

FINDING OF NO SIGNIFICANT IMPACT

Tropic Canyon Highway Stabilization Project

Bryce Canyon National Park

Background

The area known as Bryce Canyon National Park was set aside as a national monument in 1923 to protect the fascinating geologic structures known as hoodoos and other natural and cultural resources. Utah Highway 12 runs east to west through approximately 4 miles of the northern portion of the park providing access to such communities as Tropic, Cannonville, Boulder, and Torrey, UT as well as access to areas such as Kodachrome Basin State Park, Capitol Reef National Park and the Grand Staircase-Escalante National Monument. Regular, annual flood events through the adjacent wash have undercut portions of Highway 12, including one section within the park's eastern boundary. This undercutting is expected to continue to the point of road failure without immediate erosion control measures. This result would pose a major public safety issue and drastically affect the local communities along Highway 12 as it would require major road closures for east-west tourist and local traffic.

An environmental assessment (EA) was prepared in June 2006 to report on issues and options sought from the public about the Tropic Canyon Highway Stabilization Project; to provide an opportunity for public comment on alternatives; and as a necessary step in determining the impact of Tropic Canyon Highway Stabilization Project on the park prior to beginning any highway stabilization work.

Preferred Alternative

The Preferred Alternative will repair and stabilize Highway 12 and introduce water diversion apparatus into Tropic Wash.

There are three main components of this alternative:

1. Repair approximately 210 feet of road shoulder with 1,800 cubic yards of fill material
2. Construct 5 stream barbs in the Tropic Wash to divert water away from the road shoulder to prevent future erosion
3. Re-vegetate the fill area with native vegetation and conduct site revegetation as needed

This alternative will allow stabilization and erosion repairs to occur as has been proposed by the Utah Department of Transportation (UDOT) with the construction of stream barbs in Tropic Wash, the importing of fill material to build up the road shoulder between the highway and the wash, and reseeding the new fill and construction area with native seed. The construction crews will be required to strictly adhere to submitted stabilization and repair activities, and the procedural stipulations contained in this document. Any deviations from these methodologies and permits will require prior permission from the issuing agencies and appropriate Bryce Canyon National Park personnel. All construction equipment to enter the park and wash area will be required to be pressure washed to reduce the potential of introducing non-native vegetation into the construction site. Access and egress into and out of the wash will be limited to existing access points and only the absolute number of vehicles conducting essential tasks to successfully complete the proposed repairs.

Any areas disturbed during completion of this project will be rehabilitated and revegetated with native species.

This project will result in a highway in good condition that can withstand typical rain events and provide a safe and available public access to the east for many years.

Alternatives Considered and Environmentally Preferred Alternative

Alternatives considered and analyzed in the EA included Alternative A, a no-action alternative (allowing continued erosion and road failure), Alternative B, Implement Highway Stabilization and Erosion Repair Activities As Proposed by UDOT (the Preferred Alternative), and Alternative C, Implement Highway Stabilization and Erosion Repair Activities with Modifications To Those Proposed by UDOT. Alternatives considered, but dismissed from analysis included installing gabion baskets and rerouting the road corridor away from the wash edge.

Alternative B, Implement Highway Stabilization and Erosion Repair Activities As Proposed by UDOT, is also the Environmentally Preferred Alternative. The Council on Environmental Quality defines the environmentally preferred alternative as "...the alternative that will promote the national environmental policy as expressed in the National Environmental Policy Act's §101." Section 101 of the National Environmental Policy Act states that "... it is the continuing responsibility of the Federal Government to ...

- (1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- (2) assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- (3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
- (4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity, and variety of individual choice;
- (5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
- (6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources."

Alternative B will allow the proposed stabilization and repair activities to be conducted in the Tropic Wash area of the park resulting in a safe roadway that provides access to local communities and public interest points, protects cultural resources from damage, and will prevent the need for future, more intensive repairs from being required (Criteria 1, 2, 3, 4, 5 met). Potential adverse impacts to visitor enjoyment and indirect resource impacts will be minimal. These minimal impacts will occur along an existing road corridor utilized by park visitors and local residents. Enforcing proposed mitigation measures will reduce cumulative resource impacts (Criteria 2, 3, and 5 met).

After careful review of potential resource and visitor impacts, and developing proposed mitigation for impacts to natural and cultural resources, the Environmentally Preferred

Alternative is Alternative B. Alternative B surpasses the other alternatives in realizing the fullest range of national environmental policy goals as stated in §101 of the National Environmental Policy Act and is therefore the Preferred Alternative. Overall, Alternative B does (a) assure for all generations safe, healthful, productive, and aesthetically and culturally pleasing surroundings; (b) attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences; and (c) achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities.

Why the Preferred Alternative Will Not Have a Significant Effect on the Human Environment

As defined in 40 CFR §1508.27, significance is determined by examining the following criteria:

Impacts that may be both beneficial and adverse

Resource topics that were addressed in the EA because the resultant impacts may have been be greater-than-minor include soils, vegetation, visitor use and experience, and water resources. All other resource topics were dismissed because the project will result in minor or less impacts to those resources. No major effects are anticipated as a result of this project.

Any repair and stabilization activities under this alternative including the placement of fill materials and the placement of stream barbs will result in ground disturbance, thereby impacting soils of the wash. These disturbances and compaction will be negligible to minor and short-term due to the rocky and poorly-formed nature of these soils and limited to the construction areas. The project will also have minor beneficial and long-term impacts to soils by reducing erosion. These impacts will be more localized over the entire project area as erosion will be prevented from occurring in the future.

The placement of stream barbs and fill material will have negligible and adverse impacts to vegetation during project completion as some trampling, burial or removal of individual plants will occur. Disturbed areas will be revegetated and rehabilitated following construction; therefore, removal and/or disturbance of vegetation in the project area is expected to result in no or negligible adverse impacts to vegetation. In the long-term, the project will have negligible to minor benefits to the area's vegetation. The stabilization work will reduce or eliminate vegetation loss due to erosion.

Repair of the road and stabilization will have adverse, short-term, negligible to minor impacts to visitor use and experience due to noise, short traffic delays, and visual disturbance associated with the short-term presence of construction equipment and permanent presence of man-made structures in the wash. This project will return the road to good condition allowing visitors to continue accessing areas to the east along Highway 12; therefore there will also be long-term, beneficial minor to moderate impacts to visitor use and experience. Visitor safety will be enhanced by eliminating safety concerns associated with the risk of road failure.

This project will have minor to moderate adverse impacts on water quality in the short-term during construction when the equipment will travel in the wash bed to move materials for stabilization of the road and to install stream barbs. To reduce impacts to water quality, all work within the wash will be scheduled during periods of low water flow in the late spring, summer, or fall (or other low water flow periods). As a result of this mitigation, impacts will be reduced to negligible to minor and will be very site-specific. An Army Corps of Engineer 404 permit

(through the state's Joint Permit system) was completed for this project and approved November 14, 2006. In the long-term, Alternative B will have negligible to minor beneficial impacts on local water quality due to the reduction in erosion.

Degree of effect on public health or safety

Under the Preferred Alternative, repair work will be completed and the road will return to good condition allowing visitors to continue accessing points to the east; therefore there will be long-term, beneficial minor to moderate impacts to visitor use and experience. Visitor safety will be enhanced by eliminating the risk of road failure on this section of Highway 12.

Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas

The Preferred Alternative will not impact unique characteristics of the geographic area including historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas because these resources do not exist in the project area.

Degree to which effects on the quality of the human environment are likely to be highly controversial

Throughout the environmental process the proposal to repair this section of Highway 12 was not highly controversial, nor are the effects expected to generate future controversy. The initial 30-day scoping period for the project did not generate controversy nor did the 30-day public review of the Environmental Assessment.

Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks

The effects of repairing this section of Highway 12 are fairly straightforward and do not pose uncertainties. The environmental process has not identified any effects that may involve highly unique or unknown risks.

Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration

The Preferred Alternative is not expected to set a precedent for future actions with significant effects, nor does it represent a decision in principle about a future consideration because all future actions involving repair of roads within Bryce Canyon National Park will be considered on a case-by-case basis.

Because there are road repair projects throughout the National Park System, action for this project will not set any NPS precedent. The Preferred Alternative is consistent with actions permitted elsewhere.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts

Cumulative effects were analyzed in the Environmental Assessment, and no significant cumulative impacts were identified.

Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

After applying the Advisory Council on Historic Preservation's criteria of adverse effects (36 CFR Part 800.5, Assessment of Adverse Effects), the National Park Service concludes that implementation of the Preferred Alternative will result in a "no historic properties affected" determination. This is due to the fact that no archeological resources, historic resources, ethnographic resources or cultural landscapes are known to exist in the project area. The State Historic Preservation Officer concurred with this determination in a letter dated August 7th, 2006.

Degree to which the action may adversely affect an endangered or threatened species or its critical habitat

A letter from the U.S. Fish and Wildlife Service dated January 22, 2004 indicated that there are no records of threatened or endangered species in the project area. Verbal concurrence by phone was made and noted in a memo to file dated June 28, 2006.

Whether the action threatens a violation of Federal, state, or local environmental protection law

This action violates no federal, state, or local environmental protection laws. The Preferred Alternative will be implemented in accordance with all federal, state and local environmental protection laws.

Impairment

In addition to reviewing the list of significance criteria, the National Park Service has determined that implementation of the proposal will not constitute an impairment to Bryce Canyon National Park's resources and values. This conclusion is based on a thorough analysis of the environmental impacts described in the Tropic Canyon Highway Stabilization Project Environmental Assessment, the public comments received, relevant scientific studies, and the professional judgment of the decision-maker guided by the direction in NPS Management Policies (December 27, 2000). Although the plan/project has some negative impacts, in all cases these adverse impacts are the result of actions taken to preserve and restore other park resources and values. Overall, the plan results in benefits to park resources and values, opportunities for their enjoyment, and it does not result in their impairment.

Public Involvement

The environmental assessment was made available for public review and comment during a 30-day period ending July 24, 2006. To notify the public of this review period, the National Park Service distributed a letter to various agencies, interested parties and members of the public on the National Park's mailing list. Copies of the document were sent to government officials and public libraries state-wide; made available at the National Park's visitor center; and posted on the internet at the National Park Service Planning, Environment, and Public Comment website (<http://parkplanning.nps.gov/>). One comment letter was received from local government during the public review and comment period. This letter supported the NPS Preferred Alternative. No other written comments were received. During the review period, Bryce Canyon National Park Resource Management staff also attended a Tropic City Council meeting to review the EA. Council members expressed support for the Preferred Alternative.

Conclusion

The Preferred Alternative does not constitute an action that normally requires preparation of an environmental impact statement (EIS). The Preferred Alternative will not have a significant effect on the human environment. Negative environmental impacts that could occur are minor or moderate in intensity. There are no significant impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the action will not violate any federal, state, or local environmental protection law.

Based on the foregoing, it has been determined that an EIS is not required for this project and thus will not be prepared.

Approved:

Michael D. Snyder, Director, Intermountain Region

Date