

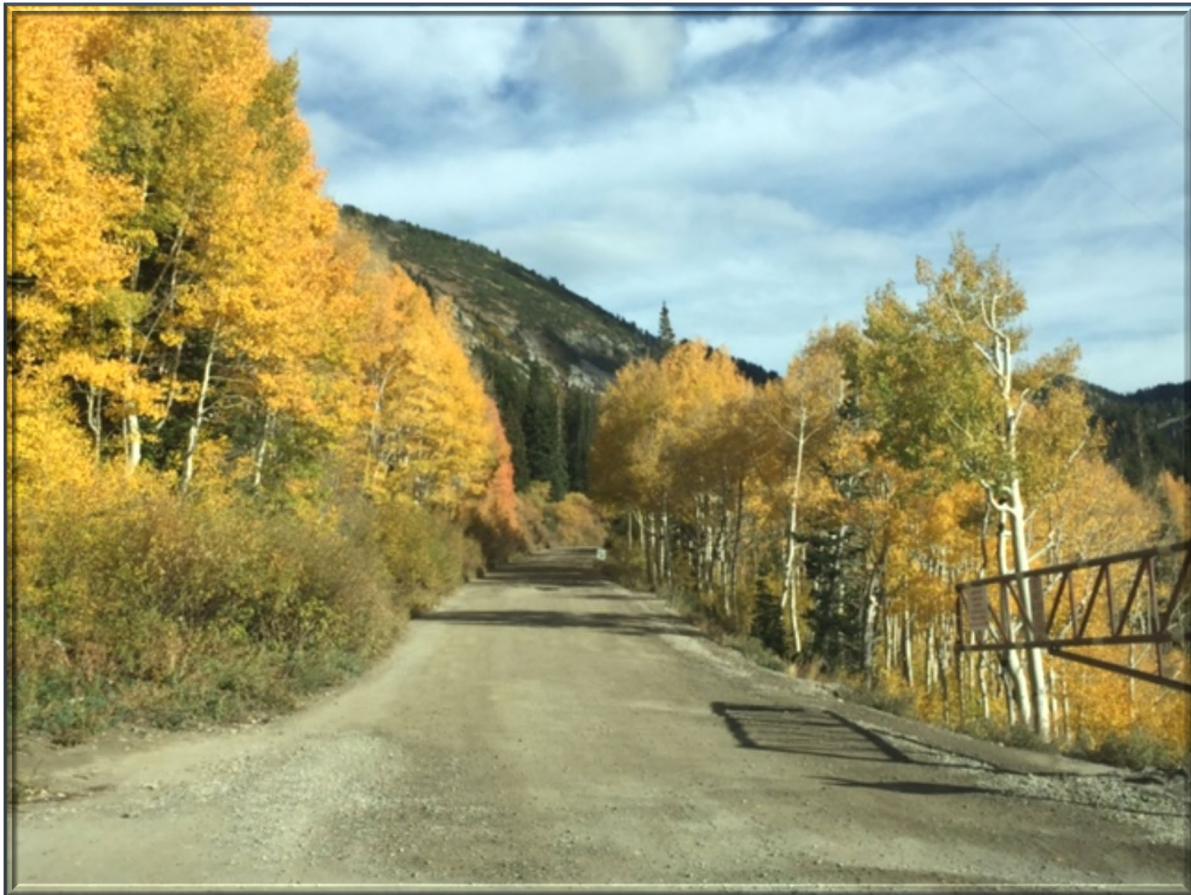


United States Department of Agriculture
Forest Service

Patsey Marley Hill Subdivision Roadway Improvements

Environmental Assessment

Uinta-Wasatch-Cache National Forest, Salt Lake Ranger District, Salt Lake County, Utah
February 2020



Environmental Assessment

Patsey Marley Hill Subdivision Roadway Improvements

Uinta-Wasatch-Cache National Forest, Salt Lake Ranger District, Salt Lake County, Utah

Lead Agency: U.S. Forest Service

Responsible Official: David C. Whittekiend, Forest Supervisor
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Salt Lake Ranger District
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Salt Lake City, UT 84121

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Table of Contents

Table of Contents.....	i
List of Figures	ii
List of Acronyms	ii
Chapter 1: Purpose and Need.....	1
1.1 Introduction and Background.....	1
1.2 Project Area	1
1.3 Purpose and Need	3
1.3.1 Forest Service Direction and Forest Plan Consistency	3
1.4 Public Involvement and Consultation.....	4
1.5 Decision Framework.....	4
1.6 Issues.....	4
1.6.1 Key Issues	5
1.6.2 Issues Addressed but not Analyzed in Detail.....	5
Chapter 2: Alternatives	6
2.1 Introduction.....	6
2.2 Alternatives Considered in Detail.....	6
2.2.1 Alternative 1 (No Action)	6
2.2.2 Alternative 2 (Proposed Action)	6
2.2.3 Alternatives Considered but Eliminated from Detailed Study.....	13
Chapter 3: Environmental Consequences	16
3.1 Introduction.....	16
3.1.1 Biological Resources including Botany, Weeds, and Wildlife	16
3.1.2 Hydrology, Soils, and Water Resources	18
3.1.3 Noise	20
3.1.4 Recreation	20
3.1.5 Wetlands and Waters of the U.S.	21
3.1.6 Visual Resources.....	22
3.1.7 Cumulative Effects.....	23
Chapter 4: Consultation and Coordination.....	27
4.1 Agencies and Persons Consulted	27
4.2 Laws and Regulations	27
Chapter 5: References.....	29

List of Figures

Figure 1	Project Location Map.....	2
Figure 2	Project Detail Map	8
Figure 3	Typical Cross Section No. 1	10
Figure 4	Typical Cross Section No. 2	11
Figure 5	Visibility Assessment.....	24

List of Acronyms

Acronym

CFR	Code of Federal Regulation
EA	Environmental Assessment
FONSI	Finding of No Significant Impact
LCC	Little Cottonwood Creek
MVUM	Motor Vehicle Use Map
NEPA	National Environmental Policy Act
NFMA	National Forest Management Act
NFS	National Forest System
OSV	Over Snow Vehicle
RHCA	Riparian Habitat Conservation Area
SR	State Route
SUP	Special Use Permit
TES	Threatened and Endangered Species
TMDL	Total Maximum Daily Load
USACE	U.S. Army Corps of Engineers

Chapter 1: Purpose and Need

1.1 Introduction and Background

This Environmental Assessment (EA) discloses the environmental impacts of a proposal to improve road access across National Forest System (NFS) lands to a planned subdivision and parking structure located on private lands. The subdivision and parking structure are considered connected actions to the road project.

This document has been prepared pursuant to the requirements of the National Environmental Policy Act (NEPA), 40 CFR 1500-1508, the National Forest Management Act (NFMA) implementing regulations of, including transition language at 36 Code of Federal Regulation (CFR) 219.14, and the 2003 Revised Forest Plan for the Wasatch-Cache National Forest (USDA Forest Service 2003). Formal planning for this project was initiated in October 2016 with a legal notice in the *Salt Lake Tribune*.

The Estate of JoAnne L. Shrontz (Shrontz Estate) plans to construct a 10-lot residential subdivision (the Patsey Marley Hill Subdivision) and a parking structure, on private land in Alta, Utah. The project being analyzed includes proposed roadway improvements to the existing Albion Basin Road (NFS Route 028) to improve access to the subdivision and parking structure. Because the subdivision and parking structure are considered connected actions to the road project, their resultant impacts are also discussed in this EA. However, because those planned features would be located completely within private land, the Forest Service does not have decision-making authority or jurisdictional control over these aspects. The Forest Service authority and control is also limited by the rights reserved in the easements granted by the Shrontz Estate's predecessors and Salt Lake County to the Forest Service (Salt Lake County Commissioners 1941; Centennial Emma Mining Co. 1944).

An application for a Special Use Permit (SUP) to authorize utility and road improvements as part of the development plan was submitted to the Forest Service on December 16, 2015. The application encompassed numerous factors affecting project design, including but not limited to compliance with the 2014 Development Agreement with the Town of Alta and the 1999 property deed from Alta Ski Lifts. The Forest Service determined the appropriate level of review for this project is an EA.

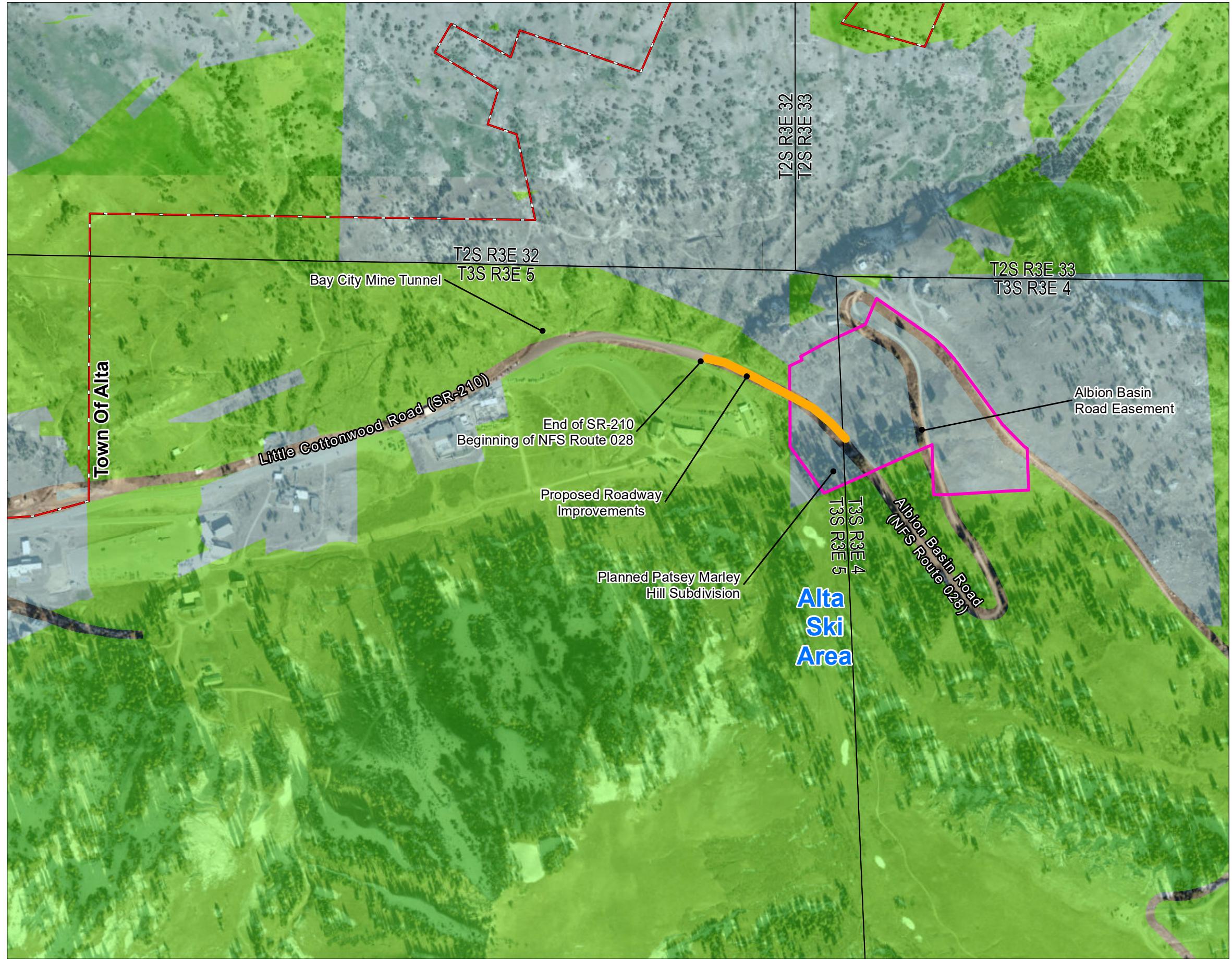
1.2 Project Area

The project is located in a recreational and residential area approximately 8.5 miles east of the Salt Lake Valley, immediately to the northeast of the Alta Ski Resort in the Town of Alta, Utah, Section 4, Township 3 South, Range 3 East, Salt Lake County, Utah (see Figure 1). The approximated UTM location for this property is 14742912 (Northing) and 1466667 (Easting) using UTM Z12, NAD 83 (US Feet). Historic mining activity in Little Cottonwood Canyon has left behind many mine features, such as mine shafts, waste rock piles and mine drain tunnels.

Little Cottonwood Canyon (State Route 210) is used to access this area and the Albion Basin Road (NFS Route 028) traverses the Shrontz property. State Route (SR) 210 is paved with snow removal in the winter up to the end of the pavement and is heavily traveled. The Albion Basin Road (NFS Route 028) is a Forest Service Road beginning where SR 210 ends and is a two-lane seasonal gravel road with an uphill roadside ditch and a posted speed limit of 25 miles per hour. Although the Albion Basin Road (NFS Route 028) is closed during the winter to automobiles, town residents and landowners use over-the-snow vehicles (OSV) to access their properties. During the winter, OSVs are parked on the north side of the



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0
300
600
Feet
(At original document size of 11x17)
1,7200

Notes
1. Coordinate System: NAD 1983 UTM Zone 12N
2. Data Sources: Utah AGRC, Utah BLM, Salt Lake County, Stantec
3. Background: 2017 Salt Lake County Orthoimagery



Project Location
Town of Alta, Utah
Prepared by NF on 2019-12-04
TR by JT on 2019-12-04
IR Review by KK on 2019-12-04

Client/Project
THE ESTATE OF JOANNE L. SCHRONTZ
PATSEY MARLEY HILL SUBDIVISION
ROADWAY IMPROVEMENTS EA
Prepared by NF on 2019-12-04
TR by JT on 2019-12-04
IR Review by KK on 2019-12-04

Figure No.
1

Title
PROJECT LOCATION MAP

road close to the end of SR 210. During the summer (July through September), the Albion Basin Road (NFS Route 028) is well traveled by the public to access the Albion Basin campground and trailheads. Existing public utilities are buried under SR 210, the Albion Basin Road (NFS Route 028), and the Shrонтz property. The private Shrонтz property is currently vacant, undeveloped land in a mountainous area. The site is adjacent to the Alta Ski Resort and receives an average of 500-inches of snow per year.

1.3 Purpose and Need

The Forest Service needs to respond to a request from the Proponent to improve road access to a planned 10-lot subdivision and parking structure on Patsey Marley Hill. The proposal was driven by a combination of factors explained below.

First, a 1999 Deed (Alta Ski Lifts 1999) between Alta Ski Lifts Company and JoAnne L. Shrонтz stated that, “All parking for any development on or use of the Property shall be located on the Property, and any development of the Property shall include adequate parking facilities.” Alta Ski Lifts did not want the new development to impact their existing parking for skiers.

Second, the relevant Town of Alta ordinances for off-street parking that were in place at the time of the subdivision application include requirements affecting project design (Town of Alta 1990). Specifically, Ordinance 22-11-4(1)(c) requires two parking spaces for each single-family dwelling. Ordinance 22-11-5 requires parking spaces on the property to have adequate ingress and egress. The General Plan (Town of Alta 2016a) states that the existing zoning of all areas should continue and specifically references the 1990 zoning ordinance. Further, while not specifically stated in the 1990 ordinances, the Town of Alta took the position that the parking requirements extend to year-round accessibility (Town of Alta 2009). These Town of Alta considerations drive the Proponent’s need to improve access.

The Forest Service has a limited and focused decision space regarding this project due to the private land aspects, as noted above, of the subdivision and parking structure, as well as due to reserved rights on the NFS lands (see Section 1.5). The purpose and need reflects these constraints. Local requirements, agreements, and decisions made by the Town of Alta and Alta Ski Lifts have essentially forced the actions requiring this Forest Service decision. The other aspects of the project are subject to other controls through the various agreements, as well as local and state regulations.

1.3.1 Forest Service Direction and Forest Plan Consistency

This document is consistent with the 2003 Revised Forest Plan for the Wasatch-Cache National Forest (USDA Forest Service 2003). Additionally, the following direction from Forest Service Handbook FSH 2709.11 has been taken into consideration in our need for considering this proposal:

36 Code of Federal Regulations Subpart D – Access to Non-Federal Lands. §251.110 (c) Subject to the terms and conditions contained in this part and in parts 212 and 293 of this chapter, as appropriate, landowners shall be authorized such access as the authorized officer deems to be adequate to secure them the reasonable use and enjoyment of their land.

(d) In those cases where a land owner’s ingress or egress across National Forest System lands would require surface disturbance or would require the use of Government-owned roads, trails or transportation facilities not authorized for general public use, the land owner must apply for and receive a special-use or road use authorization documenting the occupancy and use authorized on NFS lands or facilities and identifying the landowner’s rights, privileges, responsibilities, and obligations.

1.4 Public Involvement and Consultation

The Forest Service held a scoping comment period in October 2016 and another scoping comment period in March 2017 including a public meeting on March 7, 2017. Following this meeting and receipt of public comments, the Proposed Action was revised to address some of the issues raised during public scoping. A 30-day comment period on this document will be initiated with the publication of a legal notice in the *Salt Lake Tribune*.

1.5 Decision Framework

The purpose of this document is to disclose the effects and consequences of alternatives being considered in detail. Based on information disclosed in this EA, its associated planning record, and public feedback, the Uinta-Wasatch-Cache Forest Supervisor (Responsible Official) will make a decision as to whether or not to approve the project and issue a Finding of No Significant Impact (FONSI) if no significant impacts are found. Based on the analysis documented in the EA, the decision to be made is whether or not to approve improvements to Albion Basin Road (NFS Route 028) described in Section 2.2 Alternative 2 – Proposed Action.

Albion Basin Road (NFS Route 028) was constructed by the State of Utah, Salt Lake County, and the Forest Service and is currently under Forest Service jurisdiction. There is a reservation in the original deed to the United States, reserving to the Shrontz Estate, as successors in interest, not only "the full and free use of the highway and right-of-way" as it traverses the NFS lands, but also the right to relocate the easement if it conflicts with the Shrontz Estate's uses of the property. Further, a 100-foot easement is held by the Forest Service for Albion Basin Road (NFS Route 028) as it continues past the paved portion of the road and through the Shrontz property and the reserved rights of the Shrontz Estate continue down the road to just past the end of the existing pavement. For the purposes of the EA, the Shrontz Estate has agreed to exercise its right to the full and free use of the 100-foot wide right-of-way so there is no unreasonable infringement on or interference with public usage or the Forest Service's operation of the road. The Proponent has further agreed to work with the Forest Service to accommodate public safety and maintain existing passage as they exercise their full and free use in association with the Proposed Action.

The proposed road improvements are the primary focus of this EA and will be the focus of any resultant decision the Responsible Official will make. The connected actions are analyzed in the EA only to the extent needed; decisions on those other aspects are not under the Forest Service's authority.

1.6 Issues

Scoping is used to identify issues that relate to the effects of a proposed action. An issue is an unresolved conflict or public concern over a potential effect on a physical, biological, social or economic resource as a result of implementing the proposed action and alternatives to it. An issue is not an activity; instead, the projected effects of the proposed activity create the issue. Issues are generated by the public, other agencies, organizations and Forest Service resource specialists and are in response to the proposed action. Issues provide focus for the analysis of environmental effects and may influence alternative development, including development of project design criteria.

The Forest Service separated the issues into two groups: key issues and non-key issues. Key issues were defined as issues identified during public scoping that suggested an alternative to meeting the purpose and need for action. Letters submitted during the public scoping/comment period and Forest Service consideration of those letters is included in a Scoping Report located at the Salt Lake Ranger District.

1.6.1 Key Issues

A Forest Service team of interdisciplinary specialists developed the list of issues by considering the following: 1) internal scoping in which issues are identified, and 2) external scoping in which issues are identified through consideration of public and agency comments. After reviewing the public comments received during scoping the Forest Service did not identify any key issues that would drive the development of an additional action alternative. Numerous concerns were raised during internal and external scoping processes and while these concerns were valuable, they did not raise unresolved conflicts. The key issues identified for this proposal include: Biological Resources, Cultural Resources, Hydrology and Water Resources, Noise, Recreation, Wetlands, and Visual Resources.

1.6.2 Issues Addressed but not Analyzed in Detail

Non-key issues were identified as those that are either: 1) outside the scope of the roadway improvements component of the proposed action; 2) already decided by law, regulation, Forest Plan, or other higher level decision; 3) irrelevant to the project or its resources; 4) conjectural and not supported by scientific or factual evidence; or 5) have been addressed by eliminating any potential effects through alternative design, design criteria, and/or mitigation measures. There is no detailed discussion of these concerns in Chapter 3. No cultural resources were identified in the Proposed Action area (Baxter 2016); therefore, this resource was not carried forward in the EA. Other issues that were considered but not analyzed in detail include: Air Quality and Climate Change, Fire and Fuels, Fisheries and Aquatic Resources, Range, Silviculture, and Socioeconomics.

Chapter 2: Alternatives

2.1 Introduction

This chapter describes and compares the alternatives considered for the project. Two alternatives are analyzed in detail in this chapter: Alternative 1 (No Action) and Alternative 2 (Proposed Action). This chapter includes a description of each alternative considered as well as a description of alternatives that were considered but eliminated from detailed study.

2.2 Alternatives Considered in Detail

2.2.1 Alternative 1 (No Action)

The No Action Alternative serves as a baseline to analyze the environmental effects of the action alternatives. The No Action Alternative would mean that the Forest Service would not authorize improvements to NFS Route 028. Under No Action, the Proponent would retain the ability to access and use its private land in accordance with its reserved rights, in-place development agreements, and deed restrictions, as well as other local and state requirements.

2.2.2 Alternative 2 (Proposed Action)

The Proposed Action Alternative (Proposed Action) has been revised several times to address comments from the Forest Service internal interdisciplinary team and the public. These modifications address safety considerations, the desire to maintain current uses of the roadway, including recreational uses in the winter, and to reduce impacts to the area. Details regarding the proposed summer and winter roadway configurations are discussed in the sections below.

In the original proposal, a request for utilities was included in the Proposed Action and was part of project scoping. However, in 2016, the Forest Service received a request from Syringa Wireless to construct fiber optic cable within the same road prism. A team of resource specialists reviewed this proposal, as well as the proposed utilities for the Patsey Marley project, and subsequently the Forest Service authorized a Special Use Permit to Syringa Wireless and the Town of Alta to excavate the Albion Basin Road (NFS Route 028) prism to bury utilities. In order to reduce environmental impacts and to better serve the public, on May 17, 2018, the Forest Service sent a letter to the Proponent in support of the Proponent entering into an agreement with Syringa and the Town of Alta to utilize the permitted excavation to install utilities within the road corridor. The letter stated, “This letter does not include authorization for any other unrelated proposed road improvements that is currently being considered by the Forest Service. Alternatives considered in the environmental analysis, and any final decision by the Forest Service to approve an alternative, will not be limited based on your decision to move forward with installing the utilities in the excavation permitted to Syringa Wireless or the Town of Alta within the Forest Service right-of-way” (USDA Forest Service 2018). The utility work, including the Proponent’s main water line from the Bay City Mine Tunnel to the property within the road corridor, was completed during the summer of 2018. Consequently, this EA only evaluates the proposed roadway improvements to the Albion Basin Road (NFS Route 028) to access the parking structure located on private land.

The planned 25-acre development of the Patsey Marley Hill property consists of 10 single-family, residential lots, and a parking structure, all of which are on private property. The Proposed Action includes two main components: 1) improvements to the Albion Basin Road (NFS Route 028) to allow winter access to the Subdivision's parking structure; and 2) relocation of the existing OSV parking area (see Figure 2). The parking structure, homes, driveways, residential utilities, and associated fire suppression water lines/appurtenances that would be constructed on the 10-lot, 25-acre property are considered as connected actions and are included in this EA. However, the Forest Service has no decision authority over these; rather they are subject to other controls through the various agreements as well as local and state regulations. For example, the Development Agreement (Town of Alta and the Estate of JoAnne L. Shrонтz 2014) states than each lot can have up to 1 single family dwelling and one accessory building; no dwelling can be more than three stories or greater than 35 feet high. Although the development has been approved, building permits would have to be obtained from the Town of Alta and plans must meet applicable building codes and ordinances. Currently, no building permits have been issued.

A Development Agreement between the Town of Alta and the Shrонтz Estate (Town of Alta and the Estate of JoAnne L. Shrонтz 2014) in part acknowledges: 1) the existing public road right of way would be used to access the subdivision but such use shall not block or interfere with current users; and 2) the two parties agree in concept to a minimum 20-space parking structure on the private property. In addition, the Patsey Marley Hill Subdivision needs winter access to a planned parking structure in order to proceed under the Development Agreement, and as required in a Deed with Alta Ski Lifts (1999) and the Town of Alta Ordinances (Town of Alta 1990) referenced above. Access includes wheeled access to the parking structure as well as OSV travel for private landowners to the Subdivision.

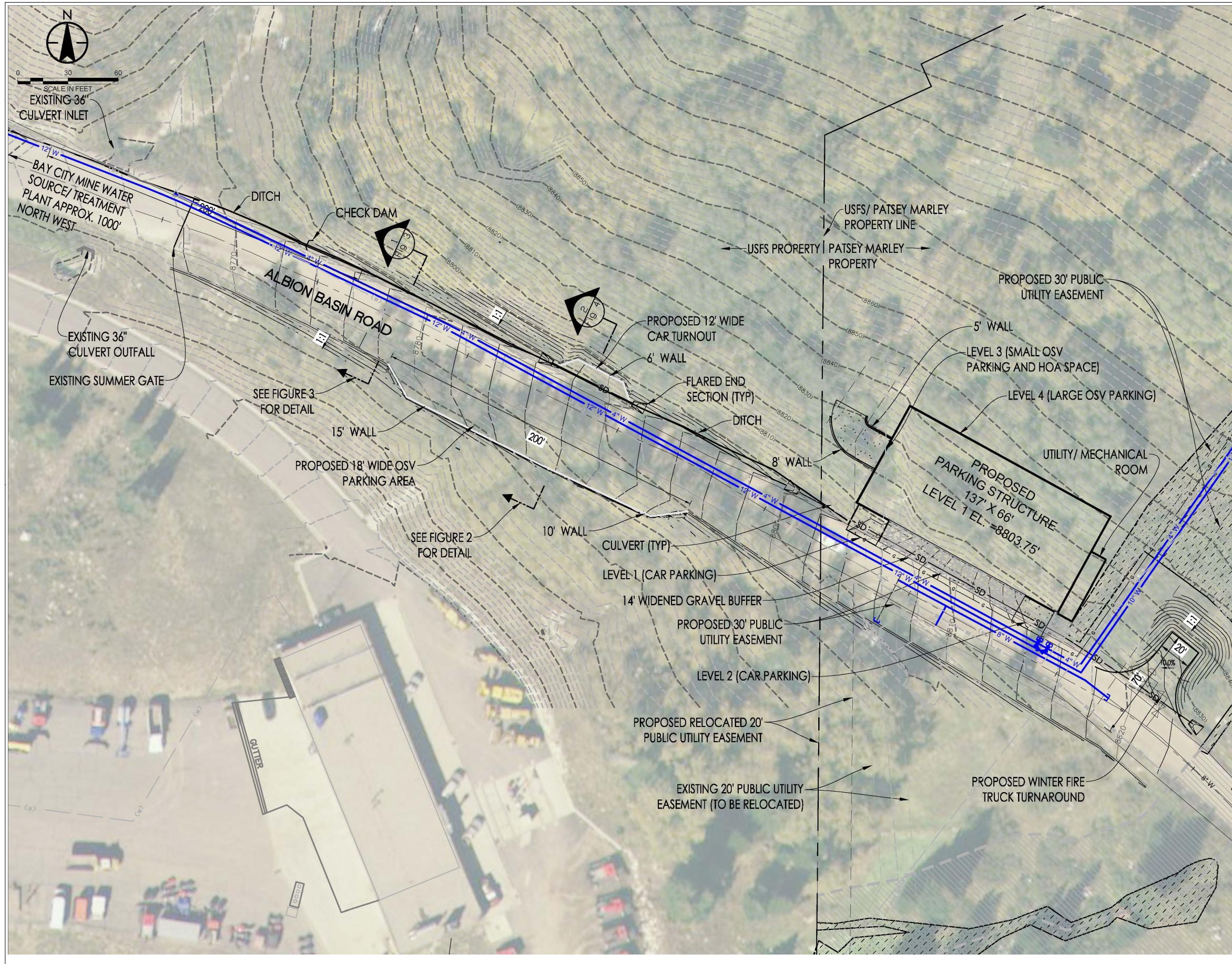
The road is currently a 30-foot wide, crowned and ditched graveled road. In summer it is two lane. In the winter, the road is closed to automobiles but is maintained for private snowmobile/snowcat use and ski access for homeowners and public recreational users. The proposed roadway improvements consist of widening the road and modifying the road base from the end of the existing pavement to the planned parking structure (approximately 710 linear feet). Approximately 430 feet of this road segment is on Forest Service lands with the remaining 280 feet on private. The road width of this section would be increased to a minimum of 40 feet by creating a 10-foot gravel shoulder on the downhill side of the road, including rock retention walls. The Proposed Action would also improve this section of the road with an all-season gravel road base to abate dust. In addition, the proposal includes the following: 1) installation of an approximately 40-foot long automobile intervisible turnout on the uphill side of the road to permit cars to pass each other on the one lane winter road; and 2) relocation of the existing OSV parking area to the south side of the road (as described below). Total ground disturbance associated with construction of the roadway improvements (including the turnout and parking area) would be less than one acre. Some of this area is already disturbed by the existing road footprint; total new ground disturbance would be less than one-half acre.

2.2.2.1 Summer Use

To permit the installation and use of the intervisible turnout and to help widen the road, the roadside ditch on the uphill side of the road would be replaced by a culvert in certain sections (see Figures 2 and 3). To provide adequate space for all winter uses, this proposal would widen the existing 30-foot wide road by approximately 10 feet. With these improvements the road would be approximately 40 feet wide and during the summer better accommodate two automobile lanes with a wider shoulder.



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Project Location
Town of Alta, Utah

Client/Project
THE ESTATE OF JOANNE L. SCHRONTZ
PATSEY MARLEY HILL SUBDIVISION
ROADWAY IMPROVEMENTS EA

Figure No.

2

Title

Project Detail Map

2.2.2.2 Winter Use and Snow Removal

The Proposed Action includes a 10-foot single automobile lane maintained in the winter to access the parking structure and a 25-foot minimum groomed snow lane for skiers, OSVs and other recreational users (see Figures 2 and 3). The 10-foot automobile lane would be maintained on the uphill side of the Albion Basin Road (NFS Route 028) and the groomed snow lane would be on the downhill side. The groomed snow lane would be maintained at a depth that would provide for a gradual transition between the automobile lane and the groomed snow lane. A snow maintenance and removal plan is required by the Forest Service if the project is approved and the Proponent has had preliminary discussions with Alta Ski Lifts on this subject.

A 40-foot by 12-foot intervisible turnout and rock retaining wall would be constructed on the uphill side of the Albion Basin Road (NFS Route 028) at a midpoint between the end of State Route 210 and the parking structure. The purpose of the intervisible turnout is to accommodate traffic on the proposed one-lane/two-way road during the winter (Figures 2 and 4). Travel on the automobile lane would be controlled by a gate and traffic signals. The road would be gated during the winter closure as shown on the Motor Vehicle Use Map (MVUM). Two traffic signals would be placed before the car turnout and at the parking structure to control traffic on the one-lane road in the winter season to ensure safe passage without requiring vehicles to reverse course. Lights would be on for very limited times and would be shielded from above to reduce light pollution. The road would be gated and closed to automobiles past the parking structure.

OSV parking would be relocated from the north side of the road to a new 18-foot by 200-foot OSV parking area on the south side of the road (Figures 2 and 4). Starting approximately 150 feet east of the end of State Route 210, this new south-side parking area would be constructed with either a rock retention wall or stamped concrete.

In addition to Forest Plans standards and guidelines designed to mitigate impacts, design features would also apply and are included in Appendix A.

2.2.2.3 Design Criteria and Mitigation Measures

Design features are incorporated to reduce or prevent undesirable effects to the Forest resulting from proposed management activities.

Design Criteria

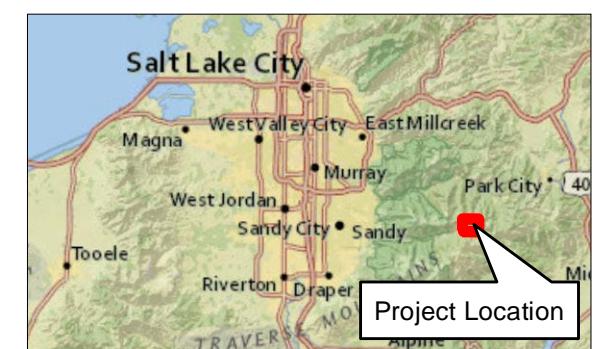
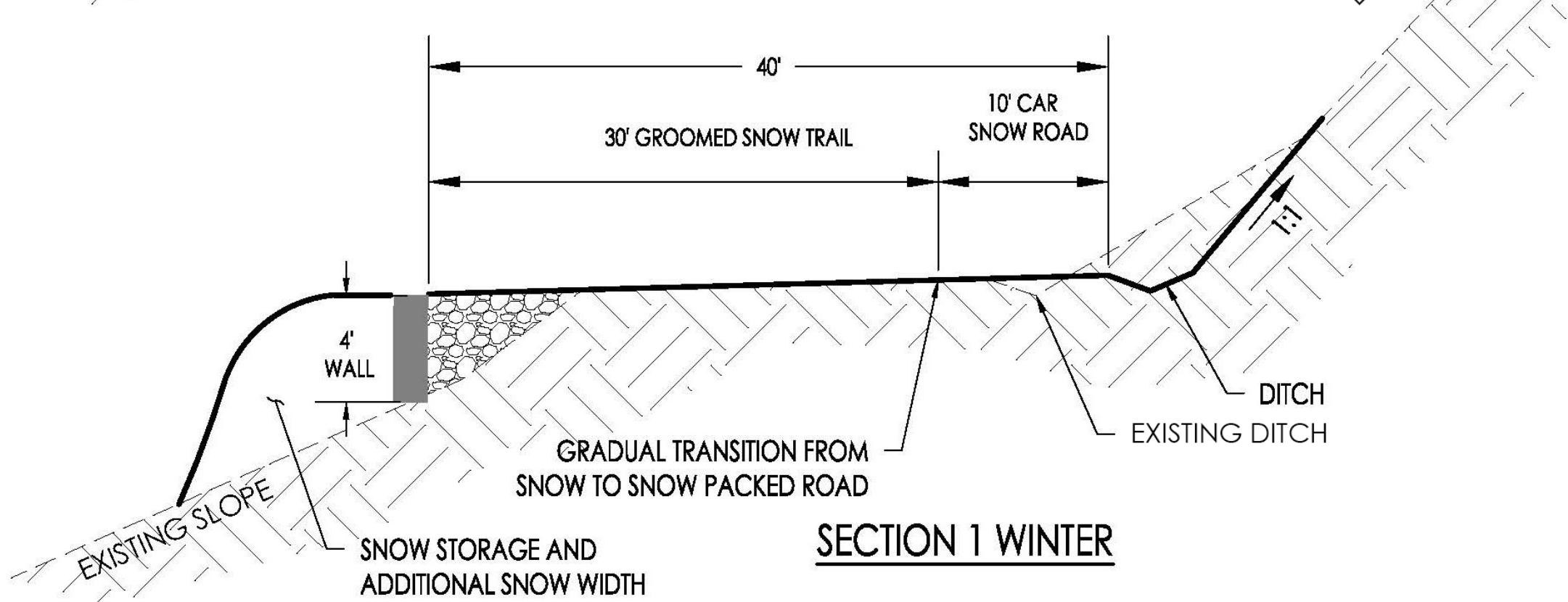
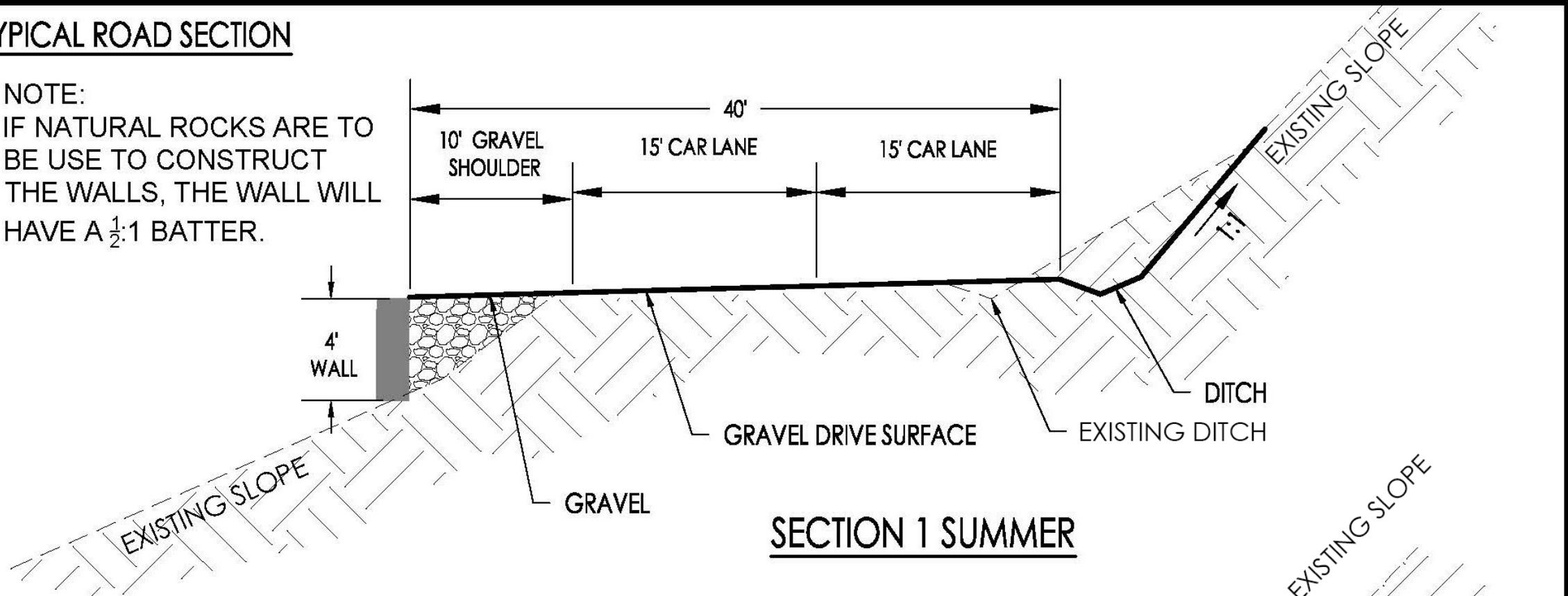
- Construction site stormwater best management practices would be implemented during construction activities to minimize the impact to stormwater quality.
- Dust abatement measures would be taken during construction activities to minimize the impact to air quality.
- As mentioned above, a rock wall or stamped concrete wall for the new south-side parking area would be constructed to minimize the impact to visual resources.
- Compliance with the following requirements would serve to minimize impacts to vegetation:
 - Town of Alta's ordinance 9-3 Preservation of Vegetation During Development and ordinance 4-1 Nuisances and Weed Control (Town of Alta 2018).
 - Revised Forest Plan requires proper management of noxious weeds to minimize the spread and prevent invasion of noxious weeds (USDA Forest Service 2003).



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TYPICAL ROAD SECTION

NOTE:
IF NATURAL ROCKS ARE TO
BE USE TO CONSTRUCT
THE WALLS, THE WALL WILL
HAVE A $\frac{1}{2}:1$ BATTER.



Project Location
Town of Alta, Utah

Client/Project
THE ESTATE OF JOANNE L. SCHRONTZ
PATSEY MARLEY HILL SUBDIVISION
ROADWAY IMPROVEMENTS EA

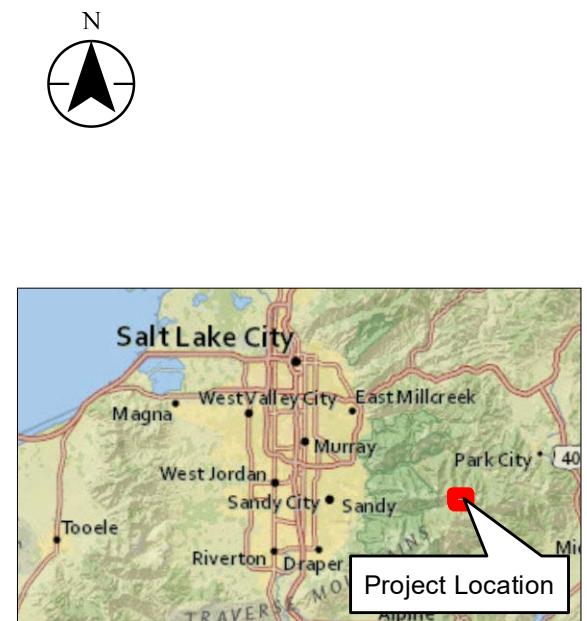
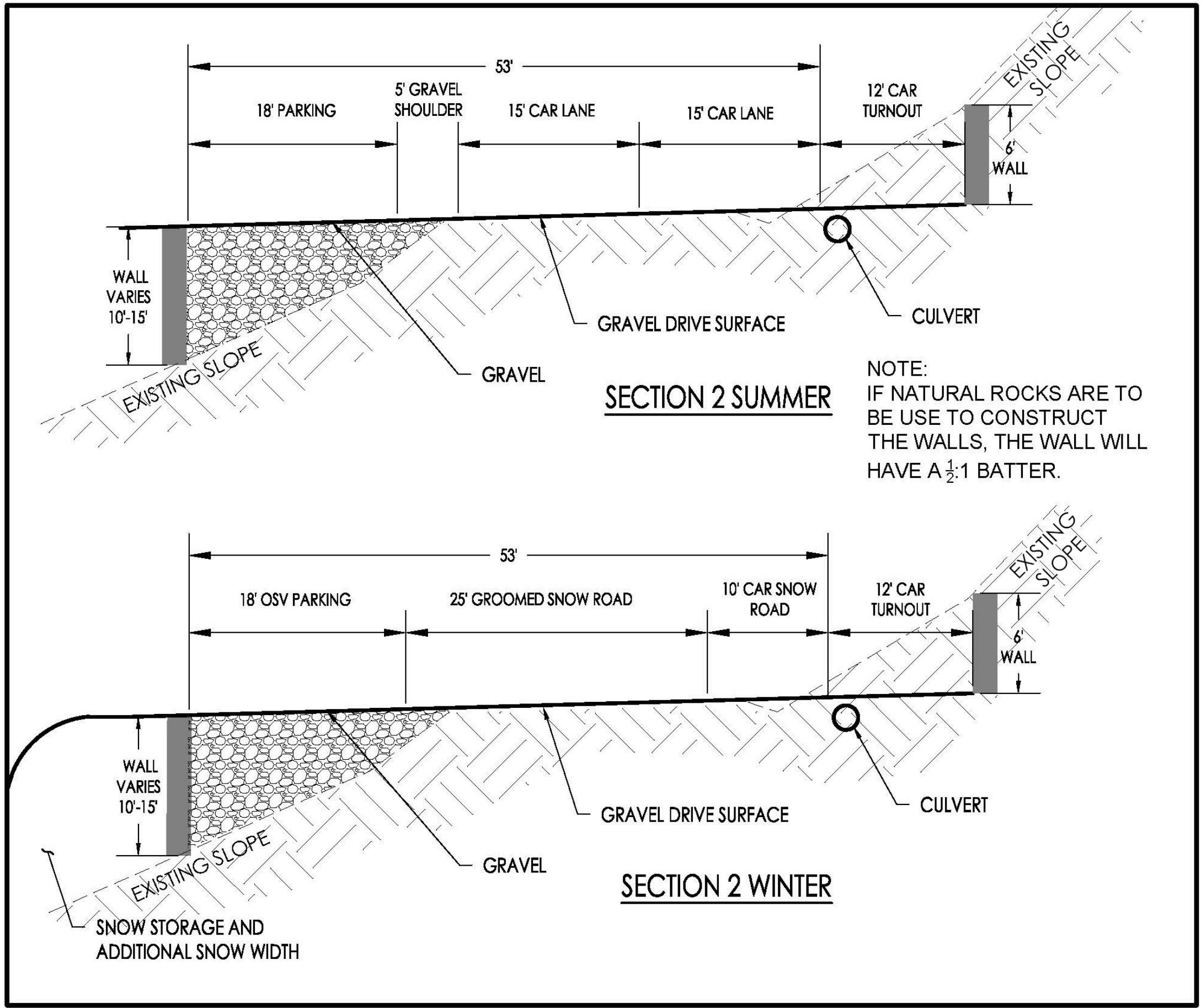
186302093

Figure No.

3

Title

Typical Cross Section No. 1



186302093

Mitigation Measures required by the Uinta-Wasatch-Cache National Forest

- The proponent must obtain all relevant permits and all relevant clearances from state and local governments and must adhere to all local ordinances, regulations, etc., including but not limited to the General Plan (Town of Alta 2016a) and building codes set forth by Town of Alta's Building Department (Town of Alta 2016b) which adopt and cite to other codes. This includes a requirement that designs be prepared and certified by the appropriate licensed professional (e.g., surveyor, civil engineer, licensed contractor as appropriate).
- A Plan of Development for construction must be reviewed and approved by the Forest Service. The Plan of Development should include but is not limited to the following:
 - Culvert size
 - Snow Maintenance and Removal Plan
 - Specifications for proposed gate and traffic signals
- The following Best Management Practices proposed by the interdisciplinary team shall be implemented:
 - Project generated fill material should be spread on previously disturbed areas only (preferably compacted on current turnaround at the end of the road).
 - If any of the proposed action falls outside of the road area prism then the areas should be contoured to reflect the surrounding landscape and seeded with Forest Service approved/weed-free native seed. Once the grass seed becomes established the actions on the affected area should no longer be apparent.
 - Any large equipment used in the actions should be certified as weed-free and inspected by Forest Service personnel prior to entering the Forest.
 - All existing infestations of noxious and invasive weeds within and immediately adjacent to the project area should be treated before work and soil disturbance begins. The Forest Service Botanist will assist in identifying noxious and invasive weeds.
 - Using a native plant seed mix, (including grasses, forbs and where appropriate shrubs), certified as noxious and invasive weed free, is required. Plant species to be used must be approved by a Forest Service Botanist and proof of certification also provided prior to planting. (Certification paperwork provided to be placed in the Special Use Permit file.) Use of non-native (introduced) vegetation will not be approved.
 - When reseeding disturbed areas, post-project, ensure seed bed is clean of any invasive and/or noxious weeds. Do not allow weeds to become established prior to reseeding. Reseeding into already established introduced, invasive and/or noxious weed vegetation will not be allowed.
 - Monitoring for success of reseeded areas will be needed and completed and additional seeding done until a condition acceptable to the Forest Service is achieved, as this will also assist in preventing weeds from becoming established, and/or reestablished and spreading. A monitoring schedule will be developed by Forest Service specialists and placed in the Special Use Permit file.
 - Post-project monitoring of areas disturbed during project work should be completed yearly, for a minimum of three years to prevent any new noxious and invasive weeds from becoming established. If any new invasive species are found, they require immediate treatment and if existing species infestations reoccur, retreat them. Longer monitoring and treatment may be required, dependent on weed species and longevity of seed in the soil seed bank, (if weeds are allowed to go to seed).
 - Special Use Permit holder required to have a written Invasive and Noxious Weed Management Plan approved by Forest Service Botanists in place for long term management of weed species.
 - Topsoil disturbed during construction should be stockpiled and re-used upon completion of project.

- Silt fencing or straw waddles should be placed around perimeter of the construction site. Maintain storm water pollution and erosion control features.
- All equipment should be inspected daily for leaks. Repairs are to be made upon detection.
- Spill containment kit onsite during construction.
- Report any spills to U.S. Forest Service immediately.
- Install erosion control fabric on any disturbed hillslopes (not required in vehicle turnaround area) upon completion of project. Remove storm water pollution and erosion control products once vegetation or natural features have been established.
- Project generated fill will need to be spread on site and covered with topsoil (if possible). If topsoil is not available, advise spreading and compacting on top of existing vehicle turnaround site.

2.2.2.4 Connected Actions

The planned parking structure would be approximately 135 by 65 feet in size and would be located entirely on private land and requires two levels of parking to accommodate the minimum 20 parking spaces required by the Town of Alta.

The Proponent plans to construct a 10-lot residential subdivision (the Patsey Marley Hill Subdivision) on approximately 25 acres of private land. Construction would also include associated culinary and fire suppression water lines/appurtenances. The 10-lot subdivision includes 146,639 net developable square feet (approximately 3.4 acres) and public utility easements needed to provide utilities to the homes and parking structure.

2.2.3 Alternatives Considered but Eliminated from Detailed Study

Federal agencies are required by NEPA to rigorously explore and objectively evaluate all reasonable alternatives and to briefly discuss the reasons for eliminating any alternatives that were not developed in detail (40 CFR 1502.14). In addition to the alternatives evaluated in this document, other alternatives were considered by the Interdisciplinary Team in response to concerns generated from internal and external scoping and comment. These alternatives, which were not considered in detail, are described in this section along with an explanation of why the alternatives were not considered further. At the beginning of the project the Proponent sought approval for utilities including a water tank on NFS Land and improvements to the dirt road leading to the parking structure. The Proponent redesigned the water system to be pump driven and no longer needs to construct a tank on NFS lands. As explained in Section 2.2.2, the Proponent's utilities (including water lines) were installed in a joint trench with Syringa and the Town of Alta in 2018 (USDA Forest Service 2018). In addition, several variations in parking structure design and location were considered, as well as variations in the required fire turnaround design. (The fire turnaround is required by Utah's Unified Fire Authority per Appendix D of the International Fire Code [International Code Council 2015].) The Project Record contains numerous drawing revisions to what is now Figure 2.

At this time the Proponent only seeks permission to improve the dirt road, also known as Albion Basin Road or NFS Route 028, leading up to its planned parking structure. Thus, the changes between alternatives regarding utilities have been omitted from the below explanation and only road improvements are discussed.

- December 2015 SUP Application (Stantec Consulting Services Inc. and Ray Quinney Nebeker 2015)
 - The Proponent sought approval to install utilities within SR 210 from the Bay City Mine to the subdivision, construct a water tank on NFS lands, and create an emergency connection with the Town of Alta's water system, so the new system could provide fire flow to the existing homes in Grizzly

Gulch. The Proponent also sought approval to pave 0.24 acres of the Albion Basin Road (NFS Route 028) by widening approximately 710 feet of the road between the end of the pavement and the planned parking structure to 34 feet in width. The road width would be increased by 1) culverting the roadside ditch on the uphill side of the road, and 2) widening the downhill side of the road.

- Summer Use – This included paving 24 feet on the uphill side of the road and having a 10-foot gravel shoulder on the downhill side of the road. The proposal included a fire turnaround and exterior circular ramps to each level of the parking structure.
- Winter Use – Three winter use options were proposed for consideration. The first was a 20-foot plowed automobile lane on the uphill side of the road and a 14-foot groomed snow surface for skiers and OSVs on the downhill side of the road. The second option included the same plowed and groomed widths as the first option, with the addition of a new 200-foot long OSV parking area on the downhill side of the road. The third option included a 10-foot plowed automobile winter access road with an 80-foot intervisible turnout. The groomed snow surface would be 24 feet wide and also included the OSV parking area.

The first and second options (20-foot-wide plowed automobile lane for winter use) did not fully address concerns about the decreased area for over-snow uses and safety, and were not carried forward in the analysis. The road configuration of the third option became a component of the Proposed Action but the intervisible turnout dimensions were further revised.

The SUP application also presented an option to locate the parking structure on NFS lands between SR 210 and the spur road that leads to the Alta Ski Lifts Maintenance Shop. However, the Forest Service determined this option would not meet all the screening criteria at 36 CFR 251.54(e), which are the initial criteria the Forest Service uses when an entity proposes to occupy and use NFS lands. Specifically, locating the structure on NFS lands would: (1) be inconsistent with the standards and guidelines in the Revised Forest Plan (USDA Forest Service 2003); and (2) would create an exclusive or perpetual right-of-use or occupancy, which is not allowed by the second and fourth screening criteria at the code cited above. Further, this option would be contrary to the previously stated condition in the Deed (Alta Ski Lifts 1999) that all parking for the development be located on the Shrontz property.

- In May 2017 – two additional alternatives were generated based on comments from the public. The first included a new access road on NFS lands (above the existing road) that would lead to the parking structure (above the road on the Shrontz property). The purpose of this proposal was to separate the existing road use from the Proponent's proposed use. This alternative eliminated the fire turnaround and ramps on the east end of the parking structure. A second alternative proposed relocating the parking structure onto lot 101 of the Shrontz property (below the road). The parking structure on lot 101 would be accessible via a new access road on NFS lands that would lead to the parking structure. Drawings of both of these alternatives are included in the Project Record.

These alternatives were created based upon public comments. Although the new road alternatives would have separated existing and new uses, these alternatives would require new and duplicative impacts (two roads between the gate and the parking structure) to NFS land and thus were eliminated from consideration.

- August 2017 – Both of the alternatives proposed in May 2017 were further modified to lessen the impact to NFS lands by refining the fill and cut profiles and utilizing part of the existing road. Drawings are included in the Project Record.

Although these modified alternatives decreased the cumulative impact of the new roads, these alternatives were not favored because of the total cumulative impact to NFS land.

- October 2017 – Following receipt of additional comments from the public and the Forest Service, the project was modified:
 - Summer Use – The Proposed Action was updated to include paving 30 feet of the road on the uphill side and having a 3-foot gravel shoulder/open culvert on the uphill side and a minimum 3-foot gravel shoulder on the downhill side of the road, with a 200-foot by 18-foot gravel OSV parking area and an 80-foot by 12-foot intervisible turnout.
 - Winter Use – The Proposed Action was updated to include a 10-foot plowed automobile lane with an 80-foot by 12-foot intervisible turnout. The groomed snow surface would be at least 24 feet wide and include a 200-foot by 18-foot OSV parking area on the downhill side of the road. The large exterior circular ramps to each floor of the parking structure were re-engineered and the Proponent sought approval for a ramp to the second floor of the parking structure that would be partially constructed on NFS lands.

This alternative was prepared based upon comments and was a spinoff of the new road alternative which was rejected for the same reasons (new impacts to NFS land). Drawings are included in the Project Record.

- March 2018– Based on comments from the Forest Service and the public, the Proposed Action was modified as follows:
 - Summer Use – The Proposed Action was updated to not include any roadway paving; instead, the existing road would be widened to 36-feet with an all-season road base. Improvements would also include a 200-foot by 18-foot gravel OSV parking area and an 80-foot by 12-foot intervisible turnout on the uphill side of the road. The uphill roadside ditch would be culverted near the parking structure and the intervisible turnout.
 - Winter Use – This alternative includes a 12-foot winter maintained frozen snow automobile lane with an 80-foot by 12-foot intervisible turnout. Additional two feet will be used to safely transition between the groomed snow and the automobile lane. The groomed snow surface would be a minimum width of 24 feet and include a 200-foot by 18-foot gravel OSV parking area on the downhill side of the road. The ramp to the second floor of the parking structure on NFS lands was removed and the parking structure was redesigned to include access to the second floor from the front of the structure. To promote safety, the structure would be moved back to at least 14 feet from the edge of the road.

Based upon the Forest Service request, the Proponent agreed to move the structure further away from the road and forgo paving in favor of an all-season road base. Based upon Alta Ski Lifts concerns for skier safety, the minimum 34-foot-wide road was increased to 36 feet to accommodate a safe transition between the groomed snow lane and plowed auto lane. Based upon Town of Alta input, the borrow ditch will not be fully culverted. Components of this proposal were incorporated into the Proposed Action.

April 2018 – Based on Alta Ski Lifts comments, the Proponent prepared a new alternative that would relocate the OSV parking area into the Grizzly Gulch Creek area on NFS lands. This alternative was rejected by the Forest Service because it is not in the best interest of the public.

Chapter 3: Environmental Consequences

3.1 Introduction

This chapter summarizes the physical, biological, social, and economic environments of the project area and the effects of implementing each alternative on that environment. It also presents the scientific and analytical basis for the comparison of alternatives presented in the alternatives chapter. The analysis is based on a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty and risk. Chapter 3 complies with the implementing regulations of NEPA for analytic and concise environmental documents (40 CFR 1500-1508). Special studies were conducted for the cultural, biological and wetland resources; these reports are summarized in this section and are available in the Project Record.

The scientific integrity of the discussions and analyses presented in this chapter are based on best available science, which includes discussion of the methodology used in the analysis; scientific sources that are relied upon and referenced; relevant literature that is reviewed; scientific literature that is cited by the public and which is considered when shown to be relevant; opposing views that are discussed when they are raised by the public or other agencies; and the disclosure of incomplete or unavailable information.

The current condition of each resource is described only to the extent needed to provide a baseline to compare the changes (direct, indirect and cumulative effects) that would occur under each alternative. Direct effects are caused by the action and occur at the same time and place. Indirect effects occur later in time as a result of the action but are still reasonably foreseeable. Cumulative effects result from the incremental impact of an action when added to other past, present and ongoing, and reasonably foreseeable actions, regardless of what agency or person undertakes the action. Activities proposed under the alternatives are described in Chapter 2 of this document.

The methodology used to describe and predict effects (indicators and measures of change) is available in Project Record (i.e., specialists' ancillary documentation (consistency with the standards, legal requirements or other policies), and other technical documentation). Spatial and temporal boundaries set the limits for selecting the actions most likely to contribute to cumulative effects (FSH 1909.15, 15.2). In addition, the applicable regulatory policies and guidance are discussed; the Revised Forest Plan (USDA Forest Service 2003) identifies standards designed to meet these regulations. Incomplete and/or unavailable information is identified where appropriate. If it is not identified, there is no incomplete or unavailable information for that particular resource.

3.1.1 Biological Resources including Botany, Weeds, and Wildlife

3.1.1.1 Affected Environment/Alternative 1 - No Action

A biological survey was conducted on October 10, 2016. The biological survey area, which included the Proposed Action area, the planned subdivision, parking structure, and associated fire suppression water lines/appurtenances, was walked to note general habitat type and any wildlife species observed. For the plant survey, major vegetative communities were identified and mapped by walking transects within the plant survey area. The biological report identifies potential threatened, endangered and sensitive species (TES), along with their habitat requirements and their probability of occurrence in the survey areas. The full report (Stantec 2018a) is available in the Project Record.

The survey area does not provide habitat for any Threatened or Endangered species. Potential habitat is present for several sensitive wildlife and plant species, but additional surveys and/or research is required to more definitively determine presence or absence of these species. In addition, as the area around the project provides suitable habitat for raptors and migratory birds, raptor and migratory bird surveys should be completed prior to any new disturbance (i.e., ground clearing activities) within these animals' breeding seasons. The entire breeding season for all birds, including raptors and eagles, is January – August. However, the breeding season for most raptors expected to be found in the area is March 1 – August 31.

3.1.1.2 Environmental Consequences/Alternative 2 - Proposed Action

Botany: There is a potential for impact to sensitive plant species in the project area. Additional surveys would need to be conducted during the flowering season to properly identify the presence or absence of these species, including Wasatch draba and lesser yellow lady's slipper (Stantec 2018a).

Plants in the construction zone would be removed due to the proposed widening of the road from the end of the existing pavement to the planned parking structure (approximately 710 linear feet). As shown in Figures 3 and 4, the Proposed Action includes widening this stretch of road to a maximum of about 60 feet (including the combined widths of the proposed OSV parking and the car turnout area, however, these wider road sections would not extend the entire length of the roadway modifications), disturbing approximately one acre. Some additional areas would be impacted due to the proposed retaining wall on the downhill side of the road and a ditch on the uphill side. Compliance with the Town of Alta's ordinance 9-3-2 (Town of Alta 2018) and the Revised Forest Plan (USDA Forest Service 2003) would mitigate these impacts. Additionally, staging the construction site in the existing parking lot would minimize impacts due to construction site activities. Impacts from the Proposed Action would be short-term and negligible.

Vegetation in the planned subdivision would be removed due to residential home, parking structure, residential utilities, and associated fire suppression water lines/appurtenances construction. These impacts are not under jurisdiction of the Forest Service, rather these aspects of the project are subject to compliance with the Town of Alta's ordinances 9-3-2 and 9-3-3 (Town of Alta 2018). Ordinance 9-3-2 requires written approval of a vegetation plan by the Forest Service for private land being developed in conjunction with a project on forest service permitted land. Ordinance 9-3-3 requires replacement of vegetation and a two-year bond in the case of non-replacement. Impacts from the planned subdivision and parking structure on vegetation would be long-term and negligible to minor.

Weeds: There is a potential for impacts caused by the introduction of invasive and noxious weeds during and following Proposed Action construction activities. This impact would be mitigated by compliance with the Town of Alta ordinance (Ordinance 4-1-7, Abatement) and the Revised Forest Plan (USDA Forest Service 2003) as related to vegetation. In addition, following best management practices proposed by the interdisciplinary team (see Section 2.2.2.3) would also minimize the potential for impacts caused by these weeds. Impacts from the Proposed Action would be short-term and negligible.

Similarly, the planned subdivision, parking structure, residential utilities, and associated fire suppression water lines/appurtenances would be under the purview of the Town of Alta's Ordinance 4-1-7 (Town of Alta 2018) requiring abatement of weeds, therefore impacts would be short-term and negligible.

Wildlife: There is a potential for impacts to the biological resources in the project area, during and following road improvement construction activities due to noise and human activities. These impacts would be minimized by scheduling construction activities outside of the breeding seasons for all birds. If this is not feasible, a migratory bird survey would be necessary prior to construction activities. Should nests be found, a buffer would be required around the nest within which no disturbance can occur. The

size of the buffer is dependent on the specific species present. Impacts to wildlife from the Proposed Action would be short term and negligible.

Additionally, there is potential for impacts to wildlife from the planned subdivision, parking structure, residential utilities, and associated fire suppression water lines/appurtenances construction activities. Town of Alta Ordinance 10-14-7 includes review and consideration of wildlife habitats as part of the land use application process. Overall impacts to small mammals, birds, and reptiles would be negligible to minor to populations in the project area. Larger animals would be temporarily disturbed and displaced to adjacent habitats during construction. Once construction activities are complete, larger animals would return to the area. Any disturbance to small mammals, birds, and reptiles would be short-term. Impacts to Special Status Species would be similar to impacts to general wildlife in the area. Impacts to wildlife from the planned subdivision and parking structure would be short term and minor during construction, and negligible in the long term.

3.1.2 Hydrology, Soils, and Water Resources

3.1.2.1 Affected Environment/Alternative 1 - No Action

The Central Wasatch Management Area of the Wasatch-Cache-Utah National Forest provides long-term, high quality culinary water to the population of the Salt Lake Valley. The Forest Service administers designated watersheds in cooperation with Salt Lake City for the purpose of storing, conserving and protecting water from pollution. Given the importance of this watershed, watershed maintenance, protection and enhancement are a primary consideration in all management decisions in this area (USDA Forest Service 2003).

The hydrologic regime in Albion Basin is influenced primarily by snowfall accumulation, and to a lesser extent, rainfall (Salt Lake County Commission Staff 1993). The discharge of Little Cottonwood Creek (LCC) and all the first and second order upper Basin tributaries is created by storage of snowmelt runoff in geologic structures modified by glaciation. There are two springs on the upper portion of the site. The discharge from the springs run down through the site in narrow channels and diverge into some smaller channels prior to flowing into the roadside ditches. The water flows through roadway culverts to the lower portion of the site. In addition to the springs, there appear to be seeps present on the site which supply additional groundwater (Stantec 2018b).

Hydrology on the lower portion of the site was affected by past mining activities. There is an abandoned mine shaft entrance on the lower portion of the property that is blocked off and has water flowing out of it. A portion of the water spring discharge and mine water flows into a mine tailings pile; it percolates into the gravel and disappears. Some of the water is diverted around the base of the pile and flows into the willows (Stantec 2018b).

The project area is located in the headwaters of LCC, which is located to the southwest of the planned development. The closest proximity is approximately 250 feet from the planned parking structure. Grizzly Gulch, an intermittent stream that flows into LCC, is located approximately 375 feet from the planned parking structure, to the northwest. Grizzly Gulch flows under Albion Basin Road (NFS Route 028) through an existing culvert, west of the proposed roadway improvements.

The reach of LCC in the vicinity of the project is classified as an impaired water body by the Utah Division of Water Quality (Utah Department of Environmental Quality Water Quality 2016). The Creek is impaired due to exceedances of water quality standards, based upon designated beneficial uses of the water body (cold water aquatic life, drinking water, secondary contact recreation), for dissolved cadmium,

dissolved copper, dissolved zinc, and pH levels. A Total Maximum Daily Load (TMDL) study has been completed (Utah Division of Water Quality 2002) for the zinc impairment. This 2002 TMDL was developed for the reach of LCC from its headwaters to its confluence with Red Pine Fork, approximately 4 miles downstream from the project area. The TMDL attributed the most significant sources of zinc loading to the Howland and Wasatch Drain Tunnels, both of which are approximately 0.75 miles and 1.5 miles downstream (respectively) from the project area.

The Revised Forest Plan (Soil and Water Resources) requires that activities in watersheds containing 303(d) listed waterbodies improve or maintain overall progress toward beneficial use attainment for pollutants which led to the listing, and do not allow additions of pollutants in quantities that result in unacceptable adverse effects. The project area is located in a Category 4 Riparian Habitat Conservation Area (RHCA) as defined in the Revised Forest Plan (Seasonally Flowing or Intermittent Streams, Wetlands Less Than 1 Acre, Landslides, and Landslide-Prone Areas). These areas help maintain the integrity of aquatic ecosystems by various means, including influencing the delivery of coarse sediment, organic matter, and woody debris to streams.

LCC is classified as a Class I Riparian Area above the Murray City Diversion, which encompasses the reach adjacent to the project area. This classification requires special management considerations to protect or enhance the high resource value of the riparian area. LCC is also classified as Recreational under the Eligible Wild & Scenic River Segments management direction from the source to the Murray City Diversion. The outstanding values for this section include scenery, geology/hydrology, and ecology. Specific standards for various activities have been established for this classification, including timber production, water supply and road construction. The road construction standard is specific to roads that parallel the riverbank (USDA Forest Service 2003).

According to the Town of Alta General Plan (2016a), the project area has moderate soil erosion hazard.

3.1.2.2 Environmental Consequences/Alternative 2 - Proposed Action

There is a potential for impacts to water resources due to both the Proposed Action construction activities and an increase in impervious surfaces following construction. These impacts would be minimized with the implementation of best management practices both during and following construction. A State of Utah stormwater discharge permit may be required for the construction site activities for this project, as well as the development and implementation of a Stormwater Pollution Prevention Plan. Compliance with the Town of Alta Ordinance 9-4-6 (Town of Alta 2018) and the Revised Forest Plan (USDA Forest Service 2003) would be maintained with regards to erosion control, stream stability, minimizing disturbance to vegetation and watershed health. Impacts would be short term and negligible.

The installation of a culvert in the car turnout area is planned. The culvert would be constructed with flared ends and riprap to slow the velocity of the runoff and minimize erosion. A check dam and revegetation of the area is also planned for erosion control. Temporary erosion control measures include the use of erosion control blankets. Approval of modifications to the roadside ditch from the US Army Corps of Engineers (USACE) would be obtained as necessary.

As stated above, the Proposed Action is located upstream of the identified sources causing 303(d) listing of LCC. Therefore, it is not anticipated that the Proposed Action would contribute pollutants causing the impairment.

The planned subdivision, parking structure, residential utilities, and associated fire suppression water lines/appurtenances could potentially impact water resources. These impacts are not under jurisdiction of the Forest Service, rather these aspects of the project are subject to compliance with the Town of Alta's ordinances, such as Ordinance 9-4-6 as discussed above. Further, Ordinance 11-4-2 requires all necessary permits be obtained from federal, state, or local governmental agencies including section 404 of the federal water pollution control act. As stated in Section 3.1 of the Town of Alta General Plan (2016a), since the Town of Alta shares the watershed with the metropolitan water district, Salt Lake City, and Sandy City, the Town of Alta will enforce the policies, regulations, and plans of Salt Lake City, the Salt Lake Valley Health Department, the State Health Department, the Forest Service, and other agencies as they apply to water quality and protection of the watershed. Therefore, with implementation of best management practices and compliance with federal, state, and local regulations, impacts would be short term and negligible.

3.1.3 Noise

3.1.3.1 Affected Environment/Alternative 1 - No Action

The project area is in a semi-primitive mountainous setting, in the Town of Alta (population 383 as of the 2010 census [US Census Bureau 2019]). The primary sources of noise in this area would be associated with motor vehicles and human activities. The two ski resorts in this area (Alta and Snowbird) attract many visitors, contributing to noise levels mostly related to vehicle traffic.

3.1.3.2 Environmental Consequences/Alternative 2 - Proposed Action

Noise impacts from the Proposed action road improvements would be temporary and minor, during construction activities.

Noise impacts from the residential utilities, and associated fire suppression water lines/appurtenances would also be temporary during construction activities. The potential for long-term noise impacts due to additional residences would be regulated by Town of Alta Ordinance 3-3-6; long-term noise impacts would be negligible.

3.1.4 Recreation

3.1.4.1 Affected Environment/Alternative 1 - No Action

A wide spectrum of recreation opportunities (from urban to primitive on the Recreation Opportunity Spectrum; see Revised Forest Plan (USDA Forest Service 2003)) are available in the project area. Recreation occurs year-round and serves the large and growing urban population in the Salt Lake Valley. Recreation is an important aspect to this area, as is recognized in the Revised Forest Plan (USDA Forest Service 2003), which provides for a balance of diverse activities.

3.1.4.2 Environmental Consequences/Alternative 2 - Proposed Action

The Proposed Action on National Forest System lands would have minor to moderate impact on the current recreation in this area for the short term during construction and until users adjust to the change. The Development Agreement (Town of Alta and the Estate of JoAnne L. Shrontz 2014) requires that the Proponent "*not block or interfere with current users, including but not limited to skiers, over-snow machinery, other recreations users and property owners of the road.*" However, a short-term adjustment to the new layout by recreational users and existing homeowners would be anticipated over the 710 feet of roadway. The Albion Basin Road (NFS Route 028) would be maintained to provide a groomed snow

trail for OSVs and skiers during the winter. Parking for cabin owners' OSVs would continue to be available, but on the south side of the road instead of the current location on the north side of the road. Current parking problems may be alleviated should residents use the planned parking structure. Traffic would be regulated during the winter with a gate and traffic lights located before the car turnout and at the parking structure to regulate traffic on the one-lane road.

Impacts to traffic would occur during construction along the 710 feet of roadway. These impacts would be minimized with the implementation of a traffic plan and conducting construction outside of the Albion Basin Road (NFS Route 028) summer use opening season.

Impacts to recreation from the construction of the planned subdivision, parking structure, residential utilities, and associated fire suppression water lines/appurtenances on private lands could occur. Skiers may be displaced to adjacent lands during construction in the area of any of the 10 lots or the parking structure. However, after construction skiers would be able to ski through the subdivision unimpeded as Town of Alta building regulations require a designated ski trail open space for skiing thorough the development. However, the Development Agreement (2014) states that the Proponent "shall also be responsible for coordinating with Alta Ski Lifts regarding the use of the ski easement pursuant to record obligations and terms of the Plat." Therefore, ski access through the development would be maintained as an easement. Long-term impacts are not anticipated due to the increase of approximately 20 residential vehicles, when taking into consideration the numbers of vehicles that currently utilize the road (approximately 78,000 vehicles during the summer of 2017; USFS, verbal communication).

3.1.5 Wetlands and Waters of the U.S.

3.1.5.1 Affected Environment/Alternative 1 - No Action

The project area is located along an existing seasonal road (closed in winter), which crosses the intermittent Grizzly Gulch at the lower end of the project area. Grizzly Gulch generally runs southwest to northeast at this location and the roadside ditch terminates at Grizzly Gulch. Grizzly Gulch has defined bed and banks, flows during the spring and is a tributary to LCC. The majority of the property along the roadside (NFS Route 028) ditch is managed by the Forest Service and is part of the Wasatch-Cache-Uinta National Forest. The roadside ditch at this location is the main parking area for OSVs used to access cabins and residences along the Albion Basin Road (NFS Route 028) in the Patsey Marley area. The roadside ditch runs along the north side of the Albion Basin Road (NFS Route 028) and conveys water that seeps from wetlands to the east and uphill of the road. There is a willow-dominated wetland that is crosscut by the road and roadside ditch at the uphill terminus of the project area.

A wetland delineation was conducted in late 2016 to determine the presence or lack of wetlands in the project area and is available in the Project Record. The vegetation, soils and hydrology were assessed to determine if any wetlands or Waters of the U.S. are present on or adjacent to the project area. This study (River Restoration 2017) identified the roadside ditch as a potential regulated water body due to the presence of an Ordinary High Water Mark as well as its connectivity to downstream waters of Grizzly Gulch. Grizzly Gulch connects to LCC, eventually reaching the Jordan River and the Great Salt Lake.

Portions of the Patsey Marley Hill Subdivision property exhibit wetland characteristics. Of the 25 acres, 2.99 acres appear to meet the criteria for wetlands (Stantec 2018b).

3.1.5.2 Environmental Consequences/Alternative 2 - Proposed Action

The Proposed Action would directly affect the Albion Basin Road (NFS Route 028) roadside ditch, and the Proponent would need to comply with USACE regulations under Section 404 of the Clean Water Act before any work could occur. This compliance would likely come via obtaining coverage under Nationwide Permit 46 – Discharge in Ditches (or another similar applicable Nationwide Permit). All terms and conditions of the Permit, including any pre-construction notifications, must be complied with. While there would be a loss of riparian vegetation associated with the ditch replacement, the immediate functions of flow conveyance would be restored upon construction completion and riparian vegetation would likely be replaced. Therefore, impacts would be temporary and minimal.

The delineation report also identified Grizzly Gulch itself as a potentially regulated water body, but the project would not directly affect this area.

Additional wetlands within the 25-acre Patsey Marley private land associated with the planned subdivision were previously delineated in 2008; this expired delineation was confirmed in 2018 (Stantec 2018b) and results were submitted to the USACE. The delineation identified 2.99 acres of wetlands within the 25-acre parcel. Some small portions of these delineated wetlands may be proposed for disturbance by utility installation (e.g., water, natural gas, fiber optic) for the residential lots and/or parking structure. The Proponent would need to obtain all relevant permits and all relevant clearances from state and local governments and must adhere to all local ordinances and regulations. This includes compliance with USACE regulations under Section 404 of the Clean Water Act before any work in or disturbance of the wetlands could occur. If the wetland impacts associated with these utilities would occur on less than 0.5 acres of jurisdictional waters of the U.S., the work could come under Nationwide Permit 12 – Utility Line Activities as long as all general conditions of the Permit were met. This would also include, but is not limited to, coordination with the Salt Lake Department of Public Utilities.

3.1.6 Visual Resources

3.1.6.1 Affected Environment/Alternative 1 - No Action

The project area is located in a mountainous, semi-primitive setting. The nearby Town of Alta is small (population 383; US Census Bureau 2019), and includes lodges, homes, and facilities related to the two ski resorts (Alta and Snowbird). Local views in the project area include forested slopes with the 11 dispersed residences of Grizzly Gulch to the north and the Town of Alta and two ski resorts to the west. The project area itself has little disturbance other than Albion Basin Road (NFS Route 028) that runs through it and the bare earthen corridor where fiber optic line and other utilities were recently installed. Viewers of the project area include residents of Grizzly Gulch, motorists on NFS Route 028, and possibly recreational users at Alta Ski Resort.

3.1.6.2 Environmental Consequences/Alternative 2 - Proposed Action

The Proposed Action includes widening and improving the road base of an existing road (Albion Basin Road/NFS Route 028) and a retaining wall. These modifications will be constructed in a manner that blends in with the natural setting, and in accordance with Revised Forest Plan Scenery Management System (Resort Natural Setting). Mitigating measures include: the 4-foot and 15-foot retaining walls would be constructed of rock boulders that are commercially sourced from the local (i.e., Wasatch Front) area and blend with the existing rocks and landscape in the area. The rock walls would be sloped at 0.5ft:1ft to minimize the effect of the vertical face and to allow for stacking up to the noted heights. In the areas that are disturbed due to construction activities, landscaping and re-vegetation would be provided

that is consistent with the existing conditions. All landscaping design would be performed by a licensed landscape architect that is familiar with the local conditions.

Two traffic signals are proposed to control traffic on the one-way traffic lane during the winter. The Proponent is evaluating the use of temporary signals in the winter. These signals would be visible while traveling Albion Basin Road (NFS Route 028).

A viewshed analysis for the Proposed Action is shown in Figure 5. This visibility assessment uses two elevation datasets. One is a digital elevation model, which assumes bare earth in the viewshed. The other is a surface model generated from LIDAR data, which accounts for buildings, trees, etc. The highest elevation of the proposed retaining wall was used as the focal point as it is assumed to be the potentially most visible aspect of the Proposed Action. The analysis shows that the retaining wall would theoretically be visible from much of the surrounding area. However, the impact would be negligible given the surrounding features (e.g., parking lots, ski lift infrastructure) that are already highly visible.

The planned 10-lot subdivision and parking structure would add visual intrusions into the semi-primitive viewshed, with structure heights of up to 35 feet allowed by the Town of Alta. However, other residences and commercial development are clearly visible in the area. Skiers traversing downslope would see additional residences on their way to Alta Ski Lodge, as would other recreational users utilizing Albion Basin Road (NFS Route 028). Visual impacts from installation of fire suppression water lines/appurtenances and other utilities would be short term and minor until vegetation is reestablished. These impacts are not under jurisdiction of the Forest Service, rather these aspects of the project are subject to compliance with the Town of Alta's ordinances. Views of planned development would be consistent with other manmade features in the local viewshed. Impacts would be minor to moderate and long term.

3.1.7 Cumulative Effects

Cumulative impacts of past, present, and reasonably foreseeable projects on environmental resources within the project area are considered. As noted earlier, past activities in the area include silver mining from the mid-1880s to the early 1900s. In the 1920s, the area developed into a ski resort, and currently includes outdoor recreation during the summer and winter. The Forest Service website (<https://www.fs.usda.gov/projects/uwcnf/landmanagement/projects>) lists the following projects, including archived projects and more current projects; more details can be found on the website:

Project Archive

- Approximately 23 archived projects in the Alta area are listed, the majority of which are related to Alta Ski Area (avalanche mitigation, lift upgrade, snowmaking, etc.)

Developing Proposals

- Alta Ski Area Micro-Hydro Electricity Production

Under Analysis

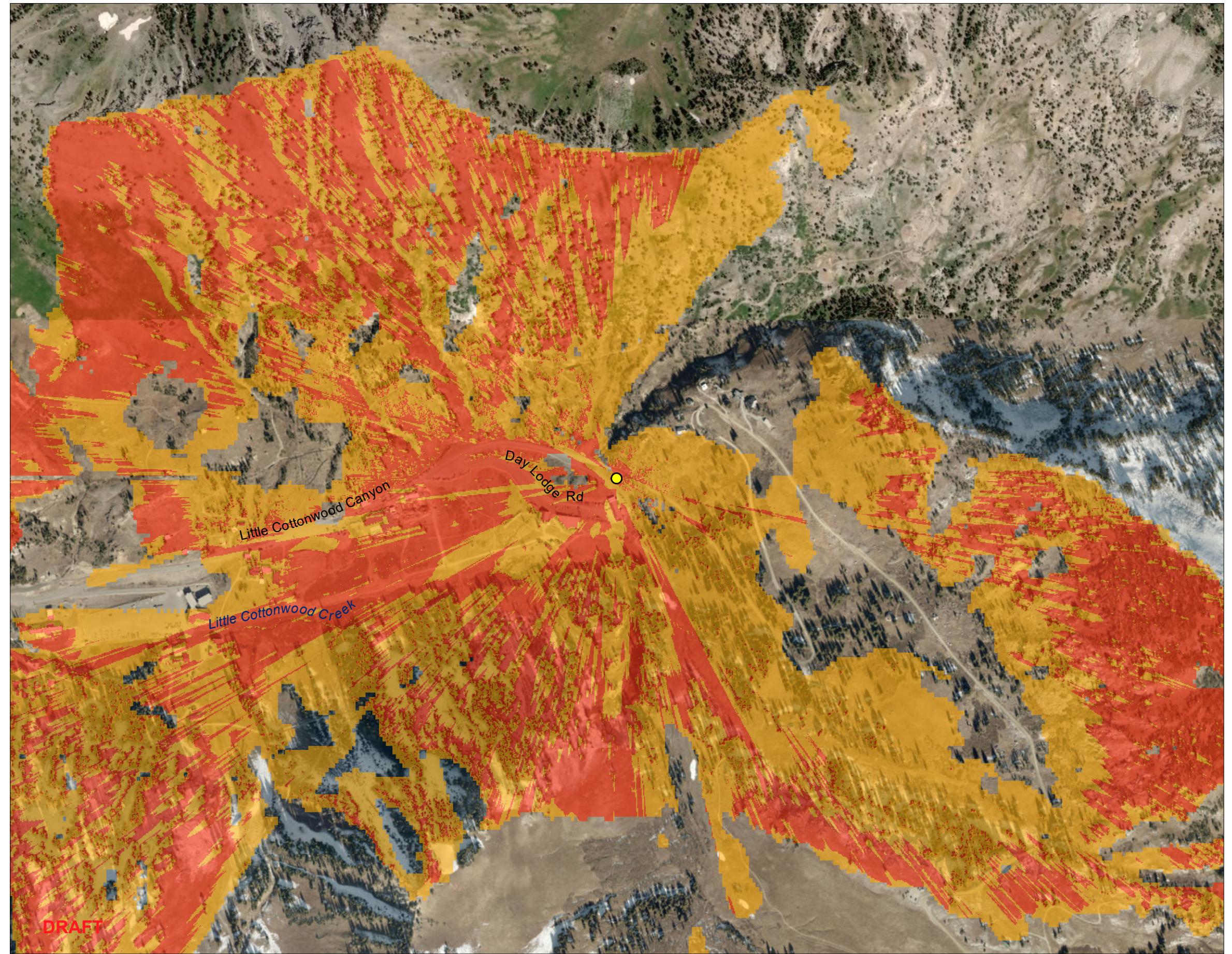
- Patsey Marley Hill Subdivision Roadway Improvements (for this EA)
- Rock Dipper Merge

Analysis Completed

- Alta Master Development Plan Improvement Projects
- Syringa Wireless Fiber Optic Cable in NFS Route 028
- Ski Resort Snow Fence Install

On Hold

- Alta Ski Area High Traverse Improvements



R:\gis\other_FCs\18630209\03_data\gis\mxd\Figure 5 Visibility Assessment.mxd
Revised: 2019-12-04 By: nfauust

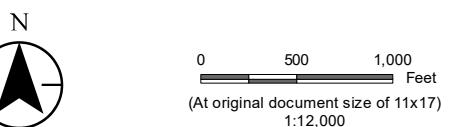


● Retaining Wall - Viewshed Point⁴

Visibility Assessment⁵

Yellow: Visible - Bare Earth Terrain Model

Red: Visible - Digital Surface Model



Notes

1. Coordinate System: NAD 1983 StatePlane Utah Central FIPS 4302 Feet

2. Data Sources: Stantec, USGS

3. Background: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GECO, NOAA, increment P Corp.

4. Viewshed Point represents largest retaining wall, offset 15 vertical feet from current elevation.

5. Visibility assessment was conducted utilizing 2 elevation datasets. USGS Lidar Point Cloud was used to create digital surface model. USGS 1/3 arc-second DEM was used for bare earth terrain model. Both assessments assume observer height of 5' 9".



Prepared by NF on 2019-12-04
TR by JT on 2019-12-04
IR Review by KK on 2019-12-04

Client/Project:
THE ESTATE OF JOANNE L. SCHRONTZ
PATSEY MARLEY HILL SUBDIVISION
ROADWAY IMPROVEMENTS EA

Figure No.

5

Title

**RETAINING WALL
VISIBILITY ASSESSMENT**

18630209

Additional issues taken into consideration, include the following:

- The title and ownership rights in various segments of Albion Basin Road (NFS Route 028) are complex. The Proponent has a right to “full and free use” of a portion of this road, to the extent that said use does not conflict or interfere with the purposes for which the Forest Service obtained the right-of-way.
- The General Plan (Town of Alta 2016a) was updated to include a Commercial Core Plan. The Proposed Action is not located within the defined Commercial Core but is proximate to it. The “Commercial Core” is located between the Albion Base Area, the Alta Peruvian Lodge, the Highway 210 corridor, and the Alta Ski Area. The area extends from the north side of Highway 210 to the toe of the ski slopes to the south, and from the Albion base area to the Peruvian Lodge (Landmark Design 2016). A Transportation Implementation Plan (Alta Commercial Core 2019) was developed to guide street uses within the Commercial Core.
- The Proposed Action would not alter the current use of the roadway, including winter uses. Traffic during the winter would be controlled with traffic signals.
- Alta Ski Resort periodically conducts project improvements, which undergo a review by the Forest Service to evaluate compliance with the Revised Forest Plan (USDA Forest Service 2003).

These past activities, issues, and current projects have the potential for cumulative impacts with regards to the resources evaluated herein, including biological, water and soils, and recreation. With proper best management practices and mitigation measures, impacts would be minimized. Short-term impacts are anticipated but would be minimized with the implementation of measures discussed herein, including compliance with the Town of Alta ordinances and the Wasatch Cache Revised Forest Plan. Continued coordination with Alta Ski lifts and the Forest Service with regards to snow management and road maintenance is recommended.

Road improvements, road and trail maintenance, and construction of the fence could result in impacts to wildlife and fisheries due to habitat removal, vehicular mortality of wildlife, and increased fugitive dust and noise. When considered together, most of these actions, when combined with the expected impacts from the Proposed Action, would have minimal negative cumulative impacts such as loss or fragmentation of habitat, noise, and dust for wildlife species. Implementation of the Proposed Action would not result in any long-term loss of rare plant or wildlife.

Past, present, or reasonably foreseeable future projects located within the same watershed that would involve ground disturbance could contribute to the overall cumulative impacts to soil and water resources when combined with the Proposed Action. Given that best management practices would be implemented to minimize erosion and sedimentation, the Proposed Action contributions to impacts to soils or water resources would be negligible when combined with past, present, or reasonably foreseeable future projects.

The Proposed Action is not expected to contribute to cumulative noise effects as noise would be temporary during construction.

The Proposed Action is expected to contribute to cumulative effects to recreation by increasing development near the area of active ski runs. Alta Ski Area, as well as backcountry ski users, have formal and informal trails and paths close to the project; these are managed by the Forest Service-issued SUP to Alta Ski Area, the Revised Forest Plan, and the Town of Alta. In summer, bicyclists and hikers use the roadways, including Albion Basin Road (NFS Route 028). Vehicle traffic is a concern of the Town of Alta, and their Common Core Plan (Landmark Design 2016) recognizes the need to “*integrate transit and recreation while reducing car traffic*”. Continued developments and road improvements would increase traffic and number of recreational users in the area. However, recreation improvement projects and

parking improvements for automobiles and OSVs would cumulatively benefit recreation. Cumulative impacts to recreation would be negligible and long term.

Construction of the Proposed Action when combined with past utility installation and the planned subdivision development would add to cumulative impacts to wetlands and Waters of the U.S., although these impacts would all be temporary. Past, present, and future activities that have impacted wetland resources include mining, urban development, utility installation, roads, and recreational use and development. There would be short-term impacts from the project as wetland areas would be temporarily disturbed. This cumulative impact would be negligible given the minor aggregate of the impacts and the restoration efforts that would be implemented under a State of Utah, Division of Water Quality Construction General Permit for stormwater discharges, along with the required Stormwater Pollution Prevention Plan, as well as compliance with all terms and conditions of Nationwide Section 404 permit(s) as applicable.

Long-term cumulative impacts are considered to be negligible with the exception of visual impacts due to the planned parking structure and new homes. Although the planned development would be consistent with other manmade features in the local viewshed, it would add to visual clutter from increased development in the semi-primitive area. Cumulative impacts to visual resources would be long-term and minor.

Chapter 4: Consultation and Coordination

4.1 Agencies and Persons Consulted

The Proposed Action was listed on the Uinta-Wasatch-Cache National Forest website, in the Forest Service Current and Recent Projects, under the Developing Proposal section on October 14, 2016. The 30-day scoping period for the Proposed Action began with publication of a legal notice in the Salt Lake Tribune and the Deseret News on Oct. 19, 2016. On that same date, the Salt Lake Ranger District issued a public scoping notice summarizing the Proposed Action and inviting comments regarding the scope of this EA. The notice was mailed to the district mailing list which includes individuals, organizations, and federal, state and local agencies. A copy of the mailing list can be provided upon request. The project information was also posted on the project page of the Uinta-Wasatch-Cache National Forest website at:

<https://www.fs.usda.gov/project/?project=49583>

A second comment period was advertised on February 21, 2017 and included an announcement of an Open House on March 7, 2017 at Our Lady of the Snows Center in Alta, Utah. The purpose of the open house was to provide the public with information regarding the proposal and to provide an additional opportunity to comment on the proposal. A comment form was provided to either submit comments during the meeting or to be mailed at a later date. This comment period closed on March 23, 2017.

Comments received during these comment periods were recorded and are in the Project Record. Based on comments received, the Proponent worked with the Forest Service to revise the project in a manner that would alleviate many of the issues that arose during scoping.

This draft EA is being published for a 30-day review and comment period. Following the 30-day comment period, after any comments are addressed, there will be a 45-day objection period on the final EA and draft decision document.

4.2 Laws and Regulations

The project is consistent with the Revised Forest Plan Wasatch-Cache National Forest (USDA Forest Service 2003). It is noted that the planned parking structure will be on private property, thus consistent with the Revised Forest Plan's restriction of parking on FS lands. The following laws and regulations were also considered for compliance of the environmental analysis:

- American Indian Religious Freedom Act, Executive Order 12875, Executive Order 13007, Executive Order 13175, and Native American Graves Protection and Repatriation Act
- National Forest Management Act (NFMA)
- Environmental Justice (E.O. 12898)
- Endangered Species Act
- Invasive Species (E.O. 13112)
- National Historic Preservation Act
- Clean Air Act, as amended in 1990
- Clean Water Act
- Endangered American Wilderness Act 1978 - Public law 95-237 (2/24/1978)
- Executive Order 11990 – Protection of Wetlands
- Forest and Rangeland Renewable Resources Planning Act

- Travel Management Rule
- Migratory Bird Treaty Act
- Utah Wilderness Act of 1984 - Public law 98-428 (9/28/1984)
- Wilderness Act of 1964, Endangered American Wilderness Act of 1978 and Utah Wilderness Act of 1984

Chapter 5: References

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FINDING OF NO SIGNIFICANT IMPACT

1.0 Introduction

As the Authorized Officer, I am responsible for evaluating the effects of the project relative to the definition of significance established by the CEQ Regulations (40 CFR 1508.13). I have reviewed and considered the Environmental Analysis (EA) and documentation included in the project record, and I have determined that the proposed action will not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared. My rationale for this finding is as follows, organized by sub-section of the CEQ definition of significance cited above.

1.1 Context

The project is not a major federal action. The Estate of JoAnne L. Shrontz (Shrontz Estate) plans to construct a 10-lot residential subdivision (the Patsey Marley Hill Subdivision) and a parking structure, on private land in Alta, Utah. The project being analyzed includes proposed roadway improvements to the existing Albion Basin Road (NFS Route 028) to improve access to the planned Patsey Marley Hill Subdivision and parking structure. Because the subdivision and parking structure are considered connected actions, their resultant impacts are discussed in the EA. However, because those planned features would be located completely within private land, the Forest Service does not have decision-making authority or jurisdictional control over these aspects. The proposed action encompasses a limited area (710 feet of roadway of which 430 feet is within the Uinta-Wasatch-Cache National Forest and a 100-foot Forest Service road right-of-way through the remaining 280 feet of the Shrontz Estate) and the effects of the proposed action are limited in context. Given its responsibilities within this right-of-way, the Forest Service requested changes to the initial proposal that will enhance public safety. Implementation of the proposed action is anticipated to begin and be completed in 2020.

NFS Route 028 was constructed by the Forest Service and is under Forest Service jurisdiction. There is a reservation in the original deed to the United States, reserving to the Shrontz Estate (inheritors) for "the full and free use of the highway and right-of-way" as it traverses the NFS lands.

1.2 Intensity

- Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*

The EA describes the impacts of the proposed action in terms of context and intensity. Beneficial impacts have not been used to counterbalance negative impacts.

- The degree to which the proposed action affects public health or safety.*

Due to public concerns regarding safety, modifications to design were made including widening the groomed snow lane, no use of fencing, and installation of traffic lights placed before the car turnout and at the parking structure to control traffic on the one-lane road in the winter season to ensure safe passage without requiring vehicles to reverse course. There are

no circumstances or conditions that indicate that the proposed action would result in substantial or unusual risks to public health or safety.

3. *Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

Since there are no unique geographic areas such as parklands, prime farmlands, wild and scenic rivers, or ecologically critical areas within proximity to the proposed action, the project would not impact their characteristics. Wetlands were delineated on adjacent private lands; however, the proposed action would not impact them. See intensity factor 8 below for more information related to historical or cultural resources.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

Although opposing views were raised during public scoping and were considered, public and internal scoping identified no scientific controversy over the impacts of this project. The proposed road improvement activities have occurred in similar conditions in the past and the effects are well known. The effects on the human environment are not likely to be highly controversial.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The proposed action is not new or unique. The agency has considerable experience with the types of activities proposed. Projects with similar actions have been implemented on the Uinta-Wasatch-Cache National Forest for many years. The analysis shows that the effects are not uncertain and do not involve unique or unknown risk (EA, Chapter 3).

6. *The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The proposed action activities are well established on the Uinta-Wasatch-Cache National Forest and the agency. The actions are not likely to establish precedent for future actions with significant effects because actions similar to the ones proposed have been considered in the Forest Plan and have occurred in the past. There is no unusual circumstance associated with the proposed management actions that would indicate that it is substantially different from past actions. Further, the scope of the decision to be made related to the project are limited to the proposed action and analyzed in the EA. These actions do not establish a precedent for future actions. Actions and decisions on adjacent private property are not under the Forest Service's authority and are subject to other controls through the various agreements as well as local and state regulations.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

Long-term cumulative impacts are considered to be negligible with the exception of visual impacts due to the planned parking structure and new homes. There is an existing adjacent subdivision, Grizzly Gulch, that includes 11 homes. Addition of the Patsey Marley Hills

subdivision would double the number of structures. Although the planned development would be consistent with other manmade features in the local viewshed, it would add to visual clutter from increased development in the semi-primitive area. Cumulative impacts to visual resources would be long-term and minor. There would be no significant cumulative impacts as a result of implementing this project (EA, Section 3.1.7).

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss of destruction of significant scientific, cultural, or historical resources.*

No NRHP eligible properties have been identified in the project area, therefore; the project would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places to cultural resources (State Project No. U16-HO-0818f,p; Baxter 2016).

9. *The degree to which the action may adversely affect an endangered species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

The survey area does not provide habitat for any Threatened or Endangered species.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

Clean Air Act – The basic framework for controlling air pollutants in the United States is the 1970 Clean Air Act (CAA), as amended in 1990 and 1999 (42 USC 7401 *et seq.*) This act was designed to protect and enhance the quality of the nation's air resources. All National Ambient Air Quality Standards are being met in the analysis area and in the surrounding area. The proposed action is not expected to impact air quality. The proposed action is consistent with and complies with the Clean Air Act.

Clean Water Act – The Clean Water Act requires that chemical, physical, and biological integrity of all waters, stream channels, and wetlands be protected. A State of Utah stormwater discharge permit may be required for the construction site activities for this project, as well as the development and implementation of a Stormwater Pollution Prevention Plan. Compliance with the Town of Alta Ordinance 9-4-6 (Town of Alta 2018) and the Revised Forest Plan (USDA Forest Service 2003) would be maintained with regards to erosion control, stream stability, minimizing disturbance to vegetation and watershed health.

Endangered Species Act – See intensity factor 9. The survey area does not provide habitat for any Threatened or Endangered species. The proposed action will not adversely affect any Threatened or Endangered species or habitat that has been determined to be critical under the Endangered Species Act of 1973. This project will comply with the Endangered Species Act.

Migratory Bird Treaty Act and Executive Order 13186 – The proposed action was evaluated against Forest Plan standards and guidelines, and project design features, to ensure consistency and to eliminate or reduce potential adverse effects to migratory birds. As a result, direct, indirect, and cumulative effects of the action alternative(s) would not be expected to adversely affect identified birds of conservation concerns, and would be consistent with the Migratory Bird Treaty Act and Executive Order 13186.

National Environmental Policy Act – My decision and the EA analysis comply with NEPA. Direction in 40 CFR §1500-1508 and Forest Service Handbook (FSH) 1909.15 was followed throughout the development of this EA and the project.

National Forest Management Act – This decision is consistent with the Revised Forest Plan Wasatch-Cache National Forest (2003) and it responds to the goals and objectives outlined in the Plan. The Desired Conditions and Purpose and Need for this project are consistent with Uinta-Wasatch-Cache National Forest goals and objectives found in the Forest Plan. See the Forest Plan consistency checklist in the project record for details.

National Historic Preservation Act –See intensity factor 8. The National Historic Preservation Act of 1966 as amended “requires federal agencies to take into account the effects of their undertakings on historic properties.” Implementation of the proposed action will have no effect on cultural resources listed in or eligible for the listing in the National Register of Historic Places.

Environmental Justice (Executive Order 12898) – This executive order requires an assessment of whether minorities or low-income populations will be disproportionately affected by any proposed action. No environmental justice populations were identified in the project area. The proposed action would have no adverse effects on human health or the environment that are significant, unacceptable, or above generally accepted norms and, therefore, there would be no disproportionate effects on minorities or low income population.

Non-native Invasive Species (Executive Order 13112) – This executive order directs federal agencies to prevent the introduction of invasive species; detect and respond rapidly to and control such species; not authorize, fund, or carry out action that the agency believes are likely to cause or promote the introduction or spread of invasive species unless the agency has determined and made public its determination that the benefits of such actions clearly outweigh the potential harm caused by invasive species; and take all feasible and prudent measures to minimize risk of harm in conjunction with the actions. Project design features minimize the environmental effects of the proposed action and meet the requirements of this executive order.

Wilderness Act – The proposed action and my decision comply with the Wilderness Act. The act established the National Wilderness Preservation System. The analysis area is not inside a Wilderness. My decision and the EA analysis comply with NEPA. Direction in 40 CFR §1500-1508 and Forest Service Handbook (FSH) 1909.15 was followed throughout the development of this EA and the project.