



National Park Service
U.S. Department of the Interior
Zion National Park
Springdale, Utah

FINDING OF NO SIGNIFICANT IMPACT

SOUTH ENTRANCE FEE STATION RECONFIGURATION

Recommended:

Jeffrey S. Bradybaugh 9/18/18
Jeffrey Bradybaugh Date
Superintendent, Zion National Park

Approved:

Kate Hammond 9/19/18
for Kate Hammond Date
Acting Regional Director, Intermountain Region, National Park Service

INTRODUCTION

In compliance with the National Environmental Policy Act (NEPA), the National Park Service (NPS) prepared an Environmental Assessment (EA) to examine alternative actions and environmental impacts associated with the proposed project to reconfigure the South Entrance Fee Station at Zion National Park (ZION). The project is needed to decrease park entry wait times for vehicular traffic, reduce localized vehicle congestion, improve employee safety, develop a renewable energy source to sustain park operations, and replace faulty culverts to improve roadway conditions during weather events.

The statements and conclusions reached in this finding of no significant impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file. To the extent necessary, relevant sections of the EA are incorporated by reference below.

SELECTED ALTERNATIVE AND RATIONALE FOR THE DECISION

Based on the analysis presented in the ZION South Entrance Fee Station Reconfiguration EA (August 2018), NPS selected Alternative B – South Entrance Fee Station Reconfiguration (Proposed Action and NPS Preferred Alternative).

The selected alternative will reduce vehicle congestion and park entry wait times currently experienced at the South Entrance. The project will reconstruct the South Entrance Fee Station area by restructuring the immediate roadway to expedite traffic, both entering and exiting the park. An additional vehicle entry lane, fee booths, traffic islands, and employee parking area will be incorporated into the design to accommodate the number of employees required at the entrance station to facilitate park entry and will also create areas protected from moving traffic for employees. An increase in the number and size of fee booths will also help reduce the instances where employees enter the roadway, or rove, to facilitate park entry demands. A shade structure cover the fee booths and vehicle entry lanes will also provide a platform to install solar panels which will supply fifty (50) percent of the energy need at the station. Finally, two culverts, located immediately north and south of the Fee Station, will be rebuilt to adequately capture and channel stormwater runoff thereby reducing the overall risk of roadway hazards in the area. Revegetation efforts and exotic plant removal will continue as needed, including inspection, removal, seed dispersal, direct planting, watering, and low profile barrier installation to deter visitors from trampling on newly vegetated areas. In addition, the project will implement a number of resource protection measures to minimize the degree and/or severity of adverse effects on air quality, archeological, ethnographic and paleontological resources, historic structures, lightscapes and soundscapes, vegetation and soils, visitor use and experience, wildlife and species of concern.

RATIONALE

Alternative B was selected because it best meets the project purpose to:

- Reduce park entry wait time for vehicular traffic;
- Reduce localized vehicle congestion;
- Improve employee health and safety;
- Replace faulty culverts to improve roadway conditions during weather events; and

- Develop a renewable energy sources to sustain park operations.

MITIGATION MEASURES

In consultation with various state and federal agencies (see Public Involvement/Agency Consultation below for additional details), the mitigation measures have been included for the selected alternative. Refer to Appendix A for a complete list of all mitigation measures that will be implemented for the selected alternative.

PUBLIC INVOLVEMENT/AGENCY CONSULTATION

Initial scoping for the project occurred from January 30, 2018 through March 1, 2018 and received thirty (35) comments from the public: fifteen (32) individuals, two (2) organizations, and one (1) public agency. The EA was made available for public review and comment during a 15-days period, from August 20, 2018 through September 3, 2018. In response to the EA, twenty-six (26) unaffiliated comments were received from the public. Substantive comments centered on Design & Construction, Integration of Intelligent Transportation Systems, Recreational Opportunities & Access, and Vehicle Entry Lane Designations. Substantive comments are addressed in the Errata and Response to Public Comments.

AFFILIATED NATIVE AMERICAN TRIBES

Letters announcing the release of the EA and comment were sent on July 24, 2018 to the twelve Tribes affiliated with ZION which included the associated Assessment of Effect and site form attachments. All letters were sent via return receipt certified mail. Return receipts were received from all tribes except the Shivwits Paiute Band. In response to the EA review period, one letter was received from the Paiute Indian Tribe of Utah. In a letter dated August 17, 2018, the Paiute Cultural Resources Director stated their appreciation of ZION's continued efforts to include input from the Paiute Indian Tribe of Utah and address any concerns raised by the Tribe. The tribe concurred with the determination of eligibility and effort for the undertaking. A second letter was received from the Hopi Tribe of Kykotsmovi, AZ which acknowledge the receipt of the notification and extended their concurrence with the NPS No Affect determination to cultural resources on Aug. 20, 2018. Follow up phone calls were made on Aug. 29, 2018 to the ten tribes that did not respond. The Moapa Band Paiute Tribe Chairman Darren Daboda returned the call on Aug. 30, 2018 and left a message stating that the tribe has no issues with the project or undertaking. The Governor of the Pueblo of Zuni was reached and requested the documents be sent to the THPO Kirk Dongofski via email. The ZION officials emailed the documents to the Zuni THPO on Aug. 30, 2018. No other responses were received. All phone calls are being tracked in an excel document. A second round of follow up phone calls was conducted the week of September 17, 2018. No new information or subsequent issues were identified that would result in the reconsideration of the No Affect to cultural resources determination.

BUREAU OF LAND MANAGEMENT

On January 30, 2018, ZION sent a notification (via email and U.S. Post) announcing the NPS intent to prepare an EA to seven (7) surrounding Bureau of Land Management (BLM) Offices, including the: Arizona Strip Field Office, Cedar City Field Office, Grand Staircase National Monument, Kanab Field Office, St. George Field Office, Utah State BLM Office, and Vermilion Cliffs National Monument. No comments or responses were received from the BLM during the initial scoping period. Notifications were also sent out (via email and U.S. Post) to the above

listed BLM offices to announce the review and comment period for the South Entrance Fee Station Reconfiguration EA on August 25, 2017. No comments or responses were received from the BLM during the EA review and comment period.

STATE HISTORIC PRESERVATION OFFICE

In accordance with the requirements of Section 106 of the National Historic Preservation Act, the NPS completed an Assessment of Effect (AEF) to provide details regarding the Area of Potential Effect (APE), associated historic properties, proposed alternatives, and mitigation measures pertaining to the South Entrance Fee Station Reconfiguration EA to the Utah State Historic Preservation Office (SHPO). On January 30, 2018, ZION sent a notification (via U.S. Post) announcing the NPS intent to prepare an EA. Following a series of data recovery efforts, a Determination of Eligibility (DOE) was completed for each cultural resources within the APE and was also submitted to the UT SHPO for concurrence. In a letter dated July 24, 2018, the ZION Archeologist/Cultural Program Manager submitted the AEF to the UT SHPO with the determination that the NPS preferred alternative proposed in the EA will have no adverse effect to historic properties and requested concurrence. On August 7, 2018, ZION received concurrence from the UT State Historic Preservation Officer for this undertaking (Case #18-0817/1760).

UTAH DIVISION OF WILDLIFE RESOURCES

On January 30, 2018, ZION sent a notification (via email and U.S. Post) to multiple UDWR contacts throughout the State, including local and regional habitat/wildlife managers and biologists announcing the NPS intent to prepare the EA. On March 27, 2018, ZION contacted the UDWR Utah Natural Heritage Program Information Manager (via email) for information regarding state listed species of special concern proximal to ZION located in the project area. ZION received a letter (via email) in response on March 28, 2018 detailing all listed species of concern for the project area. The NPS excluded State Listed Sensitive Species from further analysis that met one or more of the following conditions:

- 1) Species does not occur, nor is expected to occur during the season of use/impact;
- 2) Occurs outside of known distributional range of the species;
- 3) Occurs in habitats that are not present; and/or
- 4) Occurs outside the geographical or elevational range of the species.

On April 3, 2018, ZION submitted a “*No Effect*” determination (via email) to the UDWR Southern Region Assistant Habitat Manager for all State Listed Sensitive Species with the potential to occur within the project area and requested any comments or mitigations regarding the project. In a letter dated August 17, 2018, ZION notified the Southern Region Assistant Habitat Manager of the EA release and provided a copy for UDWR records. In an email dated August 20, 2018, ZION notified also all the above mentioned UDWR contacts of the release and comment period for the South Entrance Fee Station Reconfiguration EA. No comments or responses have been received from UDWR in response to the EA.

U.S. FISH AND WILDLIFE SERVICE

On March 27, 2018 ZION obtained a list of federally listed species and designated critical habitat in the action area from the U.S. Fish and Wildlife Service (USFWS) IPaC website (consultation code: 06E23000-2018-SLI-0268). In a letter dated April 3, 2018, ZION provided the USFWS with a copy of the South Entrance Fee Station Reconfiguration EA. Digital copies of the documents were also uploaded to the Information for Planning and Conservation (IPaC)

website (<https://ecos.fws.gov/ipac/>). The NPS excluded threatened, endangered, and/or candidate species and critical habitat from further analysis that met one or more of the following conditions:

- 1) Species does not occur, nor is expected to occur during the season of use/impact;
- 2) Occurs outside of known distributional range of the species;
- 3) Occurs in habitats that are not present; and/or
- 4) Occurs outside the geographical or elevational range of the species.

On April 3, 2018, ZION submitted a “*No Effect*” determination (via email) to the USFWS Supervisory Fish and Wildlife Biologist and Administrative Support Assistant for all federally listed species and habitat with the potential to occur within the project area and requested any comments or mitigations regarding the project. In a letter dated August 17, 2018, ZION notified the Utah Ecological Services Field Office of the EA release and provided a copy for USFWS records. No comments or responses have been received from USFWS. No comments or responses have been received from USFWS in response to the EA.

FINDING OF NO SIGNIFICANT IMPACT

CEQ regulations at 40 CFR section 1508.27 identify ten criteria for determining whether the selected alternative will have a significant effect on the human environment. The NPS reviewed each of these criteria given the environmental impact described in the EA and determined there will be no significant direct, indirect, or cumulative impact under any of the criteria.

The following impact topics were dismissed because they did not warrant a full analysis: Archeological Resources; Cultural Landscapes; Environmental Justice; Ethnographic Resources; Historic Structures; Indian Trust Resources and Sacred Sites; and Soundscape.

As described in the EA, the selected alternative has the potential for beneficial and adverse impacts on the visitor use and experience; however, no potential for significant adverse impacts was identified.

Visitor Use and Experience will be adversely impacted by the selected alternative as a result of area closures, the introduction of construction noise, as well as repeat exposure to area restrictions or traffic delays from ongoing projects within ZION Canyon throughout the 240 day construction period. Closures could last anywhere from a few days to the entire 240 day period but are likely to rotate within the proposed project area to accommodate visitors entering the park through the South Entrance. A vehicle and pedestrian traffic management plan will be developed as part of this project. Furthermore, the introduction of construction noise will occur within the ZION Front Country High Development Zone where it is common for visitors to periodically experience noise from a variety of mechanical and other human-made sounds.

In summary, the direct and indirect impacts of the selected alternative (Alternative B) on visitor use and experience will be diminished temporarily as a result of repeat exposure to construction delays and noise during the 240 day construction period. However, visitors will benefit from reduced vehicle entry wait times and congestion while being provided with improved and/or expanded access to park attractions and enhanced visitor accessibility in and around the South Entrance. For these reasons, resulting adverse effects will be less than significant. The selected

alternative will also have beneficial effects by reducing vehicle congestion and visitor wait times, decreasing exposure to emissions, and eliminating hazardous road conditions resulting from undersized culverts.

Best management practices and mitigation measures stated in the EA will be implemented to minimize the subsequent effects resulting from the selected alternative: new structures will be as compatible as practical with the historic architectural characteristics; transplant and revegetation efforts will echo the existing native landscape; and signs, alerts, press releases, and notifications will be issued to inform visitors prior to and throughout the duration of construction, etc.

The project will not result in the loss or destruction of significant scientific, cultural, or historical resources, nor will there be any significant impacts on public health, public safety, or unique characteristics of the region. No highly uncertain or controversial impact, unique or unknown risks, significant cumulative effects, or element of precedence were identified. Implementation of the NPS selected alternative will not violate any federal, state, or local environmental protection laws.

CONCLUSION

As described above, the selected alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement (EIS). The selected alternative will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA.

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

APPENDIX A: MITIGATION MEASURES

The following mitigation measures will be implemented during the project to minimize the degree and/or extent of adverse impacts.

AIR QUALITY

- Equipment will not be allowed to idle longer than 2 minutes when not in use.
- All motor vehicles and equipment will have mufflers conforming to original manufacturers' specification that are in good working order and are in constant operation to prevent excessive or unusual fumes or smoke.
- All haul loads will be trapped.

ARCHEOLOGICAL, ETHNOGRAPHIC, AND PALEONTOLOGICAL RESOURCES

- All contractors and subcontractors will be informed of the procedures to follow in the event of archeological, ethnographic, and paleontological resource discovery, as well as the penalties for illegally collecting artifacts or intentionally damaging paleontological materials, archeological sites, or historic properties.
- Archaeological resources near the proposed project area will be identified for avoidance prior to the implementation of construction activities.
- During construction, specifically activities involving earthwork or digging, qualified park staff will monitor work zones to confirm the presence or absence of significant archeological, ethnographic, or paleontological resources. Should construction unearth cultural or paleontological resources, work will be stopped in the area of discovery and the park will consult with the State Historic Preservation Office (SHPO) and the Tribal Historic Preservation Officers in accordance with §36 CFR 800.13, Post Review Discoveries.
- In the unlikely event that human remains are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (1990) will be followed.

GEOLOGY AND HYDROLOGY

- Best management practices for erosion control and storm water pollution prevention, such as silt fencing, will be implemented prior to and throughout the duration construction activities.

HISTORIC STRUCTURES

- Building and site design will be as compatible as practical with the historic architectural characteristics and incorporate similar architectural features, materials, surface finishes, and color.
- Historic resources near the proposed project area will be identified for avoidance prior to the implementation of construction activities.
- Construction staging areas will be restricted to ensure no fill or materials disturb known historic structures. Site selection will be coordinated with the Zion Cultural Program Manager prior to construction.

HUMAN HEALTH AND SAFETY

- Contractors and NPS staff to include volunteers, interns, etc. shall follow all Park safety and health policies and programs.
- Hierarchy of hazard control shall be implemented. Personal protective equipment is the last line of defense. Hard hats, safety vests, eye protection and other personal protective gear, as needed shall be worn at all times within the construction zone.
- Any safety violations shall be corrected immediately. If the violation is not corrected immediately, the project shall be postponed until such corrections are made.
- Closures and temporary safety fencing will be required to keep visitors out of construction area/s.
- Spill containment kits and fire extinguishers shall be available on site at all times.
- Copies of Safety Data Sheets (SDS) shall be available on site at all times.

LIGHTSCAPES AND SOUNDSCAPES

- Hours of outdoor construction will be limited to hours between sunrise and sunset, so no artificial lighting will be required.
- Hours of operation of motorized equipment will be limited to 8:00a.m. to 6:00p.m. to protect dawn, dusk, and nighttime quiet.
- Equipment will not be allowed to idle longer than 2 minutes when not in use.
- All motor vehicles and equipment will have mufflers conforming to original manufacturers' specification that are in good working order and are in constant operation to prevent excessive or unusual noise.

VEGETATION

- Construction zones will be identified (i.e. flagging, construction tape, etc.) to confine activity to the minimum work area required.
- Construction equipment will be cleaned before entering the park to minimize the transport of exotic seeds to the site. All equipment entering the park will be inspected and may be required to be pressure washed to remove foreign soil, vegetation, and other materials that may contain non-native seeds or vegetation.
- Construction materials staging areas will be restricted to previously disturbed sites.
- Erosion control measures that provide for soil stability and prevent movement of soils will be implemented, such as installing erosion control wattles along the edge of construction.
- Any disturbed soils will be salvaged and used to restore the area.

VISITOR USE AND EXPERIENCE

- Signs, alerts, press releases, and notifications will be issued to inform visitors prior to and throughout the duration of construction.
- Construction zones will be identified (i.e. flagging, construction tape, fencing, etc.) to prevent visitors from entering construction zone unknowingly.
- Construction materials staging will be restricted to areas that will neither impede vehicle traffic of visitors, contractors, or park staff.

WILDLIFE

- Construction personnel will be oriented on appropriate behavior in the presence of wildlife and proper food storage, handling, and disposal and/or other attractants.

- Construction site and staging areas will be monitored periodically by park natural resource staff throughout the duration of the project in case any special status species unexpectedly appear in the project area. Should any appear and if park staff become concerned about potential adverse impacts on the species from construction or other project related activities, work will stop and not resume until necessary protective steps are taken to avoid any impacts to the special status species.
- All construction personnel will be briefed on California condor identification and behaviors.
- All construction activity will cease if a condor is within the proposed action area and the park wildlife biologist will be contacted; construction will not continue until the condor leaves on its own accord or hazed by the wildlife biologist
- The project site will be cleaned up at the end of each day the work is being conducted (i.e. trash disposed of, scrap materials picked up) to minimize the likelihood of condors visiting the project site.
- For any actions involving trenching or digging holes, provisions (generally in the form of ramps; with a slope $< 45^\circ$) will be made every 20-50' to allow for the escape of animals that may fall into these recesses, and/or they will be covered in such a way as to prevent animals (vertebrates) from falling in them.
- If large rocks or boulder must be moved, the park Wildlife Biologist will be present to ensure reptiles potentially living under the rocks are moved out of the construction area.
- All gate posts, ground pipes, bollards will be permanently capped to negate wildlife entrapment.
- In consultation with the park Wildlife Biologist, all fee station windows will be retrofitted with UV-film to minimize bird window strikes.