

State Route 12 Road Stabilization and Improvements
Garfield County, Utah
Finding of No Significant Impact

October 2019

UDOT Project Number: F-0012(43)15
PIN: 15632



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**UTAH DEPARTMENT OF TRANSPORTATION
FINDING OF NO SIGNIFICANT IMPACT
FOR
STATE ROUTE 12
ROAD STABILIZATION AND IMPROVEMENTS
PROJECT NO. F-0012(43)15**

Submitted pursuant to 42 United States Code (USC) 4332(2)(c) and 49 USC 303 by
the Utah Department of Transportation (UDOT)

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1.0 INTRODUCTION

The National Park Service (NPS) and the Utah Department of Transportation (UDOT) as joint lead agencies prepared an Environmental Assessment (EA) to evaluate long-term improvements along the portion of Utah State Route 12 (SR-12) that passes through Bryce Canyon National Park (BRCA). Issues along the stretch of SR-12 within the park include landslides and safety concerns.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project have been carried out by the Utah Department of Transportation (UDOT) pursuant to 23 USC 327 and a Memorandum of Understanding dated January 17, 2017, and executed by the Federal Highway Administration (FHWA) and UDOT. UDOT has fully carried out all responsibilities assumed under the MOU in accordance with the MOU and applicable Federal laws, regulations, and policies.

2.0 SUMMARY OF THE PROJECT

The proposed project is on a 3.74-mile (mi) section of SR-12 between Milepost (MP) 14.42 and MP 18.16 in BRCA, Garfield County, Utah. The project area is approximately 172 acres and is defined as all areas of long-term and temporary project surface disturbance.

Prior to November 2, 1960, the State of Utah held an easement for a 66-foot (ft)-wide right-of-way (ROW) for SR-12 through BRCA. Through a Quitclaim Deed (QCD) recorded on November 2, 1960, at Book 118-Page 378 (hereafter the Nov 1960 QCD), the State conveyed all of its interest in the 66-ft-wide ROW to the NPS subject to certain conditions, including the retention of the right to maintain the roadway. While the State did not retain a formal easement, the roadway is managed as a state highway.

The existing SR-12 roadway is a two-lane, undivided highway, with 12-ft-wide travel lanes and varying paved shoulders. Shoulders are typically 2 to 5 ft wide in the project area, with one stretch that is less than 2 ft wide and small stretches that are 5 to 10 ft wide or wider. Shoulders adjacent to the Mossy Cave parking area (MP 17.5) are typically greater than 10 ft wide, with small stretches that are 2 to 5 ft wide, and one stretch that is 5 to 10 ft wide.

3.0 PURPOSE AND NEED

The purpose of the project is to ensure long-term road stabilization near the 2017 landslide area, preserve infrastructure, and improve traffic mobility and safety along the existing SR-12 by providing a transportation corridor that improves access for vehicles, bicyclists, and pedestrians. The purpose is also to formally define the transportation corridor within BRCA for a permanent transportation easement for SR-12 under 23 Code of Federal Regulations (CFR) 710.601 and under the NPS Director's Order #87D (NPS 2000) and Federal Highway Easement Deed (HED) process.

SR-12 has a history of landslide activity. In summer 2015, maintenance crews constructed a geogrid-reinforced deep patch to stabilize the roadway. In 2016, 250,000 cubic yards (cy) of compacted embankment was placed to establish a 2H:1V slope to act as a toe buttress to prevent future landslides. However, in February 2017, a deep-seated landslide movement occurred, forming a head scarp that daylighted in the bottom of the embankment, and landslide displacements were observed up to approximately 1,000 ft downslope. An approximately 200-ft-long section of the entire eastbound lane was lost, and a 50-ft-tall head scarp followed the SR-12 centerline.

A geophysical survey consisting of three seismic refraction surveys and a site exploration (including the excavation of an exploration trench and test pits) at the location of the landslide were then conducted. Based on the data from these studies, emergency slope stabilization was performed (Phase I). The Phase I emergency slope stabilization was limited in scope to stabilizing the over-steepened remaining portion of the SR-12 embankment and restoring two-way traffic. The Phase I construction included a 50-ft tall by 250-ft-long soil nail wall to stabilize the SR-12 roadway. The soil nail wall was finished with shotcrete.

Temporary two-way traffic was restored with reduced speeds and rough grading was performed to get the area south of the roadway to drain. Phase I also included an evaluation of the geological and geotechnical hazards at this location, including rockfall hazard and geotechnical stability. Although the landslide area has undergone temporary repair (Phase I), a more permanent solution is needed to address the water that saturates the soils beneath the highway, which caused the collapse of the embankment.

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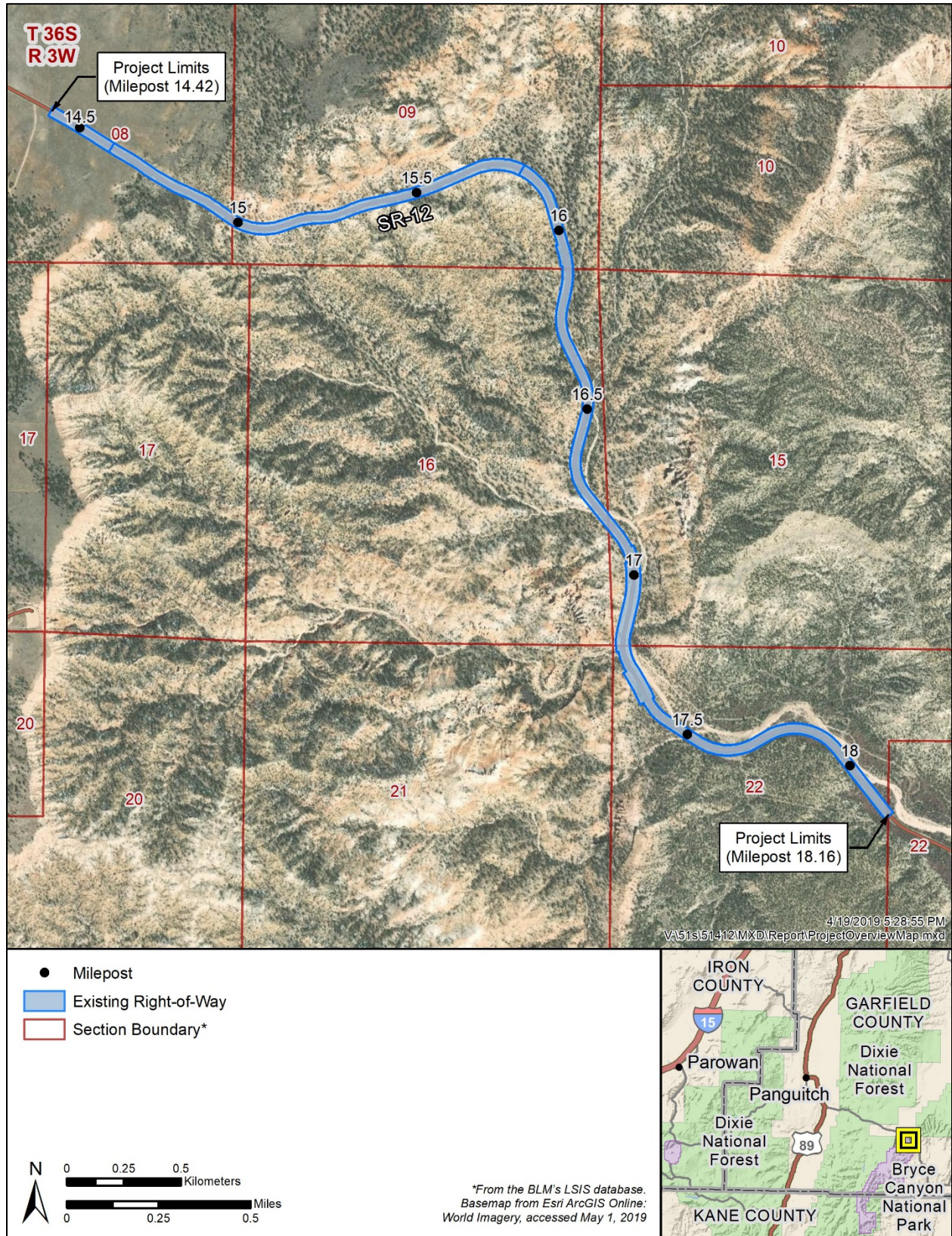


Figure 1-1. Proposed Project Limits.

There are currently safety issues on the existing SR-12 roadway, which serves as a critical emergency access and popular route for tourists visiting BRCA and other nearby recreation areas. Issues include speed differentials, congestion, limited visibility and substandard shoulders. SR-12 has the potential for further deterioration, increasing safety concerns, and more congestion as traffic demands and visitor use rises, resulting in decreases in capacity, mobility, and operational efficiency.

Additionally, the parking area for the Mossy Cave trailhead, located at the bottom of the steep grade, requires vehicles entering the area to reduce speed inside travel lanes. Vehicles exiting the parking area are required to merge into traffic traveling at the posted highway speed limit of 50 miles per hour (mph). Both conditions result in traffic congestion and unsafe traffic movements at the Mossy Cave trailhead.

Furthermore, the boundaries of the SR-12 road maintenance responsibilities, established in a 1959 memorandum of understanding (MOU) and the Nov 1960 QCD, through BRCA between MPs 14.42 and 18.16, do not match the existing road alignment, limiting UDOT's ability to maintain and improve infrastructure. It is proposed that a Title 23 easement be obtained on the entire length of SR-12 through BRCA. This will include providing an updated legal description and map of the existing highway alignment and the proposed highway expansion, with an updated ROW through the required HED process.

4.0 PREFERRED ALTERNATIVE

Two build alternatives considered in this EA meet the project purpose and need. The No Action alternative was also considered and analyzed to provide a baseline against which to compare the impacts of the build alternatives. No other alternatives were identified that meet the project purpose and need.

UDOT selected Alternative 2, Full Reconstruction with Roadway Widening Eastbound (South). The Preferred Alternative includes the following elements:

- Result in a 51-ft-wide roadway footprint. ROW width varies from 150 to 200 ft.
- Provide a long-term geotechnical and/or structural improvement solution that ensures the slope's stability within the landslide area (Phase II). A stability berm concept is under design but is anticipated to include a soil nail wall with a 2:1 slope ratio. Proposed cut slopes (see Table 2-1) would occur between MP 14.6 and MP 15.7.
- Cut volume: 117,000 cubic yards (cy). 20% of cut volume is rock excavation; length of cut: 4,250 ft; cut depth: 0 to 100 ft; cut width: 0 to 160 ft.
- Fill volume: 93,000 cy. Length of fill: 3,200 ft; fill depth: 0 to 100 ft; fill width: 0 to 200 ft.
- Near MP 14.8 would include a guard rail on the westbound travel lane
- Installation of a concrete barrier at MP 14.75
- Guardrail between MPs 14.6 and 14.75
- Guardrail between MP 14.85 and MP 15.4
- Provide drainage solutions that reroute both surface and subsurface drainage away from the landslide area (Phase II). These include a French drain and drainage system with collection pipes to capture water migrating through the slope. Culvert extensions are estimated to be between 20 ft to 40 ft. Outlets of these extended culverts would include energy dissipation measures, including riprap, inlets, and drainage structures. The existing outfall from the soil nail wall exits into a boulder field southeast beyond the extent of the wall. The aforementioned soil nail wall includes internal drains with connection pipes. This wall would include internal drains with collection pipes to capture water migrating through the slope. These drains would most likely use the same

drainage as the existing wall (new French drains at the top and toe of the proposed soil nail wall improvements).

- Perform full depth pavement reconstruction through the landslide area from approximately MP 14.6 to MP 14.9 to address the pavement damaged during the 2017 landslide (Phase II).
- Widen the highway to include three 12-ft-wide travel lanes along SR-12 between MPs 14.6 and 15.8 to accommodate a westbound passing lane extension to meet current travel demand (Phase II).
- Relocate, within the roadway footprint, the fiber-optic line owned by South Central Utah Telephone Association at various locations between MPs 14.6 and 15.8 (Phase II).
- Widen the highway to accommodate the addition of 5-ft-wide bicycle lanes in the eastbound and westbound directions to facilitate bicycle traffic (Phases II and III). These bike lanes would be provided on both sides of the roadway from MP 14.65 to MP 15.7. The eastbound bike lane would continue from MP 15.8 to MP 17.4. The bike lane westbound would be provided from MP 16.05 to MP 17.4.
- Improve safety (reduce congestion and improve mobility for vehicles, bicyclists, and pedestrians) throughout the project corridor by providing signing, striping, and other roadside safety improvements such as concrete barriers and guardrails that accompany the previously mentioned improvements (Phases II and III).
- Formally define the ROW of SR-12 through BRCA (Phase II).
- Mossy Cave Bridge may need to be widened during Phase III; however, no final determination has been made, and future planning and compliance would be completed as necessary through a separate process.
- Provide a 12-ft-wide westbound turn lane and an additional eastbound merge lane at the Mossy Cave trailhead (MP 17.2) to increase visitor safety and mobility (Phase III).

No changes were made to the Preferred Alternative based on public comments. UDOT selected Alternative 2 as the Preferred Alternative because it meets the purpose and need of the project, would preserve infrastructure, improve traffic mobility and safety and formally define the transportation corridor within Bryce Canyon National Park for a permanent transportation easement. The Preferred Alternative would reduce the amount of cut volume and loss of rock formations when compared to Alternative 1.

The No-Build Alternative does not meet the purpose and need because it would neither minimize further deterioration of infrastructure, increasing safety concerns, and more congestion as traffic demands and visitor use rises, resulting in decreases in capacity, mobility, and operational efficiency of SR-12.

Alternative 1 meets the purpose and need, would provide a long-term stabilization solution to recurring road instability and associated human safety concerns, and provide additional safety and mobility improvements; however, would result in a cut volume of 253,000 cy which is substantially greater than the Preferred Alternative (117,000 cy). Approximately 50% of the cut volume would be from rock excavation resulting in a loss of rock formations and potential impact to paleontological resources.

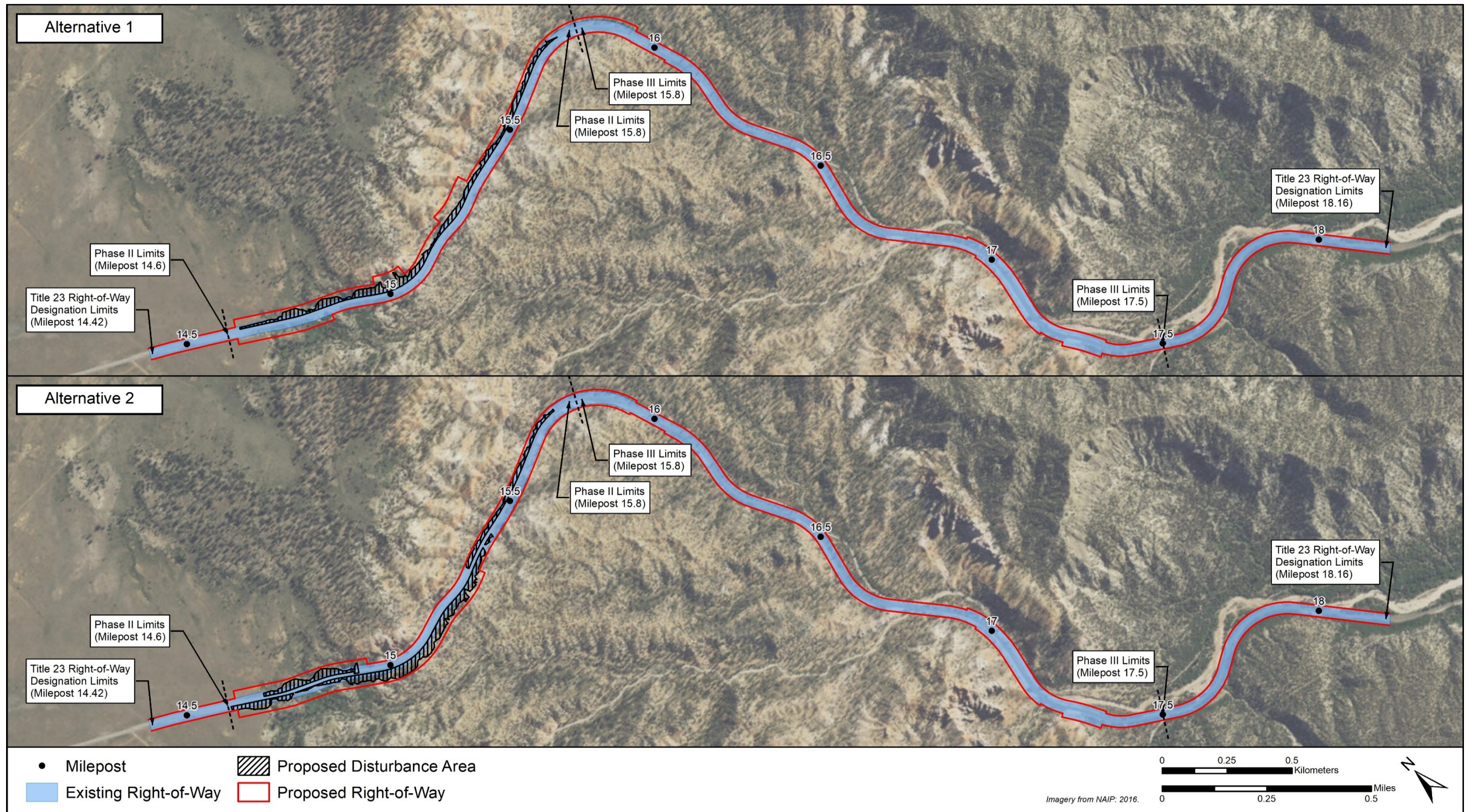


Figure 2-1. Alternatives – Alternative 2 Preferred Alternative.

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4.1 Project Impacts and Mitigation

Table 1 summarizes the impacts associated with the Preferred Alternative, mitigation needed to offset these impacts, and any other environmental regulations or requirements that will be satisfied.

Table 1. Summary of Environmental Impacts under the Preferred Alternative

Resource	Impacts	Mitigation
Air quality	The project is listed in the Final Statewide Transportation Improvement Program (TIP) for 2019–2024, approved on October 1, 2018 (UDOT 2018b). In addition, Garfield County is in attainment with the National Ambient Air Quality Standards (NAAQS). The project would be exempt from the requirement to determine conformity under 40 CFR 93.126 because it is listed in the Statewide TIP and would not result in new or continuing violations of the NAAQS. Construction activities would cause some temporary and localized dust and vehicle greenhouse gas emissions in the immediate area of SR-12; however, these emissions would not be of a quantity or duration to impact the overall air quality of BRCA or visibility for park visitors.	None
Community impacts	None; the project would not result in the displacement of residences or businesses because there are none in or near the project area. The project would improve overall public safety by ensuring the long-term road stability of SR-12 and reducing congestion.	None
Cultural resources	Historic Resources: no historic properties would be impacted. Archeological Resources: There would In all, seven archaeological sites (six previously recorded and one newly recorded) were identified in the area of potential effect (APE). Three of the seven sites are considered eligible for the NRHP: the Tropic Canal, the Tropic Ditch diversion dam, and a historic rock overhang and soil stain. Because no project activities would occur in or near the sites, no historic properties would be affected. No ethnographic resources were identified during this consultation.	None
Economics	None; the project would not result in the displacement of residences or businesses because there are none in or near the project area. Construction activities would not require local employment at a quantity that would create a long-term or noticeable change in community unemployment levels or housing needs. Indirect, beneficial impacts to the local economy could occur if goods and services needed for construction are purchased in the area. The project would not affect the tax base or change property values because it would occur inside a national park.	None

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Resource	Impacts	Mitigation
Environmental justice	The Preferred Alternative would not result in disproportionately high and adverse effects to known minority or low-income populations.	None
Farmlands	This area is not currently being used as farmland.	None
Hazardous materials and hazardous waste sites	There are no hazardous waste sites present within, or adjacent to, the proposed ROW limits.	None
Human health and safety	The Preferred Alternative would provide long-term stabilization and widening to this section of highway, which would benefit visitors, employees, and commuters by improving safety.	Mitigation measures would include appropriate traffic safety measures such as proper signing and traffic direction. A thorough public information program would be implemented to inform the public about construction activities and to reduce impacts. Information would include work hours and alternate routes. Construction signs would be used to notify drivers about work activities and changes in traffic patterns. All lights would be shielded and would be pointed downward (directional) toward the ground during nighttime construction.
Indian trust resources	There are no Indian trust resources in the project area.	None
Land use	The project area is in BRCA, which is federally owned land that must be managed as a national park by law. The project would not change current land use.	None
Night skies	Bryce Canyon National Park's Foundation Document (NPS 2014) identifies night skies as a fundamental resource and core value.	Incorporated by reference the Bryce Canyon National Park International Dark Sky Park Application and Lighting Management Plan (NPS 2019). Best practices include the following: <ul style="list-style-type: none"> • Light only when it is needed • Shield lights and direct them downward • Select lamps with warmer colors • Use less light • Select most energy efficient lamps and fixtures
Noise/natural sounds	This project does not qualify as a Type I (23 CFR 772) project because it is not new highway construction or existing highway construction that alters the horizontal or vertical alignment or increases the number of through-traffic or auxiliary lanes.	None; construction noise impacts will be minimized in accordance to Part 3.6 of Section 01355 of UDOT's 2017 Standard Specifications For Road and Bridge Construction.
Paleontological resources	The project area is in a Potential Fossil Yield Classification system Class 4 (high potential to contain fossils) area, and numerous paleontological localities consisting of vertebrate and invertebrate fossils have been recorded near the project area.	In accordance with the 2010 Memorandum of Understanding (MOU) between the UDOT and the Utah Geological Survey (UGS), paleontological survey or monitoring will be conducted of the Wahweap Formation between milepost 14.8 to 15.5 of SR-12 prior to construction. If it's determined there is potential to impact significant paleontological specimens, UDOT will consult

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Resource	Impacts	Mitigation
		with UGS to seek ways to avoid, minimize, or mitigate the impacts as described in the MOU. This could include mitigation by collection or excavation if determined appropriate.
ROW/ relocations	No business or residential relocations would be caused by the project.	None
Section 4(f) and 6(f) resources	<p>Section 4(f): The project would update the legal description of the SR-12 ROW through BRCA per the 23 CFR 710.601 process and the HED process. BRCA is a Section 4(f) property as defined in 23 CFR 774; the project proposes to incorporate a portion of BRCA into a transportation facility. There is no other prudent and feasible alternative to improve the existing roadway to accommodate the increasing traffic demands along SR-12. UDOT believes that the transportation use would not adversely affect the activities or features of BRCA and does not diminish the function of the Section 4 (f) resource.</p> <p>Section 6(f): The project would not impact or result in the permanent conversion of outdoor recreational property acquired with Land and Water Conservation Fund assistance; therefore, no Section 6(f) resources would be affected.</p>	None
Soils and geology	No adverse impacts to soils and geology would occur under the Preferred Alternative. The construction activities could contribute to temporary erosion of surface soils during construction; therefore, mitigation measures would be implemented to limit soil erosion.	Compacted soils will be ripped, stabilized, and reseeded with seed mixes genetically native to BRCA or adjacent areas. Seed mixes must be approved by BRCA RM staff. Erosion-control features, such as landscape logs, wattles, and hydromulching will be used to prevent the loss of topsoil and plant materials on steep, revegetated cut slopes or disturbed areas. Materials will be weed free and approved by the park.
Transportation (including pedestrian and bicyclist issues)	The Preferred Alternative would preserve infrastructure and improve mobility along the existing SR-12 by providing a modified transportation corridor that improves mobility for vehicles, bicyclists, and pedestrians. There would be no change in existing traffic circulation; however, it would include widening the existing highway, a westbound passing lane extension, and the addition of 5-ft-wide bicycle lanes in the eastbound and westbound directions.	None
Vegetation: common	Surface disturbance from project activities would result in the removal of 16.9 acres of vegetation. This permanent loss of vegetation would be a relatively small area comprising vegetation types that are abundant in the park.	All fill materials brought onto the project site will be required to be clean of any chemical contamination as per Section 02056 (Embankment, Borrow, and Backfill) of UDOT's 2017 Standard Specifications For Road and Bridge Construction. Topsoil for landscaping must also be free of weed seeds as per Section 02912, Topsoil. The contractor

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Resource	Impacts	Mitigation
		will be required to follow noxious weed mitigation and control measures identified in the most recent version of UDOT Special Provision Section 02924S, Invasive Weed Control. All weed control will comply with the BRCA Vegetation Management Plan and Environmental Assessment (2010).
Vegetation: federally listed plant species	No federally listed plant species occur in the survey area.	None
Vegetation: BCRA-listed plant species	Based on a desktop analysis, consultation, and field surveys, one suspected BRCA plant species of concern was identified in the project area during field surveys: yellow-white catseye (<i>Cryptantha ochroleuca</i>). This potential population occurs outside the area where direct surface disturbance would occur.	NPS resource management specialists have recommended that this population of yellow-white catseye be revisited during the next flowering season to confirm identification. If this plant species is confirmed as yellow-white catseye, a mitigation measure would be implemented to fence off the occurrence to ensure that it is not disturbed by construction activities.
Visitor use and experience	Temporary traffic delays and construction dust and noise may occur on SR-12 and near the Mossy Cave trailhead during project construction. This could impact the visitor experience in these areas on a temporary basis but would not prevent any visitor access to trailheads or viewpoints. In addition, a viewshed wayside exhibit and pull-out would be closed during construction, which would temporarily reduce some of the educational material available to visitors. In the long term, the visitor experience at Mossy Cave and access to the Mossy Cave trailhead would be improved.	Project mitigation measures would include appropriate traffic safety measures such as proper signing and traffic direction. A thorough public information program would be implemented to inform the public about construction activities and to reduce impacts. Information would include work hours and alternate routes. Construction signs would be used to notify drivers about work activities and changes in traffic patterns.
Visual resources	SR-12 widening and stabilization would impact the natural viewshed by cutting rock wall, filling downslope, and creating more paved surfaces. During construction, an existing wayside exhibit and pull-out would be closed.	All aesthetic treatments will be completed in accordance with UDOT Policy 08C-03, Project Aesthetics and Landscaping Plan Development and Review, and UDOT's Aesthetics Guidelines.
Water quality and water quantity	<p>Groundwater: There are no groundwater aquifers in the project area; therefore, no impacts to groundwater recharge would occur.</p> <p>Stormwater: Project design would require the implementation of drainage solutions for SR-12 in the landslide area, which would reduce erosion and sedimentation impacts on surface water quality from stormwater by capturing and conveying its flow and reducing erosion and flooding on adjacent lands.</p> <p>Surface Water: The Preferred Alternative would not impact surface water.</p> <p>Floodplains: None; there are no mapped Federal Emergency Management Agency floodplains in the project area.</p>	As part of the requirements of the permit, the contractor would be required to develop and implement a stormwater pollution prevention plan.
Aquatic resources	Based on preliminary design, Alternative 2 would result in a permanent loss of approximately 0.031 acre (259.11 ft) of potentially jurisdictional WOUS.	Practical avoidance measures could be implemented to further minimize impacts during final design.

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Resource	Impacts	Mitigation
Wild and Scenic Rivers	There are no designated Wild and Scenic Rivers in or adjacent to the project area.	None
Wilderness	There is no designated wilderness in the project area. Visitor experience could be affected by temporary noise, dust, and visual impacts from project construction activities that would cease once construction is complete. The Preferred Alternative would not result in long-term impacts to the wilderness character of the area.	None
Wildlife and wildlife habitat (including special-status species)	No effects to threatened and endangered species or their designated critical habitat, Utah Sensitive Species, or wildlife.	None
Migratory Bird Treaty Act (MBTA), Bald and Golden Eagle Protection Act	<p>Three MBTA-protected species have the potential to occur in the project area: ferruginous hawk (<i>Buteo regalis</i>), northern goshawk (<i>Accipiter gentilis</i>), and burrowing owl (<i>Athene cunicularia</i>). No raptor nests were observed within 0.5 mi of the project area. Impacts to migratory birds and their habitat would include increased noise, dust, human activity, and the removal of vegetation and soils that provide nesting or foraging habitat for ferruginous hawk and northern goshawk. The loss of this suitable habitat by project construction would be inconsequential because there is extensive suitable habitat for both the ferruginous hawk and northern goshawk outside of the project area. There would be no impacts on burrowing owl.</p> <p>Lands surrounding the project area may serve as suitable foraging habitat for golden eagles (<i>Aquila chrysaetos</i>) and migrating and wintering habitat for bald eagles (<i>Haliaeetus leucocephalus</i>). Based on the abundance of habitat in the ecosystem and implementation of mitigation measures, golden eagles and bald eagles would not be adversely affected.</p>	<p>The avoidance period for removal of nesting/maternity roost substrate for all species is April 1 to August 31; therefore, tree and shrub removal will be timed to occur during the non-nesting/maternity season (September 1 to March 31). If this is not possible, UDOT or its contractor will arrange for preconstruction surveys for both migratory bird and bat species to be conducted no more than 10 days before ground-disturbing activities. These surveys will be conducted by a qualified wildlife biologist of the area that will be disturbed to determine whether active bird nests are present within the project limits. Bat surveys will include an acoustic survey.</p> <p>If raptor nests are identified within the project area, the contractor will coordinate with NPS and UDOT biologists to avoid take of MBTA-protected species. See Appendix A for further mitigation measures.</p>

4.2 Section 4(f)

UDOT finds that the project has met the requirements of Section 4(f) of the U.S. Department of Transportation Act of 1966, codified at 49 United States Code (USC) 303. In order to avoid the use of the Section 4(f) resources for the proposed project, the designers evaluated options to minimize the need for any additional ROW by providing only adequate width within the roadway footprint for additional passing lanes and bike lanes. The proposed improvements between MPs 14.6 and 17.5 are to increase the safety of motorists, because the current design does not meet the safety purpose and need of the project.

There is no other prudent and feasible alternative to improve the existing roadway to accommodate the increasing traffic demands along SR-12. A small amount of park property would be required to accommodate the proposed improvements. This action would not adversely affect the activities, features, or attributes of the BRCA and associated recreational activities. The new passing and bike lanes would increase safety for park users. Overall, the BRCA would benefit from a safer, more efficient thoroughfare with no loss to recreational capacity. Based upon consultation with the design engineer, all prudent and feasible alternatives have been considered to avoid impacts to BRCA. UDOT believes that the

transportation use would not adversely affect the activities or features of BRCA and does not diminish the function of the Section 4(f) resource. The NPS as the officials with jurisdiction over BRCA has concurred with UDOT's evaluation that this project qualifies as a *de minimis* impact, as defined in Title 23 of the Code of Federal Regulations Part 774.17.

5.0 PUBLIC COMMENTS AND AGENCY COORDINATION

In advance of the release of the S.R. 12 Environmental Assessment Document for public review, the project public involvement (PI) team coordinated with a variety of stakeholders to inform them of the project and publicize the document's release and comment period. This report documents the public information and engagement activities implemented during the time period from May to July 2019.

A list of interested local municipalities and agencies contacted include, but not limited to:

- Local municipalities: - Tropic, Bryce, Henrieville, Hatch, Cannonville, Panguitch, Kanab
- Area business owners
- Area residents
- Iron and Garfield County Commissioners
- Iron and Garfield County personnel
- NGOs
- Bureau of Land Management
- Native American Tribes
- U.S. Fish and Wildlife Service
- U.S. Forest Service
- U.S. Department of Agriculture
- Universities including Southern Utah University and Utah State University
- Local media outlets and the Associated Press

Native American consultation was initiated through letters sent to the Uintah and Ouray Ute Tribes, Southern Ute Indian Tribe, Ute Mountain Ute Tribe, White Mesa Band of the Ute Mountain Ute, Paiute Indian Tribe of Utah, Cedar Band of Paiute, Indian Peaks Band of Paiute, Kanosh Band of Paiute, Koosharem Band of Paiute, Shivwits Band of Paiute, Kaibab Band of Paiute, Las Vegas Band of Paiute, Moapa Band of Paiute, San Juan Southern Paiute, Navajo Nation, Hopi Tribe, Chemehuevi Tribe, Zuni Tribe, Confederated Tribe of the Goshute, Skull Valley Band of Goshute, Northwestern Band of Shoshone (sent October 9, 2018). Responses were received from the Hopi Tribe, Navajo Nation, and Paiute Indian Tribe of Utah. UDOT is addressing any concerns expressed by these tribes. An open house was held, and the public was notified of the impacts to cultural resources.

A newsletter was distributed in person to 85 businesses along S.R. 12 from Panguitch to Cannonville on May 31, 2019. Business owners and managers were presented with the newsletter and encouraged to subscribe to the email update list for information regarding the EA, Open House and future project developments.

575 postcard mailers were distributed to all mail recipients from Panguitch to Cannonville on June 11, 2019. The postcard mailer announced the release of the EA, detailed the purpose and need, and announced the Open House.

Email newsletters provided information about the EA's purpose and need, announced the release and location of the document and publicized the comment period and open house information. Emails also reminded subscribers about the open house and final days of the comment period. These emails were distributed to a list of 214 subscribers on June 3, June 11, June 18 and June 27, 2019.

The EA was hosted on a project-specific webpage within the UDOT website ([www.udot.utah.gov/go/SR12 BryceCanyon](http://www.udot.utah.gov/go/SR12BryceCanyon)). The EA was also listed on the NPS Planning, Environment and Public Comment site (<https://parkplanning.nps.gov/projectHome.cfm?projectID=81089>). Both sites provided an overview of the study, a link to download the EA and a link to provide comments electronically.

The public comment period for the Draft SR-12 Road Stabilization and Improvements EA occurred from May 29, 2019 to June 27, 2019. The open house was held on June 18, 2019. Nine people attended the open house and signed in. Two or three others attended but declined to sign in. The Public Engagement and Outreach Report is provided in the EA Appendix D.

6.0 FONSI REQUIREMENTS

Title 23 of the Code of Federal Regulations Part 771.111(f) requires evaluation of the following requirements in a Finding of No Significant Impact (FONSI):

- The project must connect logical termini and be of sufficient length to address environmental matters on a broad scope.
- The project must have independent utility or independent significance.
- The project must not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.

6.1 Logical Termini

The logical termini for the SR-12 EA are MP 14.42 to the north and MP 18.16 to the south in BRCA, Garfield County, Utah.

6.2 Independent Utility

The Preferred Alternative has independent utility because it would reduce traffic congestion and does not depend upon the construction of other improvements to be usable and it is a reasonable expenditure of public funds.

6.3 Other Transportation Projects

The Preferred Alternative will not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.

7.0 STATUTE OF LIMITATIONS

On behalf of UDOT, the Federal Highway Administration (FHWA) will publish a notice in the Federal Register, pursuant to 23 USC 139(1), indicating that one or more federal agencies has taken final action on permits, licenses, or approvals for this project. After the notice is published, claims seeking judicial review of those federal agency actions will be barred unless such claims are filed within 150 days after the date of publication of the notice, or within a shorter time period as specified in the federal laws pursuant to which judicial review of the federal agency action is allowed.

8.0 CONCLUSION STATEMENT

This project is needed to identify a transportation solution to address long-term road stabilization near the 2017 landslide area, preserve infrastructure, and improve traffic mobility and safety along the existing SR-12 by providing a transportation corridor that improves access for vehicles, bicyclists, and pedestrians. The purpose is also to formally define the transportation corridor within BRCA for a permanent transportation easement for SR-12 under 23 CFR 710.601 and under the NPS Director's Order #87D (NPS 2000) and Federal HED process. UDOT has determined there has been proper consideration of avoidance alternatives to environmentally sensitive areas. Where avoidance is not practical, proper mitigation has been provided for impacts resulting from the Preferred Alternative.

9.0 DETERMINATION

UDOT has determined that this project will not have any significant impact on the human environment. This Finding of No Significant Impact is based on the attached Environmental Assessment, which has been evaluated by UDOT and determined to be adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. UDOT takes full responsibility for the accuracy, scope, and content of the attached EA.



TeriAnne S. Newell, PE
Deputy Director
Utah Department of Transportation

10/10/19

Date