

National Park Service

U.S. Department of the Interior

Cedar Breaks National Monument  
Utah



## **FINDING OF NO SIGNIFICANT IMPACT**

### **Ranger Station Construction**

#### **Background**

In compliance with the National Environmental Policy Act (NEPA), the National Park Service (NPS) prepared an environmental assessment to examine various alternatives and environmental impacts associated with the proposal to construct a new ranger station at Cedar Breaks National Monument (CEBR).

Currently there is no official office space on the Monument. There is also no space on the Monument that could be used during winter. Monument employees use a one room apartment and a portion of a storage shed for office space. These areas are very small and lack the basic qualities needed to perform office tasks (adequate desk space, computer and telephone infrastructure, storage for files, secure spaces for counting and storing money, and storing firearms, etc.). Every effort has been made to make the ranger office/storage shed rodent-proof; but rodent droppings continue to pose a health hazard to those who occupy the space. The new ranger station will provide a safe and functional and efficient working space for employees that could be used year-round and a place for visitors to learn more about the Monument in an environment protected from the elements.

#### **Selection of the Preferred Alternative**

Two alternatives were evaluated in the environmental assessment including Alternative A (No Action) and Alternative B (Construct a New Ranger Station). Alternative B is the NPS's preferred alternative because it best meets the purpose and need for the project as well as the project objectives to: 1) Provide a facility that meets current health and safety standards and structural requirements for summer and winter use; 2) Consolidate administrative functions into one location; 3) Provide a facility for visitor programs away from inclement weather; 4) Provide a facility that includes sustainable elements to maximize energy efficiency and conservation; 5) Provide a facility that is compatible with the rustic architectural elements of the existing historic structures and features in the Monument; and 6) Identify a location that minimizes impacts to park resources and will not result in impairment or unacceptable impacts to these resources.

Under Alternative B a new ranger station will be constructed in the vicinity of the caretaker's cabin. The building will cover 2,534-square-feet with both heated indoor space (including incorporating the existing storage shed) and developed outdoor space. Approximately 2,067-square-feet of this building will be indoor space. The remaining 467-square-feet will include covered exterior spaces such as the front porch and a deck to be built onto the back of the building in the future. The total area of disturbance for the entire project will be approximately 1-acre.

The building will be a residential-scaled, rustic styled one-story building with a pitched roof. The walls will be laminated wood logs with a stained and sealed finish. The roof will be gabled and

covered with low reflective green metal roofing. The windows will be green clad/wood double hung style. The doors will be stained and sealed wood or green clad/wood French doors. Any other exterior features (such as porch posts, beams, trim, etc.) will be stained and sealed wood. The building will be designed and built in accordance with NPS sustainable design requirements.

The interior of the new building will include employee workspace, a multipurpose room for meetings/programs, visitor restrooms, reception area, and storage. The ranger station will be built so that portions of the building could be occupied during the winter.

Approximately 112-square-feet of the existing 260-square foot ranger office/storage shed is composed of concrete block and poured concrete. This portion of the building will be incorporated into the new building. This space will be used to house the fee collection safe, firearms safe, fiber optic cable installations, and telephone equipment. The remaining portion of this building is a wood structure and will be demolished because it is unstable.

The project will require new water lines and sewer lines. Electric power may need to be reconfigured. The existing septic tank and drain field will be reused as is and will not be changed.

A trail will be constructed from the existing Visitor Center parking area to the new building. The trail will be a compacted earth surface and will follow the same route as the buried IT line. A concrete sidewalk will be installed from the new building to the adjacent parking area.

The existing asphalt driveway and parking area will be incorporated into the new driveway and parking design. Twenty paved parking spaces will be provided near the building. The area designated for bus parking will be covered with a gravel surfaced base. Overflow parking for up to 20 vehicles will be left a natural state.

Lighting will be kept to a minimum using LED down-lights mounted on short poles to provide illumination for pedestrian access to parking and the building. Minimal lighting will be placed on the building. There will be no lighting on the trail to the Visitor Center parking area.

During construction, the designated construction/staging area will be fenced or barricaded to prevent access or damage to adjacent vegetation and soils. Once construction is completed, the site will be fine graded and restored to its pre-disturbed state. Landscaping work, using native vegetation, will be completed by Monument employees. Any irrigation will be temporary, used only for establishing plants. Once plants are established, any irrigation will be removed.

The construction staging area will be restricted to the minimum necessary to provide access to the site including: access around the new building and site improvements during construction, on-site storage of materials and equipment not stored at the maintenance area, and parking for the contractor's vehicles. If the contractor has a travel trailer, it will be parked on the existing cement trailer pads near the maintenance area.

The walls and roof structure will be prefabricated off-site and could begin as early as April 2010. On-site work, including pouring the foundation, will begin as soon as the site is accessible – likely June 2010. Installation of the prefabricated portions of the building could begin in July 2010. It is anticipated that the building and site work could be completed in September or October 2010. Any site work not completed at that time will have to wait until summer 2011.

The Monument will either rent a trailer or purchase a small structure that will serve as temporary office space during construction. The trailer/structure will be parked on the existing cement trailer pads near the maintenance area. Once the construction was completed the trailer/structure will be removed. If a small building is purchased, it will likely be placed in the maintenance yard. Once the construction is completed this building will be used for storage.

## **MITIGATING MEASURES**

The following mitigation measures and best management practices will be incorporated into the project design for the Preferred Alternative to reduce environmental impacts.

- To minimize the amount of ground disturbance, staging and stockpiling areas will be in previously disturbed sites, away from visitor use areas to the extent possible. All staging and stockpiling areas will be returned to pre-construction conditions following construction.
- Construction zones will be identified and fenced with construction tape, snow fencing, or some similar material prior to any construction activity. The fencing will define the construction zone and confine activity to the minimum area required for construction. All protection measures will be clearly stated in the construction specifications and workers will be instructed to avoid conducting activities beyond the construction zone.
- Contractors will be required to properly maintain construction equipment to minimize noise. Construction vehicle engines will not be allowed to idle for extended periods of time.
- Material and equipment hauling will comply with legal load restrictions. Load restrictions on Monument roads are identical, for the most part, to state load restrictions. Additional regulations may be imposed by the Superintendent. In order to prevent damage to the road along the Scenic Drive, vehicles over 25,000 GVW will be prohibited. Waivers for loads that exceed the weight limit could be applied for and considered for approval by the Superintendent.
- Water sprinkling will be used to reduce fugitive dust.
- All tools, equipment, barricades, signs, surplus materials, and rubbish will be removed from the project areas upon project completion.
- All disturbed ground will be reclaimed using appropriate best management practices that include planting native plants.
- Temporary barriers will be provided to protect identified trees, plants, and root zones. Trees or other plants will not be removed, injured, or destroyed without prior approval.
- To prevent the introduction of, and minimize the spread of, non-native vegetation and noxious weeds, the following measures will be implemented during construction.
  - Soil disturbance will be minimized.
  - All construction equipment will be pressure washed and/or steam cleaned before entering the Monument to ensure that all equipment, machinery, rocks, gravel, and other materials are clean and weed free.
  - All haul trucks bringing fill materials from outside the Monument will be covered to prevent seed transport.
  - Vehicle and equipment parking will be limited to within construction limits.
  - All fill, rock, and additional topsoil will be obtained from the project area, if possible; and if not possible, then weed-free fill, rock, or additional topsoil will be obtained from sources outside the Monument. NPS personnel will certify that the source is weed free.
  - Monitoring and follow-up treatment of exotic vegetation will occur after project activities are completed.

- All equipment will be maintained in a clean and well-functioning state to avoid or minimize contamination from fluids and fuels. Prior to starting work each day, all machinery will be inspected for leaks and all necessary repairs will be made before commencement of work.
- A hazardous spill plan will be required from the contractor prior to the start of construction.
- Construction workers and supervisors will be informed about the special sensitivity of Monument's values, regulations, and appropriate housekeeping.
- The construction contractor will be instructed to keep all garbage and food contained and removed daily from the work site to avoid attracting wildlife.
- Construction workers will be instructed not approach or feed wildlife.
- Should construction unearth previously undiscovered cultural resources, work will be stopped in the area of any discovery and the Monument will consult with the Zion Park Archeologist, the Utah State Historic Preservation Office, and the Advisory Council on Historic Preservation, as necessary, according to §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.

### **Alternatives Considered**

Two alternatives were evaluated in the environmental assessment including the no-action alternative and one action alternative. Under Alternative A, No-Action, the ranger station would not be constructed. Alternative B, Construct a New Ranger Station, is the preferred alternative, as described in the previous section.

### **Environmentally Preferred Alternative**

Alternative B (Construct a New Ranger Station) is the environmentally preferred alternative. The environmentally preferred alternative is determined by applying the six criteria suggested in §101 of the NEPA. According to these criteria, the environmentally preferred alternative should: 1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations; 2) assure for all generations safe, healthful, productive, and esthetically and culturally pleasing surroundings; 3) attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences; 4) preserve important historic, cultural and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice; 5) achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities; and 6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

Alternative B is the environmentally preferred alternative because it best addresses these six evaluation factors. Alternative B will provide a working environment for Monument employees that will meet health and safety recommendations, while minimizing environmental impacts to the extent possible. The new building will be used for years to come – by future generations. The new building will be energy efficient and will be built with sustainable, environmentally friendly materials. The building will also provide a location for visitors to learn more about and enjoy the Monument.

No new information came forward from the public during scoping or consultation with other agencies to necessitate the development of any new alternatives, other than those described and evaluated in the environmental assessment. Because it meets the purpose and need for the project, the project objectives, and is the environmentally preferred alternative, Alternative B is also recommended as the NPS preferred alternative.

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

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

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

Implementation of the preferred (selected) alternative will result in some adverse impacts; however, the overall benefit of the project, particularly to park operations, outweighs these negative effects. The adverse effects are summarized as follows.

Negligible, temporary, adverse impacts to visitor use and experience will result from construction activities. The construction will occur outside of existing visitor use areas and will also be closed to visitor use during construction. But the construction activities could increase noise, dust, and construction traffic in the area. All construction-related impacts will be temporary and will cease following construction.

During construction there will be a minor to moderate, adverse impact to Monument operations because of the increased activity in the construction area and potentially in the maintenance area. These effects will directly impact fee and ranger activities since they will not be able to use the ranger office/storage shed during this time. Although they will have a temporary office space in either a rented trailer or a small building the Monument purchased. The resident at the caretaker's cabin will experience a moderate adverse effect from construction activities due to increased noise, dust, and potential access problems. These effects will be short-term; they will end when the construction was completed.

Adding a new 2,500-square-foot building will alter the visual characteristics of the area; which will have a minor adverse long-term effect on visitor experience. The location, size, and aesthetics of the new ranger station were chosen so as not to visually interfere with the surrounding area and to be compatible with the caretaker's cabin. However, these changes to the visual environment will be noticeable and will be long-term.

Implementation of the preferred alternative will create additional year-round office space for Monument employees and a meeting space for visitors. Visitor use and experience will be improved by providing a location for interpretive programs away from inclement weather; which will be a long-term moderate beneficial effect on visitor use and experience. Monument employees will have space to more efficiently and safely perform their duties, which will be an indirect, beneficial minor impact to visitor experience.

The construction of the new ranger station will provide an efficient working environment for employees that will meet current health and safety standards. The apartment will no longer be used as office space, so it will be available for seasonal housing. Having a facility that could be used in the winter will increase the Monuments ability to protect resources and improve visitor experience. These effects are considered moderate, beneficial and long-term.

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

The preferred alternative will have an overall beneficial effect on public health and safety, particularly for the Monument's employees that will regularly use the new ranger station. The

new ranger station will alleviate the current unsafe conditions associated with the use of the storage shed including structural deficiencies and rodent infestations, thereby providing a safer, cleaner environment for the Monument's staff.

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

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

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

Throughout the environmental process, the proposal to construct a new ranger station was not highly controversial, nor are the effects expected to generate future controversy. Most of the comments received during scoping and environmental assessment review were in support of the new ranger station.

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

The effects of constructing a ranger station are fairly straightforward and do not pose uncertainties. The environmental process has not identified any effects that may involve highly unique or unknown risks.

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

The preferred alternative is not expected to set a precedent for future actions with significant effects, nor does it represent a decision in principle about a future consideration.

***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 impacts on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.***

Cumulative effects were analyzed in the environmental assessment and were found to be minor to moderate. No significant cumulative impacts were identified.

***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 or destruction of significant scientific, cultural, or historical resources.***

All impacts to cultural resources (archeological, historic structures, ethnographic resources, cultural landscapes) were identified as minor or less in the environmental assessment. The following mitigation was also identified to further reduce any impact from the construction of the new ranger station: Should construction unearth previously undiscovered cultural resources, work will be stopped in the area of any discovery and the Monument will consult with the Zion Park Archeologist, the Utah State Historic Preservation Office, and the Advisory Council on Historic Preservation, as necessary, according to §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.

A letter dated January 25, 2010 from the Utah State Historic Preservation Office confirms the NPS determination of *no historic properties affected* per §106 of the National Historic Preservation Act.

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

In accordance with Section 7 of the Endangered Species Act of 1973, Monument staff contacted the U.S. Fish and Wildlife Service (USFWS) by letter on April 29, 2009 asking for concerns and comments on the proposed action. The monument did not receive any comment back. The Utah Field Office of the USFWS no longer provides species lists in a formal letter. Agencies are directed to the USFWS website for species list. (Letter dated January 27, 2006)

The Utah Field Office USFWS no longer provides concurrence for “no effect” determinations. Their letter of January 27, 2006 states that “Federal agencies can individually analyze and conclude that a project has no effect to a listed species. Written concurrence from our office is no longer required for “no effect” determinations.”

There are no federally protected threatened or endangered plants or animals in the Monument. There are no State sensitive plant species in the project area. State sensitive animals within the Monument are not likely to use the project area because of previous disturbance and continued human occupation at the site. Although there are no known federally listed or State sensitive animal species in the project area, there is still potential for minor adverse impact from noise to individuals if they visit the area during the construction. Impacts to State sensitive species are considered non-existent or negligible. Through the analysis the Monument determined that there will be “no effect” to any threatened or endangered plant or animal species from the construction of the new ranger station.

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

This action violates no federal, state, or local environmental protection laws.

### **Appropriate Use, Unacceptable Impacts, and Impairment**

Sections 1.5 and 8.12 of NPS *Management Policies* underscore the fact that not all uses are allowable or appropriate in units of the National Park System. The proposed use was screened to determine consistency with applicable laws, executive orders, regulations, and policies; consistency with existing plans for public use and resource management; actual and potential effects to park resources; total costs to the Park Service; and whether the public interest will be served. A ranger station housing office space for employees and a place to provide interpretive programs is a common and vital structure in most park units. Proper location, sizing, as well as construction materials and methods used on the ranger station will ensure that unacceptable impacts to park resources and values will not occur. The proposed ranger station is consistent with the park's general management plan. With this in mind, the NPS finds that construction and use of a ranger station is an acceptable use at CEBR.

The impact threshold at which impairment occurs is not always readily apparent. Therefore, the NPS applies a standard that offers greater assurance that impairment will not occur. The NPS will do this by avoiding impacts that it determines to be unacceptable. These are impacts that fall short of impairment, but are still not acceptable within a particular park's environment. Park managers must not allow uses that will cause unacceptable impacts; they must evaluate

existing or proposed uses and determine whether the associated impacts on park resources and values are acceptable. Because the application of mitigating measures is expected to be successful in ensuring that no major adverse impacts will occur and that satisfactory reclamation of the disturbed area is expected to be achievable, implementation of the preferred alternative will not result in any unacceptable impacts.

In analyzing impairments in the NEPA analysis for this project the NPS takes into account the fact that if an impairment were likely to occur, such impacts would be considered to be major or significant under CEQ regulations. This is because the context and intensity of the impact would be sufficient to render what would normally be a minor or moderate impact to be major or significant. Taking this into consideration, NPS guidance documents note that “Not all major or significant impacts under a NEPA analysis are impairments. However, all impairments to NPS resources and values would constitute a major or significant impact under NEPA. If an impact results in impairment, the action should be modified to lessen the impact level. If the impairment cannot be avoided by modifying the proposed action, that action cannot be selected for implementation.” (*Interim Technical Guidance on Assessing Impacts and Impairment to Natural Resources*, NPS, Natural Resource Program Center, July 2003)

In addition to reviewing the definition of “significantly” under the NEPA regulations, the NPS has determined that implementation of the preferred alternative would not constitute an impairment to the integrity of Cedar Breaks National Monument’s resources or values as described by NPS *Management Policies* (NPS 2006 § 1.4). This conclusion is based on the NPS’s analysis of the environmental impacts of the proposed action as described in the environmental assessment, the public comments received, relevant scientific studies, and the professional judgment of the decision-maker guided by the direction in 2006 NPS *Management Policies*.

The environmental assessment identified less than major adverse impacts for all resource topics. Although the project has some negative impacts, in all cases these adverse impacts are the result of actions taken to preserve and restore other park resources and values. Overall, the plan results in benefits to park resources and values, opportunities for their enjoyment, and it does not result in their impairment. Guided by this analysis and the Superintendent’s professional judgment, there will be no impairment of park resources and values from implementation of the preferred alternative.

## **Public Involvement**

The environmental assessment was made available for public review and comment during a 30-day period ending February 15, 2010. To notify the public of this review period, a press release was mailed to stakeholders, affiliated Native American tribes, interested parties, and newspapers. Copies of the document were sent to certain agencies, interested parties, and public libraries: and was posted on the NPS Planning, Environmental, and Public Comment website. The park received four comments during the public review period of the environmental assessment — one from an individual, two from agencies, and one from The Hopi Tribe. Comments were generally supportive of the proposed action.

Each comment was considered and reviewed by park staff. The commenters did not provide any additional, new, or substantive information that will change the determination of effects in the environmental assessment. Comments resulted in no changes to the text of the environmental assessment.

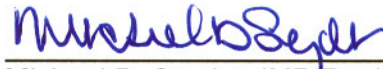


## Conclusion

As described above, the Preferred Alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement (EIS). The Preferred Alternative will not have a significant effect on the human environment. Environmental impacts that could occur are limited in context and intensity, with generally adverse impacts that range from localized to widespread, short- to long-term, and negligible to moderate. There are no unmitigated adverse effects on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the action will not violate any federal, state, or local environmental protection law.

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

Approved:



Michael D. Snyder, IMR Regional Director



Date