



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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DEC 21 2018

Ref: 8EPR-N

Darrn Bunker, Project Manager  
Utah Department of Transportation  
658 North 1500 West  
Orem, Utah 84057

Naomi Kisen, Environmental Program Manager  
Utah Department of Transportation  
4501 South 2700 West  
Salt Lake City, Utah 84129

Dear Mr. Bunker and Ms. Kisen:

Pursuant to Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency Region 8 reviewed Utah Department of Transportation's (UDOT) I-15, Payson Main Street Interchange Final Environmental Impact Statement (Final EIS) (CEQ No. 20180287). The project purpose includes improving traffic operations in Payson by reducing expected roadway congestion at the Main Street interchange and on Main Street and addressing design deficiencies to meet current roadway design standards.

Thank you for involving EPA as a Cooperating Agency and engaging other agencies in the NEPA process. We appreciate UDOT's efforts to address EPA's air quality comments and the additional Nebo Beltway Phase I information and indirect impact discussion in the Final EIS. The enclosure to this letter identifies several remaining concerns that we recommend UDOT address through the CWA Section 404 permitting process. These include: (1) the evaluation of the Nebo Beltway, (2) acreage of secondary impact to wetlands and the differences between alternatives, and (3) the selection of a preferred alternative that has more wetland impacts than other practicable alternatives presented in the Final EIS. This information will be needed for the U.S. Army Corps of Engineers (USACE) CWA 404 permit process and should help to inform the Record of Decision. We recommend that UDOT work with U.S. Army Corps of Engineers to identify the information necessary to meet the requirements of the CWA Section 404 implementing regulations.

If you would like to discuss our comments, please contact me at (303) 312-6704, or Lisa Lloyd of my staff at (303) 312-6537 or [lloyd.lisa@epa.gov](mailto:lloyd.lisa@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "P. Strobel", with a large, circular flourish that loops around the text.

Philip S. Strobel  
Director, NEPA Compliance and Review Program  
Office of Ecosystems Protection and Remediation

Enclosure

cc: Michael A. Pectol, USACE

Enclosure  
Explanation of EPA's Concerns for Payson Final EIS

Evaluation of Nebo Beltway

UDOT added to the Final EIS a helpful explanation of the Nebo Beltway Phase I relationship to project purpose and need and summarized its alignments based on the 2009 *Provo to Nebo Corridor Study*. The Final EIS does not consider certain information that may be needed for the CWA Section 404 permit including footprint, termini or slight alignment variations that could avoid additional wetlands and still meet the project purpose and need. Since only a summary of the *Provo to Nebo Corridor Study* is provided, it is not clear how comprehensive the impact and alignment analysis was. For instance, the Nebo Beltway Phase 1 is presented as a "five-lane facility to be consistent with the *TransPlan40* and Phase II recommendations described in the *Provo to Nebo Corridor Study*." The Final EIS does not include an evaluation of the number of lanes needed to meet this project's purpose and need. We recommend examining the road design needed to meet the project's purpose prior to initiating CWA 404 permitting.

The FEIS states that the Nebo Beltway Phase I alignment was shifted to the extent feasible to avoid or minimize impacts to wetlands W4a, W4b, W5, W6, W78, W8, and W9a, meet design standards, and provide a connection to future phases of the Nebo Beltway (Final EIS page 2-57). The Final EIS also states (page 3-147) that the beltway was aligned as presented in the 2009 study to maintain the optimal intersection with SR-198, where the Phase I beltway terminates. We appreciate that the described roadway alignment avoids some wetlands. We are concerned that optional termini locations for the Phase I Nebo to potentially avoid additional wetlands are not analyzed. Future phases of the Nebo Beltway have not been evaluated through the NEPA or CWA Section 404 processes. Thus, it is unknown whether less environmentally damaging practicable alternatives for the Nebo Beltway and SR-198 intersection location are available. We recommend discussing with the USACE whether shifting the intersection location could reduce wetland impacts at the intersection as well as in the resulting alignment for future phases of the Beltway.

Secondary Impact

We appreciate that additional discussion regarding potential impacts to wetlands was added to the indirect impacts section. The added information references potential design factors to help minimize impacts from runoff and bisection of wetlands by the roadway. Information regarding the acreage and types of wetlands and other waters of the U.S. within the 300 feet buffer along this roadway would help to characterize the secondary impacts for each alternative. Additionally, understanding the differences in secondary impacts, including acreage, between the preferred alternative and other alternatives would be useful. Secondary impacts are considered under CWA Section 404 implementing regulations prior to the CWA Section 404 permitting action. We recommend working with the USACE to provide this information to both USACE and EPA.

## Preferred Alternative

As shown in Final EIS tables 2-11 and 3.14-4, the Preferred Alternative has higher impacts to wetlands than other alternatives that meet the purpose and need and may represent less environmentally damaging practicable alternatives under the CWA Section 404 implementing regulations. We recognize that there are other considerations, including impacts to the built environment, from some of these alternatives. Impacts to two USDOT Act of 1966 Section 4(f) properties (historic sites) are specifically noted. It is not evident that the noted Section 4(f) impacts would make an alternative not practicable under the CWA Section 404 implementing regulations, which prohibit discharges to wetlands where there is a practicable, less damaging alternative. We recommend UDOT work with USACE to document whether these alternatives are practicable under the CWA Section 404 implementing regulations.