



# Public Notice

Public Notice Number: 200250371

Date: April 1, 2003

Comments Due: May 1, 2003

US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

In reply, please refer to the Public Notice Number

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## TO WHOM IT MAY CONCERN:

**SUBJECT:** Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act and water quality certification under Section 401 to impact 1.18 acres of waters of the United as shown in the attached drawings.

**APPLICANT:** Ralph Okerlund  
Sevier County Commissioner  
250 North Main Street  
Richfield, Utah 84701

**LOCATION:** The proposed roadway improvement project begins in Annabella and terminates at 400 South and 350 East in Richfield. The project is approximately 4.5 miles in length and is located within Sections 6, 7, & 18, Township 24 South, Range 2 West. It is also within Section 31, Township 23 South, Range 2 West, and Section 36, Township 23 South, Range 3 West. Zone 12, 407821.00 East, 4284756.00 North, Sevier County, Utah.

**PURPOSE:** The existing sharp curve 0.5 mile east of Richfield is substandard since the existing curve radius will only accommodate a vehicle traveling less than 25 mph. The minimum design speed for a road of this classification and traffic volume is 50 mph based on the American Association of State Highway Transportation Officials (AASHTO p.426) standards. The existing curve has long been a safety issue for Sevier County and has been the site of numerous crashes. In addition, the asphalt has deteriorated and needs replacement to avoid major maintenance problems in the future.

**PROJECT DESCRIPTION:** The project consists of improvements to the existing Richfield to Annabella County Road. The improvements include realignment of an existing portion of the road that does not meet AASHTO requirements. In addition, a new bridge will be constructed over the Sevier River 1.3 miles north of Annabella as authorized separately by Utah State Stream Alteration Permit No. 02-63-17SA which was issued January 10, 2003. The sharp curve that will be realigned will be moved out into an existing saline wet meadow. This will require discharge of fill material into 1.60 acres of wetlands. It is proposed that the road be constructed as shown in the Typical Curve Section of Figure 4 in Appendix A with granular borrow, untreated base course, and asphalt layers.

In addition, the existing roadway will be widened to satisfy AASHTO standards from an existing average surfacing width of 26-27 feet to a surfacing width of 36 feet. The 36-foot width includes

2-foot gravel shoulders on each side of the road. This will create a larger footprint than the existing roadway. The proposed larger footprint will impact an existing jurisdictional ditch/wetland which parallels the road alignment. An estimated 2,000 cubic yards of granular borrow will be placed into this wet ditch/wetland in order to provide enough width for the proposed roadway. An 18-inch diameter HDPE pipe will be installed within the toe of the fill to collect runoff from the nearby pastures. The total wetland impact acreage for this section is 0.5 acre. A typical ditch impact section is shown in the Wetland Impact Sections Figure 4 of Appendix A. Upon completion, 2.10 acres of waters of the U.S. will be filled with project implementation.

**AREA DESCRIPTION:** The road that connects Richfield City to the town of Annabella is heavily travelled (approximately 1,200 vehicles per day). The majority of the traffic is from local residents traveling between these two locations. Alfalfa fields, pastures, and both dry and wet meadows line the roadway on both sides. The wetlands within the project area consist of saline wet meadow, artificial saline wet meadow, and riparian associated with the Sevier River. A few residences are scattered along the corridor and an existing bridge over the Sevier River is located approximately one mile north of Annabella. The terrain throughout the corridor is very flat and varies only 20 feet within the project area.

**ALTERNATIVES:** Alternatives other than the one previously identified were investigated that would avoid the discharge of fill material into jurisdictional waters of the United States, including wetlands. The below-listed additional alternatives were evaluated.

**Alternative 1-Bridge Curve and Move Roadway East from Seepage Ditch:**

Alternative 1 would entail constructing a bridge over the wetland at the curve realignment and shifting of the horizontal alignment further east to avoid filling the seepage ditch/wetland. However, in order to provide existing hydrophytic vegetation with enough light and space for growth, the bridge and vertical profile of the road would have to be raised significantly (5-10 feet minimum). This would not fit well with adjacent topography since the terrain is very flat. The curved bridge would be very costly since it would have to span 1,100 feet and require additional right-of-way for the bridge approaches. In order to move the alignment further east to miss the ditch/wetlands, significant additional right-of-way would have to be acquired. There are residences and a platted subdivision east of the existing highway that would be severely impacted if this options were selected. It is estimated that the cost of this alternative would double that of the proposed project. This alternative was eliminated due to economic, social, and political reasons. The estimated costs of this alternative can be found in Table 1.

**Alternative 2-Build on New Location:**

Alternative 2 would consist of constructing the roadway in an entirely different location. The required roadway width would be equal to the proposed project and would have to accommodate the same amount of traffic (2000 vehicles per day as projected in 2023). Because of the nature of the landscape and widespread wetland areas in the valley near the Sevier River, it is likely that any complete realignment of the roadway would impact wetlands much more dramatically. A possible alignment for this alternative is shown in Figure 7 of Appendix A. This massive realignment would affect many more private and public landowners and would likely incite public controversy. It is estimated that the cost of this alternative would double that of the proposed project. This alternative was eliminated due to environmental, economic, and social concerns.

**PROPOSED MITIGATION:**

1. Removal of most of the abandoned roadway subgrade (existing sharp curve) to reclaim 0.92 acre of former wetland. During construction of the new curve, the top 6 inches of hydric soil and hydrophytic vegetation will be removed and placed in the reclaimed wetlands once the existing granular fill is removed. It is hoped this measure will accelerate the reclamation of these wetlands by providing a similar substrate and seed source. In addition, culverts will be placed under the new roadway curve to maintain hydrology.
2. Sevier County will fence and deed restrict all wetland acreage between the existing sharp curve and the new roadway alignment including the 0.92 acre of wetlands identified above that will be reclaimed. Total wetland acreage in the area is 1.4 acres.
3. Sevier County will also acquire 2.15 acres of pasture property just north of the realigned curve. This property has been delineated and the entire 2.15 acres is wetland similar to the wetlands being impacted by this project. These wetland will also be fenced to exclude grazing and deed restricted to preserve them as wetland/wildlife habitat in perpetuity.

All of the wetlands within the project area are severely grazed and provide little function and value for wildlife habitat. Fencing to exclude grazing and providing long-term protection through deed restrictions for the mitigated 3.55 acres of wetlands will enhance the overall function and value of these wetlands.

**ADDITIONAL INFORMATION:**

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected.

This activity would not affect any threatened or endangered species or their critical habitat.

The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **May 1, 2003**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Certification that the proposed work, if permitted, will not violate applicable water quality standards have been requested from the Utah Division of Water Quality. The Utah Division of Water Quality intends to issue certification, provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (nonpoint sources) of wastes which will occur only during the actual construction activity and where best management practices will be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Mr. William O. Moellmer, Utah Division of Water Quality, 288 North 1460 West, PO Box 144870, Salt Lake City, Utah 84114-4870, on or before **May 1, 2003**.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be

expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact Brian Barton of Jones and Demille Engineering (435) 896-8266 or Mr. Shawn Zinszer of the Utah Regulatory Office, telephone (801) 295-8380, ext. 16, or email [Shawn.H.Zinszer@usace.army.mil](mailto:Shawn.H.Zinszer@usace.army.mil).

Written comments should reference Public Notice Number 200250371 and should be mailed to the U.S. Army Corps of Engineers, Utah Regulatory Office, ATTN: Mr. Shawn Zinszer, 533 West 2600 South, Suite 150, Bountiful, Utah 84010. Comments are due **May 1, 2003**.

Michael J. Conrad, Jr.  
Colonel, US Army  
District Engineer

Enclosures: 17 Drawings