



— BUREAU OF —
RECLAMATION

FINDING OF NO SIGNIFICANT IMPACT
and
DECISION RECORD

WEBER RIVER PROJECT 1920 ACT
ENVIRONMENTAL ASSESSMENT
PRO-EA-25-001

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION – UPPER COLORADO REGION
PROVO AREA OFFICE; PROVO, UTAH

1.0 Background and Introduction

The Weber River Project (WRP) was authorized under the Reclamation Act of 1902 and other relevant authorities as an irrigation project to store and deliver water from the Weber River for commercial agriculture purposes. Local irrigators, with the Utah Water Storage Commission, worked with the Bureau of Reclamation (Reclamation) to construct Echo Reservoir and the Weber-Provo Canal. The result was the impoundment of 74,000 acre-feet (ac-ft) of water to be used across land in Weber, Davis, Morgan, Summit, Wasatch, Utah, and Salt Lake Counties. In 1926, Reclamation contracted with the Weber River Water Users Association (WRWUA) to operate and maintain the Dam and oversee delivery of WRP water to its shareholders for commercial agriculture with incidental amounts of domestic use.

Water deliveries are in accordance with the original authorization of the WRP as an irrigation project. In 2013, an updated Reclamation policy (PEC P05) clarified the definition of irrigation as:

“...the use of contract water to irrigate land primarily for the production of commercial agricultural crops or livestock, and domestic and other use incidental thereto.”

Under this definition, irrigation projects such as the WRP are limited to delivering water for commercial agriculture and only those other uses which supplement the agricultural operation, such as a farmhouse or maintenance of agricultural equipment on the property. This definition of irrigation is used throughout this document.

Reclamation and the WRWUA, are responding to local interest in water from the WRP for miscellaneous uses under the 1920 Miscellaneous Purposes Act (1920 Act), to allow for standalone domestic units and municipal and industrial purposes (M&I), in addition to irrigation. To comply with the National Environmental Policy Act (NEPA) and related statutes, Reclamation prepared an Environmental Assessment (EA) to analyze the environmental impacts from implementing one of these three alternatives:

- Under the No Action Alternative, 74,000 ac-ft of project water would remain dedicated to irrigation, which includes incidental domestic use as presently constituted and no conversion contract would be pursued.
- Under the Proposed Action Alternative, Reclamation and WRWUA would execute a conversion contract under the 1920 Act to allow 74,000 ac-ft of project water to be available for miscellaneous use and irrigation.
- Under the Potential Growth Alternative, Reclamation and WRWUA would execute a contract under the 1920 Act to allow up to 44,000 ac-ft of project water to be available for miscellaneous use and irrigation.

Common Features to the Proposed Action and Potential Growth Alternatives:

- Project water will remain available for use during the period of April 1 to October 31. In terms of allowable incidental domestic use, water would continue to be allowed to be used as currently permitted (year-round).
- Changes in water use require Reclamation and WRWUA to develop a new contract under the 1920 Act, often termed a conversion contract. As per Reclamation policy and to facilitate a conversion contract, the Provo Area Office of Reclamation would request permission from Reclamation's Commissioner to enter a water contracting process, termed as a Basis of Negotiation (BON). The BON would allow WRWUA and Reclamation to finalize a conversion contract under the 1920 Act.
- Following the development of a conversion contract, third-party contracts between relevant contracting parties (municipalities and other water providers) and WRP shareholders would be allowed. These third-party contracts would allow the use of project water for purposes other than irrigation.
- Reclamation has established a draft workflow (see Appendix B in the EA) for future third-party contracts administered through the Provo Area Office. The purpose of this workflow would be to track compliance with Reclamation policy, applicable contracts, and determine if any further NEPA analysis would be required. The workflow would also be used to ensure quality control of internal routing and review processes.

2.0 Environmental Commitments

Environmental commitments, also known as mitigating measures, are typically outlined in Section 3 of the final EA. In this instance, no specific environmental commitments are incorporated herein, but all features of the Proposed Action Alternative would be enacted with the above referenced third-party contract review process (see Appendix B of the EA) to emphasize the importance of review and ensure that third-party contracts are compliant with applicable law and policy.

3.0 Finding of No Significant Impact Determination

Based upon the review of the analysis in PRO-EA-FY25-001, and in accordance with 42 U.S. Code § 4336 (e) (7), under NEPA, Reclamation has determined that an environmental impact statement is not needed for this proposed action. The selected Proposed Action Alternative will not have a significant effect on the quality of the human environment as defined in NEPA. This determination has been made by considering factors outlined in 516 DM 1 – U.S. Department of the Interior Handbook of NEPA implementing procedures, namely:

Both short-and long-term effects

The referenced EA includes analysis of short and long-term effects of the identified issues and discussion of reasonably foreseeable environmental trends and planned actions in relation to those issues. None of the impacts from the proposed action are expected to rise to the level of significance.

Both beneficial and adverse effects

Potentially beneficial and adverse impacts related to the proposed action are disclosed and analyzed in Section 3 of the EA in the Affected Environment and Environmental Consequences sections, by each resource topic. None of these effects are determined to be significant.

Beneficial impacts to communities, WRP shareholders, and municipalities are likely to develop over the coming years as water use patterns change. Adverse effects, although considered to be minimal, would also take place over time, yet the potential for adverse impacts to the resources examined in the EA have not been determined to be significant.

Effects on public health and safety

Effects on public health and safety are discussed in the EA and have not been found to be significant based on the nature of the Proposed Action Alternative analysis. It is expected that public health and safety will likely improve as water use administrators develop a more reliable delivery system in the project area.

Economic effects

The act of implementing the project would not result in adverse economic impacts but likely be in concert with ongoing development in the project area, as described in the EA. The proposed project is not expected to cause large impacts (positive or negative) on employment or to area populations. Implementation of the Proposed Action Alternative in and of itself is not anticipated to cause significant impact to or substantially increase demand for local government services, infrastructure, or housing. The project is intended to maintain reliability and availability of water to the affected communities while facilitating more efficient use of water.

Effects on the quality of life of the American people.

Quality of life of the American people, in the Project Area, would continue to persist and evolve with land use and development patterns as discussed in the EA. Third-party water contracts would allow for agricultural and municipal water use to progress along with expected trends and water demands for the area, positively effecting the quality of life of the American people.

4.0 Decision Record

The NEPA process is intended to help public officials make decisions that are based on an understanding of environmental consequences, and take actions that protect, restore, and enhance the environment. Reclamation has considered all relevant information raised in the NEPA process and that the NEPA process is now closed. Therefore, based on the information contained in the EA Number PRO-EA-FY25-001, and all other information available to me at this time, it is my decision to approve the implementation of the Proposed Action Alternative as described in the subject EA consistent with the above Finding of No Significant Impact determination.



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Rick Baxter
Area Manager