate this project to mitigate any potential impacts to paleontological resources. Otherwise, unless fossils are discovered as a result of construction activities, this project should have no impact on paleontological resources.

### Summary

As a result of an archaeological inventory of the project APE, six new sites were recorded and 18 previously recorded sites were revisited of which eight were updated. Eleven archaeological sites documented within the project APE are determined eligible for inclusion in the NRHP under Criterion D (42WS355, 42WS1220, 42WS1221, 42WS2232, 42WS2346, 42WS4283, 42WS4707, 42WS4709, 42WS4710, 42WS4711, & 42WS5799). 42WS2232 and 42WS4709 are also determined eligible under Criterion C. All are aboriginal in origin. 42WS1840, 42WS2349, 42WS2361, 42WS4285, 42WS4708, 42WS4712, 42WS4713, 42WS5794, 42WS5796, 42WS5797, 42WS5798, 42WS5800 & 42WS5801 are determined to be not eligible for NRHP listing.

Proposed mitigation for sites in the APE will include development of a Programmatic Agreement in consultation with Section 106 consulting parties that will include archaeological data recovery of sites 42WS1220, 42WS1221, 42WS0355, and 42WS4283. Proposed mitigation for sites 42WS1220 and 42WS1221 will include archaeological data recovery in advance of construction. 42WS0355 and 42WS4283 will be staked when the highway section is under active development to determine whether they will be affected or not. If affected, these sites will go to data recovery under the written treatment plan developed per stipulations in the PA.

Mesozoic geological formations including the Jurassic Kayenta Formation and the Jurassic Chinle Formation are exposed throughout the northern part of the project area and in limited outcrops throughout the southern part of the project area. These formations have a moderate potential for yielding important information on the Mesozoic Era in the region. If these formations will be impacted by construction activities, a paleontological evaluation will be required and will potentially result in paleontological mitigation measures as per UGS recommendations.

Based on the determination of eligibility and under consideration of the potential impacts to historic properties, UDOT has determined that the proposed project will have an overall **Adverse Effect** on historic properties.

Thank you for your efforts regarding this project. Please review this document and attached inventory report and correspondence. Provided you agree with the findings presented, sign and date the signature line at the end of this letter. Should you have any questions or need additional information, please contact me at (435) 979-4549 or erichansen@utah.gov.

Respectfully,



Eric Hansen, NEPA/NHPA Specialist  
UDOT Region 4 Environmental

Enclosures

cc: Brandon Weston, UDOT Environmental  
Jennifer Elsken, UDOT Central Environmental  
Daryl Fryant, UDOT Region Four  
Randall Taylor, UDOT Region Four

Regarding UDOT Project No. F-I15-1(86)0; *I-15 South EA*, I concur with the Determination of Eligibility and Finding of Effect, submitted to the Utah State Historic Preservation Office in accordance with the *First Amended Programmatic Agreement*, Section 106 of the NHPA, and U.C.A. 9-8-404, which states that the UDOT has determined that the project will have an overall **Adverse Effect** on historic properties.



  
Lori Hunsaker, Deputy SHPO

4.9.12  
Date



State of Utah

GARY R. HERBERT  
*Governor*

GREG BELL  
*Lieutenant Governor*

DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
*Executive Director*

CARLOS M. BRACERAS, P.E.  
*Deputy Director*

April 12, 2012

Edward Woolford, Environmental Program Manager  
U.S. Department of Transportation  
Federal Highway Administration – Utah Division  
2520 West 4700 South, Suite 9A  
Salt Lake City, Utah 84129

RE: I-15 South Milepost 0-16; Washington County  
Request to Initiate Formal Consultation  
UDOT Project No. FI-15-1(66)0

Dear Mr. Woolford:

The Utah Department of Transportation (UDOT) is proposing to make improvements to U.S. Interstate 15 between mileposts 0 and 16. The proposed project is located in Washington County, Utah and includes areas in the cities of St. George, Washington, and Hurricane.

It has been determined that the project would adversely affect federally-listed species afforded protection under the Endangered Species Act (ESA). Accordingly, UDOT prepared a Biological Assessment in accordance with Section 7 of the ESA, and requests that the Federal Highway Administration initiate formal consultation with the U.S. Fish and Wildlife Service.

Thank you for your assistance with this project. If you have any questions, please call me at (801) 633-8747, or e-mail me at [paulwest@utah.gov](mailto:paulwest@utah.gov).

Sincerely,

A handwritten signature in cursive script that reads "Paul W. West".

Paul W. West, UDOT Environmental Services  
Wildlife/Wetlands Biologist

cc: Brandon Weston – UDOT Environmental Services  
Randall Taylor – UDOT, Region 4  
Daryl Friant – UDOT, Region 4  
Jared Barton – UDOT, Region 4  
Derek Hamilton – Horrocks Engineers



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Utah Division**

April 12, 2012

2520 West 4700 South, Suite 9A  
Salt Lake City, UT 84129-1874  
(801) 955-3500  
(801) 955-3539  
<http://www.fhwa.dot.gov/utdiv/utah.htm>

In Reply Refer To:  
HDA-UT

Larry Crist, Field Supervisor  
U.S. Fish and Wildlife Service  
Utah Ecological Services Field Office  
2369 Orton Circle; Suite 50  
West Valley City, Utah 84119

Dear Mr. Crist:

The Federal Highway Administration (FHWA), as the lead Federal agency, is submitting this request to initiate formal consultation with the U.S. Fish and Wildlife Service (USFWS), as required under Section 7(a)(2) of the Endangered Species Act (ESA), as amended. In addition, please find the enclosed Biological Assessment (BA) that has been prepared in accordance with the ESA.


The proposed I-15 South Milepost 0-16 project (FI-15-1(66)0) in Washington County, Utah would widen the existing I-15 facility and replace the Virgin River bridges to incorporate the addition of travel and/or auxiliary lanes between the Southern Parkway and Utah State Route 9 Interchanges. The proposed project would also replace or improve interchanges associated with the existing I-15 facility, in addition to making surface and safety improvements throughout the corridor.

With regard to the Federally-listed ESA species under the jurisdiction of USFWS, FHWA has determined that the proposed project is **Likely to Adversely Affect** the desert tortoise, dwarf bear-poppy, Holmgren milk-vetch, Virgin River chub, and woundfin. Additionally, FHWA has determined that the project is **Likely to Adversely Affect** designated Critical Habitat for the desert tortoise, Holmgren milk-vetch, Virgin River chub, and woundfin. FHWA has concluded that the proposed project is **Not Likely to Adversely Affect** the southwestern willow flycatcher and yellow-billed cuckoo. FHWA has determined that the project would have **No Effect** to the California condor, Gierisch mallow, Las Vegas buckwheat, Mexican spotted owl, Shivwits milk-vetch, Siler pincushion cactus, and Utah prairie dog. Finally, FHWA has determined that the I-15 South Milepost 0-16 project would have **No Effect** on designated Critical Habitat for the Mexican spotted owl, Shivwits milk-vetch, and southwestern willow flycatcher.

FHWA is therefore requesting formal consultation in accordance with 51 CFR 402.12(j), and with submittal of this BA, is providing USFWS with the best scientific and commercial data available to assess impacts of the proposed project on Federally-listed ESA species.

Thank you for your assistance with this proposed project. If you have any questions, please contact me at 801/955-3524, or e-mail me at [Edward.Woolford@dot.gov](mailto:Edward.Woolford@dot.gov).

Yours truly,

A handwritten signature in black ink, appearing to read 'Edward T. Woolford', with a large, stylized loop at the top.

Edward T. Woolford  
Environmental Program Manager

cc: Brandon Weston – UDOT Environmental Services  
Randall Taylor – UDOT Region 4  
Daryl Friant – UDOT, Region 4  
Jared Barton – UDOT, Region 4  
Paul West – UDOT, Environmental Services  
Derek Hamilton – Horrocks Engineers



Preserving America's Heritage

July 5, 2012

Jennifer Elsken  
Cultural Resources Program Manager  
Department of Transportation  
4501 South 2700 West  
Salt Lake City, UT 84114-8450

Ref: *I-15 Milepost 0 to 16, Environmental Assessment, Washington County, Utah*  
*UDOT Project No. F-I15-1(86)0*

Dear Ms. Elsken:

On June 14, 2012, the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Programmatic Agreement (PA), developed in consultation with the Utah State Historic Preservation Office (SHPO) and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the PA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Ms. Najah Duvall-Gabriel at (202) 606-8585 or at [ngabriel@achp.gov](mailto:ngabriel@achp.gov).

Sincerely,

LaShavio Johnson  
Historic Preservation Technician  
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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