

**PRO-FONSI-11-006**

**FINDING OF NO SIGNIFICANT IMPACT  
And Decision Document**

**Hancock-State Road Canals Salinity Control Project  
Uintah and Duchesne Counties, Utah**

**United States Department of the Interior  
Bureau of Reclamation  
Upper Colorado Region  
Provo Area Office  
Provo, Utah**

Recommended by:

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Jeffrey D'Agostino  
Chief, Environmental Group

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Date

Concur:

\_\_\_\_\_  
Kerry Schwartz  
Manager, Water and Environmental  
Resources Division

\_\_\_\_\_  
Date

Approved by:

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Curtis A. Pledger  
Area Manager, Provo Area Office

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Date

## **FINDING**

The Bureau of Reclamation, Provo Area Office, has determined that implementing the proposed action analyzed in the Hancock-State Road Canals Salinity Control Project Environmental Assessment (EA) would not have a significant impact on the quality of the human environment, and that an Environmental Impact Statement is not required. This decision was based on a thorough review of the EA, and on agency correspondence received on the EA. This decision is in accordance with the National Environmental Policy Act (NEPA) of 1969 (Public Law 91-90), as amended, and both the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1500-1508), and the Department of the Interior regulations implementing NEPA (43 CFR 46).

## **DECISION**

Reclamation has decided to provide funding authorized under the Colorado River Basin Salinity Control Program, to implement the Action Alternative described in the EA. The project would replace the existing Hancock Canal, Martin Lateral, and the State Road Lateral with pipeline. The project would abandon and replace approximately 18 linear miles of existing open unlined earthen laterals with approximately 16.72 linear miles of new pipeline. The new pipeline would connect to approximately 12 linear miles of piped segments of the existing irrigation lines.

The proposed project would allow the replacement of the existing Hancock Canal, the Martin Lateral, and the State Road Lateral with pipelines, while protecting environmental resources as described in Chapter 3 of the EA. Some open water habitat along the laterals would be lost once the laterals are abandoned and the new pipeline is placed and buried. A habitat replacement plan to compensate for wildlife values foregone must be prepared and finalized by the Dry Gulch Irrigation Company, and approved by Reclamation following coordination with the U.S. Fish and Wildlife Service (FWS), and the Utah Division of Wildlife Resources (DWR) prior to project completion and final payment of funds. Furthermore, the piping of the Martin Lateral would have an adverse effect on the cultural resource. A Memorandum of Agreement (MOA), between the Dry Gulch Irrigation Company, Reclamation, and the Utah State Historic Preservation Office (SHPO) would be devised and implemented prior to the commencement of construction activities associated with the cultural resource.

## **REASONS FOR THE DECISION**

The finding of no significant impact and the decision to authorize funding for the project are based on the following:

1. The proposed project would have no significant effect on such unique characteristics as wilderness areas or wetlands.
2. The environmental effects of the proposed action are neither controversial nor do they involve unique or unknown risks.

3. The proposed action would have no effect on species either currently listed or proposed for listing as candidate, endangered or threatened species, and would not affect designated critical habitat for these species.
4. The proposed action does not threaten to violate Federal, state, or local laws or requirements, imposed for protection of the environment.

Reclamation has analyzed the environmental effects, agency comments, and the Action Alternative in detail. Reclamation believes that the Action Alternative best meets the purpose and need described in the EA.

### **PUBLIC INVOLVEMENT AND AGENCY COORDINATION**

On January 24, 2012, Reclamation sent the EA to interested individuals, groups, stakeholders, municipalities, organizations, and agencies for review and comment. One comment was received during the comment period.

The Utah SHPO, the Bureau of Land Management, the FWS, the Utah DWR, and the U.S. Army Corps of Engineers (USACE) were contacted pursuant to applicable laws and coordination with those agencies was completed.

Tribal consultation in accordance with 36 CFR 800(c)(2) was also completed.

### **SUMMARY OF ENVIRONMENTAL IMPACTS**

The expected environmental impacts of the Action Alternative are described in Chapter 3 and summarized on pages 37-38 of the EA. The environmental analysis indicates that under the Action Alternative there would be impacts to riparian resources from the permanent loss of the riparian areas along the existing laterals. The existing unlined laterals would be abandoned and replaced with a buried pipeline. There would also be an adverse effect on the Martin Lateral. A portion of the Martin Lateral would be replaced with a buried pipeline.

### **ENVIRONMENTAL COMMITMENTS**

The environmental commitments described in Chapter 4 of the EA, must be implemented as an integral part of the proposed action. These commitments include:

**1. Standard Reclamation Best Management Practices** – Standard Reclamation Best Management Practices would be applied during construction activities to minimize environmental effects, and would be implemented by construction personnel or included in contract specifications.

**2. Additional Analysis** – If the proposed action were to change significantly from the alternative described in this EA, additional environmental analyses would be undertaken as necessary.

**3. State Stream Alteration Permit** – Before implementing the selected alternative, the contractor would obtain a Joint Application Permit for a Stream Alteration Permit from the USACE and the Utah State Department of Environmental Quality (if necessary). The conditions and requirements of the Joint Application Permit would be strictly adhered to the contractor.

**4. Cultural Resources** – Any person who knows or has reason to know that he/she has inadvertently discovered possible human remains on Federal land, must provide immediate telephone notification of the discovery to Reclamation’s Provo Area Office archaeologist. Work will stop until the proper authorities are able to assess the situation onsite. This action will promptly be followed by written confirmation to the responsible Federal agency official, with respect to Federal lands. The Utah SHPO and interested Native American tribal representatives would be promptly notified. Consultation would begin immediately. This requirement is prescribed under the Native American Graves Protection and Repatriation Act (43 CFR Part 10); and the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470).

A MOA will be executed to mitigate for the adverse effect to the Martin Lateral. Mitigation for the adverse effects to the lateral, set forth in the stipulations of the MOA, must be completed before construction activities associated with the proposed action begin.

**5. Paleontological Resources** – Anyone who inadvertently discovers possible paleontological resources must stop work immediately and contact the Reclamation’s Provo Area Office archaeologist. Work would stop until the proper authorities are able to assess the discovery.

**6. Construction Activities Confined to the Surveyed Corridor** – All construction activities would be confined to the 100 foot wide corridor that has been surveyed for cultural, paleontological, and biological resources.

**7. Roads** – Existing roads would be used whenever possible for project activities. New access roads would be necessary along the new pipeline alignments.

**8. Disturbed Areas** – During construction, topsoil would be saved and then redistributed after completion of construction activities. Subsequently, disturbed areas resulting from the project would be smoothed, shaped, contoured, and reseeded to as near their pre-project condition as practicable. Seeding and planting would occur at appropriate times with weed-free seed mixes of native plants and agricultural grasses, distributed where appropriate.

**9. Air Quality** – Best management practices would be implemented to control fugitive dust during construction. The contractor would follow the EPA’s recommended control methods for aggregate storage pile emissions to minimize dust generation, including periodic watering of equipment, staging areas, and dirt/gravel roads. All loads that have the potential of leaving the bed of the truck during transportation would be covered or

watered to prevent the generation of fugitive dust. Construction machinery and operation/maintenance vehicles would be routinely maintained to ensure that engines remain tuned and emission-control equipment is properly functioning as required by law. Additionally, the contractor would comply with all Utah State air quality regulations.

**10. Habitat Replacement** – A plan to replace wildlife values foregone will be prepared by the applicant and approved by Reclamation following coordination with the USFWS and Utah DWR. Total acreage of wildlife habitat predicted to be lost is 19.45 acres of riparian habitat along the lateral.