

PRO-FONSI-11-001

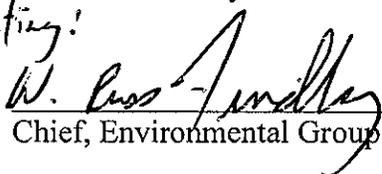
**FINDING OF NO SIGNIFICANT IMPACT
And Decision Document**

**Parallel Pipeline Project
Utah County, Utah**

**Bureau of Reclamation
Upper Colorado Region
Provo Area Office
Provo, Utah**

Recommended by:

Acting:


Chief, Environmental Group

3-14-11

Date

Concur:


Kerry L. Schwartz
Manager, Water and Environmental
Resources Division

3/14/11

Date

Approved by:



Curtis Pledger
Area Manager, Provo Area Office

3/14/2011

Date

Acting

FINDING

The Bureau of Reclamation, Provo Area Office (Reclamation) has determined that implementing the proposed action analyzed in the Parallel Pipeline 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 public comments received in response to the scoping letter. This decision is in accordance with the National Environmental Policy Act (NEPA) of 1969 (Public Law 91-90), as amended, and the Council of Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1500-1508).

DECISION

Reclamation has decided to authorize the Action Alternative described in the EA. The proposed action analyzed in the Draft EA is Reclamation's authorization for Provo River Water Users Association to construct a 4,200 foot long, up to 96-inch diameter, steel pipeline. The new pipeline would be constructed parallel to the existing Provo Reservoir Canal Siphon from the inlet of the existing Provo Reservoir Canal Siphon at the mouth of Provo Canyon just north of the Highway 189 interchange on 800 North in Orem, Utah, which would be a component of the Provo Reservoir Canal, a feature of the Provo River Project.

During review of the draft EA, the Project proponent determined that a shorter pipeline of 3,200 feet, achieved by relocating the pipeline's connection with Central Utah Water Conservancy District's (CUWCD) Utah Lake System pipeline, would also meet the purpose of the project and have a lesser impact on the environment. Reclamation, therefore, determined that construction of this alternate pipeline alignment is within the scope of this EA and is also authorized for construction.

The proposed project would allow constructing the pipeline while protecting environmental resources described in Chapter 3 of the EA (i.e. cultural resources; paleontological resources; wetlands and vegetation; water resources; water quality; threatened and endangered species; biological resources; recreation; transportation and traffic; utilities; public health and safety; noise; land use; visual; air quality; and environmental justice).

REASONS FOR THE DECISION

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

1. The proposed action would have no significant effect on such unique characteristics as wilderness areas, and 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 significant 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 would have no adverse effect to cultural resources.
5. 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, public scoping 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

On November 30, 2010, Reclamation sent the EA to interested individuals, groups, stakeholders, municipalities, organizations, and agencies, for review and comments. One comment was received during the comment period which ended on December 30, 2010. Appropriate edits were made to the EA in response to this comment.

Coordination between Reclamation and CUWCD has been ongoing to discuss right-of-way issues, pipeline alignment, cultural resource impacts, and biological resource impacts. The Utah State Historic Preservation Office, the U.S. Fish and Wildlife Service, and the Utah Department of Transportation were consulted pursuant to applicable laws and are involved with all relevant processes. Representatives from Utah County have also been made aware of the proposed project.

SUMMARY OF ENVIRONMENTAL IMPACTS

The expected environmental impacts of the Action Alternative are described in Chapter 3 of the EA, and summarized on page 42 of the EA. The environmental analysis was focused on the resources mentioned on page 2 above. The environmental analysis indicates under the Action Alternative there would be no adverse effects.

ENVIRONMENTAL COMMITMENTS

The environmental commitments described in Chapter 4 of the EA, and repeated below, must be implemented as an integral part of the proposed action.

1. **Standard Reclamation Management Practices** - Standard Reclamation management practices would be applied during construction activities to minimize environmental effects and would be implemented by construction forces or included in construction specifications. Such practices or specifications include sections in the present report on public safety, dust abatement, air pollution, noise abatement, water pollution abatement, waste material disposal, erosion control, archaeological and historical resources, vegetation, and wildlife. Excavated material and construction

debris may not be wasted in any stream or river channel or placed in flowing waters. This includes material such as grease, oil, joint coating, or any other possible pollutant. Excess materials must be wasted at an upland site well away from any channel. Construction materials, bedding material, excavation material, etc. may not be stockpiled in riparian or water channel areas. Silt fencing would be appropriately installed and left in place until after revegetation becomes established, at which time the silt fence can then be carefully removed. Machinery must be fueled and properly cleaned of dirt, weeds, organisms, or any other possibly contaminating substances offsite prior to construction.

2. **Additional Analyses** - If the proposed action were to change significantly from that described in this EA because of additional or new information, or if other spoil, or work areas beyond those outlined in this analysis are required outside the defined project construction area, additional environmental analyses may be necessary.
3. **State Stream Alteration Permit** – A Stream Alteration Permit (Number 10-55-24SA) was issued by the State Engineer for the Project on November 4, 2010. Conditions and requirements of this Permit will be strictly adhered to by the Association.
4. **Utah Pollutant Discharge Elimination System Permit** - A Utah Pollutant Discharge Elimination System Permit would be required from the State of Utah before any discharges of water, if such water is to be discharged as a point source into the Provo River. Appropriate measures would be taken to ensure that construction related sediments would not enter the stream either during or after construction. Settlement ponds and intercepting ditches for capturing sediments would be constructed and the sediment and other contents collected would be hauled off the site for appropriate disposal upon completion of the project.
5. **Water Quality Certification and Storm Water Discharge Permit** - Under authority of the Clean Water Act, construction would require from the Utah Division of Water Quality a Section 401 Water Quality Certification and a Section 402 Storm Water Discharge Permit. Whenever the project proponent causes the water turbidity in an adjacent surface water to increase 10 NTU's or more, the Utah Division of Water Quality shall be notified.
6. **Cultural Resources** - Any person who knows or has reason to know that he/she has inadvertently discovered possible human remains on Federal land, he/she must provide immediate telephone notification of the discovery to Reclamation's Provo Area Office archaeologist. Work would stop until the proper authorities are able to assess the situation onsite. This action would 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).

7. **Paleontological Resources**-Should vertebrate fossils be encountered by the proponent during ground disturbing actions, construction must be suspended until a qualified paleontologist can be contacted to assess the find.
8. **Previously Disturbed Areas** - Construction activities should be confined to previously disturbed areas where possible for such activities as work, staging, and storage; waste areas; and vehicle and equipment parking areas. Vegetation disturbance should be minimized as much as possible.
9. **Public Access** - Construction sites would be closed to public access. Temporary fencing, along with signs, would be installed to prevent public access. Reclamation would coordinate with landowners or those holding special permits and other authorized parties regarding access to or through the project area.
10. **Disturbed Areas** - All disturbed areas resulting from the project would be smoothed, shaped, contoured, and rehabilitated to as near their pre-project construction condition as practicable. After completion of the construction and restoration activities, disturbed areas would be seeded at appropriate times with weed-free, native seed mixes having a variety of appropriate species (especially woody species where feasible) to help hold the soil around structures, prevent excessive erosion, and to help maintain other riverine and riparian functions. The composition of seed mixes would be coordinated with wildlife habitat specialists. Weed control on all disturbed areas would be required. Successful revegetation efforts must be monitored and reported to Reclamation along with photos of the completed project.
11. **Avoidance of Construction** - Construction activities within the Provo River will be avoided from April 15 through August 15 to minimize potential impacts to the June sucker.
12. **Disruption of Canals** - Construction activities that require disrupting canals will take place during the non-irrigation season and follow the steps, or alternate similarly effective steps, identified in “Section 2.3.2 Project Construction, Canal Crossings” of this EA.
13. **Traffic Control** - A minimum of two traffic lanes (one in each direction) will be maintained through the construction area at all times to minimize traffic delays.
14. **Parking** - An alternate parking lot will be provided during the time the existing trailhead parking lot is closed.
15. **Scheduling** - Reasonable efforts will be made to schedule parking lot and trail closures at times of least impact to public recreation activities (annual story-telling festival, races, etc.).