

UTAH RECLAMATION MITIGATION AND
CONSERVATION COMMISSION

FINDING OF NO SIGNIFICANT IMPACT
REALIGNMENT OF A PORTION OF THE UTAH LAKE DRAINAGE BASIN
WATER DELIVERY SYSTEM

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Finding of No Significant Impact

FINDING

The Utah Reclamation Mitigation and Conservation Commission (Mitigation Commission) finds that none of the Action Alternatives, as described in the Environmental Assessment (EA) for the Realignment of a Portion of the Utah Lake Drainage Basin Water Delivery System (ULS), would have a significant impact on the quality of the human or natural environment and that an Environmental Impact Statement is not required. Potential impacts on the human and natural environment were evaluated relative to the existing environment. For each environmental resource or issue, anticipated direct and indirect effects were assessed, considering both short- and long-term project effects. The Mitigation Commission, in coordination with the Central Utah Water Conservancy District (CUWCD) and the U.S. Department of the Interior (Interior), as Joint Lead Agencies, has decided to authorize implementation of Alternative 1 - the Preferred Alternative, with Option C as the proposed action. This decision was based on a thorough review of the EA and the public comments received on the EA. This decision is in accordance with the National Environmental Policy Act (NEPA) of 1969 (Public Law 91-90), as amended, the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations (CFR) 1500-1508), and the Mitigation Commission's Policy and Procedures for Implementing the National Environmental Policy Act (43 CFR Part 10010).

DECISION

The Mitigation Commission has decided to authorize implementation of Alternative 1 - the Preferred Alternative, with Option C, for the proposed action. This decision concurs with the decision by Interior to authorize the CUWCD to implement the following proposed action for the construction alignment of the Provo and Orem portion of the Spanish Fork – Provo Reservoir Canal (SFPRC) Pipeline:

The proposed action (Alternative 1 - Preferred Alternative) would begin in Provo at the intersection of 450 North and Seven Peaks Boulevard and follow Seven Peaks Boulevard to 700 North and then proceed west on 700 North to 900 East. The alignment would proceed north on 900 East to 2200 North and then continue west along 2200 North to University Avenue. The alignment would then proceed north along University Avenue to approximately 700 North in Orem (5700 North in Provo), where the pipeline would cross the Provo River and connect to the proposed flow control structure located just north of 800 North. From the flow control structure, the pipeline would continue north and terminate at the Alpine/Jordan Aqueduct. Alternative 1 also includes a pipeline along 800 North that would connect the flow control structure to the Provo Reservoir Canal (PRC) on 800 North and a pipeline to the previously described Provo River delivery point.

The Preferred Alternative Alignment - Option C would start at the intersection of Canyon Road and 2200 North and proceed north along Canyon Road to approximately 2045 North, where the alignment could turn west across the northern section of a soccer field to University Avenue.

The overall length of this alignment is approximately 6.8 miles.

Features of the proposed action include:

- Combined flow control structure at the mouth of Provo Canyon to control water deliveries to the PRC and the Provo River
- Flow Control Structure for the Alpine/Jordan Aqueduct connection
- Pipeline in 800 North in Orem for delivering water to the PRC
- Provo River Delivery Point
- Increased Pipe Diameter
- Pipeline Segment from Flow Control Structure to Alpine/Jordan Aqueduct

The following sections describe the features of the proposed action.

Flow Control Structure

A combined-flow control structure would be constructed on the hill just north of 800 North in Orem for the PRC and Provo River deliveries. With the current construction of the Provo Reservoir Canal Enclosure Project (PRCEP), the existing PRC canal will be enclosed with a pressurized pipeline, and it is essential that the pressure gradient of ULS system be hydraulically disconnected from the PRC to avoid operational conflicts associated with differential pressurization. Flows to the Alpine/Jordan Aqueduct connection structure would be controlled from a separate flow control structure located near the Alpine/Jordan Aqueduct connection.

Alpine/Jordan Aqueduct Flow Control and Connection Structure

Connection to the Alpine/Jordan Aqueduct would be made by constructing a Flow Control Structure at the outlet of the existing Alpine Tunnel. A weir within the structure would hydraulically separate the ULS system from the existing Alpine/Jordan Aqueduct system and provide a constant back-pressure head on the sleeve valves. A separate isolation valve and connection to the Alpine/Jordan Aqueduct would be provided to allow reverse flow in the SFPRC pipeline for pigging operations.

Provo River Delivery Point

The Provo River Delivery Point will be located approximately 2,600 feet upstream of the location approved in the ULS EIS. Water will be discharged at atmospheric pressure to the Provo River near the Provo Bench Diversion. Discharges to the Provo River will be measured at the above-described flow control structure located at the mouth of Provo Canyon.

Increased Pipe Diameter

In order to allow for pipe cleaning, the downstream reach of the pipeline is being increased from 54- and 48-inch-diameter pipe to a consistent 60-inch diameter. The pipe is cleaned by using a foam swab also known as a "pipeline pig." The increased diameter also helps maintain the hydraulic capacity of the system.

Pipeline Segment from Flow Control Structure to Alpine/Jordan Aqueduct

From the PRC/Provo River flow control structure, the pipeline will proceed north across open terrain that is currently encumbered with high-voltage overhead power lines. The pipeline will cross property owned by Utah Power and Light, Orem City, and the Cascade golf course. Permanent and Temporary Easements will need to be obtained from the property owners.

PRC Flow Control Structure to PRC Connection

A pipeline would be constructed between the PRC flow control structure and the PRC to provide water deliveries.

The Mitigation Commission has analyzed the environmental effects, public comments, and the alternatives in detail and has determined that the Alternative 1 – the Preferred Alternative would achieve the Purpose and Need identified in the EA without significant impacts to the environmental resources described in Chapter 3 of the EA. Final design of the proposed action must be reviewed and approved by CUWCD, in coordination with the Department of the Interior.

The proposed Realignment would avoid active and historical landslides, reduce the risk associated with geologic faults, and shorten the overall pipeline length.

REASONS FOR THE DECISION

This finding of no significant impact is based on the following:

1. The Preferred Alternative would have no significant effect on such unique characteristics as cultural resources, wilderness areas, wetlands, and riparian areas.
2. The environmental effects of the Preferred Alternative would be neither controversial nor do they involve unique or unknown risks.
3. The Preferred Alternative would have no effect on species either currently listed or proposed for listing as candidate, endangered, or threatened species, and would have no effect on designated critical habitat for these species.
4. The Preferred Alternative would not threaten to violate Federal, State or local laws or requirements imposed for protection of the environment.

Through the EA process alternatives were screened using the following selection criteria:

- Comply with mitigation, environmental, and monitoring commitments contained in the Record of Decision for the Utah Lake Drainage Basin Water Delivery System
- Avoid geological risk factors such as fault zones and active or historic landslides
- Utilize the least amount of pipe length

- Reduce impacts to residents and schools while providing safe walking routes and residential access.

Selection of the Preferred Alternative required that the alternative meet the purpose and need for the project. The selection process included a review of impacts associated with all resource categories. This evaluation resulted in identical impacts for all resources except Traffic, Utilities, Geologic Hazards, Socioeconomics, and Historic, Cultural, Archaeological, and Paleontological Resources.

Based on the review of all resources, Alternative 1—University Avenue Alignment—was selected as the Preferred Alternative. Alternative 1 has the greatest traffic impact due to the amount of traffic on 900 East, but only a minor impact on Geologic Hazards, Utilities, Socioeconomics and Historic, Cultural, Archaeological, and Paleontological Resources.

The Preferred Alternative includes Option C through the soccer field. Option C is preferred because of traffic and utility conflicts associated with 2200 North and University Avenue. The alignment along 2200 North between Canyon Road and University Avenue is heavily congested with utilities and would likely require the relocation of a 4-inch gas line during construction. Avoiding the intersection of 2200 North and University Avenue would also reduce traffic impacts during construction.

PUBLIC INVOLVEMENT

The Interior published an NOI in the Federal Register on February 25, 2010, regarding the proposed project. The NOI announced plans to prepare an EA to evaluate potential impacts associated with the Realignment. CUWCD placed a public notice in local newspapers, and mailed an Interested Parties' letter to all property owners along the proposed project realignments, announcing an open house to identify and discuss any issues and concerns on the construction, operation, and maintenance of the proposed realigned pipeline.

A public open house was held on March 23, 2010 in the Provo City Library located on University Avenue in Provo, Utah. Informational displays and opportunity for public comments and discussion were available throughout the meeting. Displays included posters describing the proposed project alternatives; project purpose and need; project schedule; and the NEPA process. Visitors signed in as they entered the room and were encouraged to ask questions and identify any issues or concerns they had regarding the proposed project and to fill out and sign a comment form prior to leaving the meeting.

A Preliminary Draft Environmental Assessment was reviewed by Cooperating Agencies and a Draft Environmental Assessment was released for public review on July 29, 2010.

The 30-day public comment period ended on August 30, 2010. Comments received during that public review resulted in a 30-day extension of the comment period as well as additional public meetings.

A Public Meeting was held at the Provo City office building on September 16, 2010. Informational displays and opportunity for public comments and discussion were available throughout the meeting. Displays included posters describing the proposed

project alternatives; project purpose and need; project schedule; and the NEPA process. Visitors signed in as they entered and were encouraged to ask questions and identify any issues or concerns they had regarding the proposed project and to fill out and sign a comment form prior to leaving the meeting. A short presentation was also made to inform attendees of the resource evaluations applicable to each alternative.

At the request of members of the Tree Streets neighborhood, a neighborhood meeting was held at Wasatch Elementary. The displays and presentation for this meeting were the same as were presented at the Public Meeting at the Provo City office building.

Revisions as a result of public comments were incorporated into the Final EA and a summary of all comments and responses can be found in Appendix B of the Final EA.

SUMMARY OF PROJECT IMPACTS AND MITIGATION

This EA determined the following resources would not be affected or would be only negligibly affected by the Preferred Alternative. Therefore, no mitigation is proposed for these resources:

- Wetlands
- Invasive species
- Vegetation
- Prime and unique farmlands
- Agriculturally protected areas
- Floodplains
- Wild and scenic rivers
- Groundwater
- Energy
- Land use
- Climate change
- Indian Trust assets

The EA determined that the Preferred Alternative would not significantly affect the following environmental resources:

- Transportation/Traffic
- Utilities
- Public Health and Safety
- Noise
- Visual
- Socioeconomics
- Soils and Geologic Hazards
- Surface Water Resources and Quality
- Biological Resources
- Threatened and Endangered Species
- Air Quality

- Historic, Cultural, Archaeological, and Paleontological Resources
- Environmental Justice
- Hazardous Waste

Section 2.10 of the EA incorporated Best Management Practices (BMPs) for project implementation. Adherence to standard and project-specific BMPs for the following activities would reduce short-term impacts during the construction of the Preferred Alternative and other related construction activities:

- Landscape preservation and impact avoidance
- Erosion and sediment control
- Cultural and paleontological resource site clearances
- Site restoration and revegetation
- Air quality protection
- Prevention of water pollution
- Hazardous material storage, handling, and disposal
- Cultural clearance
- Traffic control
- Public involvement and public notification

Each of these procedures would be incorporated into all construction specifications and contract documents, as appropriate, and all contractors would be required to follow them.

Mitigation measures were developed in the EA for applicable resources:

Transportation

The following is proposed mitigation for the expected impacts to the transportation network:

- Minimize the use of low-volume residential urban streets for construction haul routes
- Coordinate with Provo, Orem, and Utah Department of Transportation to develop construction phasing and traffic control plans to minimize impacts to the public
- Maintain as many open lanes of traffic as possible, with flaggers to direct traffic through construction areas
- Prepare detour plans and signing to minimize the impact to normal traffic patterns and emergency vehicles
- Prepare a public information plan to inform residents and business owners of project schedule, status, and contact information
- Coordinate with local community representatives (including schools and neighborhood organizations) to incorporate public events into the construction schedule and detour routes

The contractor would be required to implement these mitigation measures throughout the project construction

Utilities

Utility impacts would be mitigated by preparing a detailed inventory of utilities and coordinating with utility providers during construction to minimize the disruption in utility service.

The public information plan would provide advance notification of utility disruption.

Socioeconomics

Schedule coordination with schools and communication with residents would reduce impacts.

Soils

To minimize the potential for soil erosion, particularly in areas with steep slopes within all alignments, the following BMPs are recommended:

- Erosion-control measures—including, but not limited to, silt fencing, application of gravel or riprap, and straw bales—would be installed, where necessary, during and immediately after construction to avoid erosion and runoff.
- Topsoil and excavated soil will be stockpiled immediately adjacent to trenching activities and will be used to fill in the open trenches as soon as possible upon completion of pipe installation.
- Disturbed areas will be reseeded where vegetation previously existed.
- Avoidance of potential geological hazards (faults and landslides) must be made during pipeline design.

Surface Water Resources

To avoid sediment delivery or the introduction of foreign substances to the Provo River, BMPs described in Chapter 2 of the EA would be implemented during project construction. The proposed pipeline project will be operated in a manner to avoid water quality impacts. Therefore, water quality mitigation would not be necessary during construction or project operation.

Air Quality

To minimize emissions of particulate matter (PM) from construction activities, BMPs for mitigating fugitive dust and diesel exhaust would be employed during construction activities. The following BMPs would be used to mitigate construction PM emissions and comply with R307-309-8:

- Minimize the extent of surface disturbance to the fullest extent possible
- Reseed or otherwise provide temporary and permanent vegetation or groundcover to disturbed areas as soon as possible after construction is completed in an area
- Build construction entrances where appropriate using aggregate material to minimize sediment trackout on paved highways
- Use dust abatement techniques (such as watering or minimizing loader bucket drop heights) for earthmoving, excavating, trenching, grading, and other construction activities

- Minimize equipment and vehicle idling times during construction activities
- Prevent to the maximum extent possible material from being deposited onto any paved road other than a designated deposit site
- Promptly remove material that may create fugitive dust on a public or private paved road

Historic, Cultural, Archaeological, and Paleontological Resources

If construction activities reveal unknown historic, cultural, archaeological, or paleontological resources, the contractor would immediately suspend construction operations in the vicinity (approximately 100-foot buffer around the discovery) and would notify the project manager of the nature and exact location of the discovery. The project manager would contact the CUWCD Environmental Programs Manager, who would assess the nature of the discovery and determine the necessary course of action. Construction would resume following notification from the project manager.

Should the alternative selected for implementation result in an adverse effect to historic resources, a memorandum of agreement to resolve the adverse effect would be prepared, agreed upon, and executed by Interior, CUWCD, the Mitigation Commission, and the State Historic Preservation Office (SHPO).

Hazardous Waste

The Utah Division of Environmental Response and Remediation (DERR) would be contacted immediately upon the discovery of any contaminated soil or hazardous material. If petroleum hydrocarbons or other previously unidentified hazardous materials or contaminated soil are encountered during construction, appropriate characterization and handling of the soil/waste would be conducted in accordance with DERR guidance.

Maintenance of construction equipment onsite would be minimized to the fullest extent possible. If onsite maintenance of construction equipment is required, absorbent pads or sheets would be placed under likely leak or spill sources. In addition, absorbent pads or sheets would be readily available during all refueling activities in the event of minor diesel spills. Spills of fuel or hydraulic fluid would be cleaned up immediately, and contaminated soil would be removed from the site and properly disposed of in accordance with state and federal regulations.

The handling, storage, and disposal of all hazardous materials, wastes, petroleum products, and solid wastes would be conducted in conformance with federal and state regulations to prevent soil, groundwater, or surface water contamination and associated adverse effects on the environment or worker health and safety.

None of the above-mentioned BMPs or mitigation measures are responsibilities of the Mitigation Commission, but will be implemented by CUWCD and Interior.