BLUE MOUNTAIN ROAD WIDENING AND REPAVING PROJECT

DECISION NOTICE and FINDING OF NO SIGNIFICANT IMPACT

(T. 33 S., R. 22 & 23 E., Salt Lake Base & Meridian)

USDA Forest Service, Intermountain Region
Manti-La Sal National Forest
Moab-Monticello Ranger District
San Juan County, Utah

I. INTRODUCTION

An Environmental Assessment (EA) that discusses a proposal by San Juan County, in cooperation with the Federal Highway Administration, to reconstruct and repave the Blue Mountain Road segment of the Monticello - Newspaper Rock Forest Highway on the Manti-La Sal National Forest was released for public review and comment on May 4, 1999.

The Monticello - Newspaper Rock Forest Highway is a paved highway that begins in Monticello, Utah, provides access to the northeast flank of the Abajo mountains, and continues on to State highway 211 near Newspaper Rock. This highway provides access to National Forest system lands, and an alternative route from Monticello, Utah, to the popular tourist destinations of Newspaper Rock and Canyonlands National Park. The proposed project is known as the Blue Mountain road segment and begins at the National Forest Boundary directly west of the City of Monticello, San Juan County, Utah.

The Blue Mountain Road is a double lane asphalt surfaced road. It was constructed to a 26 foot 8 inch wide sub grade for two traffic lanes. The road was developed between 1966 and 1972 from primitive single lane road to its present standards under a Cooperative Road Agreement between San Juan County and the Forest Service. In 1992 jurisdiction was transferred to the County through a U.S. Department of Agriculture (USDA) Road Easement. In 1996 the Harts Draw Road segment of the Monticello - Newspaper Rock Forest Highway was completed, providing an asphalt surfaced Forest Highway between Monticello, Utah and State Route 211 near Newspaper Rock. The proposed project will bring the entire highway up to current standards for secondary highway by widening the roadway, adding guard rail sections, and repaving the Blue Mountain Road segment.

This project was conceptually proposed when the Harts Draw section of the Highway was constructed. However, funding for project analysis and construction has not become available until now. San Juan County is cooperating in this project with the Forest Service, the Federal Highway Administration, Utah Department of Transportation, and the City of Monticello for funding and construction of ancillary facilities off the National Forest.

II. DECISION

I have decided to implement Alternative 2 as described in the Environmental Assessment with modifications. Alternative 2 and the modifications, which constitute my decision, are summarized as follows:

1. San Juan County is authorized, under terms of their current Public Road Easement, to widen, repave and otherwise bring up to secondary highway standards 7.5 miles of the Blue Mountain Road between the Forest boundary west of Monticello and the Harts Draw Road. The County will remove recyclable asphalt and store it for later use. The road will be widened to a 38 foot subgrade for two traffic lanes with shoulders, and additional curve and guard rail widening as needed to meet secondary highway standards. The road will then be repaved. Low visibility, self-weathering steel guard rails will be erected where required to meet safety standards. Disturbance will be allowed as specified in the Environmental Assessment to facilitate reconstruction of the road. Disturbed areas will be restored and vegetated within the first growing season after excavation and grading are completed. Construction activities will be subject to State of Utah best management practices for road construction to protect stream courses and water bodies. Construction contracts and agreements will contain provisions to suspend

activity and mitigate impacts to any unforeseen discovery of heritage resources or threatened or endangered species.

2. A rock barricade or fence will be installed along the road at 70's Flat to prevent vehicles from driving across the meadow at that location.

3. The existing driveway and parking lot at the Hart's Draw overlook will be reconstructed and paved.

4. The existing parking area located a short distance east of the Blue Mountain Road and North Creek Road (Forest Development Road 50079) junction will be reconstructed and paved to accommodate winter recreation trailhead uses at this site.

5. A paved parking lot for 2 to 3 vehicles at the junction with the Pipeline Road (Forest Development Road 50266) will be constructed for cross-country ski parking.

6. Information, and traffic control signs will be upgraded to meet secondary highway standards.

7. The fence around Monticello Lake will be moved to south of the roadway and unneeded portions of the old fence removed. In addition, one cattleguard will be eliminated from the Blue Mountain road segment and a second one will be eliminated from the Spring Creek Road (Forest Development Road 50105). The allotment boundary fence and cattleguard northeast of the Lake will be retained. Two cattleguards will be installed in the new fence line to allow vehicle access to Monticello Lake. This design feature was modified from that described in the environmental assessment to clarify the proposed action based on supplemental information from the range permit holder and agency personnel during the EA review and comment period. This change does not alter the environmental effects disclosed in the Environmental Assessment.

8. Construction activity on National Forest System lands will not be allowed to occur during the period of December 1 through March 15 to reduce disturbance to turkeys wintering in the project area. Ancillary activities related to construction such as surveying, staking etc. are not restricted during this period. Signing, vegetation clearing and seeding of unpalatable vegetation in road sides will be completed to decrease potential for wildlife-vehicle collisions. In addition, a survey for occupied goshawk nests will be done prior to each construction season and no activity will be allowed for one quarter mile on either side of occupied nests within one quarter mile of the road until the nest is no longer occupied. This design feature is modified from the proposed action based on supplemental information furnished by the Utah Division of Wildlife Resources, Forest Service biologists, San Juan County, and the City of Monticello during the EA review and comment period. This change does not alter the environmental effects disclosed in the Environmental Assessment.

9. The Manti-La Sal National Forest Land Resource Management Plan (Forest Plan) will be amended to modify the Visual Quality Objective (VQO) map addressing approximately 3500 acres of National Forest along the Harts Draw Road. The VQO is changed from modification to partial retention. A Visual Quality Objective map showing the change is included as Appendix B of the Environmental Assessment. This modification of the Forest Plan is a non-significant amendment to the Forest Plan.

III. RATIONALE FOR THE DECISION

This decision was made after careful consideration of the contents of the Environmental Assessment, public involvement, and the entirety of the supporting record. No one fact or single piece of information led to my decision. Rather, a combination of factors contributed to it. I have summarized some of my key considerations in the following sub-parts.

Relationship to the Purpose and Need: The need for this decision is to allow replacement of deteriorating road surfaces with new pavement and improve the Blue Mountain segment of the Monticello - Newspaper Rock Forest Highway to current secondary highway standards. In addition, the decision is necessary to modify the Forest Land and Resource Management Plan Visual Quality Objective Map, along the Harts Draw segment of the Monticello - Newspaper Rock Forest Highway, to allow the viewshed to be managed consistently along the entire length of the highway in concert with current uses.

Relationship to Other Alternatives Considered: I have reviewed the alternatives analyzed in the Environmental Assessment. The No action Alternative would not have allowed widening of the road or changed the Forest Land

and Resource Management Plan Visual Quality Objective Map. This alternative would have seriously affected the ability of San Juan County to maintain the roadway in a safe condition over time. In addition, travelers on the highway would have experienced driving on two sections of highway with noticeably different safety and design standards, contributing to possible safety concerns to the public. Leaving the Visual Quality Objectives unchanged would not have supported management of scenery along the road consistent with the purpose of the highway for recreation and tourism travel.

Relationship to Existing and Potential Resource Conditions: I have considered existing resource conditions and potential environmental effects in making this decision. (Project Record)

Relationship to Public Involvement: Public comments were sought and considered throughout the planning process for this project (refer to Section V of this document for a summary of public involvement). I have reviewed and considered the issues and concerns identified during the scoping process, the Environmental Assessment prepared and the scoping done in 1995, and 1997, and in the past few months. This decision considers all public comments received and the decision is modified from the proposed action to reflect the most up to date information received during the EA review and comment period. Comments received during the EA review and comment period are summarized in Appendix D of the Environmental Assessment.

Relationship to Laws and Regulations: This decision is consistent with applicable laws, regulations, and policies (refer to Section VII of this document).

IV. SUMMARY OF ALTERNATIVES CONSIDERED

Two alternatives were considered in detail and analyzed in the Environmental Assessment.

Alternative 1- No Action/Existing Condition
Under this alternative the Forest would not authorize San Juan County to widen the Blue Mountain segment of the Monticello to Newspaper Rock Forest Highway (MNRFH). Current traffic service and maintenance levels would continue. Other design features of the proposed action would not occur. The County is unlikely to widen just the two miles of road between Monticello and the Forest boundary. Similar actions being considered by the City may or may not occur, depending on their decision.

The VQO on about 3500 acres along the Hart's Draw Road would not be changed from Modification to Partial Retention at this time.

Alternative 2
Under this alternative the Forest would authorize San Juan County to widen the Blue Mountain segment of the Monticello to Newspaper Rock Forest Highway (MNRFH) as proposed in their submittal. Other design features of the proposed action would occur as described in the Environmental Assessment (page 3). The County would also widen and re-pave the two miles of road between Monticello and the Forest boundary. Similar actions being considered by the City may or may not occur, depending on their decision.

The VQO on about 3500 acres along the Hart's Draw Road would be changed from Modification to Partial Retention.

V. PUBLIC INVOLVEMENT

A scoping letter was sent to the 62 people then on the Forest mailing list on January 31, 1995. A legal notice discussing the proposal was published in the San Juan Record newspaper on February 1 and 8, 1995. The project was put on hold in 1995 due to lack of funding for completing the environmental analysis.

Funding again became available in May 1997 and the analysis was restarted. On July 17,1997, an update letter was sent to the nine parties who commented in 1995. A news article was published in the July 16, 1997, edition of the San Juan Record discussing the proposal and soliciting comments. On July 17,1997, a Forest Service employee handed out an announcement about the project to pedestrians and bicyclists who were using the section of road near Monticello on non-Forest lands. During this period of time the project was listed on the Manti-La Sal National Forests quarterly schedule of proposed actions which is mailed to all individuals and organizations who request it.

The project was also discussed internally. An interdisciplinary (ID) team consisting of the District minerals management specialist (ID Team Leader) and the District minerals, recreation and lands staff officer completed analysis of the proposal and documented the analysis, completing the work in the spring of 1998.

The District wildlife biologist has reviewed the proposed project and contributed information about wildlife and threatened and endangered species. The District Archaeologist provided necessary State Historic Preservation Office coordination, site inventory and compliance. Other forest personnel have reviewed the project and have provided additional comments on the project and analysis process. In the fall of 1998 Forest Service officials met with San Juan County commissioners, the mayor of the City of Monticello and Federal Highway Administration officials to coordinate road standards and phases of the projects proposed in each jurisdiction. The Utah Division of Wildlife Resources was contacted by phone in March of 1999 to insure any concerns they have were considered by the Forest Service. The Division provided no new comments, however they requested their letter of February, 1995, to be considered in the analysis. In April of 1999 the completed environmental analysis report was sent to the District mailing list for proposed actions and those who had commented specifically on the project. The EA was sent along with a letter indicating a decision was going to be made for this project. Nine written and one verbal comments were received during the EA review and comment period; these comments were considered in this decision. A summary of the comments received, and agency response, has been complied and has been incorporated into the Environmental Assessment as Appendix D (attached).

VI. FINDING OF NO SIGNIFICANT IMPACT

Based on my review of the EA and supporting record, I have determined that this decision does not constitute a major Federal action significantly affecting the quality of the human environment, as defined in the Code of Federal Regulations title 40 part 1508, section 27 (40 CFR 1508.27) in either context or intensity. Therefore, it is my decision that an Environmental Impact Statement is not necessary, and will not be prepared. My rationale for this finding is documented below.

Context

Locality. Implications of this decision are primarily for the National Forest lands served by the MNRFH. With continued highway maintenance and operation, adjacent resources would be negligibly affected. The effects on public land use and users would remain consistent with that which is currently occurring. (Project Record EA)

Affected Interests. Affected interests for this project are primarily travelers of the MNRFH, County road management agencies, and other entities with interests in the area and public land users served by the highway. (Project Record EA)

Affected Region. The decision is a site-specific action with impacts primarily to the local area. The context of this decision is comparable to many projects on the Manti-La Sal National Forest.

Society. No effects are anticipated to society as a whole.

Intensity

1. Consideration Of Beneficial And Adverse Impacts. Impacts of this decision will be similar to that of past maintenance and operation of a paved Forest Highway facility in which the effects are known or are predictable. There will be long-term benefits in providing safe highway access to the National Forest lands of the area and opportunities for alternative loop drives to and from popular recreation destinations at Newspaper Rock and Canyonlands National Park. Although both beneficial and adverse effects are disclosed, none are severe enough to be considered significant.

2. Consideration Of Public Health And Safety. Public safety issues concerning this decision were raised and can be fully mitigated through design and improvement of the roadway facility. This decision contributes to maintaining public health or safety through construction and maintenance of a modern highway to currently accepted secondary highway standards.

3. Consideration Of Unique Characteristics Such As Proximity To Historic Or Cultural Resources, Park Lands, Prime Farmlands, Wetlands, Wild And Scenic Rivers, Or Ecologically Critical Areas. Historic and cultural resources are addressed in the following Item 8. There are no prime farmlands, rangeland, or forest land as defined in the Secretary of Agriculture's Memorandum Number 1827, Supplement, 1 identified on the Forest (Forest Plan, pp. II-57). Wetlands

would not be affected by this decision. There are no parklands or wild and scenic rivers identified in the Forest Plan. The area of my decision has not been identified by any source as an ecologically critical area (Project File - Biological Assessment and Evaluation).

4. Consideration Of The Degree To Which The Effects On The Quality Of The Human Environment Are Likely To Be Highly Controversial. This decision is not unique as many areas of National Forest have Forest Highways that are maintained and operated with periodic reconstruction to maintain the facility for current and projected use. Effects on the quality of the human environment are understood and are not highly controversial. Scoping on the proposed action and solicitation of comments on the EA demonstrated there is little controversy among professionals and the public over potential effects. No information or data has been presented to demonstrate that the effects are highly controversial.

5. Consideration Of The Degree To Which The Possible Effects On The Human Environment Are Highly Uncertain Or Involve Unique Or Unknown Risks. This decision is not unique. Several other highways occur across the Forest that are maintained and operated by the Forest Service or in cooperation with state and local agencies. The Forest has experience in implementing and monitoring similar projects, the effects of which have been found to be reasonably predictable. No effects from this decision would be classified as highly uncertain or involving unique or unknown risks.

6. Consideration Of The 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. This decision is not precedent setting. The Forest periodically considers and analyzes reconstruction of existing roads and highways to meet current safety and engineering design standards. Each action is evaluated on its own merits based on the issues and effects related to the location, timing and intensity of each action. This decision is separable from and not dependent upon the other likely foreseeable projects for future consideration.

7. Consideration Of The Action In Relation To Other Actions With Individually Insignificant But Cumulatively Significant Impacts. No reasonably foreseeable future projects have been identified that would in connection with this decision produce cumulative effects beyond those currently occurring. The limited scale of activity creates minimal individual effects, as well as minimal cumulative effects when added to the existing situation and other potential activities. The effects of planned reconstruction of the same highway on lands outside the National Forest in and near the City of Monticello were considered.

8. Consideration Of The Degree To Which The Action May Adversely Affect Areas Or Objects Listed In Or Eligible For Listing In The National Register Of Historic Places Or May Cause Loss Or Destruction Of Significant Scientific, Cultural, Or Historical Resources. Record and field reviews support that no cultural or historic sites would be affected by this decision (Project Record). The potential for impacting unknown sites is unlikely as areas that would be disturbed outside the current roadway were surveyed for cultural properties. When implementing the decision, any previously unidentified sites inadvertently discovered would be avoided or mitigated so there would be no effect upon them.

9. Consideration Of The Degree To Which The Action May Adversely Affect An Endangered Or Threatened Species Or Its Habitat Has Been Determined Not To Be Critical Under The Endangered Species Act. A Biological Assessment has been conducted for this decision (Project Record Biological Assessment and Evaluation). All known endangered or threatened species were considered. The Biological Assessment concludes that this decision will have "no effect" to listed species.

10. Consideration Of Whether The Action Threatens A Violation Of Law Or Requirement Imposed For The Protection Of The Environment. To the best of my knowledge, this decision does not threaten violation of any laws and regulations imposed for the protection of the environment (refer to Section VII of this document).

VII. FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

To the best of my knowledge, this decision complies with all applicable laws and regulations. In the following, I have summarized the association of my decision to some pertinent legal requirements.

Forest Highways Act of 1958 and the National Forest Road and Trails Act of 1964: These Acts allow cooperative funding and the granting of easements to other public agencies for operation and construction of Forest Highways on National Forest System lands.

National Forest Management Act of 1976: The Forest Plan was approved November 5, 1986, as required by this Act. This long-range land and resource management plan provides guidance for all resource management activities in the Forest. The National Forest Management Act requires all projects and activities to be consistent with the Forest Plan. The Forest Plan has been reviewed in consideration of this project. The modification of Forest Plan Visual Quality Objectives by this decision is consistent with minor modifications of the Forest Plan allowed by the document and Record and Decision which implements the Plan. A Visual Quality Objective of Partial Retention will not preclude or unduly restrict future developments along this corridor. The project and Forest Plan amendment are consistent with provisions of the Forest Plan. In addition, the change of 3,500 acres from Modification to Partial Retention will not significantly change the level of goods and services projected in the Forest Plan for the remainder of the planning period, therefore an EIS is not required.

National Historic Preservation Act: Compliance with this Act and the American Indian Religious Freedom Act are addressed in Section VI of this document.

Endangered Species Act: Compliance with this Act is addressed in Section VI of this document.

National Environmental Policy Act: The entirety of documentation for this project supports that the project complies with this Act.

VIII. APPEAL PROVISIONS AND IMPLEMENTATION

CODE OF FEDERAL REGULATIONS TITLE 36 PART 215 (36 CFR 215)

My decisions are subject to appeal pursuant to 36 CFR 215.7. As stated in 36 CFR 215.11, an appeal may be filed by any person or non-federal organization (Federal agencies may not appeal) that has submitted comments in response to the project. A written appeal must be submitted on or before August 27, 1999. Appeals must be submitted to :

Regional Forester
USDA Forest Service, Intermountain Region
ATTN.: Appeals Deciding Officer
324 25th Street
Ogden, Utah 84401

Appeals must meet the content requirements of 36 CFR 215.14. If no appeal is received, implementation of my decisions may occur on but not before five business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition.

IX. CONTACT PERSON

For additional information concerning this decision or the Environmental Assessment, please contact Aaron Howe at the Manti-La Sal National Forest Supervisors Office (address: 599 West Price River Drive, Price, UT 84501; telephone: 435-637-2817).

X. SIGNATURE AND DATE

Donald G. Fullmer

DONALD G. FULLMER
Acting Forest Supervisor (Responsible Official)
Manti-La Sal National Forest

July 12, 1999
Date