



US Army Corps
of Engineers
Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: SPK-2007-01489

Date: February 5, 2008

Comments Due: March 5, 2008

In reply, please refer to the Public Notice Number

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Utah Department of Transportation's East-West Connector project (approximately 1000 South in Lehi, Utah County, Utah), which would result in impacts to approximately 4.25 acres of waters of the United States, including wetlands, that are tributary or adjacent to Utah Lake and the Jordan River. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

AUTHORITY: This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT: Utah Department of Transportation
Attn: Bryan Adams
658 North 1500 West
Orem, Utah 84057
Tel: 801.222.3405

AGENT: HDR Engineering, Incorporated
Attn: Sue Lee
3995 South 700 East
Salt Lake City, Utah 84107
Tel: 801.743.7811

LOCATION: The project site begins at Redwood Road (State Route 68) in Saratoga Springs, Utah, in Section 23, Township 5 South, Range 1 West and ends at 300 East in Lehi, in Section 21, Township 5 South, Range 1 East, SLB&M, and can be seen on the Saratoga Springs, Jordan Narrows, Lehi, and Pelican Point, Utah 7.5-minute USGS Topographic Quadrangles (Exhibit 1).

PROJECT DESCRIPTION: The applicant is proposing to construct the East-West Connector, an approximately 4-mile long, four-lane, new roadway that runs east-west from about 600 North and Redwood Road in Saratoga Springs, to 300 East in Lehi, Utah.

Construction of the new roadway would result in the fill of waters of the United States, including wetlands. The fill would be a result of culvert installation and associated backfill in 7 locations and placement of roadway surface through five wetlands (Exhibit 2).

The roadway would consist of a new four-lane limited-access road in a right of way of 105 feet. The road cross section includes four 12-foot travel lanes, a 14-foot raised and landscaped median, an 8-foot shoulder on both sides, 2 1/2-foot curb and gutter on both sides, 4-foot vegetated buffer ("park strip") on both sides, and a 6-foot sidewalk on both sides. The roadway would include breaks in the median for turn lanes at all intersections. Retaining walls and privacy walls would also be constructed in the right-of-way as necessary.

Cross-street accesses would be limited to existing north-south streets, including (from west to east) 2300 West/Saratoga Road, 1700 West, 1100 West, 500 West, Center Street (Lehi), and 300 East (which is the eastern terminus). Such cross streets would be signalized as traffic volumes and safety considerations warrant. The roadway would have a speed limit of 45 miles per hour. The new roadway would accommodate bus transit in the future should the Utah Transit Authority extend service to this area of Utah County.

The new road would cross the Jordan River at about river mile 1.5. The river crossing would consist of a single-span, 257-foot long bridge structure. Construction of the bridge would not require any work in the river or result in the discharge of any material below the 100-year flood elevation. See the attached figure (Proposed Crossing of the Jordan River, Lehi City, Utah) for detailed information about the bridge structure.

After crossing the Jordan River, the road, if permitted, would pass through some non-jurisdictional riparian areas immediately adjacent to the river and then through some areas of palustrine emergent marsh and palustrine forested wetlands, all west of about 3000 West. The affected portions of the wetland features would be filled using base coarse material. Natural drainage patterns of the unaffected wetland areas would be maintained to the maximum extent practicable. Access to wetland areas adjacent to but outside of the work area would be prevented by using high visibility fencing to identify off-limits areas and silt fencing or other appropriate best management practices to prevent water quality impacts. Detailed water quality protection measures that would be employed during construction would be outlined in the required construction stormwater pollution prevention plan.

Between about 3000 West and the eastern project terminus at 300 East, the road would cross a total of 7 ditches (at about 2600 West, 1400 West, 1100 West, 500 West, 100 West, and two at Center Street) and a portion of a wetland polygon supporting palustrine emergent marsh at about 200 West. All of the ditch crossings would use pipe culverts of at least 20 inches in diameter. See the attached figure (Proposed Typical Ditch Crossings) for more detail about the culverted crossings.

PROJECT PURPOSE:

Based on the available information, the overall project purpose is to build an east-west regional mobility in northern Utah County. The applicant believes there is a need to improve east-west regional mobility by increasing roadway and/or transit capacity that will accommodate existing and future (2030) travel demand and reduce regional congestion.

ADDITIONAL INFORMATION:

Environmental Setting. The proposed roadway corridor is located north of Utah Lake, outside of the lake floodplain between Redwood Road and Interstate-15. In general, the land slopes towards Utah Lake, except for the Jordan River and its disconnected floodplain. Lands around the Jordan River slope towards the river. Deposits in the project area are derived from Quaternary lacustrine deposition and more recent fluvial deposition (post Lake Bonneville). Hydrologic sources that support wetlands in the project review area include surface water from the main watercourses (Jordan River, Dry Creek, Spring Creek, American Fork River, etc.), and a locally high water table. At a few discrete points, the groundwater discharges from springs. Near the lake, these springs consist of unique peat soil hummocks that support rare plants. Wetland types identified in the project review area include riparian wetlands and palustrine emergent marsh, wet meadow, and forested wetlands. Open water habitats (both flowing and pooled water) also occur throughout the review area. Wetland soils in the review area are alkaline and tend to support salt- and alkaline-tolerant species such as Baltic rush and inland saltgrass.

Within the applicant's preferred alignment, there are approximately 3.67 acres of wetlands and 0.58 acre of ditches that would be directly impacted by the proposed project (Exhibit 2). The following types of:

- Palustrine Emergent Marsh: discharge of fill to 2.92 acres
- Palustrine Forested Wetland: discharge of fill to 0.76 acre

- Ditches: 7 crossings, discharge of fill to a maximum of 0.58 acre (with culverts installed to convey flow) through the ditch system.

Land use in the review area consists primarily of residential and agricultural land uses, with some commercial and light industrial land use occurring intermittently.

Alternatives. The applicant has provided information concerning project alternatives. The alternatives examined by the applicant appear in Exhibit 1. Additional information concerning project alternatives may be available from the applicant or their agent. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

Mitigation. The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. UDOT is currently in the process of developing a mitigation bank to serve several of its Utah County projects. UDOT is anticipating that a portion of the mitigation bank credits will be available for this project prior to construction.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Utah Division of Water Quality is required for this project. 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 (non-point sources) of wastes which will occur only during the actual construction activity and where best management practices would be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Ms. Shelly Quick, Utah Division of Water Quality, 288 North 1460 West, Post Office Box 144870, Salt Lake City, Utah 84114-4870, on or before **March 5, 2008**.

HISTORIC PROPERTIES: Based on the available information (including applicant's report entitled *An Archaeological, Architectural, and Paleontological Assessment of the Proposed East-West Connector Survey Area, Utah County, Utah*), cultural resources are within the project's area of potential effect. The Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act, as appropriate.

ENDANGERED SPECIES: The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat. The Corps will initiate consultation with the U.S. Fish and Wildlife Service, pursuant to Section 7 of the Endangered Species Act, as appropriate.

ESSENTIAL FISH HABITAT: The proposed project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act.

The above determinations are based on information provided by the applicant and our preliminary review.

EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described 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 described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain 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 activity's impact on the public interest will include application of the

Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps 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 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 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.

SUBMITTING COMMENTS: Written comments, referencing Public Notice SPK-2007-01489 must be submitted to the office listed below on or before March 5, 2008.

James McMillan, Senior Regulatory Project Manager
Utah Regulatory Office
533 West 2600 South, Suite 150
Bountiful, Utah 84010
Email: james.m.mcmillan@usace.army.mil

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant, the applicant's agent, or the Corps' project manager, James McMillan, by telephone at 801-295-8380 ext. 17, or by email: james.m.mcmillan@usace.army.mil.

Attachments: 4 drawings