

Final Environmental Assessment

Six-Mile Unit of the Southwest Manti Wildlife Management Area Land Disposal

Sanpete County, Utah

Decision Relating to
Federal Assistance Grant W-11-L

June 25, 2005

Prepared by the
Utah Division of Wildlife Resources
for the
U.S. Fish and Wildlife Service – Federal Assistance
Region 6
Denver, Colorado

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CHAPTER ONE

PURPOSE AND NEED FOR ACTION

The purpose of this proposed action is to sell 12 acres of the Six-Mile Unit of the Southwest Manti Wildlife Management Area to Sanpete County (a government entity.) This would allow the County to secure their preferred construction site for a new County Office Complex and Jail. The complex is needed to provide office space and modern incarceration units in the county seat of Manti. Sanpete County's preferred building site is identified in the "Sanpete County Sheriff's Complex Construction Project, Class I Environmental Assessment."

Because Six-Mile Unit of the Southwest Manti Wildlife Management Area parcel was purchased with federal grant funds under the Wildlife Restoration Act, the sale of such lands requires approval from the U.S. Fish and Wildlife Service (Service.) The approval of disposal of lands that are federal assets requires the Service to analyze this action and its potential impacts to the environment under the National Environmental Policy Act of 1969, as amended, and to allow the public an opportunity to review and comment on the Service's findings. The Service will use the analysis to determine if the action may result in significant impacts to the environment. If determined that none are likely, the Service will issue a finding of no significant impact. If it is determined that significant impacts may occur, the Service would be required to prepare an environmental impact statement.

BACKGROUND

In 1985 the Utah Division of Wildlife Resources purchased 88 acres of the Six-Mile Unit of the Southwest Manti Wildlife Management Area (WMA) for the purpose of providing habitat for big game during the winter months. The WMA contains over 7,000 acres of winter range habitat for mule deer. The acquisition was partially funded by the Wildlife Restoration Act program under grant W-11-L, "12 Mile Canyon Deer Winter Range." In 2006 the Sanpete County Commission (County) approached the Utah Division of Wildlife Resources (UDWR) about purchasing a 12-acre parcel within the Six-Mile Unit of the Southwest Manti (WMA) for the purpose of constructing a County Office Complex and Jail. The County explored several construction site options but found none to meet their needs as well as the UDWR parcel. UDWR determined the 12-acre parcel no longer served the purpose for which it was acquired because of steadily increasing human disturbances which are diminishing the wildlife values on the property. UDWR determined that it would be willing to sell the parcel to Sanpete County.

CHAPTER TWO

ALTERNATIVES

Proposed Action

The Proposed Action is to sell the 12-acre property to Sanpete County at appraised value. This sale would occur as a property disposal, sold at appraised value to Sanpete County.

This process of disposal would proceed on the basis of property value determined by a professional appraiser supplying a complete, self-contained appraisal report which complies with the provisions of both the *Uniform Appraisal Standards for Federal Land Acquisitions* and the *Uniform Standards of Professional Appraisal Practice*. The appraisal report and its conclusions then would be reviewed by an independent review appraiser. Once the original appraiser and the reviewer reached concurrence on the appraised value, UDWR would sell the parcel based on the established appraised value following federal appraisal guidelines. The proceeds from the sale of the 12-acre parcel would be credited to the Wildlife Restoration program to be used for future wildlife restoration projects.

No Action

No Action would consist of not selling the 12-acre tract and the property would remain in its current state.

Alternatives Considered but Dismissed from Further Analysis

Under a separate environmental assessment “Sanpete County Sheriff’s Complex Construction Project” (County Complex EA) recently prepared by the U.S. Department of Agriculture - Rural Development office in Richfield, Utah, several alternative sites for the jail complex were analyzed. Rural Development prepared that environmental assessment because of federal loans they will make to Sanpete County in support of the Sheriff’s Complex Construction Project.

While it is beyond the scope of the present analysis to consider alternative construction sites or details of the jail facility itself, the environmental assessment by Rural Development did explore several alternative locations. UDWR’s 12-acre tract ranked as the preferred location, based on factors such as the location of potential jail sites relative to suburban residential areas and expected housing growth, realty transaction feasibility (one potential seller demanded greater than fair market value for their land), and avoidance of visual impacts to a culturally significant religious edifice lit for night-time display. A Sanpete County-owned tract just north of Manti, not far from the religious building, might have served as a jail site if light interference with the visual aesthetics of a nearby church had not been foreseen. (Incarceration facilities must be extremely well lit at night, for security reasons). Rural Development and Sanpete County completed their broad analysis, arrived at a preferred alternative, and inquired with UDWR about purchase of the identified tract. The Service’s environmental assessment therefore focuses on two remaining options—to sell the tract, or not.

CHAPTER THREE

AFFECTED ENVIRONMENT

This sale parcel (Appendix I) is bounded on roughly 70% of its triangular perimeter by roadways experiencing year-round use: U.S. Highway 89 and Six-Mile Canyon Road county road. Human disturbances associated with road traffic and close proximity to town apply to impacts all year long to the 12-acre parcel. The tract is somewhat isolated as a result of on-going disturbances and the tract's position relative to private property located immediately east of the Six-Mile Canyon Road, although it is undeveloped presently.

Physical Resources

Air Quality

The tract is located in a rural setting where air quality is generally good as a result of low human population, no major industrial or agricultural emission sources, leading to a setting fairly low in human-caused pollutants. As a result of this fact, neither the U.S. Environmental Protection Agency nor the Utah Division of Air Quality has published air quality index data for Sanpete County on their webpage's. (Reference County Complex EA)

Water

The site in question is a dry upland without direct connection with any surface waters of the United States. The nearest natural, perennial water course is several miles to the west. Wetlands and floodplains are not present, nor are any hydric soils found on the tract (Appendix III). There is one irrigation canal situated east of the 12-acre tract, but it is not associated with the sale parcel. (Reference County Complex EA)

Biological Resources

Vegetation

Sagebrush is the major vegetation component on the parcel. Other vegetation includes grasses and forbs, which make up the understory. Juniper are sparsely scattered on the parcel.

Wildlife

At present the 12-acre parcel is included in the margin of UDWR's map of crucial winter range for mule deer. However, wildlife use is low. (Ashley Green, DWR Habitat Manager, pers. comm.). Mule deer, and migratory songbirds, are the only predictable wildlife in the immediate

area and their use of the tract is limited due to nearby roadways and human disturbance related to the tract's close proximity to town.

Fish and other Aquatic Species

There are no fish or other aquatic species present on or near the site in question.

Endangered, Threatened, or Candidate Species / State Sensitive Species

The Canada lynx (*Lynx Canadensis*), Heliotrope milk-vetch (*Astragalus montii*), Utah prairie dog (*Cynomys parvidens*), and Yellow-billed cuckoo (*Coccyzus americanus*) are federally listed species known to occur in Sanpete County. With the exception of the bald eagle migrating through the area, no federally Endangered, Threatened, or Candidate plants or animals, and no state-listed sensitive species, occur within or near the 12-acre parcel, based on the Utah Natural Heritage Program data current for January 29, 2007. Bald eagles do, however, make occasional use of a few winter roost sites located in the county.

Historical and Cultural Resources

Based on a ground survey conducted by TRC Mariah Associates Inc. no "eligible" historic or cultural resources occur on the sale parcel. The Deputy State Historic Preservation Officer concurred with TRC Mariah Associates Inc. conclusion that no eligible historic properties were likely to be impacted by the proposed action (Appendix II.) See County Complex EA for survey report.

Prime and Unique Farmland

No Prime or Unique Farmlands, or Farmlands of Statewide Significance, occur on or near the sale tract. (Reference County Complex EA)

CHAPTER FOUR

ENVIRONMENTAL CONSEQUENCES

Proposed Action

Sanpete County conducted public scoping and public meetings over the past couple of years on this proposed action. UDWR analysis of the proposed action and its potential affect on the natural resources have been presented to the public in those meetings.

Physical Resources

Air Quality

The impacts to air quality from sale of the property are expected to be negligible. . As described in the County Complex EA recently prepared by Rural Development, air quality impacts related to facility construction are expected to be temporary, and will be mitigated.

Water

This property is not a hydrologically significant project and there are no water sources or wetland habitats being affected. The jail-construction EA also found there to be no effects on the water quality of the area resulting from the project.

Biological Resources

Vegetation

The vegetation within the parcel will be highly disturbed by the construction of the county office complex and jail. This will also include paved parking and landscaped grounds, fencing, ingress and egress roadway for the facility. The existing 12 acres wildlife habitat would be severely impacted by the construction of the facility.

Wildlife

Relevant wildlife values on these 12 acres are compromised. However, the larger Federal Aid acquisition effort for the WMA was well designed. The mass of the WMA property in the general area is currently providing the expected benefits of secure big game winter ranges, and useful sagebrush grasslands for migratory birds.

The 12-acre parcel sale, however provides minimal habitat for big game winter range. It is isolated between roads, and frequently receives disturbance by human activities. Wildlife use and wildlife benefits to the public are both considered low (Ashley Green, UDWR Habitat Manager, pers. comm.) UDWR has determined the 12 acre parcel is no longer serving the purpose for which it was acquired and that it is surplus lands which could be sold without detriment to existing wildlife values.

The sale of the 12-acre parcel will have minimal impact on wildlife resources due to the available existing public land adjacent to the site and its low use by big game due to its close proximity to Manti, Utah (Appendix I.) The WMA land will still provide 7,275 acres of winter range for mule deer and other associated wildlife. Also the adjacent Manti-LaSal National Forest provides 1,413,111 acres of wildlife habitat. It is reasonable to expect the surrounding WMA land will continue to be managed for wildlife purposes.

Fish and other Aquatic Species

There are no fish or other aquatic species on the property, therefore no impacts will occur.

Endangered, Threatened, or Candidate Species / State Sensitive Species

Bald eagles might occasionally fly over, feed on road-killed animals, or may be seen in the area during winter. On November 1, 2006 John Fairchild, Utah Division of Wildlife, Regional Supervisor stated in a correspondence the following, "To our knowledge there are no known roosting or nesting sites in the immediate vicinity of the proposed jail complex."

In addition, the 12 acre parcel is small and directly adjacent to a State highway and does not provide suitable habitat for bald eagle habitat, so negative impacts are not foreseeable. Based on the current information no impacts are expected to occur to federally listed species.

Historical and Cultural Resources

There are no eligible historical or cultural resources present, so there would be no effect.

No Action

The No Action alternative would not change wildlife management activities on the UDWR tract, and the present conditions would generally continue. The WMA would remain undeveloped and available as wildlife habitat, although the previously described disturbance and location relative to busy roads would continue to depress the levels of wildlife use in that location. The tract would not provide very much in the way of wildlife benefit even though it would persist as an open site. Of course, there would be no sale proceeds to enable a subsequent reinvestment in other property, and no protection of as-yet unidentified wildlife habitats which may provide greater wildlife use.

Cumulative Impacts

It is not clear that any other related projects or projects with similar effects are being contemplated at this time, so no cumulative effects are likely. The area is largely undeveloped except for the the small city of Manti. While loss of WMA lands in a general discussion would be concerning, UDWR has determined this small tract is of little wildlife value at present, not serving the purpose for which it was acquired. Also, there is no accumulation of effects which would impact the remaining WMA area which is not being sold. No cumulative effects on wildlife are expected.

SUMMARY OF PUBLIC SCOPING

The availability of the draft Environmental Assessment was announced in a news release, distributed statewide in Utah to all newspaper publishers, congressional delegates, and Bureau of Indian Affairs offices. A notice was also published in the Sanpete messenger. The draft

Environmental Assessment was also made available online at <http://mountain-prairie.fws.gov/federalassistance>. No comments were received on the draft EA.

In addition to the above mention public input effort, the Sanpete County began a concerted effort to develop the new County Office Complex and Jail beginning early in 2005. As plans for an anticipated general obligation (“GO”) bond election became evident, opportunities to engage the public were pursued. Notice of the Sanpete County Commissioners’ intent to petition the Community Impact Board (“CIB”) for help with County Office Complex and Jail financing was made public, and this led to a successful award by the CIB in January 2006 of \$6 million, or approximately half of the needed County Office Complex and Jail funds.

Concurrently, the Sanpete County Commissioners and the Sanpete County Sheriff spoke on the local radio station’s “TableTalk” morning show, and visited each of the 13 Sanpete County municipalities during their respective city council meetings. Additionally, presentations with display panels were given at local senior citizen and VFW (Veterans of Foreign Wars) centers. The Commissioners made a practice of inviting those present to ask questions, and then to provide comments at subsequent County Commission meetings which included discussion of the jail as an agenda item. These efforts led to a successful GO bond election by the citizens of Sanpete County in June 2006, thus supplying the needed additional funding and showing public support for the County Office Complex and Jail Project. A summary of the scoping process and information can be found in Appendix III.

REFERENCE:

“Sanpete County Sheriffs Complex Construction Project, Class I Environmental Assessment with Environmental Report,” USDA, Rural Development, 2006

“Sanpete County Sheriffs Complex Construction Project, Environmental Report,” USDA, Rural Development, 2006

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Appendix I

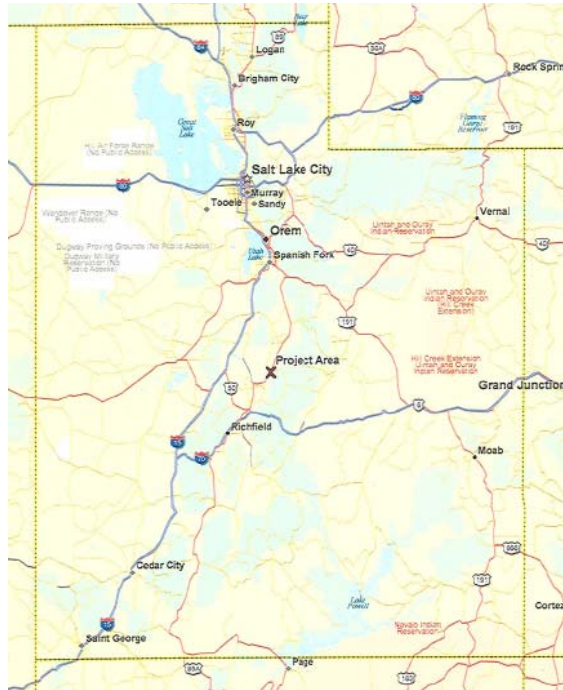


Figure 1. General location of the proposed UDWR land disposal (“Project Area”) in central Utah.

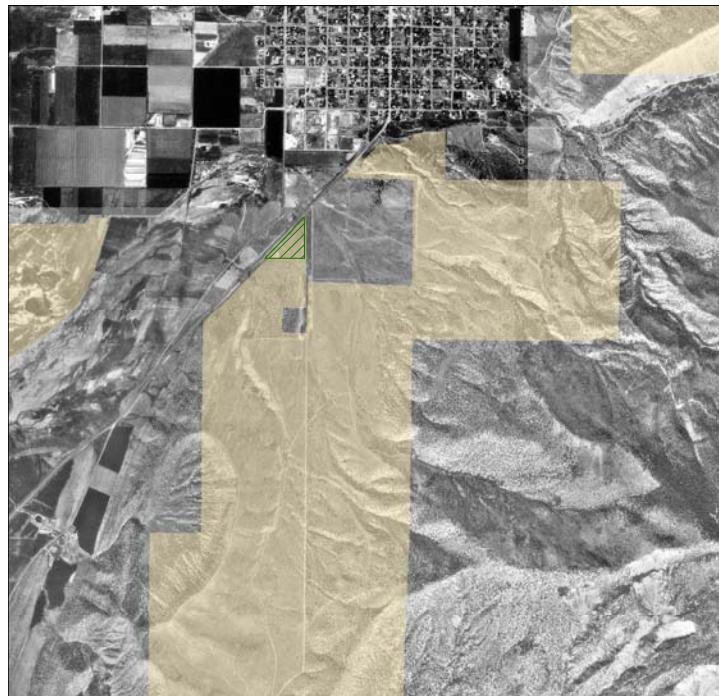


Figure 2. Location of the proposed sale tract ½ mile south of Manti, Utah, between U.S. 89 and a private tract located to the east.

Appendix II



State of Utah

M. HUNTSMAN, JR.
Governor

ARY R. HERBERT
Lieutenant Governor

Department of Community and Culture

Palmer DePaulis
Executive Director

Ally Isom
Deputy Director

SEP 27 2006

ASDA
Richfield

DIVISION OF STATE HISTORY
STATE HISTORIC PRESERVATION OFFICE

Consultation Response and Concurrence Notification

Date September 20, 2006

SHPO Case Number 06-1424 (In reply, please refer to this number)

RE: Sanpete County Sheriff's Complex

The Utah State Historic Preservation Office received your request for comment on the above referenced project on

September 12, 2006.

We concur with your determination(s).

Final Statement (Relevant statement(s) checked):

This letter serves as our comment on the determinations you have made, within the consultation process specified in §36CFR800.4. If you have questions, please contact me at (801) 533-3555 or mseddon@utah.gov.

Utah Code 9-8-404(1)(a) denotes that your agency is responsible for all final decisions regarding cultural resources for this undertaking. Our comments here are provided as specified in U.C.A. 9-8-404(1)(b). If you have questions, please contact me at (801) 533-3555 or mseddon@utah.gov.

Signed:

Matthew T. Seddon, Ph.D., RPA
Deputy State Historic Preservation Officer - Archaeology

Appendix III

USDA Rural Development posted a notice of their finding (of no significant impact) in the *Sanpete Messenger*, a local weekly newspaper of general circulation in Sanpete County, during the weeks of March 7 and March 14, 2007. This notice stated for all to consider the specific location of the UDWR property considered for sale. The notice is appended below, and followed on the subsequent page of this appendix by the letter from Rural Development.

Notice of a Finding of No Significant Impact

The USDA, Rural Development has received an application for financial assistance from Sanpete County Municipal Building Authority. The proposed project consists of constructing a county sheriff's office complex and jail facility. The location of the facility is on the Southwest corner of the intersection of U.S. Highway 89 and the Six-Mile Canyon Road, South of Manti, Utah as required by the National Environmental Policy Act, Rural Development has assessed the potential environmental effects of the proposed project and has determined that the proposal will not have a significant effect on the human environment and for which an Environmental Impact Statement will not be prepared. The basis for this determination is data presented in the Environmental Assessment dated January 22, 2007. In order to avoid or minimize any adverse environmental impacts, Rural Development will require the applicant to incorporate the following mitigation measures into the proposed project's design and construction

1. Outside construction activities for this project will be avoided, during the months of November through March to avoid harassing eagles.
2. All native trees that can be left undisturbed within the design of the facility will be left undisturbed in order to maintain as much natural roosting areas for the eagle as possible.

Copies of the Environmental Assessment can be reviewed or obtained at the USDA Rural Development office located at 340 North 600 East, Richfield, Utah 84701. For further information please contact, Hal Nielson, Rural Development Specialist at (435) 896-5489 Extension 121.

Publish Sanpete Messenger, Sanpete Messenger/GV Edition, March 7, 14, 2007.

UPAXLP



United States Department of Agriculture
Rural Development

340 North 600 East
Richfield, Utah 84701

(435)896-5489
FAX (435)896-4819

3/5/2007

Mark Anderson
Sanpete County Building Authority
160 North Main
Manti, Utah 84642

Ref.: Notice of a Finding of No Significant Impact

Dear Mr. Anderson:

USDA-Rural Development has completed the environmental assessment of the Sanpete County Sheriff's Office Complex and Jail Facility.

Before the environmental review can be completed, Rural Development's regulation require that the enclosed Notice of a Finding of No Significant Impact be published in a newspaper of general circulation in the project vicinity and in any local or community oriented newspaper in the project area. The notice must be published in easily readable type in a non-classified ad section of the newspaper for three consecutive days if in a daily paper or two consecutive issues if other than a daily. It is Sanpete County's responsibility to make the necessary arrangements to publish the enclosed notice.

You must provide Rural Development with a copy of the published notice as it appeared, the names(s) of the newspaper(s) in which the notice was published, the dates of publication, and **affidavit of publication** as soon after publication as possible.

Thank you for your assistance.

If you have any questions, please contact me at (435) 896-5489, extension 121.

Sincerely,

A handwritten signature in cursive script that reads "Hal A. Nielson".

Hal A. Nielson
Area Specialist

Enclosures

*USDA Rural Development is an Equal Opportunity Lender, Provider, and Employer.
Complaints of discrimination should be sent to: USDA, Director
Office of Civil Rights, Washington, D.C. 20250-9410*

Summary of Public Engagements Regarding Sanpete County Sheriff's Complex

			Present	Outcome
2005 Date	Purpose/Activity			
MAR	Noticed Special Meeting to discuss feasibility study for new jail 8 w/architect Joe Linton	Commissioner Chair Bruce Blackham, Commissioner Claudia Jarrett, Attorney Ross Blackham, County Clerk Kris Frischknecht, Architect, Joe Linton, County Sheriff Kay Larsen, Deputies Andy Lyon & Kevin Holman, Jail Commander Robert Braithwaite, and CUCU Warden Lowell Clark	Commissioner Chair Bruce Blackham, Commissioners Claudia Jarrett & Mark Anderson, Attorney Ross Blackham, County Clerk Kris Frischknecht, Architect, Joe Linton, County Sheriff Kay Larsen, and Kristine Parker. CR Truitt from the Sanpete New Company Sanpete County Commissioners & Sheriff, Zions Financial Advisor, Corrections Director Scott Carver Inmate placement, Hayes Lock, and CIB Executive Director Keith Burnett	Pursue jail site location & possible leasee's in the new facility. Work with Corrections for resolution with special session of legislature for State inmate contracting. All are positive about moving forward towards new jail facility.
MAR	Noticed Commission Meeting Agenda includes Zions Bank for discussion of financial options for facilities and feasibility study for jail 15		Sanpete County Commissioners & Sheriff, Zions Financial Advisor, Corrections Director Scott Carver Inmate placement, Hayes Lock, and CIB Executive Director Keith Burnett	County will consider revenue or GO bond for financing the jail. Discussion will continue on size and possible lessee's in the jail facility
SEPT	23 Meeting w/Corrections & CIB		Sanpete County Commissioners, Attorney, Clerk, & Auditor. Brian Baker, Joe Linton CR Truitt for the Sanpete News Company	At meeting w/Corrections, are anxious and willing to contract with Sanpete County for bed for State Inmates. At meeting with CIB Director, thinks have a good project for CIB funding.
NOV	Noticed Special Meeting on application to CIB for Jail 30			No comments from the public.
2006				
JAN	5 CIB meeting		County Commissioners, Clerk, Financial Advisor, CIB Board	Successful in securing a \$6,000,000 loan towards the building of the new Sheriff Complex

FEB	7	Commission Meeting	Commissioners, Clerk, Attorney, DWR Regional Manager John Fairchild	Initial discussion of possibility of acquiring DWR ground for jail with Regional Manager during presentation of annual PILT payment.
FEB	23	KMTI TableTalk	Commissioners, Sheriff, and radio announcer Larry Maskow	
MAR	6	Strategic meeting on jail plus one w/advocates (Powerpoint Presentation)	Commissioners, Clerk, Financial Advisor, Architect, and various prominent citizens from the County: Jack McAllister (Mt. Pleasant), Representative Rick Wheeler, Betty Mickelson (Ftn. Green) LaMar Stewart (Gunnison), Don Thompson (Ephraim), Mayor Natasha Madsen (Manti), Mayor Cliff Birrell (Ephraim), Gary Anderson (USU Extension), Mike Barclay (So Sanpete School Board), Tim Blackham (Snow College Board of Trustees), Lowell Clark (CUCF Warden), Lloyd Call (Sanpete New Agency), etc. Approximately 25 in attendance.	Good comments from invited advocates on how to sell the jail to the public. Had a powerpoint presentation from the architect and took a tour of the current jail.
APR	See April Calendar	Presentations to municipalities/senior & veteran centers/Protect your County open house	Commissioners, Sheriff, Mayors, Council Members, public attending city council meetings	Displayed architectural drawings of the facility, provided handout of why needed, answered questions, and asked for support for project at polls. Overall response very positive.
APR	18	Noticed meeting with agenda items resolution for County Government Week and discussion of jail	Copmissioners Jarrett & Anderson, Attorney Blackham, Clerk Frischknecht. CR Truitt from media.	Planned Protect Your Community as part of County Government Week for April 26 with tour of jail, handouts, and display of architectural drawings.
MAY	18	Centerfield City Council	County Commissioners, Centerfield City Mayor & City Council, public.	Good positive feedback regarding the jail.
JUNE	6	Received letter from Concerned Citizens/responded to 17 questions regarding jail	County Commissioners, Attorney, Clerk, & Flo Mitchell. CR Truitt (media)	Concerned citizens and Flo Mitchell were appreciative of the information regarding the jail complex.
	20	KMTI TableTalks	Commissioners, Sheriff, and radio announcer Larry Maskow	

14	Preparation of TV Ad about the new jail	Commissioner Bruce Blackham, producer Greg Dettinger	To be broadcast on two public TV channels in the county up until GO Bond Election
19	Fairview Seniors	Commission & Sheriff	Positive feedback from Seniors
20	KMTI Table Talk/Distribute jail brochure insert in local paper supplementing front page article		
21	Spring City Seniors/ Mount Pleasant Seniors/ Gunnison City Council	Commissioners, Sheriff, approximately 25-30 seniors at each location. Gunnison City Mayor & Council, public.	
26	Bond Election		PASSED!

January 25, 06 **At a glance**-\$6 million Sanpete County jail funding approved, page 1
 February 1, 06 **Article**-Commissioners propose bond election for jail, page 1
 March 29, 06 **Article**-Commissioners seek support from leaders for new county jail, page 1
 April 12, 06 **Article**-Jail bond election going ahead as planned, page 3
 April 12, 06 **Article**-County enlists Spring City's support for new jail, page 4
 June 7, 06 **Notices**-Official Ballot, Jail proposition
 June 14, 06 **Article**-Bond Election is do or die for proposed Jail, page 1
 June 14, 06 **Letter to Editor**- Mayors support new jail, page 4
 June 14, 06 **Paid Advertisement**-Open letter to Sanpete county citizens (opposing jail), page 4
 June 21, 06 **Article**- Election will feature jail bond, sheriffs race, page 1
 June 21, 06 **In our Opinion**-Jail proposal is farsighted, viable plan, page 4
 June 29, 06 **Article**-Jail is a go, Howe unseats Larsen in primary, page 1-2
 July 19, 06 **Article**-Change is in the air for Manti, page 1
 July 19, 06 **News**-Jail, courthouse tops agenda at Sanpete commission meeting, page 4

Listing of jail-related articles published in the *Sanpete Messenger* during 2006.