



# Finding of No Significant Impact

in support of the  
Environmental Assessment

## Block Notice 1A Heber Sub-Area Agricultural Water to M&I Water Conversion

U.S. Department of the Interior  
Central Utah Water Conservancy District

September 2011







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## 1.0 Finding

In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and based on the following, the Department of the Interior (Interior) and Central Utah Water Conservancy District (CUWCD) have determined that the proposed *Block Notice 1A Heber Sub-Area Agricultural Water to Municipal and Industrial (M&I) Water Conversion* will not result in a significant impact on the human or natural environment. The following paragraphs provide information that supports this finding. More detailed information is presented in the Final Environmental Assessment (EA) for the action, which is being published concurrently with this Finding of No Significant Impact.

## 2.0 Purpose of and Need for the Action

The proposed action is needed to respond to changes in land use in Wasatch County by converting agricultural water delivered under Block Notice 1A to the Heber Sub-Area from agricultural to M&I use when requested by petitioners and contract holders. The project is also needed to expand the Heber Sub-Area to address the expected future demand for M&I water in Wasatch County.

The purposes of the proposed action are to:

- Continue to provide Central Utah Project (CUP) water to petitioners and water contract holders.
- Improve efficiency in water delivery and application.
- Avoid adverse effects to the Wasatch County Water Efficiency Project (WCWEP).
- Avoid adverse effects to the groundwater of Wasatch County.
- Accommodate emergency delivery of Block Notice 1A water.

## 3.0 Proposed Action

The proposed action would:

- Administratively convert up to 12,100 acre-feet of CUP Bonneville Unit agricultural water, delivered under Block Notice 1A and allotted to the Heber Sub-Area, from agricultural to M&I use.
- Expand the Heber Sub-Area.

The proposed action would also require modifying Block Notice 1A to reflect these administrative changes. Completing this EA would allow the administrative changes but would not automatically convert the water. The actual conversion would be completed by CUWCD and Interior consistent with Bureau of Reclamation law over time as requests are received from petitioners and contract holders.

Finally, the proposed action would provide for installation and operation of a temporary water-delivery system in the event of an emergency that affects the water supply to the



Jordanelle Special Service District (JSSD) Keetley Water Treatment Plant at Jordanelle Reservoir. During an emergency, this system would provide JSSD with a temporary method to receive its contracted portion of the Block Notice 1A water. Because the temporary water-delivery system would be installed on federal land, Interior would need to issue a license agreement to JSSD as part of the process.

## 4.0 Environmental Assessment Process

Interior and CUWCD identified issues and concerns through communication with individuals, agencies, and organizations that might be affected by or have an interest in the project. Interior and CUWCD initiated scoping through a notice in the Federal Register published on April 9, 2010. The agencies asked for comments during a public and agency scoping period held from April 9 to July 16, 2010. To facilitate public involvement in the scoping process, the agencies also sponsored a public scoping meeting on June 16, 2010. The scoping meeting was used to gather additional input from interested and affected individuals, organizations, agencies, and government entities.

Interior and CUWCD prepared a Draft EA and distributed the document for public and agency comment in June 2011. A notice of document availability was published in the Federal Register on June 21, 2011. Two agencies commented on the content of the Draft EA. No other comments were received.

The EA evaluated a no-action alternative and the proposed action.

## 5.0 Environmental Consequences

### 5.1 No-Action Alternative

Under the no-action alternative, Block Notice 1A would not be modified. 12,100 acre-feet of CUP agricultural water would not be converted to M&I use but would remain as a CUP agricultural supply to be used on qualifying agricultural parcels. The Heber Sub-Area would not be expanded, so areas outside the existing Heber Sub-Area boundary would not receive water from the Bonneville Unit. The 12,100 acre-feet of water could be applied only to eligible land in the Heber Sub-Area. Finally, the no-action alternative would not provide for installation and operation of the emergency water-delivery system at the JSSD Keetley Water Treatment Plant.



## 5.2 Proposed Action

Table 1 summarizes the expected effects of the proposed action. The action would not result in any significant effects.

**Table 1. Summary of Effects for the Proposed Action**

Subject	Summary
Air quality	No long-term effect. Potential short-term effects associated with temporary pump operation, but these effects are not significant.
Cultural resources	No effect.
Farmland and agricultural production	No adverse effect. Potential expansion of agriculture on smaller parcels (less than 2 acres).
Fish and wildlife resources and habitat (including threatened and endangered species)	Potential short-term, minor effects to locally common wildlife near temporary pumping station if the station is installed. Potential impacts to fish living in Jordanelle Reservoir at temporary pumping station if plant is installed; with mitigation, this effect is not significant. No effect to special-status species.
Soils	No long-term effect. Temporary short-term effects at temporary pumping station if station is installed; these effects are not significant.
Invasive species	Potential inadvertent transfer or spread of zebra or quagga mussels possible if these species become established in Jordanelle Reservoir, the temporary pumping station is installed, and potentially infected pumps are not thoroughly cleaned before next use. With mitigation, this effect is not significant.
Land-use plans and conflicts	Potential changes in rate of expected development, but no overall effect to land-use types, patterns, or densities; this effect is not significant.
Public facilities	No effect.
Water resources and water quality	No effect to baseline water balance in Jordanelle Reservoir, Deer Creek Reservoir, Provo River, or Heber Valley groundwater aquifer. Negligible changes in return flow timing. No effect on water quality or water rights.
Wetlands and riparian resources	Installing temporary pumping station could temporarily affect poor-quality riparian habitat on Jordanelle Reservoir shoreline; this effect is not significant.

## 5.3 Permits, Licenses, and Authorizations

Converting 12,100 acre-feet of water from agricultural to M&I will not cause any physical changes to the environment that would trigger the need for construction permits, new operating permits, or new licenses.

If Interior issues a license agreement that allows installation of the temporary water-delivery system, activity associated with installing the pump station and pipelines would not be likely to disturb 1 or more acres of ground and would not need a Utah Pollutant Discharge Elimination System (UPDES) construction permit. Installing and operating the pumping



station would also not permanently affect waters of the United States; therefore, no Clean Water Act Section 404 permit would be required. In addition, no threatened or endangered species or historic resources would be affected.

## 6.0 Comments on the Draft EA

Interior and CUWCD released a Draft EA on June 27, 2011. The agencies asked for public and agency comments on the Draft EA through July 2011. The following agencies submitted comments during the comment period:

- Larry Crist, U.S. Fish and Wildlife Service, Utah Field Office
- Utah Division of Wildlife Resources (comments transmitted by John Harja, Public Lands Policy Coordination Office, Utah Governor's Office)

No other comments were received.

The U.S. Fish and Wildlife Service commented that the EA should disclose and analyze the effects of the proposed project on Southern leatherside in Main Creek and should investigate opportunities to further the conservation of Southern leatherside by augmenting and/or maintaining in-stream flow for Main Creek. The Final EA responds that the proposed conversion would not cause any physical changes to the Main Creek drainage and would not affect existing return flows to the creek. This drainage was not included in the original Heber Sub-Area, so return flows were not historically affected by the application of Block Notice 1A water. This project also does not propose to construct new facilities to deliver converted CUP water to the expanded sub-area. Because the rate and timing of applying converted water in this area is unknown and interested parties would need to install infrastructure to deliver water, it is speculative to estimate the magnitude of potential increases in return flow to Main Creek in the future.

The Division of Wildlife Resources commented that the EA should more thoroughly describe the Main Creek and Spring Creek drainages, address Southern leatherside, and more thoroughly describe the effects of conversion on Bonneville cutthroat trout and Columbia spotted frog. The Final EA responds that the EA does identify Spring Creek as a tributary to the Provo River. The EA has been updated to identify Main Creek as a tributary to Deer Creek Reservoir and to describe the fishery habitat of Main Creek. The Final EA has also been updated to include information about Southern leatherside and analyses of the effects on Bonneville cutthroat trout in the Main Creek drainage and on Columbia spotted frog in the Spring Creek drainage.



## 7.0 Summary

Based on the analysis of potential environmental effects contained in the attached EA, Interior and CUWCD have determined that the impacts are not expected to be significant and an environmental impact statement is not required.

The decision to allow the proposed action does not result in any undue or unnecessary environmental degradation. This Finding of No Significant Impact, has, therefore, been prepared and is submitted to document environmental review and evaluation of the proposed action in compliance with the National Environmental Policy Act of 1969, as amended.

Recommended by:

A handwritten signature in blue ink, reading "Sarah Sutherland", written over a horizontal line.

Sarah Sutherland  
Environmental Programs Manager  
Central Utah Water Conservancy District

Approved by:

A handwritten signature in blue ink, reading "Reed Murray", written over a horizontal line.

Reed Murray  
CUPCA Program Manager  
U.S. Department of the Interior