

Scoping Summary Report

in support of the Environmental Impact Statement

Logan Northern Canal Reconstruction Project

Prepared by
HDR Engineering, Inc.
3949 South 700 East,
Suite 500
Salt Lake City, UT 84107

October 5, 2010

Contents

1.0	INTRODUCTION	3
1.1	Purpose of the Scoping Summary Report.....	3
1.1.1	Summary of Scoping Activities	5
1.1.2	Notice of Intent	5
1.2	Agency and Native American Tribe Scoping	5
1.2.1	Agency Coordination	5
1.2.2	Native American Tribe Coordination	6
1.2.3	Agency Scoping Meeting	6
1.2.4	Summary of Agency Scoping Comments	7
2.0	PUBLIC SCOPING	8
2.1	Meeting Notifications and Scoping Tools	8
2.2	Public Scoping Meeting.....	8
2.2.1	Meeting Format	9
2.2.2	Other Comments Received	10
3.0	COMMENTS ON THE LOGAN NORTHERN CANAL RECONSTRUCTION PROJECT	10
3.1	Comments about the Need for and Purpose of the Project	11
3.2	Comments about Options (Alternatives)	11
3.3	Comments about Project Impacts	12
3.3.1	Impacts to Natural Resources	12
3.3.2	Impacts to Socioeconomic Conditions	13
3.4	Comments about Process	14
4.0	NEXT STEPS	15

Tables

Table 1. Categories of Comments Received	10
--	----

Figures

Figure 1. Study Area	4
----------------------------	---

Appendices

- Appendix A. Notice of Intent
- Appendix B. Agency Scoping Meeting Materials
- Appendix C. Public Scoping Meeting Materials
- Appendix D. Copies of Comments

This page is intentionally blank.

1.0 Introduction

In July 2009, a landslide destroyed part of the Logan Northern Canal, which prevented the canal from delivering irrigation water to users. The Natural Resources Conservation Service (NRCS) is providing technical and financial assistance to Cache County through the federal Emergency Watershed Protection (EWP) Program for developing a solution to re-establish delivery of irrigation water that was formerly delivered using the Logan Northern Canal. This effort is called the Logan Northern Canal Reconstruction Project, and NRCS is the lead federal agency for this project. Figure 1 below shows the project study area.

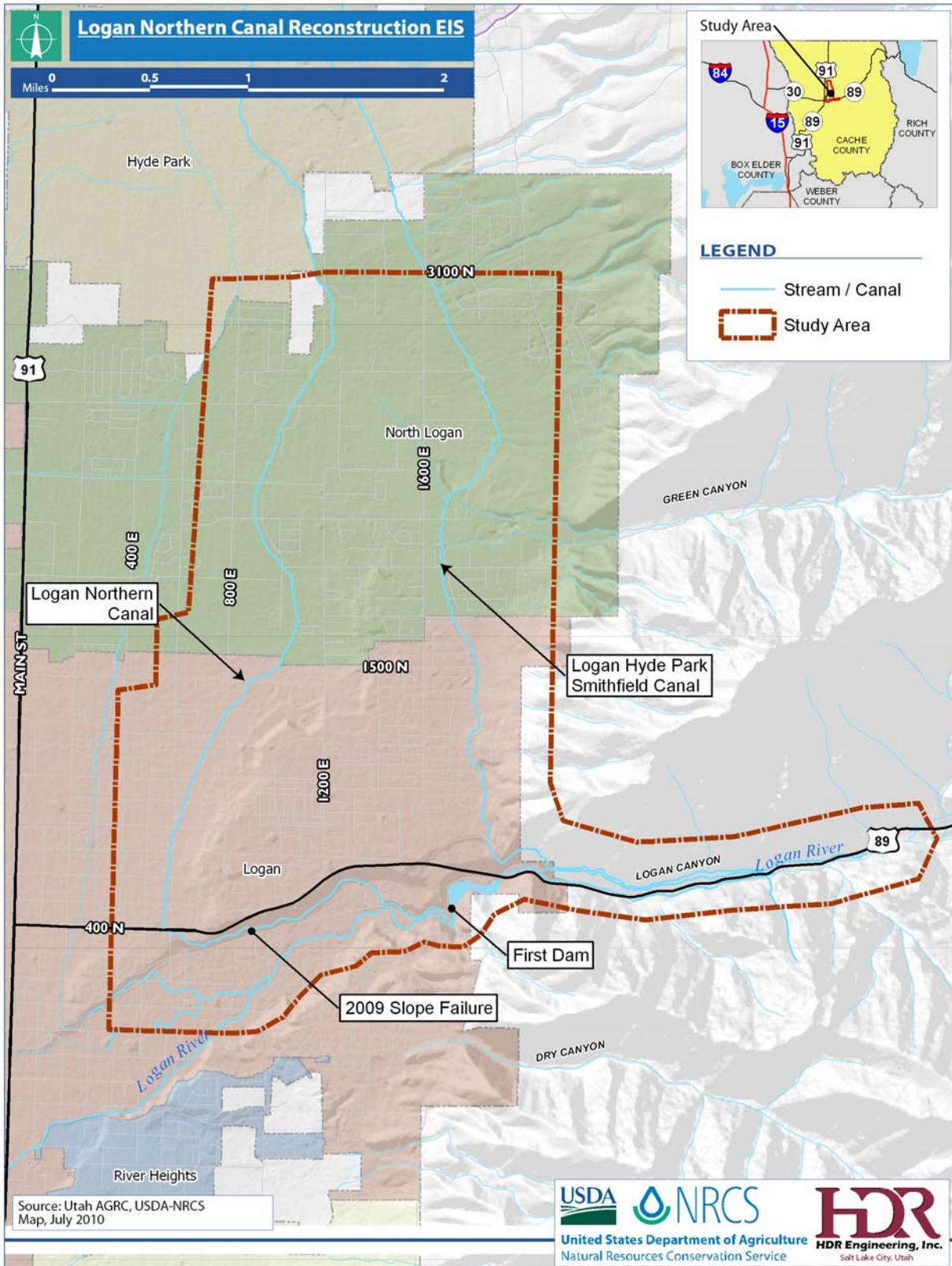
NRCS will use information gathered during the scoping phase of the project to help identify a range of project alternatives that will be studied in an Environmental Impact Statement (EIS) developed under the National Environmental Policy Act (NEPA). Using the analysis in the EIS, NRCS will select an alternative to be implemented and will announce this decision in a Record of Decision (ROD) for the project. The EIS is scheduled to be completed by July 2011.

1.1 Purpose of the Scoping Summary Report

The intent of the Logan Northern Canal Reconstruction EIS is to propose a solution that would re-establish the delivery of irrigation water to the canal's shareholders. The purpose of this scoping summary report is to summarize the initial public and agency input gathered during the project scoping period, which ran from July 22 to August 31, 2010.

Scoping, which is the first step in the NEPA process, is an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. During scoping, members of the public and agency representatives provide input to identify potential issues, subjects that should be studied closely, and possible solutions. Information gathered during scoping also helps to determine needs, objectives, resources and associated constraints, potential alternatives, and any additional requirements for developing criteria for screening the alternatives. This scoping summary report is a tool to ensure that the analytical efforts of the study are focused on the appropriate issues.

Figure 1. Study Area



1.1.1 Summary of Scoping Activities

Scoping for the EIS was conducted according to the NEPA guidelines and NRCS guidance. Scoping activities included a public meeting; correspondence with interested persons, organizations, and federal, state, and local agencies, including Native American tribal organizations; and an agency scoping meeting.

Public and agency input plays an important role in identifying issues and ideas regarding the re-establishment of the Logan Northern Canal. Throughout the environmental review process, NRCS will continue to facilitate and encourage involvement from the affected communities to help identify issues and develop solutions for the Logan Northern Canal. The project team will continue to work with the public to ensure that those with interests in the project understand how and why certain suggestions are being carried forward and why others are being eliminated. All public and agency comments received during the scoping period are being considered for this project and have been included in Appendix D, Copies of Comments.

1.1.2 Notice of Intent

The scoping period for the Logan Northern Canal Reconstruction project began on July 22, 2010, with a Notice of Intent to prepare an EIS advertised in the U.S. government's *Federal Register*. This notice alerts federal agencies of NRCS's intent to study this canal. A copy of the *Federal Register* Notice of Intent is included in Appendix A, Notice of Intent.

1.2 Agency and Native American Tribe Scoping

1.2.1 Agency Coordination

Although people who live in the project study area understand the issues associated with this canal, it is important to also coordinate with local, state, and federal agencies that oversee the management of resources in the project area. Since these agencies oversee impacts and issue permits for their resource areas, it is important to include them in the initial scoping activities. In this way, issues are identified early so that they can be properly considered and, if necessary, avoided, minimized, or mitigated as the project progresses.

NEPA specifies that the lead agency should identify potential cooperating agencies early in the EIS process. Concurrent with the development of the Notice of Intent, NRCS identified potential cooperating agencies for the project. The regulations that implement NEPA define a *cooperating agency* as "any federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major federal action significantly affecting the quality of the human environment." Typically, agencies with a high number of resources in a project area that could be affected by certain actions of the project are contacted early in the scoping process and asked to team on the project as cooperating agencies.

In July 2010, the project team sent invitation letters to the U.S. Army Corps of Engineers (USACE) and the U.S. Forest Service (USFS) requesting their participation as cooperating agencies. In addition to USACE and USFS, NRCS also contacted representatives of the following other federal agencies, state agencies, and local governments and agencies:

- Federal Highway Administration
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- Utah Department of Transportation
- Utah Division of State History
- Utah Division of Water Quality
- Utah Division of Water Resources
- Utah Division of Water Rights
- Utah Division of Wildlife Resources
- Cache County
- Hyde Park City
- Logan City
- North Logan City
- Smithfield City

As a matter of practice, federal agency representatives also review the *Federal Register* notice and may choose to notify NRCS of their desire to participate or to decline participation in the EIS process.

1.2.2 Native American Tribe Coordination

The project area doesn't include any tribal lands, but the Shoshone-Bannock Tribes of Fort Hall, Ute Indian Tribe of the Uintah and Ouray Reservation, and Shoshone Tribe of the Wind River Reservation might have interests regarding natural and cultural resources.

On September 16, 2010, NRCS sent letters to tribal representatives to initiate National Historic Preservation Act Section 106 consultation on behalf of NRCS, USACE, and USFS. To date, no tribal representatives have responded.

Throughout the project, NRCS will continue to consult with the tribes as required under their government-to-government consultation responsibilities, including Section 106, regarding potential cultural resource impacts of concern to the tribes.

1.2.3 Agency Scoping Meeting

Federal and state agency and tribal representatives were invited to attend an agency scoping meeting and were invited to provide comments regarding possible concerns or considerations for the resource areas under their authority. The agency scoping meeting was held on August 11, 2010, at the NRCS offices in Salt Lake City, Utah. NRCS sent meeting invitations to federal, state, and local agencies on July 27, 2010. The purposes of the scoping meeting were

to introduce attendees to the project and to request comments from the agencies regarding the scope of the Logan Northern Canal Reconstruction EIS. The meeting was also held to gain information from each agency on the resource(s) under their jurisdiction in the study area that could be affected by the project; identify any issues that should be analyzed in the EIS; and determine if project construction would require any permits or approvals.

A copy of the presentation given at the meeting is included in Appendix B, Agency Scoping Meeting Materials. In addition to NRCS team, the following agency representatives attended the meeting:

- Jennefer Parker – USFS, Logan Ranger District
- Julie Hubbard, USFS
- Jason Gipson – USACE
- John Derinzy – USACE
- Rex Harris – Utah Department of Transportation (UDOT)
- Daren Rasmussen – Utah Division of Water Rights, Streams
- Michael Allred – Utah Division of Water Quality, Watershed Protection Section
- Tom Cox – Utah Division of Water Resources
- Bob Fotheringham – Cache County

1.2.4 Summary of Agency Scoping Comments

The following agencies submitted comments during the scoping period:

- USFS
- EPA
- National Park Service
- Cache County
- Logan City
- USACE

In summary, agency representatives submitted comments about the following subjects:

- Project schedule
- Process
- Alternatives
- Impacts to aesthetics
- Impacts to energy and utilities
- Impacts to recreation
- Impacts to water rights and access

These comments are included in Appendix D, Copies of Comments.

2.0 Public Scoping

Public scoping is the key component to the environmental review process. NRCS relies on public comments to help identify issues as well as to help gauge public sentiment about the proposed improvements. Because the project could affect private property owners in the study area, NRCS used a combination of methods to notify the public about the project and to gather input.

2.1 Meeting Notifications and Scoping Tools

Although the scoping period for the Logan Northern Canal Reconstruction EIS was initiated with the *Federal Register* notice on July 22, 2010, NRCS assumed that the general public would not be aware of the project without additional outreach to the neighboring communities. The following methods were used to notify the general public of the public scoping activities and meeting:

- Advertisements in the *Logan Daily Herald*
- Advertisements in the *Salt Lake Tribune* and *Deseret News*
- Announcements on the Cache County, Logan City, North Logan City, and Hyde Park City websites
- Announcements posted in local libraries
- Announcement on the NRCS website

Copies of scoping tools, including materials distributed to the public and materials displayed at meetings, are included in Appendix C, Public Scoping Meeting Materials.

2.2 Public Scoping Meeting

NRCS held a public scoping meeting on August 11, 2010, at the Bridgerland Applied Technology College in Logan, Utah. The meeting was semi-formal with a 10-minute presentation given two times during the evening. In addition, informational boards, maps, and handouts were available to view. About 150 residents, business owners, community members, and local government officials attended the meeting (see Figure 1 above, Study Area).

2.2.1 Meeting Format

Meeting attendees were encouraged but not required to sign in as they entered the meeting room. Each participant was given a comment sheet and an informational handout detailing the display materials, information about how to submit comments, and contact information for the project team.

Attendees were encouraged to listen to the presentation, review displays about the project, and submit questions or comments about the materials provided and the project. Displays included the following:

- Map and description of possible options
- A statement of the preliminary purpose of and need for the project
- Definition of the Emergency Watershed Protection Program
- An overview of the NEPA process
- A project schedule
- Example topics for comment
- Details on how to submit a comment

Project team members were available between the formal presentations to help answer questions and provide information. In addition to the comment forms that were distributed to attendees as they arrived, additional comment forms were available at tables around the room along with comment boxes. Attendees also had the option of giving their comments verbally to a court reporter or submitting comments by e-mail or U.S mail. The e-mail and website addresses were listed on the comment form.

Attendees submitted 16 written comment cards and nine comments through the court reporter. Copies of all public meeting materials are included in Appendix C, Public Scoping Meeting Materials.



2.2.2 Other Comments Received

Residents and local government representatives who were unable to attend the public scoping meeting submitted comments by e-mail, fax, and traditional letter. The project team received 55 additional comments by e-mail, three additional comments by fax, and 18 additional comments by letter.

3.0 Comments on the Logan Northern Canal Reconstruction Project

Agencies and the public will have continuing opportunities to offer input throughout the Logan Northern Canal Reconstruction EIS process. However, the scoping period for the Logan Northern Canal Reconstruction project ended on August 31, 2010. All agency and public comments received during the scoping period are included in this Scoping Summary Report. Copies of all written comments are included in Appendix D, Copies of Comments. In all, 101 comments were received. Table 1 summarizes the number of comments received by affiliation.

Table 1. Categories of Comments Received

Affiliation	Number	Percent of Total
Individual ^a	92	91%
Federal agency	4	4%
Local government	3	3%
Nongovernmental organization	2	2%

^a Some individuals submitted more than one comment letter, e-mail, or comment form. Each submission is considered as a stand-alone comment.

The information available to the public included possible options that NRCS has considered to date. As noted in Section 1.0, Introduction, NRCS will use information gathered during the scoping process to identify other options it might consider during the EIS process. Many of the comments received during scoping are specific to the options presented during scoping, which were called Option 1 (US 89), Option 2 (Lundstrom Park), Option 3 (Canyon Road), and Option 4 (3100 North).

The team reviewed each comment as it was received and assigned a comment number to each scoping comment. Each scoping comment received has a prefix of **S** for scoping (for example, **S-1**).

The following summary of comments is divided into major subject areas related to the need for and purpose of the project, alternatives (options), impacts, and process. Because of the number and diversity of comments received, the summary focuses on common themes and is

not intended to be comprehensive. See Appendix D, Copies of Comments, for copies of the scoping comments as they were provided to NRCS.

3.1 Comments about the Need for and Purpose of the Project

Commenters stated that the project should address the needs of the canal company as well as the needs of other citizens; stated that the study area was too limited; stated that options including the Logan Hyde Park Smithfield Canal were too broad and expensive; stated that service needed to be provided to all Logan Northern Canal users; and suggested other options to resume irrigation service.

3.2 Comments about Options (Alternatives)

Comments generally focused on the options using the Logan Hyde Park Smithfield Canal alignment; property values; the open, closed, and pressurized system elements of each option presented; reduction of flows in the Logan River due to the change in the point of diversion; other alternatives; and the selection criteria to evaluate the options. Comments also indicated a concern to keep service going and proceed quickly through the EIS process so that the agricultural community is not adversely affected. About 15% of the comments asked NRCS to evaluate restoring the Logan Northern Canal in the current alignment through the landslide area.

Several commenters discussed each option presented in the public meeting and indicated their support or opposition to each option. Several commenters were concerned about the apparent lack of service to shareholders south of 1500 North and asked for an option that would include service to those users. Several commenters suggested that the open canals provide social and cultural benefits to the communities and that these characteristics need to be considered during the EIS process.

Commenters noted that the current configuration of the canals allows both irrigation and city stormwater to be conveyed and stated that the solution should accommodate both irrigation water and stormwater.

Specific comments were received regarding each of the four options that were presented at the scoping meeting. The two options that received the most support were Option 4 (the 3100 North option) and one option that was not presented at the meeting (restoring the breeched section and using the historic Logan Northern Canal alignment). Option 1 (the US 89 alignment) received the fewest comments of support.

3.3 Comments about Project Impacts

3.3.1 Impacts to Natural Resources

Comments about natural resources addressed water resources, geology, wildlife and plant resources, cultural resources, and agriculture. Comments about the communities' cultural heritage and the social importance of agriculture are addressed in Section 3.3.2 below.

About one-fifth of the comments discussed impacts to downstream water users of the Logan River, including Utah State University's Water Research Laboratory and Logan City Power, due to a change in the point of diversion. Almost one-third of the comments addressed the water rights of the shareholders and other canal companies.

One major comment theme addressed the effects of a closed water conveyance system. About 10% of the comments favored placing the canal water into a pipe/box culvert to provide efficient irrigation service and to conserve water that is lost to seepage and evaporation. About 15% of the comments preferred an option with an open canal. Some commenters stated that a closed conveyance system would be more efficient with fewer losses due to evaporation and seepage. Other commenters were concerned about adverse impacts to aquifer recharge; loss of canal seepage and the effect on wetlands, trees, and spring flows; and the loss of a water source for wildlife. One-quarter of the comments mentioned that the current open waterways support habitat for wildlife and vegetation and the loss of those communities if the open waterways are removed.

Comments about stormwater conveyance stated that the canals provide a means for stormwater conveyance and should continue to provide this in the future. Commenters stated that, if the irrigation water is conveyed in a pipe, the existing ditch system would become a stormwater-only ditch with stagnant water and more weeds and less attention to maintenance.

Comments discussed the impact of the project on the current unstable slope and how that risk would be minimized for property owners along Canyon Road. Several comments addressed the future stability of the hillside with and without a water conveyance system running through it. Other comments asked how the existing alignment would function if irrigation water were no longer conveyed in it.

Comments about cultural resources focused on the presence of the canals as an important part of Cache Valley's history. Comments about agriculture focused on the importance of irrigation water for agricultural production in the area.

3.3.2 Impacts to Socioeconomic Conditions

Comments about social and economic conditions addressed aesthetics, community facilities, construction impacts, energy, property rights and property values, safety, quality of life, and recreation. Comments also addressed the area's cultural heritage and economic importance of agriculture.

Over 30% of the comments addressed recreation, aesthetics, and quality of life. Concerns focused on how the loss of open waterways would affect quality of life and the recreational function of the adjacent trails as well as how the loss of flowing water and greenways would affect the visual quality of the area.

Comments were received regarding the impacts of the project options on the community resources and property owners. Comments specifically addressed potential adverse effects on aesthetics, property values, community trails, recreation, and quality of life if NRCS chooses an option that would enclose (or pipe) the canal. Several commenters stated that the open canals were a part of the cultural heritage of Logan and the other communities in Cache Valley. Several comments stated that property use was designed with the open waterway taken into account and that removing the open waterway would have a negative economic impact on the property owners.

Comments discussed the need to restore irrigation for agricultural use and how the loss of the water for the agricultural community will affect the local economy. Commenters felt that a solution should be identified and implemented quickly to reduce the economic losses to the agricultural community.

Comments were received concerning impacts during construction. Issues included disruption to irrigation service during construction, removal of existing vegetation, loss of personal property improvements (retaining walls and crossing structures), and an increase in land easements required to accommodate the options that combine the flows of the Logan Northern and Logan Hyde Park Smithfield Canals.

About 15% of the comments identified public safety concerns. Specific issues included the safety of the hillside at and near the landside site and future slide events that could affect property owners; the safety of conveying both canal companies' water shares through one combined system; the safety impacts to children from a lined canal that has more water flowing through it; risk of loss of service to the flows of the Logan Hyde Park Smithfield Canal and Logan Northern Canal through Logan Canyon; the lack of any options that address the existing hillside instability; the safety of an open canal section; and the safety of constructing Options 1 or 3 (the US 89 and Canyon Road alignments) due to the proximity of the hillside.

Comments identified the recreational opportunities currently provided by the open waterways, diverse vegetation communities, and alignment of the canal systems as having a high community value. The commenters asked how an enclosed conveyance system (piped or box culvert) would affect these community values and property values.

3.4 Comments about Process

Several commenters were concerned that people who don't own shares in the Logan Northern Canal are controlling the EIS process, that shareholders in the canal should have more say in the options than the general public, and that the solution should be focused on irrigation service.

According to several comments, communication between the public and the agencies and between the agencies and the irrigation companies needs to be improved. Commenters stated that the possible alternatives have already been chosen and the most expensive option has already been funded, which suggests that "the die is cast" and the citizens don't have much input. Commenters stated that more open meetings and development of alternatives needs to occur during the process.

Some commenters stated that an Environmental Assessment would be more appropriate than an EIS, while other commenters supported developing an EIS. Some commenters felt that an EIS would take too long and delay the restoration of service to the users.

Commenters stated that the process has been "rigged" and that public input won't affect the outcome, and several commenters were concerned that the EWPP funds are not being used appropriately to repair the canal and instead are being used to improve the canal. Other commenters stated that the canal's shareholders should be responsible for funding the project.

Commenters stated that there are factual errors in the contract signed by the Cache County Executive and the State Conservationist; in the Cooperative Agreement between NRCS and Cache County signed by the Cache County Executive on April 2, 2010; and in the Notice of Intent for preparing the EIS.

4.0 Next Steps

NRCS will use the information gathered during scoping to further define potential project options and will also use this information as appropriate as it completes the EIS. Agencies and the public can continue to submit comments on the Logan Northern Canal Reconstruction project through the project website, e-mail, and traditional letter. The project team will consider these comments as it continues with the EIS process.

Draft EIS. Once NRCS identifies possible options, they will be screened to determine which options will be carried forward for detailed study in the EIS and which ones will not be considered further. Once alternatives are selected for further review, the project team will begin moving forward with the environmental review process. The project team will prepare a Draft EIS and will hold a public meeting to review the results with the public and ask for comments.

Final EIS and Mitigation Commitments. NRCS will consider all comments received on the Draft EIS as it prepares the Final EIS and finalizes mitigation commitments. Comments on the Final EIS will be kept on file for NRCS's consideration as it completes a Record of Decision (ROD) for the project.

Federal Approval. Once the Final EIS is completed, NRCS will complete a ROD. The ROD will describe the process to date, provide details on the project's compliance with NEPA, identify the selected alternative, disclose what NRCS expects will be the project-related impacts of the selected alternative, and list mitigation commitments.

Once the ROD has been signed by NRCS, if the selected alternative would affect waters of the United States, the project sponsor will work with USACE and EPA to obtain a permit under Section 404 of the Clean Water Act. The project EIS would be used to support this permit action.

If the selected alternative would directly affect land administered by USFS, the project sponsor will also need to obtain a use permit from USFS. The project EIS would be used to support this permit action.