Appendix A: Comments & Responses

- **Draft Plan-EA Comment Matrix**
- **Draft Plan-EA Comments Received**
- **Scoping Report & Appendices**
    - Appendix A: Public Participation Plan (PPP)
    - Appendix B: Agency & Public Scoping Meeting Materials
    - Appendix C: Scoping Comments Received
    - Appendix D: Cooperating Agency & Tribal Letters
- **PL 83-566 Section 12 Consultation Letter**
- **SHPO Consultation & Concurrence/Camp UTABA: Section 106**
- **Section 106 Tribal Consultation Table**
- **Section 106 Tribal Consulting Party Documentation**
- **Transcript of Alternative Selection Meeting**
- **Section 7 Endangered Species Act Consultation**
- **Draft Plan-EA Notice of Availability (NOA)**

Draft Plan-EA Comment Response Matrix

UTABA DAM REHABILITATION DRAFT PLAN-EA COMMENT RESPONSE MATRIX

COMMENTER	COMMENT/CONCERN	RESPONSE/CORRECTION
1	A question was asked whether a grate over the proposed auxiliary spillway at the bottom could be included.	The response to the commenter noted that the concept of including a covering over the spillway could be addressed during the design phase, as the 30% design for the Plan-EA has not gotten into that level of detail.
1	A general request was made for the consideration of safety measures to reduce the risk of drowning at the toe of the dam/spillway exit.	The response to the commenter referenced Section 6.6.14 of the Draft Plan-EA (Public Health and Safety) which discusses multiple BMPs which would be employed to minimize the effect of project activities on public health and safety. Additionally, a bullet point was added to this section of the Plan-EA which reads "Additional long-term safety measures would be considered during the design process to reduce the risks of drowning/falls in the spillways. These measures could include, but are not limited to, fencing, grates/covers over the spillway, and other measures".
2	The commenter expressed support for the Structural Rehabilitation Alternative and emphasized the importance of maintaining state involvement in the management of Utah water resources.	The Preferred Alternative is intended to rehabilitate the existing flood control structure to meet current NRCS and Utah Dam Safety standards while continuing coordination with Weber County and applicable state agencies during implementation. No revisions to the Plan-EA were identified as necessary in response to this comment.
2	The commenter requested that the project evaluate incorporation of SCADA systems and secondary water metering infrastructure consistent with HB 501.	Utaba Dam is a flood control dam and does not involve secondary water delivery infrastructure, irrigation distribution systems, or municipal water supply facilities. Therefore, secondary water metering systems and related conservation pricing infrastructure are outside the scope of the Proposed Action. No revisions to the Plan-EA were identified as necessary in response to this comment.
2	The commenter requested that the OM&R framework incorporate mechanisms for split-season leasing and flexible agricultural water management under HB 348.	The Proposed Action does not modify existing water rights, irrigation allocation systems, or consumptive water use operations. Accordingly, agricultural water leasing and allocation mechanisms are outside the scope of this Supplemental Plan-EA. No revisions to the Plan-EA were identified as necessary in response to this comment.

COMMENTER	COMMENT/CONCERN	RESPONSE/CORRECTION
2	The commenter requested that cybersecurity and emergency response protocols be incorporated into the operation of any automated infrastructure associated with the rehabilitated dam.	Operation and maintenance activities for the rehabilitated structure would continue to be coordinated with Weber County and applicable state requirements during final design and implementation. Clarifying language was added to Section 6.10 of the Plan-EA regarding future operational coordination and applicable state requirements.
2	The commenter requested confirmation that any required water rights actions and engineering approvals would comply with HB 60 and Utah Division of Water Rights requirements.	Any required permits, approvals, or coordination with the Utah Division of Water Rights would occur during final design and implementation, as applicable. Clarification language regarding future coordination and permitting requirements was added to Section 6.5 of the Plan-EA.
2	The commenter expressed support for the geotechnical and seismic mitigation measures proposed for the rehabilitation of the dam.	Detailed geotechnical and seismic investigations were completed for the project and were incorporated into the formulation of the Preferred Alternative and associated rehabilitation measures. Additional work would occur during the design phase. No revisions to the Plan-EA were identified as necessary in response to this comment.
2	The commenter recommended the use of Utah's In-Lieu Fee mitigation program for any unavoidable impacts to wetlands and aquatic resources.	Compensatory mitigation for unavoidable impacts to aquatic resources would be coordinated with the U.S. Army Corps of Engineers during permitting and may include participation in an approved mitigation program, as appropriate. Additional clarification language was added to Section 6.6.6 of the Plan-EA confirming the use of the program may be an option for compensatory mitigation contingent upon USACE approval.
2	The commenter requested adherence to avoidance and timing protocols for the western yellow-billed cuckoo and Ute ladies'-tresses during construction.	the Plan-EA includes avoidance and minimization measures for federally listed species and that species protection measures would be adhered to during final design and construction. No revisions to the Plan-EA were identified as necessary in response to this comment.

COMMENTER	COMMENT/CONCERN	RESPONSE/CORRECTION
2	The commenter emphasized the importance of complying with Section 106 procedures and halting construction if unanticipated cultural resources are discovered.	The response to the commenter noted that cultural resource coordination has been conducted in accordance with Section 106 of the National Historic Preservation Act and that standard inadvertent discovery procedures would be implemented during construction. No revisions to the Plan-EA were identified as necessary in response to this comment.
2	The commenter encouraged Weber County and local entities to pursue additional funding opportunities through the Utah Department of Agriculture and Food Agricultural Water Optimization Program.	Weber County may pursue additional complementary funding opportunities. No revisions to the Plan-EA were identified as necessary in response to this comment.
2	The commenter emphasized the need to coordinate with the local Floodplain Administrator and comply with FEMA and NFIP requirements, including any necessary floodplain development permits or Letters of Map Change.	Applicable floodplain coordination, permitting, and FEMA compliance requirements would be addressed during final design and implementation, as necessary. Language clarification regarding floodplain coordination and permitting was added to Section 6.5 of the Plan-EA.

Draft Plan-EA Comments Received

Comment Form – Utaba Dam Rehabilitation Draft Watershed Plan-EA

Name: Ericka Rountree - Co-Manager Camp UTABA

Email: Camp Utaba@gmail.com

Phone: 801-678-0008

Write Comment Below:

Grate over spillway at bottom? Are there any safety measures we can take to decrease risks of drowning issues at the spillway exit? toe

State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

Department of Natural Resources

JOEL FERRY
Executive Director

Public Lands Policy Coordinating Office

REDGE B. JOHNSON
Director

May 20, 2026

Submitted electronically: Ammon.boswell@usda.gov

Ammon Boswell
Watershed Program Manager
Natural Resources Conservation Service
U.S. Department of Agriculture
1950 West Main Street
Tremonton, Utah 84337

RE: **Utaba Dam Rehabilitation Supplemental Watershed Project Plan-EA**
RDCC Project No. 87206

Dear Mr. Boswell:

The State of Utah (State), through the Public Lands Policy Coordinating Office, appreciates the opportunity to provide comments and suggestions in response to the USDA Natural Resources Conservation Service's (NRCS) solicitation of input on the Draft Supplemental Watershed Plan No. 1 and Environmental Assessment (Plan-EA) for the Utaba Dam Rehabilitation Project. The State submitted scoping comments (August 30, 2024) and incorporates those comments herein by reference.

Efficient watershed management is critical to rural infrastructure, ensuring public safety, coordinating water storage, and protecting resources across federal, state, and local lands in Utah. The State recognizes the substantial effort invested by the NRCS, Weber County, and local engineering consultants in this Draft Plan-EA. Moreover, the State notes that proposed Action Alternative 1 (Structural Rehabilitation Alternative) is essential and highly supported. Notwithstanding, its implementation must comport with Utah's recent legislation. Below, the State outlines its substantive proposals, covering both the core legislative requirements of the 2026 session and the environmental mitigations outlined in the appendices, to ensure the preferred alternative maximizes efficiency.

I. State Sovereignty and High-Hazard Infrastructure

Utah remains committed to a cooperative federal-state framework that honors the state's historical jurisdiction over its water resources. Constructed in 1962, the Utaba Dam has served as an invaluable asset, sustaining the local agricultural economy and providing vital downstream flood mitigation for Weber County. However, its recent reclassification to a "High Hazard Potential" status under the Federal Guidelines for Dam Safety introduces complex compliance and infrastructure challenges.

Under the Dam Safety guidelines, the Utaba Dam was analyzed for failure scenarios. Utah recognizes that a failure of Utaba Dam under a Probable Maximum Flood (PMF) scenario or a significant seismic event would yield catastrophic loss of life and economic devastation to the North Fork Ogden River corridor. Consequently, the State unequivocally supports the Structural Rehabilitation Alternative, over Decommissioning, or the No Action baseline; yet, Utah encourages implementation of the Utaba Dam project to honor state jurisdiction over its water resources.

II. Alignment with Secondary Water Metering Mandates (HB 501)

The Preferred Alternative proposes to extend the life of Utaba Dam by 50 years, so it is critical that the dam include features to accommodate adaptive management and conservation over time. For example, under Utah's recently passed HB 501 (Water Modifications, 2026), all secondary water suppliers within the state are legally required to adopt tiered conservation rate structures by July 1, 2030, to curb resource waste. Implementation of the Utaba Rehabilitation project must accommodate adaptive management and conservation throughout its useful life.

The final EA must incorporate an evaluation of how the irrigation distribution systems drawing from this modified detention pool will integrate smart secondary metering. The dam's rehabilitation presents a prime opportunity to install real-time SCADA (Supervisory Control and Data Acquisition) systems at the headgates and principal spillway outfalls. These systems will provide the granular data necessary for secondary water providers to establish baseline usage metrics and enforce the newly mandated tiered conservation rates, as well as accommodate adaptive management into the future.

III. Integration of Flexible Agricultural Water Portfolios (HB 348)

Agriculture is vital to Weber County. The passage of HB 348 (Dedicated Water Amendments, 2026) establishes a streamlined legal pathway for water rights holders to temporarily or split-seasonally dedicate a portion of their allocations to instream flows or reservoir delivery without risking forfeiture under traditional applications of the prior appropriation doctrine.

The final Plan-EA must acknowledge this new statutory flexibility in its socioeconomic and water resource impact analyses. For example, the long-term Operations, Maintenance, and Replacement (OM&R) plan for the rehabilitated dam should include mechanisms to facilitate these voluntary, split-season water-lease opportunities. This will provide structural security, allow local canal companies to participate in split-season leasing, optimize water use, and provide a financial safety net for local producers during severe drought cycles. Adaptive management and water optimization are important to Utah's water resilience and must be included in the OM&R plan.

IV. Emergency Preparedness and Cyber-Security (HB 19)

Because the Utaba Dam provides critical municipal water storage in addition to flood control, its operations plan falls firmly under current public utility protection frameworks. The passage of HB 19 (Drinking Water Utilities Amendments, 2026) imposes strict emergency-response mapping requirements and requires an immediate two-hour reporting window to the Utah Cyber Center for physical or digital security breaches at community water systems.

As the principal spillway and automated gates are upgraded, they become potential vectors for cyber-intrusion. The final document should verify that the project's OM&R agreements integrate with these cyber and physical security protocols, ensuring the digital systems controlling this high-hazard reservoir are protected against security threats.

Utah's right to manage its own water resources extends to the technology implemented to operate these facilities. Therefore, it is critical that Utah be a primary participant in the management of SCADA used to manage its water resources and protect downstream communities.

V. Coordination of Water Rights Administrative Actions (HB 60)

The successful implementation of the Preferred Alternative involves coordinated water resource updates before the Utah Division of Water Rights. Modifying the spillway crest elevations, widening the embankment, increasing storage capacity, and adjusting the detention profile may require formal Change Applications or administrative approvals from the State Engineer.

The legislature's passage of HB 60 (Water Rights Amendments, 2026) significantly narrows the legal scope of standing for water application protests, focusing exclusively on direct hydrologic impacts. The final Plan-EA should confirm that all necessary change applications and engineering designs comply with this legal framework to reduce the risk of litigation.

VI. Geotechnical, Seismic, and Environmental Mitigations

Due to Utah's high seismic risk, high-hazard dams along the Wasatch Fault must be engineered to withstand immense tectonic forces. The State supports the geotechnical engineering parameters utilizing modern zoning techniques and rigorous compaction standards to prevent piping and liquefaction failure modes.

Further, mitigation is required where construction impacts wetlands within the Area of Potential Effects (APE). Utah strongly advocates for using the State's In-Lieu Fee (ILF) Mitigation Program to satisfy Clean Water Act Section 404 requirements. Additionally, to ensure mitigation is successful, construction scheduling must adhere to the avoidance protocols established for the western-yellow-billed cuckoo and the Ute Ladies'-tresses.

VII. Section 106 Compliance and State Grant Synergies

The project area holds significant historical value. The State commends the thoroughness of the Cultural Resources Inventory Report (Appendix A) and supports the proposed mitigation measures. If unanticipated cultural materials are discovered, construction must immediately halt, and the Utah SHPO and tribal consulting parties must be notified.

Finally, to maximize the federal investment, the State urges Weber County and local canal companies to aggressively pursue cost-share funding through the Utah Department of Agriculture and Food's (UDAF) Agricultural Water Optimization Program. Integrating on-farm efficiency improvements concurrently with the dam's structural rehabilitation will multiply the project's overall return on investment and secure the basin's water future.

VIII. Compliance with Flood Regulations

The State submitted comments during the scoping period for this project. Those comments essentially stated that all applicants, including state and federal agencies adhering to 44 CFR 60.3, must comply with the National Flood Insurance Program (NFIP) and local floodplain regulations by consulting the local Floodplain Administrator (FPA) where the work is being performed. The FPA will verify if a local floodplain development permit is necessary for the project. Furthermore, any development within Special Flood Hazard Areas (SFHAs)

may require the applicant to obtain additional federal or local authorizations, including a Letter of Map Change (LOMC) from FEMA.

The State appreciates compliance with these regulations and will facilitate their implementation as needed during construction and throughout the useful life of this project.

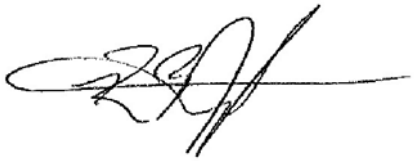
Conclusion

The Utaba Dam Rehabilitation Project is a vital intervention for downstream safety, agricultural viability, and regional water resiliency in Weber County. Action Alternative 1 (Structural Rehabilitation) proposes engineering designs that guarantee this infrastructure will continue to provide flood control and water storage for the next half-century.

By incorporating adaptive management features, forward-looking OM&R frameworks, conservation mandates, biological mitigations, and security protocols into the final Environmental Assessment, the NRCS and Weber County can ensure this infrastructure serves as a premier model of federal-state collaboration. We appreciate your diligent work on this comprehensive plan and expect these substantive comments to be fully integrated into the Final Decision Document.

Thank you for your time and consideration of these comments. Please contact me if you have any further questions.

Sincerely,



Redge B. Johnson
Director

Scoping Report & Appendices



Utaba Dam Rehabilitation Supplemental Watershed Plan-EA
— Scoping Report —

Sponsor:

WEBER COUNTY

Lead Agency:

USDA NRCS

United States Department of Agriculture
Natural Resources Conservation Service

Cooperating Agencies:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Consultants:

FRANSON CIVIL ENGINEERS

GERHART COLE

— September 2024 —

Prepared by:
Franson Civil Engineers
1276 South 820 East, Suite 100
American Fork, Utah 84003

Table of Contents

1.0 Introduction 1
1.1 Purpose of Scoping Process 1
1.2 Scoping Process 1
1.3 Organizational Involvement 2
2.0 Scoping Process Summary 3
2.1 Scoping Announcements and Comment Period Schedule 3
2.1.1 Agency Scoping Meeting 3
2.1.2 Public Scoping Meeting 3
2.1.3 Comment Period 4
2.2 Scoping Notices 4
2.2.1 Scoping Materials Content 4
2.2.2 Publishing Details 4
2.3 Meetings 4
2.3.1 List of Meeting Dates, Times, and Virtual Platforms 5
3.0 Comments 6
3.1 Public Scoping Meeting 6
3.2 Comments Received 6
3.2.1 Summary of Comments 6
4.0 Resource Concerns and Cooperating Agencies 9
4.1 Resource Concerns 9
4.2 Agency Scoping Meeting/Cooperating Agencies 11
4.2.1 Agencies 12
5.0 Appendix 13

List of Tables

Table 3-1. Project Team Member Attendance 6
Table 4-1. Resource Concerns 9
Table 4-2. Cooperating Agencies 12

Appendices

Appendix A *Public Participation Plan*

Appendix B *Agency and Public Scoping Materials and Records*

Appendix C *Scoping Comments Received*

Appendix D *Cooperating Agency and Tribal Letters*

1.0 Introduction

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and State dam safety standards.

This project's planning phase has been funded through the Watershed Rehabilitation Program or REHAB (Public Law [PL] 83-566), which authorizes funding to help communities rehabilitate deficient or aging dams. This planning phase follows these laws as well as the National Environmental Policy Act (NEPA) regulations and is called a Watershed Plan Environmental Assessment (Plan-EA). This Plan-EA will discover and analyze any impacts the project actions have to the environment.

The Plan-EA encompasses many elements:

- Analysis of potential options (alternatives) to meet the general purposes of PL 83-566 and the defined purpose and need of the overall project.
- A study containing a detailed analysis of affected resources that each alternative—which satisfy the purpose and need for the project—may have.
- Identification of potential minimization, mitigation, and avoidance measures that would reduce or eliminate possible impacts.
- A public participation and agency consultation and coordination plan throughout the development of the Plan-EA.

1.1 Purpose of Scoping Process

NEPA requires an early and open process to determine the scope and significance of the issues to be addressed by the Plan-EA. Participation of the affected public, agencies, and organizations is a vital component of the process to identifying issues and resource concerns. This ensures that those who are interested in or potentially affected by proposed alternatives have an opportunity to share concerns and provide insight and input during the initial phases of the planning process. The objectives of scoping include:

- Identify and notify interested and affected parties
- Provide information to agencies, Tribes, and the public regarding the proposed project
- Initiation of National Historic Preservation Act (NHPA) Section 106 Consultation
- Initiation of the formal National Environmental Policy Act (NEPA) Scoping Process
- Identify significant issues related to the project area

1.2 Scoping Process

A diverse group of participants—including public, stakeholder, Tribal, and government agencies at local, county, and state levels—were invited to participate in the scoping process to identify

issues and resource concerns. During the scoping process, project-related input, documents, and comments were requested. Throughout the development of the Plan-EA, ongoing communication will be maintained with interested public, stakeholders, agencies, and Tribes. All public scoping activities, meetings, and comments will be documented to ensure NEPA, CEQ, and NRCS scoping requirements have been met. Detailed objectives are included in the Public Participation Plan, shown in Appendix A.

1.3 Organizational Involvement

Roles and responsibilities for the scoping process included:

- USDA-NRCS: *Lead NEPA Agency*
- Weber County: *Project Sponsor*
- Franson Civil Engineers: *Third-Party Engineering/Permitting Consultant*
- Gerhart Cole : *Third-Party Geotechnical Consultant*
- Cirrus Ecological Solutions: *Third-Party Biological/Aquatic Resources Consultant*
- Bighorn Archaeological, Inc.: *Third-Party Archaeological Consultant*

2.0 Scoping Process Summary

This section summarizes the scoping activities and outreach efforts coordinated for the proposed project.

2.1 Scoping Announcements and Comment Period Schedule

The project's initial scoping process with agencies and the public is outlined below. A 30-day comment period was held between August 1, 2024, and August 30, 2024, to solicit input on issues, resource concerns, and potential solutions.

2.1.1 *Agency Scoping Meeting*

- **August 1, 2024:** Scoping meeting invitations sent to agencies, including cooperating agencies, via email
- **August 7, 2024:** NEPA Cooperating Agency invitation letters sent to agencies by NRCS
- **August 14, 2024**: Agency Scoping Meeting held virtually, recording link in Appendix B

2.1.2 *Public Scoping Meeting*

- **July 30, 2024:** NEPA Scoping letters and notices were sent to the following Tribes/Tribal Historic Preservation Officers (THPOs):
  - Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
  - Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho
  - Northwest Band of the Shoshone Nation, Utah
  - Skull Valley Band of Goshute Indians, Utah
  - Confederated Tribes of the Goshute Reservation, Utah
  - Ute Indian Tribe of the Uintah & Ouray Reservation, Utah
- **August 1, 2024**: Public scoping notices were mailed to the public including shareholders of the Liberty Pipeline Company and Cole Canyon Water Company. The public scoping notice was also published to Weber County social media.
- **August 1, 2024**: Meeting notice published in the legal section of *The Standard Examiner* and online on *UtahLegals* (See Appendix B)
- **August 15, 2024**: Public Scoping Meeting held in-person and virtually. In-person meeting occurred at the Ogden Valley Branch Library in Huntsville, Utah. A recording of the meeting was made available on the project website within 24 hours after the public meeting.
- **August 20, 2024**: NEPA Cooperating Agency invitation letters sent to Utah SHPO and Tribes by NRCS.

2.1.3 *Comment Period*

- **August 1, 2024** *(Comment Period Opened)*: Scoping notice, presentation materials, and meeting recording available at:
  - NRCS project website: https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea
  - Project website: https://www.fransoncivil.com/utaba
- **August 30, 2024** *(Comment Period Closed)*: Comments from all submission options gathered

2.2 Scoping Notices

A variety of materials were produced to announce the public scoping meeting: a flyer delivered by email, a scoping notice placed on the project and NRCS websites, and an ad placed in *The Standard Examiner* at the start of the comment period. Appendix B includes links for scoping notice and the newspaper ad. The list of recipients (agency, stakeholder, public) was prepared by the NRCS, sponsors, and consultants.

2.2.1 *Scoping Materials Content*

- Project summary
- Public Scoping Meeting details (date, time, how to attend)
- Comment period open/close details
- List of comment submission methods and instructions (online form, email, and physical letter)

2.2.2 *Publishing Details*

- A scoping notice was emailed on August 1, 2024. Shareholders at Liberty Pipeline Company, Cole Canyon Water Company, and Durfee Creek HOA distributed the notices via their internal email lists.
- Weber County posted an announcement on their Facebook page on August 1, 2024: https://www.facebook.com/photo?fbid=791512346503226&set=a.195241182797015
- Webpage with project, meeting, and comment period details posted on https://www.fransoncivil.com/utaba on July 25, 2024.
- Scoping notice and meeting details posted in legal section of *The Standard Examiner* and online on *UtahLegals* on August 1, 2024.
- Comment form and further comment method details posted on https://forms.gle/fRWUNMBtqmi7C2Ff9 on July 25, 2024.

2.3 Meetings

Several meetings were held to present the Plan-EA/NEPA process in order to maximize coordination understanding and processes; to gather input for project concerns, opinions, and

possible obstacles/oppositions; and to discuss possible/proposed alternatives. The list of meetings includes ones held with the NRCS project team, project sponsors, agencies, stakeholders, and the public.

2.3.1 *List of Meeting Dates, Times, and Virtual Platforms*

Sponsor Kick-off Meeting

- July 2, 2024; 1:00 PM; In-Person Meeting at the Weber County offices in Ogden, Utah with a virtual attendance option via Microsoft Teams
- Project kickoff meeting with NRCS, project sponsors, and consultants to make introductions; discuss project purposes, and to set up project communication and outreach activities including the scoping meeting schedule.

Agency Scoping Meeting

- August 14, 2024, 3:00 PM.; virtual meeting via Microsoft Teams
- Meeting with agencies to present an overview of the NRCS funding, NEPA process, the project, and to solicit information/comments. A link for the PowerPoint presentation and list of those who attended is found in Appendix B. A recording of the meeting can be viewed here: Utaba Dam Rehabilitation Plan-EA_ Agency Scoping Meeting-20240814_150220-Meeting Recording.mp4

Public Scoping Meeting

- August 15, 2024, 6:30 PM; In-Person Meeting at the Ogden Valley Branch Library in Huntsville, Utah with a virtual attendance option via Microsoft Teams.
- Meeting to present an overview of the NRCS funding, NEPA process, project issues, and to solicit information/comments. Attendees were tracked. A link for the PowerPoint presentation is found in Appendix B. A recording of the meeting was made available to the public on the project website within 24 hours of the meeting ending. It may also be viewed at this link: https://youtu.be/KbtC3wvu8nM

3.0 Comments

3.1 Public Scoping Meeting

The Public Scoping Meeting took place on August 15, 2024, at 6:30 p.m. Other than those who were presenting or representing NRCS, the sponsor, or Franson Civil Engineers, there were two virtual attendees and zero in-person attendees at the Ogden Valley Branch Library in Huntsville, Utah. A list of the individuals who attended the public scoping meeting was documented and is available upon request. Participants of the scoping meetings were invited to submit comments via online form, email, or physical letter during the period of August 1, 2024, through August 30, 2024. As previously noted, a recording of the public scoping meeting was made available on the project website within 24 hours after the meeting. Table 3-1 identifies the project team members in attendance for the scoping meetings.

Table 3-1: Project Team Member Attendance

Name	Organization	Title
Gary Myers	Weber County	Weber County Engineer
Ashley Thoman	Weber County	Weber County Engineering
Anders Fillerup	NRCS-UT	Asst. State Conservationist
Derek Hamilton	NRCS-UT	Water Resources Coordinator
Shawn Stanley	NRCS-UT	Project Engineer
Tara Hoffmann	NRCS-UT	State Cultural Resources Specialist
Layne Jensen	Franson Civil Engineers	Technical/Environmental Lead
Landon Richins	Franson Civil Engineers	Environmental Specialist
Eleanore Chambers	Franson Civil Engineers	Project Support

3.2 Comments Received

There were multiple methods available for submission of comments: online form (accessible via the project website), email, or physical letter. Four comments were received during the scoping period—one comment was from a member of the public, one was from the Durfee Creek HOA, one was from the Utah Division of Emergency Management, and one was from the Environmental Protection Agency (EPA). See Appendix C for copies of the comments.

3.2.1 Summary of Comments

The following is a summary of comments that are grouped by topic.

Plants and Wildlife

A public commenter expressed concern that plants and wildlife be evaluated as a part of the planning process. In particular, the commenter noted that various bird species frequent the riparian zones surrounding the reservoir. The commenter wanted to ensure that impacts to these species are avoided, minimized, and mitigated to the extent practicable. Additionally, the commenter noted that there is a potential for the Federally listed Ute Ladies'-tresses to occur in the area and that there should be proper protective measures employed for this species during and after construction if they are present.

HOA Property

A comment was received on behalf of the Durfee Creek Homeowners Association. The HOA is a stakeholder in the project because much of the project area is located within HOA-owned property. The comment was submitted to ensure that a 1992 agreement between the developer of the Durfee Creek estates and the Liberty Pipeline Company was recorded in project record. The agreement includes a restrictive covenant encumbering a 1,500-foot radius above the Utaba Springs and a 16-foot easement where the water line from the Utaba Springs to the Durfee Creek water storage tank was constructed. A copy of the agreement was also sent to Franson Civil Engineers and Weber County Engineering previously.

Floodplain Development Permits

A comment received from the Utah Division of Emergency Management asked NRCS to verify whether a floodplain development permit would be required from the local Floodplain Administrator (FPA) in the community. The Division explained its regulatory requirement to obtain local floodplain development permits where necessary and asked that the community floodplain manager be contacted about any pertinent work as a part of construction.

Comments from the Environmental Protection Agency

The EPA, which joined the project as a cooperating agency, provided scoping comments in the form of a letter to NRCS dated August 29, 2024. The comments address a wide variety of topics the agency wishes to see incorporated into the Plan-EA. A full copy of the letter is included in Appendix C. The following information comprises a brief summary of the EPA comments.

The EPA recommended that NRCS develop a purpose and need statement that is broad enough to encompass an appropriate range of both reasonable and practicable alternatives, including the proposed project and other management options per the National Environmental Policy Act (NEPA) and the Clean Water Act (CWA).

It was recommended that the NEPA document summarize the regulatory requirements and processes utilized to develop the reasonable and practicable alternatives for purposes of NEPA and the CWA and to also include the rationale for alternative elimination and retaining.

It was recommended that the Plan-EA address whether the proposed action would include adding additional storage capacity for Utaba Dam beyond what it has historically supported. The agency also recommended that the environmentally preferable alternative be identified in the Plan-EA, with a particular emphasis on addressing secondary benefits to the environment as a part of the

decommissioning alternative, sedimentation concerns with the potential borrow area, and fish population health, suitable spawning areas, and habitat connectivity.

A recommendation was made to utilize the best available data to document the existing conditions and to provide clear maps of pertinent resource concerns in the document's discussion of existing conditions. This includes a description of the current operations of Utaba Dam.

In the discussion of the environmental consequences of the considered alternatives, the EPA recommends analyzing direct, indirect, and cumulative effects. Particular emphasis was placed on the discussion of a dam failure response and project impacts to the Great Salt Lake. A suggested method of evaluating the cumulative impacts is identified in the letter in Appendix C.

It was recommended that the Plan-EA document include a detailed discussion of water resources, including water quality and the avoidance, minimization, or mitigation of potential impacts to wetlands or Waters of the United States (WOTUS).

It was recommended that the Plan-EA document include a detailed discussion of biological resources including Federally listed and/or protected species under the Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), and the Bald and Golden Eagle Protection Act (BGEPA).

It was recommended that the Plan-EA document include a detailed discussion of air resources by establishing existing conditions using the National Ambient Air Quality Standards (NAAQS) and a discussion of equipment to be used during construction that could have temporary impacts on air quality. Additionally, the EPA requested the plan to look into best management practices (BMPs) to minimize air quality impacts.

It was recommended that the Plan-EA include a discussion of impacts to recreation, particularly as it applies to the North Fork Park which is designated as an international dark sky area. It was recommended that light pollution be discussed in the NEPA document.

It was recommended that the Plan-EA include a discussion of the ways the project may be impacted by climate change, including projected increases in the fraction of precipitation falling as rain rather than snow, changes in the timing of streamflows, and increased frequency of extreme weather events resulting in heavy precipitation and flooding. It was also recommended that the Plan-EA address the "social cost of greenhouse gases" by calculating SC-GHGs using the EPA's GHG estimates spreadsheet.

The full scoping comments from the EPA may be found in Appendix C of this scoping report.

4.0 Resource Concerns and Cooperating Agencies

4.1 Resource Concerns

Based on the required scoping concerns outlined in the National Watershed Program Manual Section 501.24B and from any additional concerns identified by the public, stakeholders, and or agencies during the scoping meeting process, a list of resource concerns was compiled for the project. Table 4-1 identifies a comprehensive list of the resource concerns compiled for the project. This list was reviewed during the Agency Scoping Meeting when agencies present were asked to provide any input on the resource list they may have.

Table 4-1: Resource Concerns

ITEM/CONCERN	RELEVANT TO THE PROPOSED ACTION (YES/NO)	RATIONALE
Soil-Related Concerns		
Soil Resources	YES	Soil conditions should be evaluated at the site.
Geology	YES	Geology is a critical factor in determining structural stability.
Water-Related Concerns		
Water Resources	YES	Utaba is a retarding dam that exists to take the peaks off of high flows.
Water Quality	YES	Surface water and groundwater quality may be affected by the proposed action.
Floodplain Management	YES	The reservoir and camp UTABA exist within a Zone A FEMA Floodplain.
Waters of the U.S. (WOTUS), Wetlands, and Special Aquatic Sites	YES	There may be Jurisdictional wetlands and/or WOTUS in the project area.
Air-Related Concerns		
Air Quality	YES	Temporary construction activities would likely produce dust and emissions, impacting air quality.
Climate Change	YES	There would be temporary impacts to GHG (greenhouse gas) emissions during construction.
Plant and Animal-Related Concerns		
Endangered and Threatened Species	YES	USFWS IPaC shows five threatened and endangered (T&E) species that may occur

ITEM/CONCERN	RELEVANT TO THE PROPOSED ACTION (YES/NO)	RATIONALE
		within the project area. Habitat suitability surveys will occur.
Migratory Birds	YES	Migratory birds are likely to occur in the watershed.
Bald and Golden Eagles	YES	Bald and Golden Eagles may occur within the watershed.
Invasive Species	YES	Invasive plant species are known to occur in the project area.
Fish and Wildlife	YES	Fish and wildlife habitats exist in the project area. There is potential for minor impact to species due to construction.
Natural Areas	YES	There are no protected natural areas in the project area. However, there is natural land surrounding the project area.
Riparian Areas	YES	Riparian areas likely occur within the project area.
Human Use-Related Concerns		
Cultural Resources/Historic Properties and Tribal/Native Hawaiian Organization (NHO) Consultation	YES	Cultural and historic resources occur within the project area. Section 106 consultation will be completed.
Environmental Justice and Civil Rights	YES	Environmental Justice should be analyzed in detail for all projects, pursuant to Executive Order 12898.
Public Health and Safety	YES	There may be improvements to public health and/or safety under the proposed action.
Scenic Beauty	YES	The scenic beauty of the project area will be evaluated, including the North Fork Park's designation as a dark sky park.
Scoped Ecosystem Services of Concern		
Provisioning Services	YES	There are provisioning services in the project area.
Regulating Services	YES	There are regulating services in the project area.
Supporting Services	NO	Supporting Services are categorized as an intermediate ecosystem service. As an intermediate service, their service is already included in the final ecosystem service, which mainly consists of benefits derived

ITEM/CONCERN	RELEVANT TO THE PROPOSED ACTION (YES/NO)	RATIONALE
		from Provisioning, Regulating, and Cultural Services. Because there is no measurable benefit associate with Supporting Services, it is not included in the ecosystem services analysis.
Cultural Services	YES	There are cultural services in the project area.
Other Concerns Identified by Sponsoring Local Organization (SLO), Agencies, and the Public		
Operation, Maintenance, and Replacement (OM&R) of the Dam	YES	OM&R of the dam will be impacted by the Proposed Action.
Dam Sedimentation Rates (originally planned, actual, and future)	YES	Sedimentation is an important concern to address for the proposed action.
Breach Analysis (assumed parameters)	YES	A breach analysis will be conducted for the dam.
Hazard Classification (NRCS and State)	YES	Hazard classification will be evaluated.
Potential Modes of Dam Failure (stability, hydrologic, seismic, seepage, material deterioration, etc.)	YES	Modes of dam failure will be evaluated in detail.
Consequences of Dam Failure	YES	The consequences of dam failure will be discussed.
Reasons the Structure Fails to Meet NRCS & State Safety and Performance Standards	YES	The reasons the dam fails to meet performance standards will be evaluated.

4.2 Agency Scoping Meeting/Cooperating Agencies

The NRCS mailed letters to agencies, Tribes, and the Utah State Historic Preservation Office (SHPO) along with the agency scoping notice requesting their participation as a cooperating agency on the project. At the Agency Scoping Meeting on August 14, 2024, the following agencies had representatives present:

- Environmental Protection Agency (EPA)
- U.S. Fish and Wildlife Service (USFWS)

At the agency meeting, the EPA voiced their concern that the North Fork Park area near the Reservoir is designated as a dark sky area and impacts should be considered in the appropriate section of the Plan-EA. An EPA Section 404 specialist at the meeting was also able to help answer NRCS questions on the requirements for nationwide permits for this project.

Also, the USFWS voiced their concern about the potentially suitable habitat for both the Western Yellow-billed Cuckoo (*Coccyzus americanus occidentalis*) and the Ute Ladies'-tresses (*Spiranthes diluvialis*). A plan to prepare a "short" Biological Assessment (BA) to document no effects for the planned geotechnical investigation was discussed. Additionally, a plan to prepare a second, full-fledged, BA in the future was presented. USFWS will receive copies of both the short-form and full-form BAs when ready.

Additionally, the NRCS asked the sponsor if there would be any controversy from the public about using the North Fork Park area as a borrow area for construction. Weber County said that, since they own the park, they are more than willing to utilize the area for staging/borrow area now and potentially restore the area in the future.

4.2.1 Agencies

The following agencies received invitations to become cooperating agencies on the project:

- Environmental Protection Agency (EPA)
- U.S. Fish and Wildlife Service (USFWS)
- U.S. Forest Service (USFS)
- U.S. Army Corps of Engineers (USACE)
- State Agencies via the RDCC (agency scoping notice)
- Utah State Historic Preservation Office (SHPO)
- All Tribes/Tribal Historic Preservation Officers (THPOs) identified in Section 2.1.2

The Environmental Protection Agency (EPA) formally accepted the request to participate as a cooperating agency. No other agencies expressed interest in participating as a cooperating agency in the issuance of this report. A sample of the letters can be found in Appendix D.

Table 4-2: Cooperating Agencies

AGENCY	ACCEPTED / DECLINED
Environmental Protection Agency (EPA)	Accepted
U.S. Bureau of Reclamation (USBR)	No Response Received
U.S. Fish and Wildlife Service (USFWS)	No Response Received
Bureau of Land Management (BLM)	No Response Received
U.S. Forest Service (USFS)	No Response Received
U.S. Army Corps of Engineers (USACE)	No Response Received
State Agencies via the RDCC	No Response Received
Utah State Historic Preservation Office (SHPO)	Declined
Tribes (identified in section 2.1.2)	No Response Received

5.0 Appendix

Appendix A: Public Participation Plan

Public Participation Plan for Utaba Dam Rehabilitation Watershed Plan-EA

Appendix B: Agency and Public Scoping Meeting Materials

Tribal/SHPO NEPA Scoping Letters

Public Scoping Materials – Notice, Presentation, and Meeting Recording Link

Agency Scoping Meeting Notice, Presentation, Meeting Recording Link

Agency Scoping Meeting Attendees

Public Scoping Meeting Newspaper Ad Proof

Public Scoping UtahLegals Announcement (online legal notice)

Public Scoping Announcement – Weber County Facebook

Appendix C: Scoping Comments Received

Appendix D: Cooperating Agency and Tribal Letter Examples

Cooperating Agency/Tribal Letters

Appendix A: Public Participation Plan

USDA NRCS
United States Department of Agriculture
Natural Resources Conservation Service

Public Participation Plan (PPP)

For

Utaba Dam Rehabilitation Supplemental Watershed Plan-Environmental Assessment (EA)

This Public Participation Plan (PPP) has been developed in accordance with NRCS Title 400 Part 400 – Public Participation Policy.

OBJECTIVES OF THE PUBLIC PARTICIPATION PLAN

1. Ensure that the general public, including private groups, Tribes, and government agencies; at local, county, and state levels are thoroughly familiarized with the proposed project.
2. Provide a forum for the reception and consideration of public and Tribal input regarding the project. The desired input includes not only opinion, but also uncollected data. Seek input regarding the project problems and opportunities, the range of alternatives, and the potential project impacts.
3. Clarify the effects of the diverse alternatives under consideration.
4. Collect pre-existing resource data regarding the project watershed. The data will be collected from a multitude of agencies and citizens.
5. Incorporate written and verbal comments into the decision-making process.

TECHNIQUES TO ENSURE PUBLIC PARTICIPATION

1. Prepare a list of potentially interested agencies and Tribes with assistance of the NRCS.
2. Determine the required scope and extent of participation for potential National Environmental Policy Act (NEPA) Cooperating Agencies. Send invitations to potentially interested agencies & Tribes to cooperate on the project and attend a scoping meeting.
3. Hold an Agency Scoping meeting to explain the issues and proposed project and request existing resource data about the watershed.
4. Contact local media representatives/newspapers to request their assistance with informing the public, two weeks prior to any scheduled public meeting(s) and regarding availability of documents (see below). Two meetings are envisioned, one (1) for scoping purposes and one (1) for receiving comments on the Draft PLAN-EA (DPLAN-EA). Public meetings will be held virtually but may have the option of attending locally in-person.
    a. Notices will be published in the legal section of the newspaper(s) with copies sent to parties on the mailing lists. The DPLAN-EA newspaper notice will include both the notice of availability of the DPLAN-EA and the schedule and meeting details for the DPLAN-EA public meeting(s). The Final Plan Environmental

Assessment (FPLAN-EA) notice will notify the public of the availability of the FPLAN-EA.

b. Notices will be drafted by the Consulting Firm and submitted to the NRCS for approval prior to their release to the media. Draft news releases will be submitted in time to accommodate processing by the NRCS for publication in the news media (minimum 15 days prior to scheduled meetings or release of the NEPA document)
c. A total of 4 news releases will be prepared by the Contractor: one (1) prior to the scoping meeting(s); one (1) concurrent with filing of the DPLAN-EA and prior to its public meeting(s); one (1) concurrent with filing of the FPLAN-EA; and one (1) concurrent with the completion of the Finding of No Significant Impact (FONSI).
d. As an additional component of the PPP, efforts will be made to identify potential environmental justice groups in the impacted areas using the EPA's online EJScreen Tool and to coordinate outreach efforts based on the findings (NWPM 501.24(2)).

5. Prepare and update project website to disseminate information and collect public involvement information via a Google Form.
6. Provide opportunities to share information and obtain input from project Sponsors/Co-sponsors and the interested public.
7. Develop an email address list to facilitate electronic notification and updates as needed.
8. Email scoping notice to shareholders. Email on 08/01/2024 (2 weeks before public scoping meeting). Public Comment Period lasting from 08/01/2024 – 08/30/2024.
9. Throughout the process described below, NRCS will send notices to Tribes for Section 106 consultation and will maintain a government-to-government relationship.

SCHEDULE

Task	Item	Notice Date (Newspaper: 14 & 7 days prior, Mailing: receive 2 weeks prior)	Meeting Date
1	Agency Scoping Meeting	Email Meeting Invite (Microsoft Teams) via Sindy Smith	08/14/2024
2	Public Scoping Meeting	Notice in Newspapers, city websites, emails to landowners	08/15/2024
3	Internal Alternatives Meeting	N/A	02/28/2025
4	Technical Review of Preliminary Draft Plan-EA	N/A	04/15/2025
5	Draft Plan-EA Public Meeting (Notice.of. Availability.™ .date~~-lo~~cation.of.meeting\)		08/08/2025
6	Draft Plan-EA Finalization		09/12/2025
7	Final Plan-EA (Notice.of.Availability\)		11/15/2025
8	FONSI Completion*		05/30/2026

*Publish in legal section of newspaper(s) and mail to parties on mailing lists. Submit draft notices to NRCS at least 7 days prior to scheduled news release or release of NEPA document.

Appendix B: Agency and Public Scoping Materials and Records

USDA

United States Department of Agriculture

July 30, 2024

Dennis Alex
Chairman
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman Alex:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

Ms. Betsy Chapoose
THPO
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Ms. Chapoose:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

Lillith Court
Tribal Secretary
Skull Valley Band of Goshute Indians
407 Skull Valley Rd
Skull Valley, Utah 84074

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Tribal Secretary Court:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

Joshua Mann
Tribal Historic Preservation Officer
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
P.O. Box 538
Fort Washakie, Wyoming 82514

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Officer Mann:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

Mr. Daniel Moon
Chairman
Skull Valley Band of Goshute Indians
407 Skull Valley Rd
Skull Valley, Utah 84074

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman Moon:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Mr. Amos Murphy
Chairman
Confederated Tribes of the Goshute Reservation
HC61 Box 6104
195 Tribal Center Road
Ibapah, Utah 84034

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman Murphy:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

Mr. Julius Murray
Chairman
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman Murray:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

Mr. Brad Parry
Vice Chairman
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Vice Chairman Parry:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

Mr. Clell Pete
Environmental Protection Department
Confederated Tribes of the Goshute Reservation
HC61 Box 6104
195 Tribal Center Road
Ibapah, Utah 84034

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Mr. Pete:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Carolyn Smith
Cultural Resources Coordinator
Shoshone-Bannock Tribes of the Fort Hall Reservation
P.O. Box 306
Fort Hall, Idaho 83203

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Coordinator Smith:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

John St. Clair
Chairman
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
P.O Box 538
Fort Washakie, Wyoming 82514

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman St. Clair:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Ms. Luana Thompson
Natural Resources Director
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Director Thompson:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Ms. Patti Timbimboo-Madsen
Cultural Resources
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Ms. Timbimboo-Madsen:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Mr. Lee Juan Tyler
Chairman
Fort Hall Business Council
Shoshone-Bannock Tribes of the Fort Hall Reservation
P.O. Box 306
Fort Hall, Idaho 83203

Reference: NEPA Scoping Letter, Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman Tyler:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Tribal Nations are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Public Scoping Meeting
Date: Thursday, August 15, 2024
Time: 6:30p p.m.
Location: Ogden Valley Branch Library, 131 South 7400 East Huntsville, Utah 84317
Virtual Meeting Info: Microsoft Teams:
Meeting ID: 296 637 815 860
Passcode: U4Wisw
Dial in by phone:
+1 385-500-4885,,194588390#
Phone conference ID: 194 588 390#
Request Direct Email invitation: lrichins@fransoncivil.com

Written comments may be submitted anytime during the open comment period from August 1, 2024, to August 30, 2024, via email, mail, or using the online comment submission form. To be considered and become part of the public record for the project, they must be received or post-marked by **August 30, 2024.** Comments received after that date will be conserved, as applicable.

- The comment submission form and additional information may be found at https://forms.gle/fRWUNMBtqmi7C2Ff9

- Comments may be emailed or mailed to the following address:
  Franson Civil Engineers
  Attn: Utaba Dam Rehabilitation Watershed Plan-EA
  1276 South 820 East, Suite 100
  American Fork, Utah 84003

  Email: lrichins@fransoncivil.com, 801-756-0309

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a separate meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, Water Resources Coordinator, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

Public Scoping Materials

Project Fact Sheet

- https://www.fransoncivil.com/wp-content/uploads/2024/07/Utaba-Dam-Rehabilitation-Plan-EA-Fact-Sheet.pdf

Public Scoping Meeting Presentation

- https://www.fransoncivil.com/wp-content/uploads/2024/08/Utaba-Watershed-Plan-EA-Public-Scoping-Meeting-Presentation-compressed.pdf

Public Scoping Meeting Recording

- https://youtu.be/KbtC3wvu8nM

Agency Scoping Materials

Agency Scoping Meeting Presentation

- SAME AS PUBLIC PRESENTATION

Agency Scoping Meeting Recording

- https://fransoncivileng-my.sharepoint.com/:v:/g/personal/lrichins_fransoncivil_com/EWNGEl9HIIlHpBlBZq7ZN68Bg9o_ygh9B6yzfddK2x0pAQ

Agency Meeting Attendees

NAME	AGENCY / ORGANIZATION	CONTACT INFO
Sponsors		
Gary Myers	Weber County, County Engineer	gmyers@webercountyutah.gov
Ashley Thoman	Weber County, County Engineering	athoman@webercountyutah.gov
Project Team		
Layne Jensen	Franson Civil Engineers, Technical/Environmental Lead	ljensen@fransoncivil.com
Landon Richins	Franson Civil Engineers, Environmental Specialist	lrichins@fransoncivil.com
Eleanore Chambers	Franson Civil Engineers, Project Support	echambers@fransoncivil.com
NRCS		
Anders Fillerup	NRCS-Utah, Asst. State Conservationist	anders.fillerup@usda.gov
Derek Hamilton	NRCS-Utah, Water Resources Coordinator	derek.hamilton@usda.gov

Shawn Stanley	NRCS-Utah, Project Engineer	shawn.stanley@usda.gov
Tara Hoffmann	NRCS-Utah, State Cultural Resources Specialist	tara.hoffmann@usda.gov
Agencies		
Amanda Jensen	Environmental Protection Agency	Jensen.Amanda@epa.gov
Nolan Hahn	Environmental Protection Agency	Hahn.Nolan@epa.gov
Dannette Weiss	U.S. Fish & Wildlife Service	dannette_weiss@fws.gov

STAKEHOLDER CONTACT LIST

The following entities comprise the identified stakeholders for the project:

- Residents of Liberty & Eden, Utah (contact through Sean Wilkinson at Weber County)
  - Sean Wilkinson – swilkinson@webercountyutah.gov
- Residents of Huntsville, Utah (contact through the clerk's office)
  - Mayor Richard Sorenson – clerk@huntsvilletown.com
- Stakeholders of the Liberty Pipeline Company (contact through Jodi Davis)
  - Jodi Davis – jodi@libertypipelinecompany.com
- Stakeholders of the Cole Canyon Water Company (contact through Diana Marchione)
  - Diana Marchione – alohaje1@yahoo.com
- Weber County
  - Ashley Thoman – athoman@webercountyutah.gov
  - Gary Myers – gmyers@webercountyutah.gov
  - Gage Froerer – gfroerer@co.weber.ut.us
  - Sharon Bolos – sbolos@webercountyutah.gov
  - Jim Harvey – jharvey@co.weber.ut.us
- Members of the Durfee Creek Homeowner's Association
  - Patricia Allaire – webmaster@durfeecreek.com
- Weber School District
  - Jon Ritchie – jsritchie@wsd.net
- Weber Basin Water Conservancy District
  - Kym Buttschardt – kbuttschardt@weberbasin.gov
  - Scott Jenkins – sjenkins@weberbasin.gov
- Environmental Protection Agency (EPA) (Cooperating Agency)
  - Amanda Jensen –
  - Melissa McCoy –
- Natural Resources Conservation Service (Lead Agency)
  - Shawn Stanley – shawn.stanley@usda.gov
  - Derek Hamilton – derek.hamilton@usda.gov
  - Anders Fillerup – anders.fillerup@usda.gov
  - Tara Hoffmann – tara.hoffmann@usda.gov

- Franson Civil Engineers
  - Layne Jensen – ljensen@fransoncivil.com
  - Chad Brown – cbrown@fransoncivil.com
  - Landon Richins – lrichins@fransoncivil.com
  - Samuel Cuessy – scuessy@fransoncivil.com
  - Eleanore Chambers – echambers@fransoncivil.com

USDA United States Department of Agriculture

Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment

Public Scoping Notice

Project Information

The United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS), with assistance from Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River.

The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure.

Conceptual improvements may include:

- Increasing the capacity of the auxiliary spillway.
- Increasing the top width of the dam.
- Constructing a new spillway due the deficient state of the current one.
- Addressing sedimentation issues in the reservoir.
- Addressing seepage issues at the outlet of the principal spillway.
- Providing protection to the area during an earthquake.

Project Timeline

The project is in the scoping phase of the environmental process to identify issues and resource concerns. Technical studies are scheduled to take place during the summer/fall of 2024, with a Draft Watershed Plan - Environmental Assessment to be circulated for review in 2025.

Public Scoping Meeting

Individuals who may have interest of involvement in the project are invited to attend an online meeting. A recording of this scoping meeting will be available upon request.

THURSDAY AUGUST 15, 2024
@ 6:30 PM

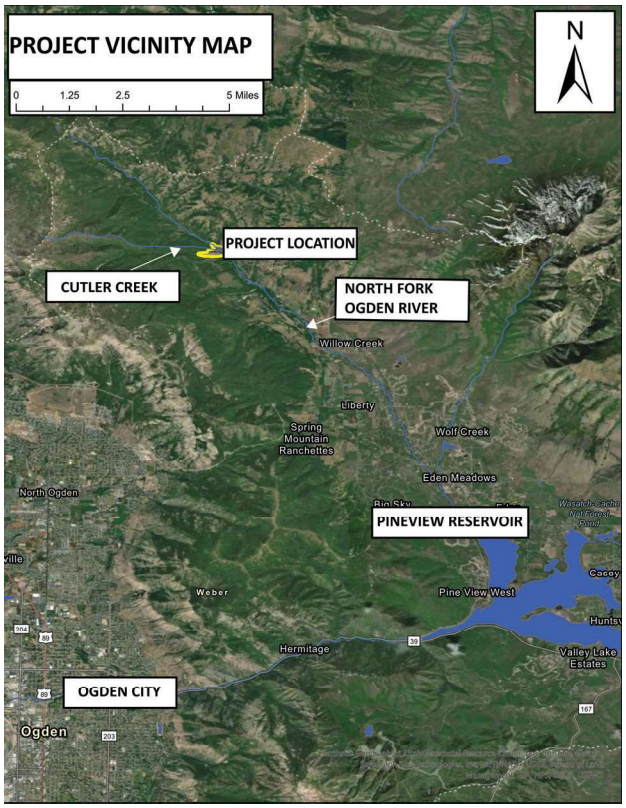
IN-PERSON:

Ogden Valley Branch Library: 131 South 7400 East Huntsville, Utah 84317

Microsoft Teams: Invitation via email
Meeting ID: 296 637 815 860
Phone: +1 385-500-4885,,194588390#
Request email invitation: lrichins@fransoncivil.com

Written comments are requested between August 1 and August 30, 2024

Project Vicinity Map



USDA-NRCS is requesting comments on the project to identify issues and resource concerns.

Submitting Comments:
Written comments may be submitted via email, mail, or using the comment submission form.

MAIL:
Franson Civil Engineers
Attn: Utaba Dam Rehabilitation Watershed Plan-EA
1276 South 820 East, Suite 100 American Fork, Utah 84003

EMAIL:
lrichins@fransoncivil.com

COMMENT FORM:
https://forms.gle/fRWUNMBtqmi7C2Ff9

Direct questions to:
Layne Jensen, Project Manager Franson Civil Engineers
801-769-2046

Project Website:
Additional information can be found on the USDA-NRCS website:
https://www.fransoncivil.com/utaba

Natural Resources Conservation Service
nrcs.usda.gov/

USDA is an equal opportunity provider, employer, and lender.

Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment

Public Scoping Meeting
August 15, 2024
6:30PM MST

The meeting will begin shortly after 6:30 PM MST to allow participants time to join the webinar. Please note, this event is being recorded and will be sent out to those invited following the meeting.

FRANSON CIVIL ENGINEERS

WEBER COUNTY

United States Department of Agriculture

USDA

Public Scoping Meeting

The purpose of this meeting is to:

- Inform the public about the study
- Discuss funding and NEPA process
- Invite participation and feedback
  - Dam Safety Updates
  - Environmental Concerns



Natural Resources Conservation Service

nrcs.usda.gov

Project Team

INTRODUCTIONS

Lead Agency

Anders Fillerup
Asst. State Conservationist (Water Resources)
USDA NRCS-UTAH

Derek Hamilton
Water Resources Coordinator
USDA NRCS-UTAH

Shawn Stanley, P.E.
Watershed Engineer
USDA NRCS-UTAH

Tara Hoffmann
Cultural Resources
USDA NRCS-UTAH

Sponsoring Local Organization (SLO)

Gary Myers & Ashley Thoman
Weber County Engineering
Weber County

Franson Civil Engineers Team

Chad Brown, P.E.
Project Manager

Samuel Cuessy
Engineering

Layne Jensen, P.E.
Technical & Environmental Lead

Landon Richins
Environmental/NEPA

Natural Resources Conservation Service
nrcs.usda.gov

FRANSON CIVIL ENGINEERS

WEBER COUNTY

Watershed Rehabilitation Program

The United States Department of Agriculture – Natural Resources Conservation Service (USDA-NRCS) Watershed Rehabilitation Program (PL 83-566 amendments).

Program Purposes

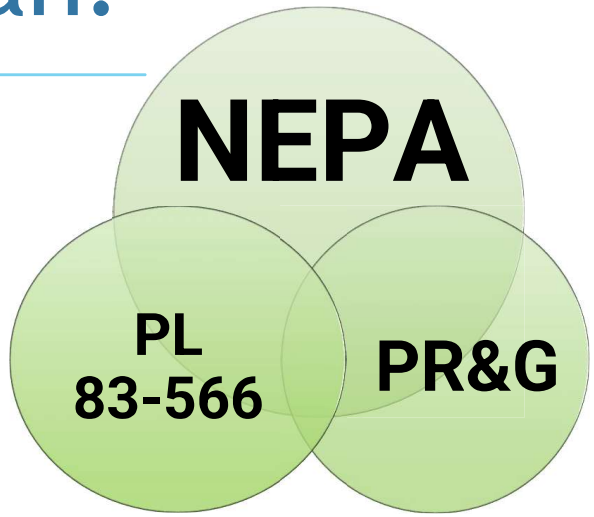
- Provide financial and technical assistance to project sponsors (states, local government entities, and Tribes) to rehabilitate deficient or aging dams.
    - PL-566 funding covers Planning (100%), Design (100%), and Construction (65%) for Watershed Structure Rehabilitation
- Assist with planning and implementation of authorized watershed projects
- Undertaken at the request of local sponsors who seek assistance addressing problems associated with dams near the end of their design lives.

Natural Resources Conservation Service

nrcs.usda.gov

Why a Watershed Plan?

- National Environmental Policy Act (NEPA) Compliance
- NRCS 9-Step Watershed Planning
- Principles, Requirements & Guidelines (PR&G)



Authorized Purposes

- Flood Prevention
- Watershed Protection
- Public Recreation
- Public Fish and Wildlife
- Agricultural Water Management
- Municipal and Industrial Water Supply
- Water Quality Management
- Watershed Structure Rehabilitation

Natural Resources Conservation Service
nrcs.usda.gov

Sponsor

Project Sponsor – Weber County

Why funding was requested

- Dam does not meet NRCS or State Safety Standards
- Seepage Issues
- Structural Failures

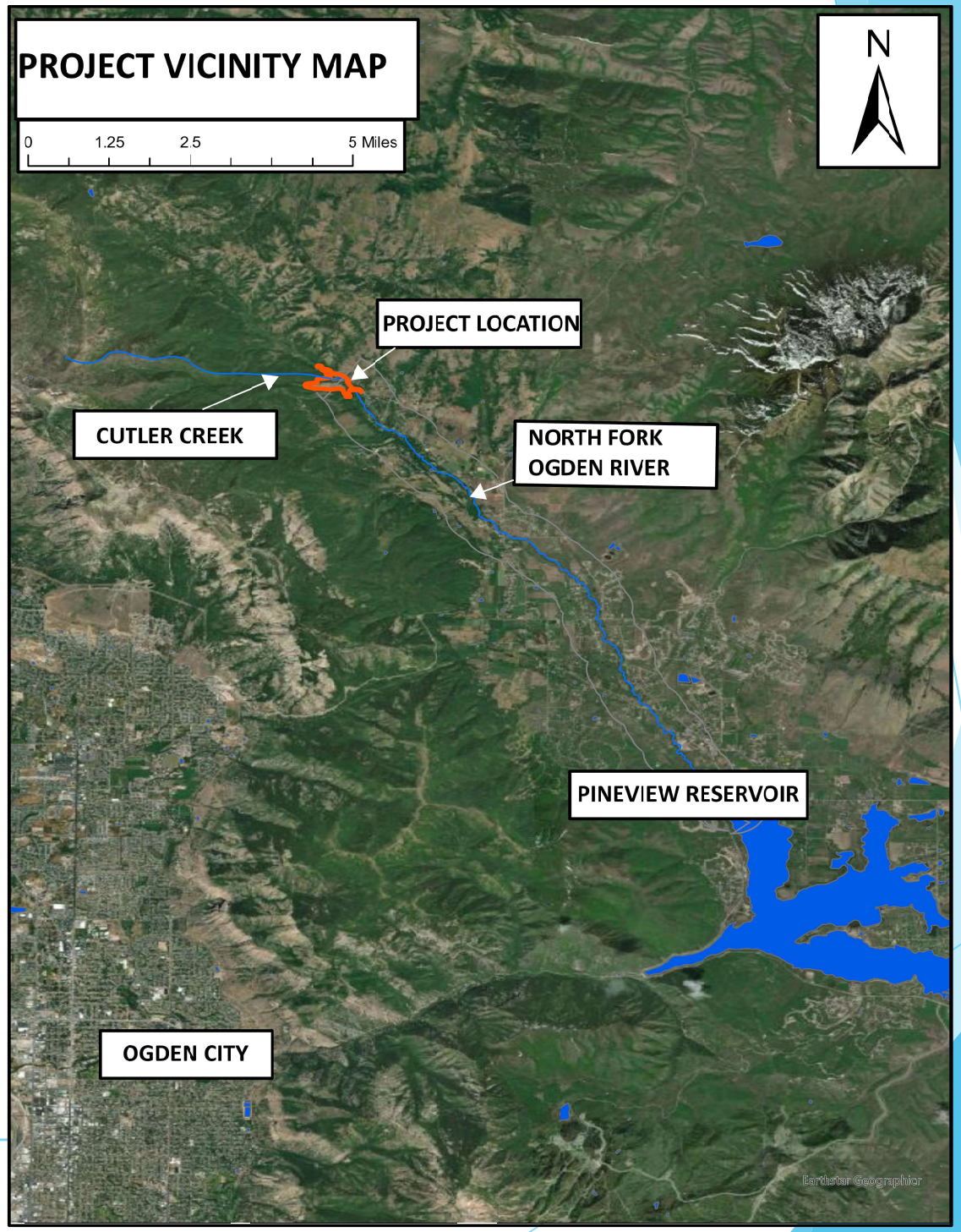


Natural Resources Conservation Service

nrcs.usda.gov

Project Vicinity

Weber County



Natural Resources Conservation Service

nrcs.usda.gov

Project Overview

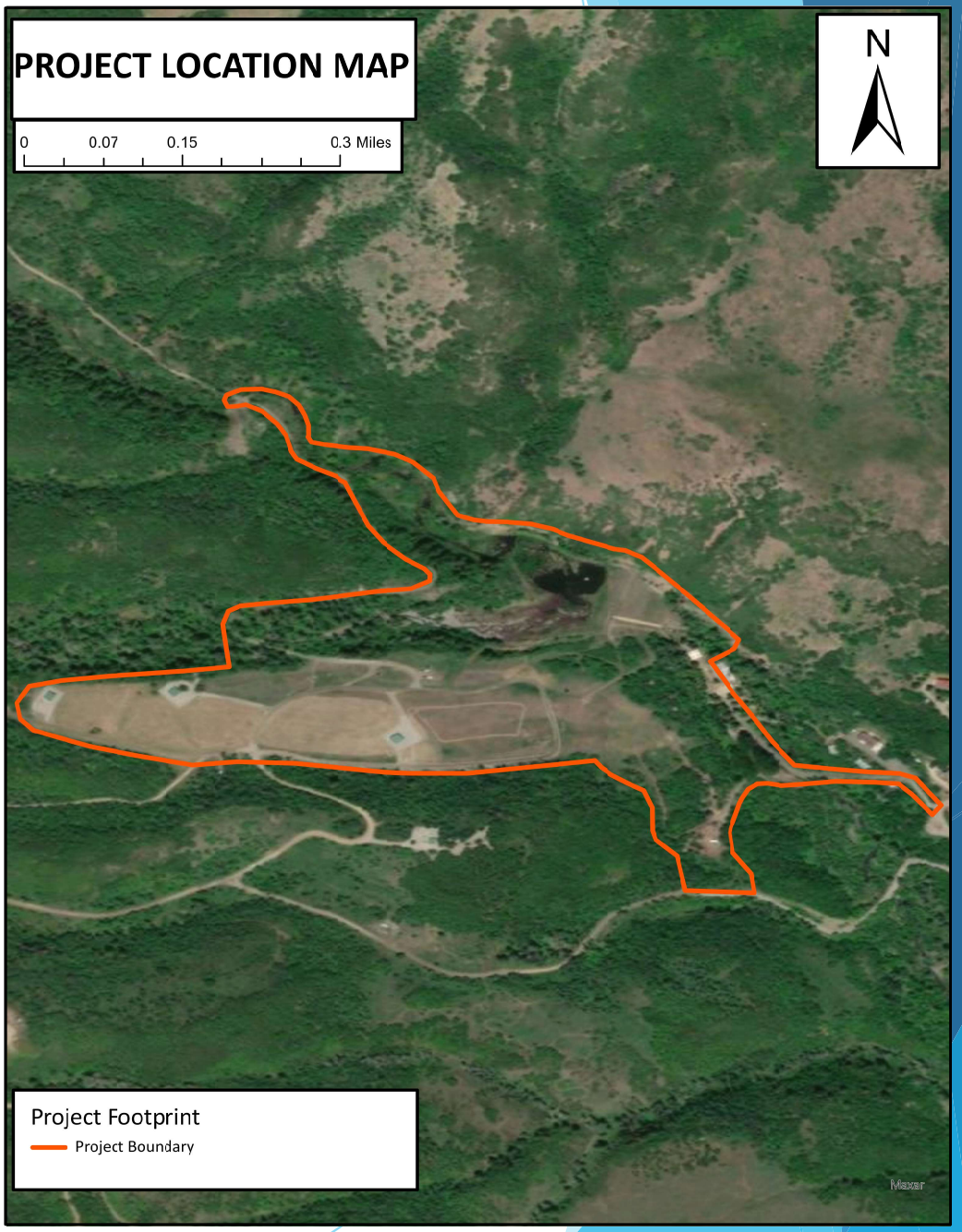
Project Area: ~ 63 acres

Project purposes:

- Constructed in 1962 as a retarding dam under the PL 83-566 program
- Existing auxiliary spillway capacity is 1000 cfs
- Bring dam into compliance with NRCS/State standards
- Address seepage/structural issues

Project needs:

- Protect public safety
- Ensure the dam continues to be used
- Maintain safe operation of the dam



Natural Resources Conservation Service

nrcs.usda.gov



Tar Crack Filling on Spillway



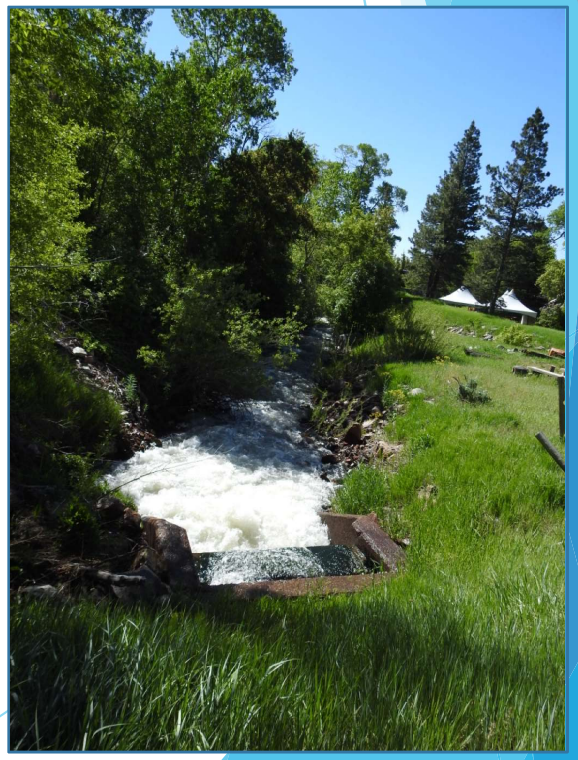
Auxiliary Spillway



Aerial View of Dam



Top of Spillway



Principal Spillway



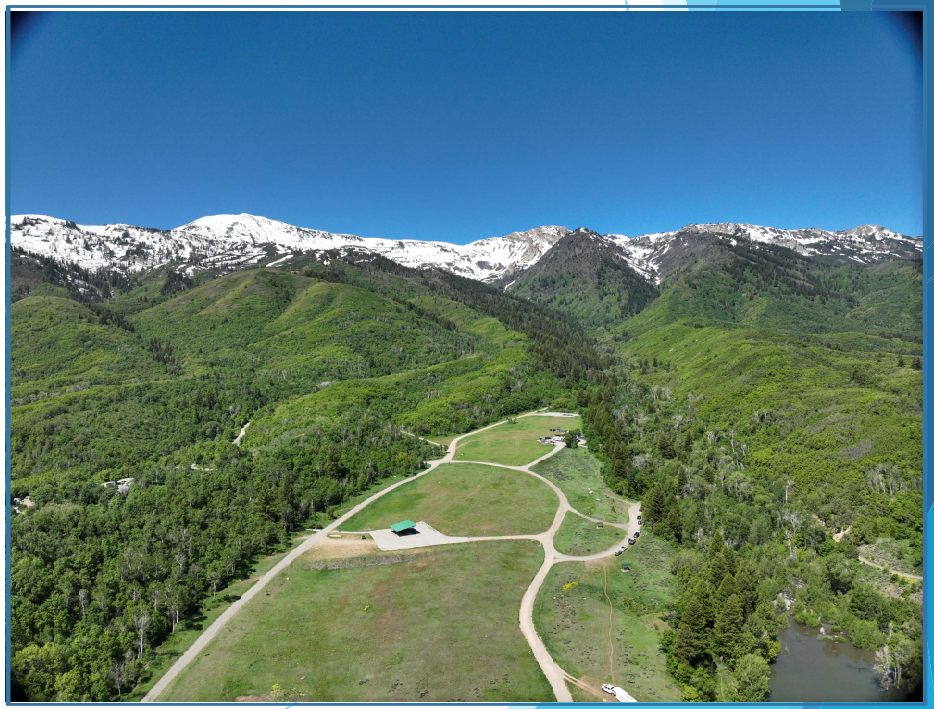
Corner of Spillway



Woody Debris Buildup



View of Likely Borrow Area



Aerial View of Borrow Area

Conceptual Project Measures



Conceptual improvements may include:

- Resizing & Moving the Auxiliary Spillway and Outlet
- Increasing the Top Width of the Dam
- Addressing seepage concerns at the Principal Spillway Outlet
- Addressing sedimentation Issues
- Manage water release from Dam
- Provide Fire Suppression Resource
- Upgrade to Current Seimic Stability Standards
- Add Seepage Control Facilities & Measurement Structures

Natural Resources Conservation Service

nrcs.usda.gov

Purpose of NEPA

Federal funds = NEPA process (NRCS is the lead agency/Responsible for NEPA)

- Planning phase, including scoping
- Public participation
  - Provide support
  - Provide suggestions
  - Identify issues and/or resource concerns

Other factors that play a key role in the analysis are:

- Engineering standards
- Economic Analysis
- Coordination with key governmental and environmental agencies
- Environmental resources impacts

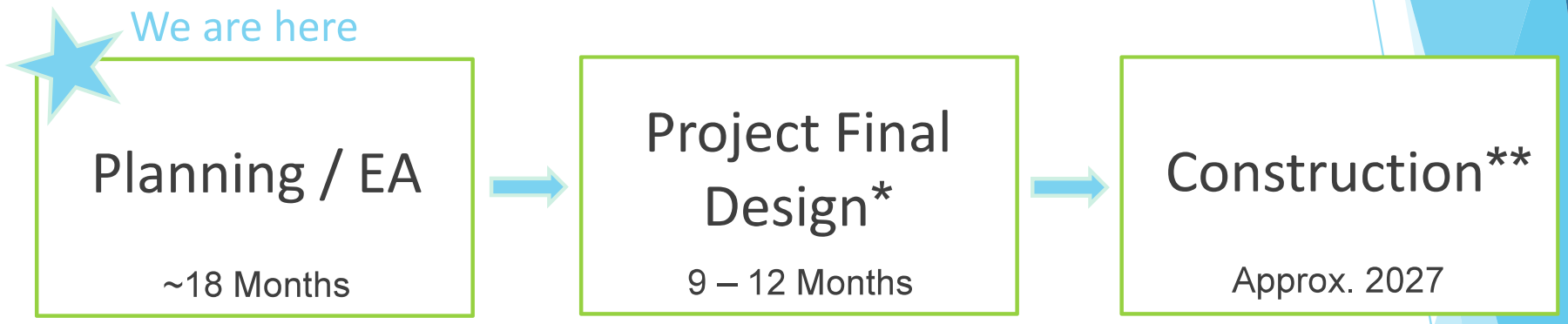
Natural Resources Conservation Service

nrcs.usda.gov

Environmental Resources Considered

- Soil Resources
- Geology
- Water Resources
- Water Quality
- Floodplain Management
- Waters of the U.S. & Wetlands
- Air Quality
- Climate Change
- Endangered & Threatened Species
- Migratory Birds
- Bald & Golden Eagles
- Invasive Species/Noxious Weeds
- Fish & Wildlife
- Natural Areas
- Riparian Areas
- Cultural/Historic Resources
- Environmental Justice/Civil Rights
- Public Health & Safety
- Scenic Beauty
- OM&R of the Dam
- Dam Sedimentation Rates
- Breach Analysis
- Hazard Classification
- Dam Failure Modes/Consequences

NEPA Process/Timeline



*Contingent on environmental and funding approval
** Pending environmental approval

Natural Resources Conservation Service
nrcs.usda.gov

Next Steps

- Collect and review comments
- Collect and analyze existing data & conditions
- Develop alternatives
- Identify & conduct needed resource surveys
- Analyze alternatives (30% design)
- Evaluate potential impacts to environmental resources
- Release Draft Plan-EA for public review and comment
- Decision Document

Natural Resources Conservation Service
nrcs.usda.gov

How to Submit Comments

Written comments requested between 08/01 – 08/30, 2024

Submit written comments using one of the following methods:

1. Mail comments to:

   Franson Civil Engineers
   Attn: Utaba Dam Rehabilitation
   Watershed Plan-EA 1276 South 820 East,
   Suite 100 American Fork, UT 84003

2. Send Email to: lrichins@fransoncivil.com

3. Visit the Study Website at:

   https://www.fransoncivil.com/utaba/

Natural Resources Conservation Service
nrcs.usda.gov

Contact Info

For questions or to receive email updates at key project milestones, please contact ….

Landon Richins 801-938-7585

lrichins@fransoncivil.com

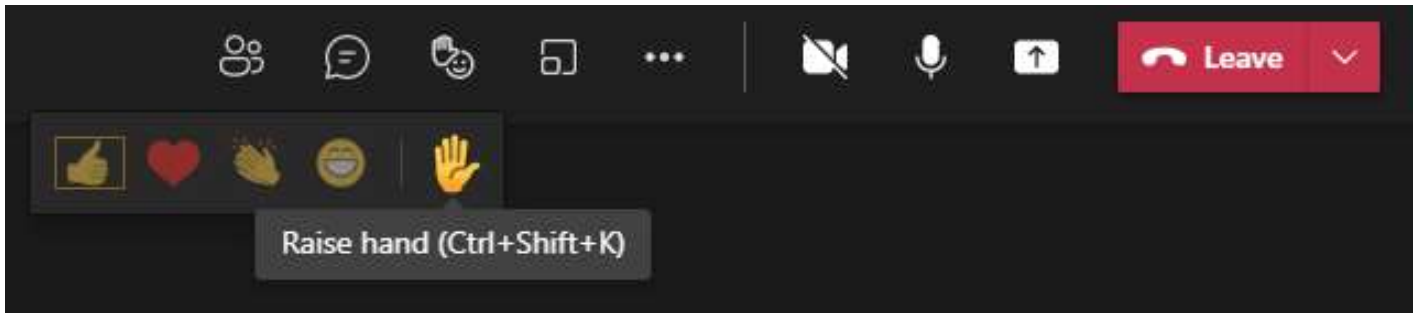
www.fransoncivil.com/utaba/

Natural Resources Conservation Service

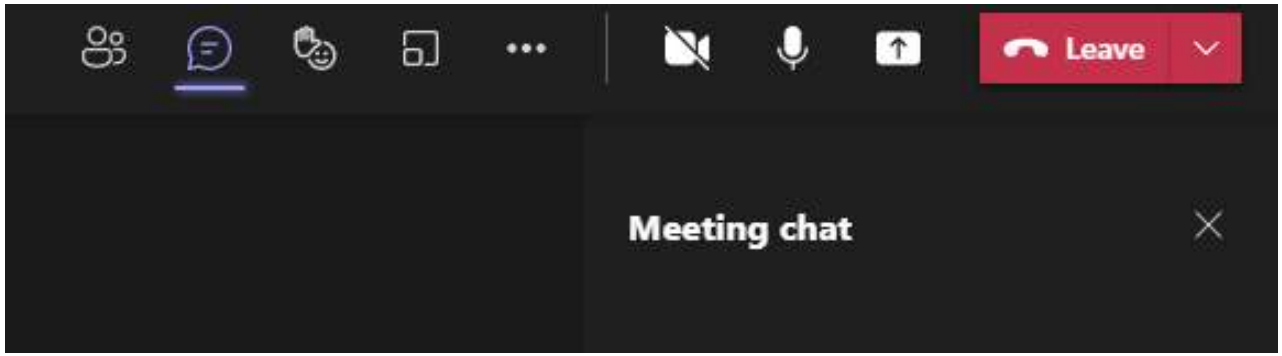
nrcs.usda.gov

Questions and Answers:

Raise your "Hand" and we'll call on you



Or Type a question in the Chat



USDA United States Department of Agriculture

Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment

Agency Scoping Notice

Project Information

The United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS), with assistance from Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River.

The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a breach.

Conceptual improvements may include:

- Increasing the capacity of the auxiliary spillway.
- Increasing the top width of the dam.
- Constructing a new spillway due the deficient state of the current one.
- Addressing sedimentation issues in the reservoir.
- Addressing seepage issues at the outlet of the principal spillway.
- Providing protection to the area during an earthquake.

Project Timeline

The project is in the scoping phase of the environmental process to identify issues and resource concerns. Technical studies are scheduled to take place during the summer/fall of 2024, with a Draft Watershed Plan - Environmental Assessment to be circulated for review in 2025.

Agency Scoping Meeting

Agencies who may have interest of involvement in the project are invited to attend an online meeting. A recording of this scoping meeting will be available upon request.

Wednesday, August 14, 2024

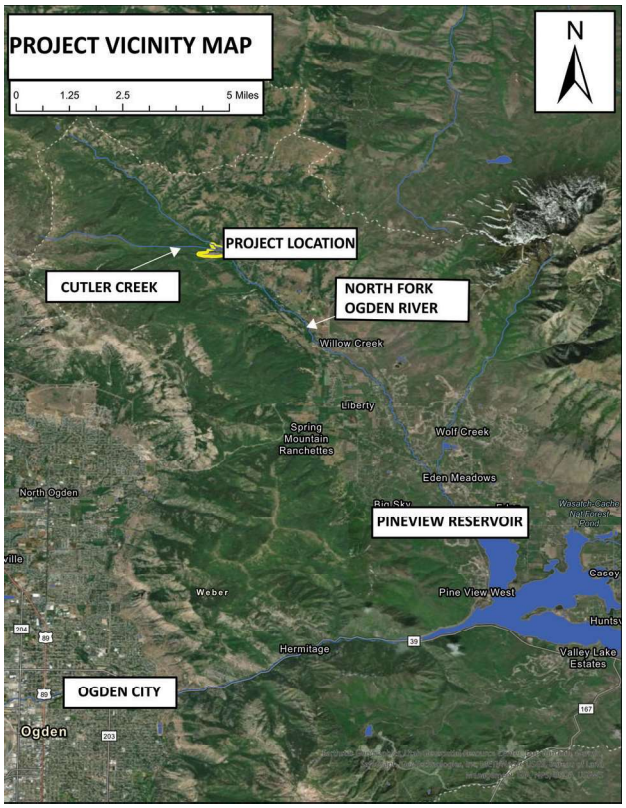
@ 3:00 PM

Microsoft Teams: Invitation via email
Meeting ID: 243 585 205 761
Phone: +1 385-500-4885,,955808652#

Request email invitation:
lrichins@fransoncivil.com

Written comments are requested between August 1 and August 30 2024.

Project Vicinity Map



USDA-NRCS is requesting comments on the project to identify issues and resource concerns.

Submitting Comments:
Written comments may be submitted via email, mail, or using the comment submission form.

MAIL:
Franson Civil Engineers
Attn: Utaba Dam Rehabilitation Watershed Plan-EA
1276 South 820 East Suite 100, American Fork, Utah 84003

EMAIL:
lrichins@fransoncivil.com

COMMENT FORM:
https://forms.gle/fRWUNMBtqmi7C2Ff9

Direct questions to:
Layne Jensen, Project Manager Franson Civil Engineers
801-769-2046

Project Website:
Additional information can be found on the USDA-NRCS website:
https://fransoncivil.com/utaba

Utah State Office

Natural Resources Conservation Service
nrcs.usda.gov/

USDA is an equal opportunity provider, employer, and lender.

Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment

Agency Scoping Meeting
August 14, 2024
3:00 PM MST

The meeting will begin shortly after 3:00 PM MST to allow participants time to join the webinar. Please note, this event is being recorded and will be sent out to those invited following the meeting.

FRANSON CIVIL ENGINEERS

WEBER COUNTY

United States Department of Agriculture

USDA

Agency Scoping Meeting

The purpose of this meeting is to:

- **Inform agencies about the study**
- **Discuss funding and NEPA process**
- **Invite participation and feedback**
  - Dam Safety Updates
  - Environmental Concerns



Natural Resources Conservation Service

nrcs.usda.gov

Project Team

INTRODUCTIONS

Lead Agency

Anders Fillerup
Asst. State Conservationist (Water Resources)
USDA NRCS-UTAH

Derek Hamilton
Water Resources Coordinator
USDA NRCS-UTAH

Shawn Stanley, P.E.
Watershed Engineer
USDA NRCS-UTAH

Tara Hoffmann
Cultural Resources
USDA NRCS-UTAH

Sponsoring Local Organization (SLO)

Gary Myers & Ashley Thoman
Weber County Engineering
Weber County

Franson Civil Engineers Team

Chad Brown, P.E.
Project Manager

Samuel Cuessy
Engineering

Layne Jensen, P.E.
Technical &
Environmental Lead

Landon Richins
Environmental/NEPA

Natural Resources Conservation Service
nrcs.usda.gov

FRANSON CIVIL ENGINEERS

WEBER COUNTY

Watershed Rehabilitation Program

The United States Department of Agriculture – Natural Resources Conservation Service (USDA-NRCS) Watershed Rehabilitation Program (PL 83-566 amendments).

Program Purposes

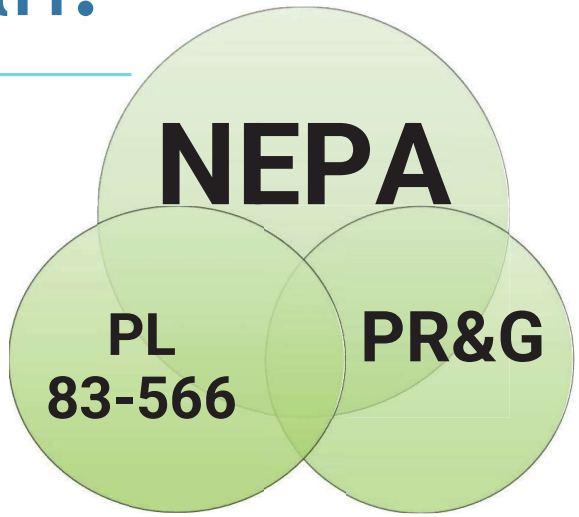
- **Provide financial and technical assistance** to project sponsors (states, local government entities, and Tribes) **to rehabilitate deficient or aging dams.**
  - **PL-566 program covers Planning (100%), Design (100%), and Construction (65%) for Watershed Structure Rehabilitation**
- **Assist with planning** and implementation of authorized watershed projects
- Undertaken at the request of local sponsors who seek assistance addressing problems associated with dams near the end of their design lives.

Natural Resources Conservation Service

nrcs.usda.gov

Why a Watershed Plan?

- National Environmental Policy Act (NEPA) Compliance
- NRCS 9-Step Watershed Planning
- Principles, Requirements & Guidelines (PR&G)



Authorized Purposes

- Flood Prevention
- Watershed Protection
- Public Recreation
- Public Fish and Wildlife
- Agricultural Water Management
- Municipal and Industrial Water Supply
- Water Quality Management
- **Watershed Structure Rehabilitation**

Natural Resources Conservation Service
nrcs.usda.gov

Sponsor

Project Sponsor – Weber County



Why funding was requested

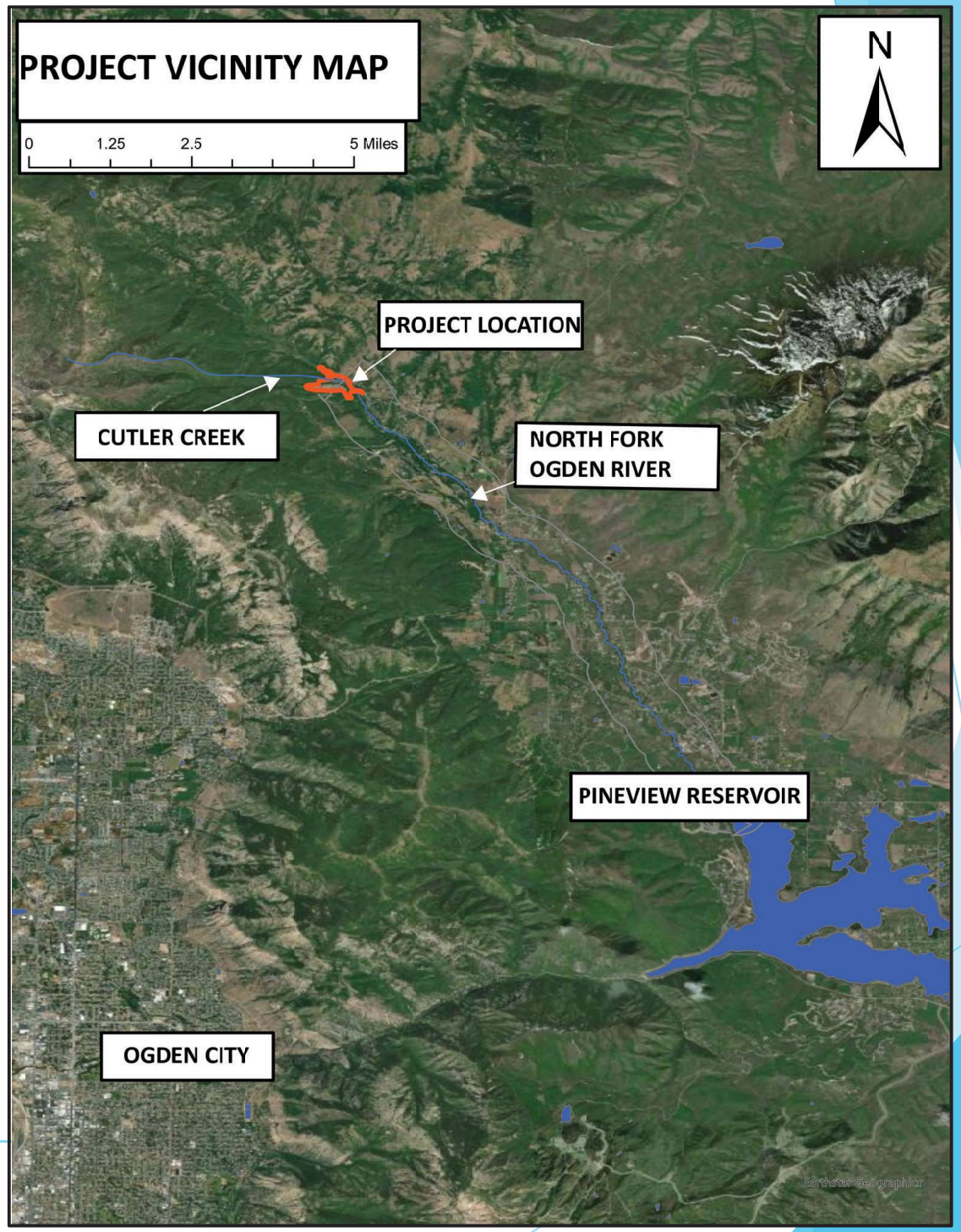
- Dam does not meet NRCS or State Safety Standards
- Seepage Issues
- Structural Failures

Natural Resources Conservation Service

nrcs.usda.gov

Project Vicinity

Weber County



Natural Resources Conservation Service

nrcs.usda.gov

Project Overview

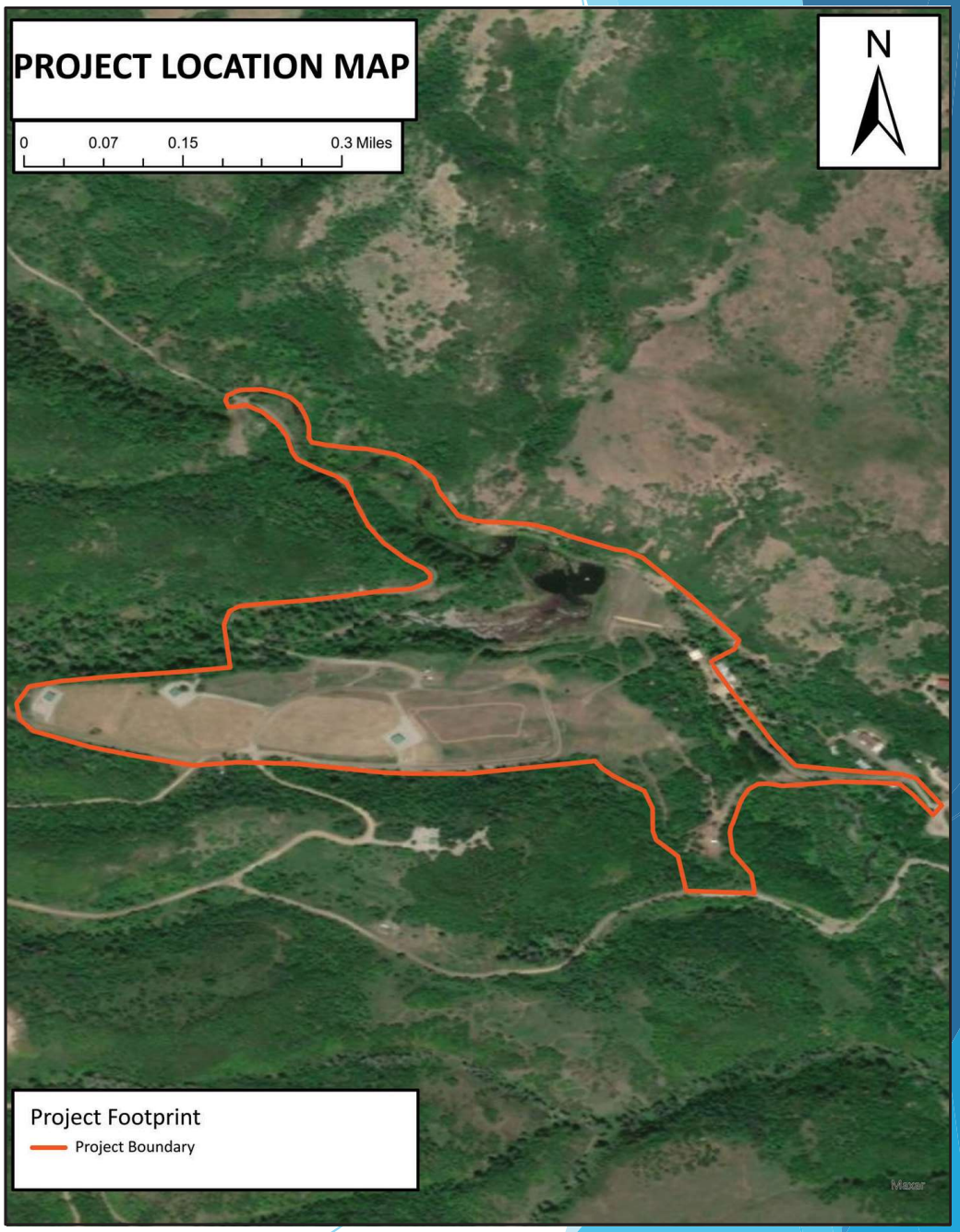
Project Area: ~ 63 acres

Project purposes:

- Constructed in 1962 as a retarding dam under the PL 83-566 program
- Existing auxiliary spillway capacity is 1000 cfs
- Bring dam into compliance with NRCS/State standards
- Address seepage/structural issues

Project needs:

- Protect public safety
- Ensure the dam continues to be used
- Maintain safe operation of the dam



Natural Resources Conservation Service

nrcs.usda.gov



Tar Crack Filling on Spillway



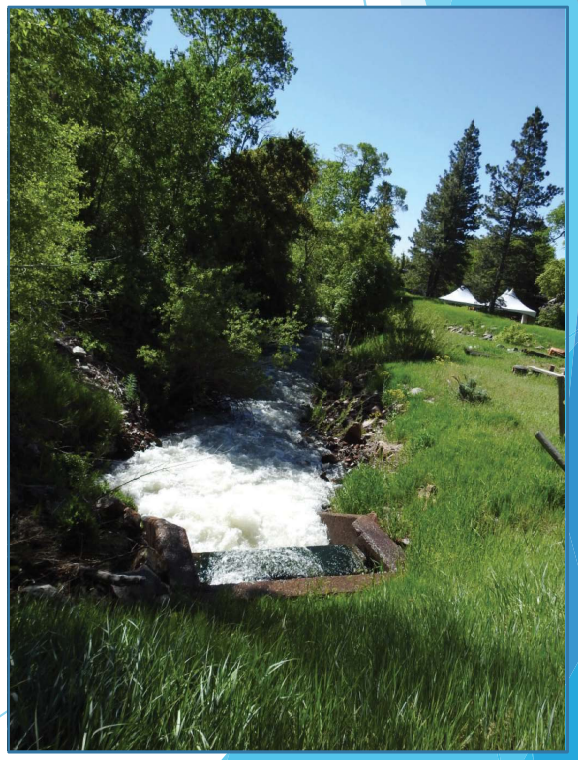
Auxiliary Spillway



Aerial View of Dam



Top of Spillway



Principal Spillway



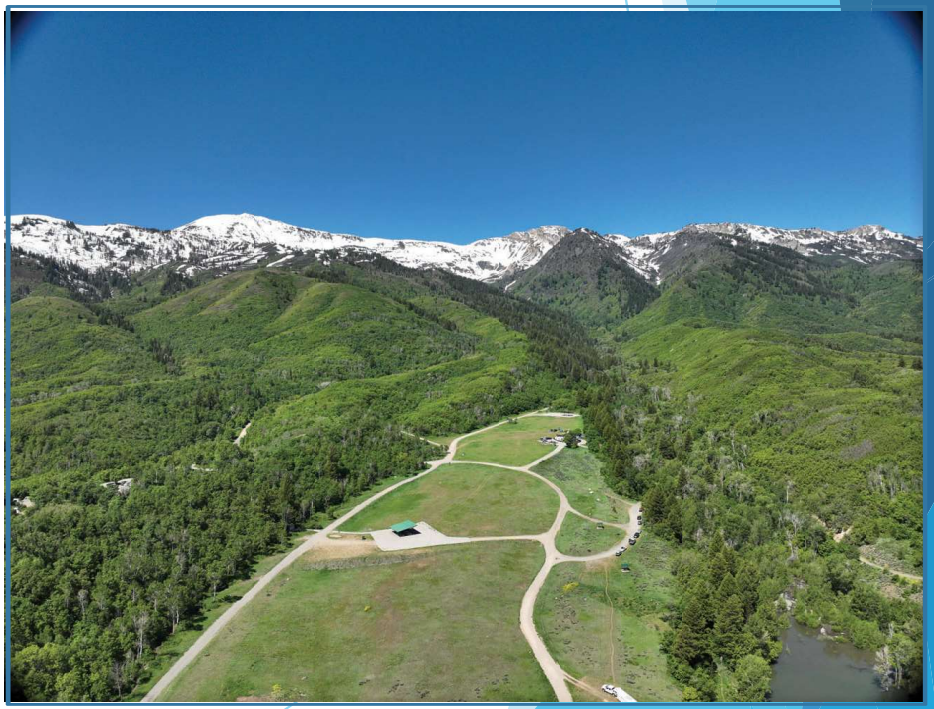
Corner of Spillway



Woody Debris Buildup



View of Likely Borrow Area



Aerial View of Borrow Area

Conceptual Project Measures

Conceptual improvements may include:

- Resizing & Moving the Auxiliary Spillway and Outlet
- Increasing the Top Width of the Dam
- Addressing seepage concerns at the Principal Spillway Outlet
- Addressing sedimentation Issues
- Manage water release from Dam
- Provide Fire Suppression Resource
- Upgrade to Current Seimic Stability Standards
- Add Seepage Control Facilities & Measurement Structures



Natural Resources Conservation Service

nrcs.usda.gov

Purpose of NEPA

Federal funds = NEPA process (NRCS is the lead agency/Responsible for NEPA

- **Planning phase**, including scoping
- **Public participation**
  - Provide support
  - Provide suggestions
  - Identify issues and/or resource concerns

Other factors that play a key role in the analysis are:

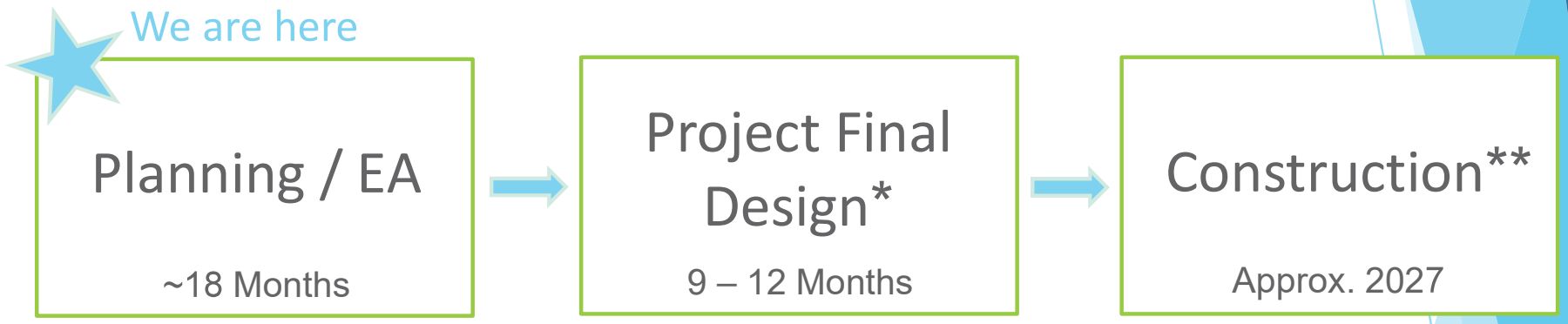
- Engineering standards
- Economic Analysis
- Coordination with key governmental and environmental agencies
- Environmental resources impacts

Natural Resources Conservation Service
nrcs.usda.gov

Environmental Resources Considered

- Soil Resources
- Geology
- Water Resources
- Water Quality
- Floodplain Management
- Waters of the U.S. & Wetlands
- Air Quality
- Climate Change
- Endangered & Threatened Species
- Migratory Birds
- Bald & Golden Eagles
- Invasive Species/Noxious Weeds
- Fish & Wildlife
- Natural Areas
- Riparian Areas
- Cultural/Historic Resources
- Environmental Justice/Civil Rights
- Public Health & Safety
- Scenic Beauty
- OM&R of the Dam
- Dam Sedimentation Rates
- Breach Analysis
- Hazard Classification
- Dam Failure Modes/Consequences

NEPA Process/Timeline



*Contingent on environmental and funding approval
** Pending environmental approval

Natural Resources Conservation Service
nrcs.usda.gov

Next Steps

- Collect and review comments
- Collect and analyze existing data & conditions
- Develop alternatives
- Identify & conduct needed resource surveys
- Analyze alternatives (30% design)
- Evaluate potential impacts to environmental resources
- Release Draft Plan-EA for public review and comment
- Decision Document
- Future Agency Meetings to Discuss Progress (1st Wed. of each month)

Natural Resources Conservation Service
nrcs.usda.gov

How to Submit Comments

Written comments requested between 08/01 – 08/30, 2024

Submit written comments using one of the following methods:

1. Mail comments to:

   Franson Civil Engineers
   Attn: Utaba Dam Rehabilitation
   Watershed Plan-EA 1276 South 820 East,
   Suite 100 American Fork, UT 84003

2. Send Email to: lrichins@fransoncivil.com

3. Visit the Study Website at:

   https://www.fransoncivil.com/utaba/

Natural Resources Conservation Service
nrcs.usda.gov

Contact Info

For questions or to receive email updates at key project milestones, please contact ….

Landon Richins 801-938-7585

lrichins@fransoncivil.com

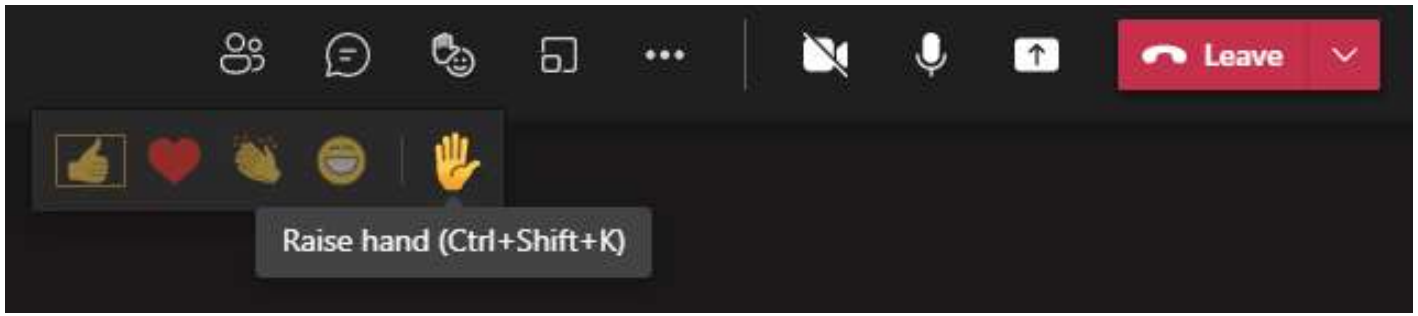
www.fransoncivil.com/utaba/

Natural Resources Conservation Service

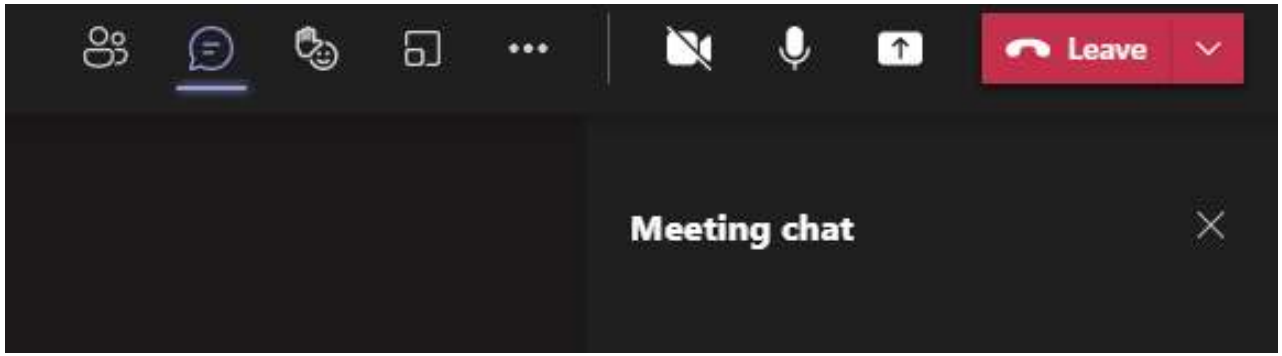
nrcs.usda.gov

Questions and Answers:

Raise your "Hand" and we'll call on you



Or Type a question in the Chat



Column

OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Standard-Examiner** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(801) 625-4302**.

Notice ID: Hp6mm7XY2ESFBOoQx6wJ | **Proof Updated: Jul. 29, 2024 at 02:13pm MDT**
Notice Name: Utaba Plan-EA Public Scoping Notice | Publisher ID: UC1451

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Eleanore Chambers
echambers@fransoncivil.com
(801) 756-0309

FILING FOR

Standard-Examiner

Columns Wide: 1
Total Column Inches: 7.22
Number of Lines: 58

Ad Class: Legals

08/01/2024: Custom Notice	259.85
Base Affidavit Fee	12.00

Subtotal	$271.85
Tax	$0.00
Processing Fee	$27.19
Total	**$299.04**

See Proof on Next Page

UTABA DAM REHABILITATION WATERSHED PLAN-EA

The United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS), with assistance from Weber County as the project sponsor, is considering proposed improvements to the Utaba Retarding Dam, in Weber County, UT. Goals for this project include bringing the dam into compliance with NRCS and State dam safety standards, addressing structural issues and seepage losses associated with the dam, managing sedimentation and upgrading the dam to current seismic stability standards, and to provide an additional fire suppression resource to the area.

As part of the National Environmental Policy Act (NEPA) scoping process, the public is invited to attend a public scoping meeting held by NRCS, which will provide information about the proposed dam rehabilitation project at Utaba Dam. At this time, NRCS is requesting comments on the project to identify issues and resource concerns.

Date of Public Scoping Meeting: Thursday August 15, 2024

Time: 6:30 PM

Location: Ogden Valley Branch Library, 131 S 7400 E, Huntsville, UT 84317

Written comments are requested between August 1 and August 30. They may be submitted via email, mail, or using the online comment submission form. They must be received or postmarked by August 30.

More info: Project information including the comment form (https://forms.gle/fRWUNMBtqmi7C2Ff9) and, afterwards, a recording of the scoping meeting, will be available at: https://fransoncivil.com/utaba/

MAIL:
Franson Civil Engineers
Attn: Utaba Dam Rehabilitation Watershed Plan-EA
1276 South 820 East, Suite 100
American Fork, Utah 84003

EMAIL:
lrichins@fransoncivil.com

Standard Examiner

Standard-Examiner

Publication Name:
Standard Examiner

Publication URL:
www.standard.net

Publication City and State:
Ogden, UT

Publication County:
Weber

Notice Popular Keyword Category:

Notice Keywords:
utaba

Notice Authentication Number:
202408021344347678497
1218757556

Notice URL:

Back

Notice Publish Date:
Thursday, August 01, 2024

Notice Content

UTABA DAM REHABILITATION WATERSHED PLAN-EA The United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS), with assistance from Weber County as the project sponsor, is considering proposed improvements to the Utaba Retarding Dam, in Weber County, UT. Goals for this project include bringing the dam into compliance with NRCS and State dam safety standards, addressing structural issues and seepage losses associated with the dam, managing sedimentation and upgrading the dam to current seismic stability standards, and to provide an additional fire suppression resource to the area. As part of the National Environmental Policy Act (NEPA) scoping process, the public is invited to attend a public scoping meeting held by NRCS, which will provide information about the proposed dam rehabilitation project at Utaba Dam. At this time, NRCS is requesting comments on the project to identify issues and resource concerns. Date of Public Scoping Meeting: Thursday August 15, 2024 Time: 6:30 PM Location: Ogden Valley Branch Library, 131 S 7400 E, Huntsville, UT 84317 Written comments are requested between August 1 and August 30. They may be submitted via email, mail, or using the online comment submission form. They must be received or post-marked by August 30. More info: Project information including the comment form (https://forms.gle/fRWUNMBtqmi7C2Ff 9) and, afterwards, a recording of the scoping meeting, will be available at: https://fransoncivil.com/utaba/ MAIL: Franson Civil Engineers Attn: Utaba Dam Rehabilitation Watershed Plan-EA 1276 South 820 East, Suite 100 American Fork, Utah 84003 EMAIL: lrichins@fransoncivil.com Legal Notice 13100 Published in the Standard Examiner on August 1, 2024

Back

From:	Landon Richins
To:	Layne Jensen; Eleanore Chambers
Bcc:	Deltek PIM Publishing - DO NOT USE (9272384a-cfd3-4196-8db3-8cfe6dda0d21.metaPublish@fransoncivilmx.deltekpim.com)
Subject:	UTABA SCOPING MATERIALS
Date:	Thursday, July 25, 2024 11:35:38 AM
Attachments:	9272384a-cfd3-4196-8db3-8cfe6dda0d21.png

Utilize this email chain when distributing public and agency scoping materials the week of August 1st.

Landon Richins

Franson Civil Engineers
Office: 801.756.0309 | Direct: 801.938.7585

From: Landon Richins
Sent: Thursday, July 25, 2024 11:22 AM
To: Layne Jensen <ljensen@fransoncivil.com>; Eleanore Chambers <echambers@fransoncivil.com>
Subject: Utaba Public and Agency Scoping Transmittal Emails

The text of the transmittal emails for the public and agency scoping processes are included on this email...please don't forget to add the attachment to each email when you send it.

PUBLIC SCOPING TRANSMITTAL EMAIL

To Whom it May Concern,

The United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS), with assistance from Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. You are encouraged to attend the public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns. This meeting will be held on

August 15, 2024 at 6:30 PM with both in-person and virtual attendance options.

Written comments are requested between August 1,2024 and August 30, 2024.

For more details on the project, the scoping meeting, and how to submit written comments, see the attachment to this email. You may also reference the project website at: https://www.fransoncivil.com/utaba

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project.

Sincerely,

AGENCY SCOPING TRANSMITTAL EMAIL

To Whom it May Concern,

The United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS), with assistance from Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure.

Per the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's regulations at 40 CFR Parts 1500-1508, an evaluation of potential alternatives and associated environmental impacts is required. Environmental impacts will be documented in the form of a Watershed Plan and Environmental Assessment (Plan-EA). For the purposes of compliance with NEPA, the NRCS is the designated lead agency.

We are inviting agency, organization, Tribal, and public input on the project during the scoping phase. Participation is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. You are encouraged to attend the agency scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns. This meeting will be held on August 14, 2024 at 3:00 PM and will be a virtual meeting held over Microsoft Teams.

Written comments are requested between August 1,2024 and August 30, 2024.

For more details on the project, the scoping meeting, and how to submit written comments, see the attachment to this email.

We look forward to hearing from and working with you on this important project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting or initiate become a NEPA cooperating agency regarding this project.

Sincerely,

-

Landon Richins

Franson Civil Engineers
Office: 801.756.0309 | Direct: 801.938.7585

From: Landon Richins
Sent: Thursday, July 25, 2024 10:35 AM
To: Layne Jensen <ljensen@fransoncivil.com>; Eleanore Chambers <echambers@fransoncivil.com>
Subject: Utaba Outreach and Distribution Materials for Scoping

Here are all the PIM Links for the Notices and Flyers that will need to be sent out on August 1st. I have also included the draft presentations for the meetings for reference and later use.

PUBLIC SCOPING MATERIALS:

Newspaper Legal Notice:
https://fransoncivil.deltekpim.com/DMS/view_document.aspx?ID=233848&Latest=true

- *The text of this notice should be provided to the newspaper at least one day prior to publication on August 1. See EC for specific submittal deadline times for the paper. Should be published in the legal notice section of the newspaper*

Public Scoping Notice: https://fransoncivil.deltekpim.com/DMS/view_document.aspx?ID=233851&Latest=true

- *This flyer should be distributed as an attachment to the transmittal email to the following groups:*
  - *Durfee Creek HOA Mailing List*
  - *Liberty Pipeline Mailing List*
  - *Cole Canyon Water Company Mailing List*
- *The flyer/transmission email should be provided to those entities enough time in advance for them to be distributed on or near to August 1st.*

Public Scoping Meeting Presentation:
https://fransoncivil.deltekpim.com/DMS/view_document.aspx?ID=233850&Latest=true

- *This presentation should NOT be sent out on August 1st. Will need to be reviewed by NRCS prior to August 15 public scoping meeting. Presenters should include Weber County (intro), Layne and Landon for FCE, and Derek OR Anders from NRCS.*

Website Update:

- The Public Scoping Notice should be uploaded to the FCE project website prior to

August 1st.

- The online comment form should be included on our website by August 1st as well.

AGENCY SCOPING MATERIALS

Agency Scoping Notice: https://fransoncivil.deltekpim.com/DMS/view_document.aspx?ID=233846&Latest=true

- *This flyer/transmission email should be distributed as an attachment to the transmittal email to the following lists:*
  - *Sindy Smith (RDCC) for State Agencies*
  - *Federal and Local Agency List from FCE*
- *The flyer/transmission email should be provided to those entities enough time in advance for them to be distributed on or near to August 1st.*

Agency Scoping Meeting Presentation:
https://fransoncivil.deltekpim.com/DMS/view_document.aspx?ID=233845&Latest=true

- *This presentation should NOT be sent out on August 1st. Will need to be reviewed by NRCS prior to August 14 agency scoping meeting. Presenters should include Weber County (intro), Layne and Landon for FCE, and Derek OR Anders from NRCS.*

Landon Richins

Franson Civil Engineers
Office: 801.756.0309 | Direct: 801.938.7585

From: Landon Richins
Sent: Thursday, July 25, 2024 9:39 AM
To: Layne Jensen <ljensen@fransoncivil.com>; Eleanore Chambers <echambers@fransoncivil.com>
Subject: Utaba Agency Scoping Contacts

Layne and Eleanore,

Derek informed me that we can only use Sindy Smith to distribute the agency scoping notices to the State agencies. He asked me to identify specific agency contacts who may have interest. We will be responsible for sending the agency scoping emails to the Federal agencies on August 1. As I will be in Nebraska for the NRCS watershed planning conference at that time, I have prepared the list of contacts in advance for your use in the transmission. I have also included Sindy's email, who you will need to contact with the message to be transmitted to state agencies.

State Agency Contact:

RDCC
Sindy Smith – sindysmith@utah.gov

Federal Agency Contacts:

Bureau of Reclamation
Wyatt Carter – wcarter@usbr.gov
Dusty Carpenter – dcarpenter@usbr.gov

Bureau of Land Management
Pamela Schuller – pschulle@blm.gov
Jessica Wade – jwade@blm.gov

Environmental Protection Agency
Laura Margason – Margason.Laura@epa.gov

U.S. Fish and Wildlife Service
Rita Reisor – rita_reisor@fws.gov
George Weekley – George_weekley@fws.gov

U.S. Army Corps of Engineers
Jason Gipson – Jason.a.gipson@usace.army.mil

U.S. Forest Service
Marshall Alford – marshall.alford@usda.gov

Local Government Contacts:

Liberty and Eden, Utah
Sean Wilkinson – swilkinson@webercountyutah.gov

Huntsville, Utah
Mayor Richard Sorenson – clerk@huntsvilletown.com
Contact Webform: Contact Us | Huntsville Town Utah (huntsvilleutah.gov)

Liberty Pipeline Company
Jodi Davis – jodi@libertypipelinecompany.com

Cole Canyon Water Company
Diana Marchione – alohajoe1@yahoo.com

Weber County
Ashley Thoman – athoman@webercountyutah.gov

Gary Myers – gmyers@webercountyutah.gov
Gage Froerer – gfroerer@co.weber.ut.us
Sharon Bolos – sbolos@webercountyutah.gov
Jim Harvey – jharvey@co.weber.ut.us

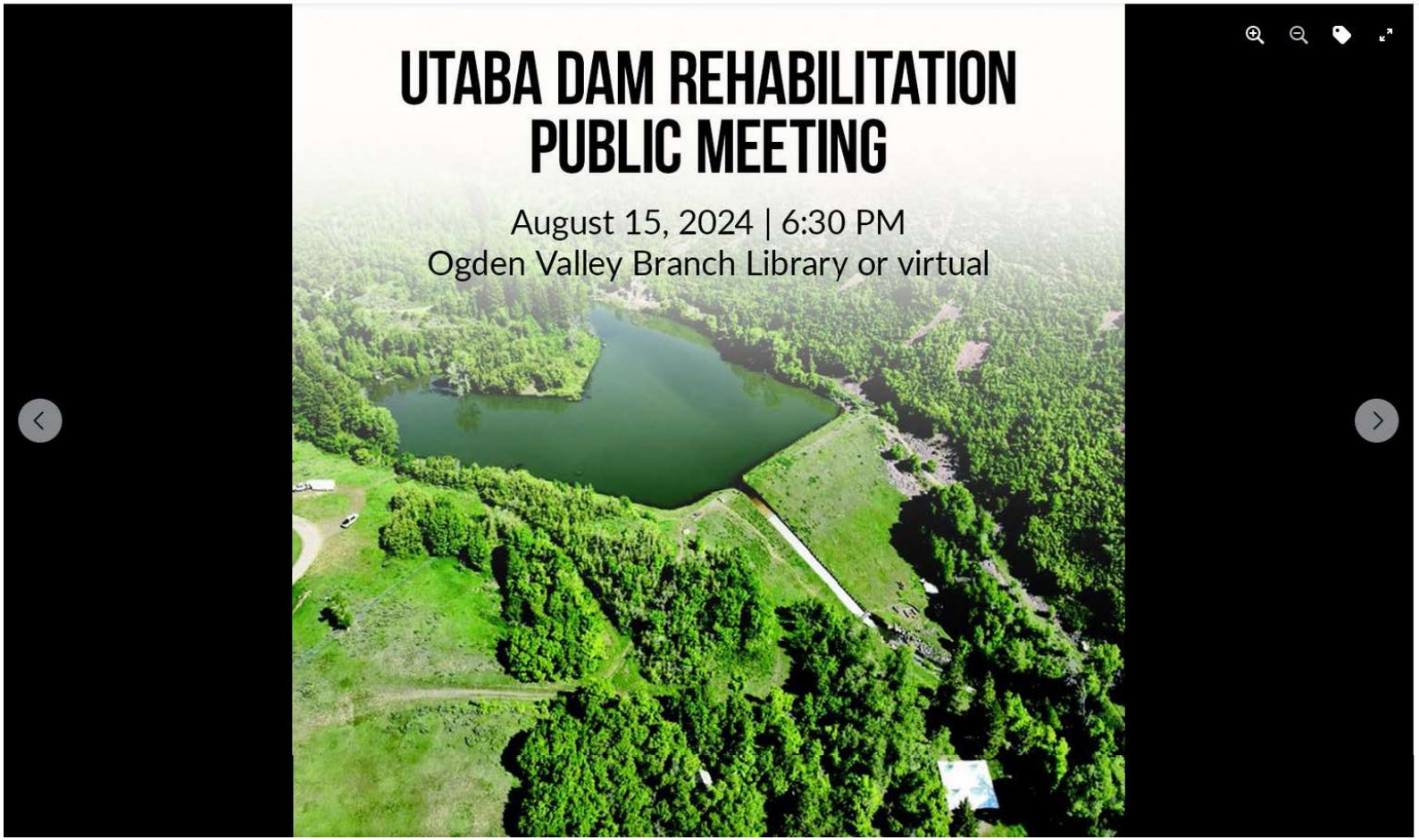
School District
Jon Ritchie – jsritchie@wsd.net

Weber Basin Water Conservancy District
Kym Buttschardt – kbuttschardt@weberbasin.gov
Scott Jenkins – sjenkins@weberbasin.gov

Landon Richins | lrichins@fransoncivil.com

Franson Civil Engineers
1276 South 820 East, Suite 100, American Fork, Utah 84003
Office: 801.756.0309 | Direct: 801.938.7585

Any use or reuse of original or altered files by the owner or others without the express written verification of Franson Civil Engineers or any CADD adaptation from the specific purpose originally intended shall be at the owner's risk and full legal responsibility.



Search Facebook

Weber County
August 1 ·

Weber County is assisting the **USDA Natural Resources Conservation Service** with a proposed rehabilitation of the Utaba Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. This project would seek to bring the dam into compliance with the state and NRCS dam safety standards to reduce the possibility of a failure. Learn more here: https://www.fransoncivil.com/utaba/

A public meeting is being held August 15th at 6:30 PM at the Ogden Valley Branch Library - 131 S 7400 E Huntsville. There is also a virtual option via Microsoft Teams. To receive an invitation, email lrichins@fransoncivil.com.

Written comments are requested between August 1st and 30th. Submit comments here: https://forms.gle/fRWUNMBtqmi7C2Ff9

For questions, please call Layne Jensen of Franson Civil Engineers at 801-769-2046. **See less**

1

Write a comment...

Appendix C: Scoping Comments Received

Timestamp	Please type your full nam	Please type your comment:
8/14/2024 6:52:40	Angela Dean	My primary are concerns are with the impact to plants and wildlife. There are a number of bird species seen frequenting the pond as well as the riparian areas above. There should be a study of what relies on these areas and a plan to re-establish the habitat that they'll need once the project is complete. Also, I have heard that Ute ladie's-tressses (threatened flower) has been seen in the area. How will this project ensure protection during and after construction?
8/15/2024 15:58:57	Patricia Allaire, webmaste	At the Utaba Watershed Plan kickoff meeting on July 2, I mentioned an Agreement dated June 30, 1992 between Liberty Pipeline Company and Carter Brothers (Developer of Durfee Creek Estates) which includes a restrictive covenant encumbering 1500-foot radius of ground above the Utaba Springs and a 16-foot easement where the water line from the Utaba springs to the Durfee Creek water storage tank was constructed. I have sent a copy of this Agreement document to Franson Engineering and the Weber County point person. In both cases, I was told to submit this information as a public comment. There is no place on this form to attach the document I am referring to. Please note: Durfee Creek Association is a stakeholder in this project since much of the dam and reservoir resides on Durfee Creek Estates property.
8/29/2024 16:35:45	Amanda Jensen, US EPA	EPA scoping comments submitted via email to shawn.stanley@usda.gov
8/30/2024 13:59:50	Sindy Smith	The state of Utah (“State”), through the Public Lands Policy Coordinating Office (“PLPCO”), has reviewed the proposed Utaba Dam Supplemental Rehabilitation Watershed Plan Environmental Assessment (“EA”). The State supports the project’s purpose to bring the dam in compliance with the Natural Resource Conservation Service and the State dam safety standards. In collaboration with the Utah Division of Emergency Management (“DEM”), the State submits the following comments for your consideration. Division of Emergency Management The Applicant must verify if a floodplain development permit is required from the local Floodplain Administrator (FPA) in the community where the Applicant is doing the work. The Applicant must comply with the National Flood Insurance Program (NFIP) and the local floodplain regulations by contacting the community FPA. State and federal agencies must obtain the local floodplain development permits per federal regulations 44 CFR 60.3. This may include obtaining a Letter of Map Change (LOMC) from FEMA. As well as any other federal or local permits required to develop in Special Flood Hazard Areas (SFHA). The Community Floodplain Manager should know what is required in these areas. If there are questions about requirements, contact Tracie Harrison, State Floodplain Program Manager, at tjharrison@utah.gov or 385-499-2077. The State appreciates the opportunity to provide comments. Please contact me if you have any further questions.

REGION 8
DENVER, CO 80202

August 29, 2024

Ref: 8EJC-NE

Mr. Shawn Stanley, P.E.
USDA-NRCS North Watershed Engineer
1860 North 100 East
Logan, UT 84341
Submitted via email: shawn.stanley@usda.gov

Re: EPA Scoping comments on Utaba Dam Rehabilitation Supplemental Watershed-Plan Environmental Assessment

Dear Shawn Stanley,

The U.S. Environmental Protection Agency has reviewed the Natural Resources Conservation Service's Fact Sheet for the Utaba Dam Rehabilitation Supplemental Watershed Project Plan-Environmental Assessment. These scoping comments are provided in accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

Utaba Dam sits immediately below the confluence of the North Fork Ogden River and Cutler Creek in Weber County, Utah and impounds water from an approximately 15 square mile watershed. Utaba Dam was constructed in 1962 for the purpose of flood protection. The dam is currently out of compliance with both State of Utah and National Resources Conservation Service safety standards and is rated as a high hazard potential dam. The NRCS will evaluate potential impacts of the repair of the dam to address seepage issues and structural failures and bring the structure into compliance with safety standards.

The NRCS hosted a cooperating agency meeting on August 14, 2024, to discuss the Utaba Dam Rehabilitation project. Based on our current understanding of the proposed project, the EPA has identified the following key topics that we recommend evaluating in the NEPA analysis so potential impacts to the environment can be understood: purpose and need; range of alternatives; existing conditions; impacts analysis; water, biological, and air resources; project design, best management practices, mitigation, and monitoring; recreation; and climate change.

We appreciate the opportunity to provide recommendations for this NEPA planning document. These comments are intended to facilitate the decision-making process. If we may provide further explanation of our comments, please contact me at (303) 312-6155, or Amanda Jensen of my staff at (303) 312-6981 or jensen.amanda@epa.gov.

Sincerely,

Melissa W. McCoy, Ph.D., J.D.
Manager, NEPA Branch
Environmental Justice, Community Health, and
Environmental Review Division

Enclosure

Enclosure – EPA Scoping Comments on the Utaba Dam Rehabilitation Supplemental Watershed Project Plan-EA

(1) Purpose and Need

The purpose and need statement is one of the most important elements of the project proposal because it determines the range of alternatives to be analyzed. Therefore, it is important to consider purpose and need in the earliest stages of project development to comply with both the National Environmental Policy Act (NEPA) and the Clean Water Act (CWA) and provide an efficient planning process. The NEPA process ensures that federal agencies evaluate environmental impacts prior to undertaking any major federal action, and projects involving the discharge of dredged or fill material into Waters of the U.S. require a CWA Section 404 permit. The EPA encourages NRCS to develop a purpose and need statement that is broad enough to encompass an appropriate range of both "reasonable" (per NEPA) and "practicable" (per CWA Section 404) alternatives, including the proposed project and other management options.

NEPA Requirements for Purpose and Need

The NEPA documentation for the proposed project should clearly identify the purpose and need that is the basis for the range of alternatives. The need for the proposed project is typically the underlying problem to be solved, and the purpose of the proposed project is typically the objective, or set of objectives, to be met to address the need. We recommend that the purpose and need statement be a clear, objective statement of the rationale for the proposed project, as it provides the framework for identifying project alternatives. This section of the NEPA document should specifically describe the structural vulnerabilities that exist under the current conditions of the dam and focus on the desired outcomes of the proposed activities rather than prescribing any predetermined resolution. We further recommend supporting the need statement with descriptions of dam features that are out of compliance with state and NRCS standards and detailing the extent or risk to visitors and the downstream residents, including quantification of potential impact to those communities.

This project is funded in part by NRCS PL 83-566, which provides support to rehabilitate aging dams and to "build or augment existing water supplies based on current and future water supply demands."[1] We recommend considering and clarifying whether modifications to the dam may allow for changes to storage capacity and whether the project may lead to the infrastructure being utilized for other beneficial uses in the future.

CWA 404 Requirements for Purpose and Need

As under NEPA, need and purpose frame the alternatives analysis for compliance with the requirements of Section 404 of the CWA and 40 C.F.R. Part 230. The project's purpose should be framed in relation to addressing a need, with the need being the underlying problem that the applicant is proposing to meet with the project. An appropriate purpose and need statement allows for analysis of a range of water management options with the goal of identifying the least environmentally damaging practicable alternative (LEDPA) consistent with the CWA Section 404(b)(1) Guidelines (40 C.F.R. Part 230). Therefore, the basic project purpose should not be defined in a manner that unduly restricts or precludes other alternatives, nor should it be so broad that a reasonable analysis of alternatives cannot be accomplished (40 C.F.R. § 230.10). We recommend working collaboratively with

[1] Utaba Dam Rehabilitation Plan-EA Fact Sheet

the U.S. Army Corps of Engineers (Corps) in the development of a purpose and need statement that will serve its purposes under CWA Section 404. When evaluating a permit application, the CWA regulations require the Corps to develop its own project purpose statement that considers the applicant's as well as the public's perspective. If the Corps cannot concur with the statement the applicant or NRCS has submitted or utilized, the Corps is required to modify it.[2] The use of a project purpose to determine the scope of studies that does not meet the Corps' requirements has the potential to result in the need to prepare additional NEPA documentation to meet the requirements of CWA Section 404 and 40 C.F.R. Part 230. The Council on Environmental Quality (CEQ) also advises, "In situations involving two or more agencies that have a decision to make for the same proposed action and responsibility to comply with the National Environmental Policy Act (NEPA) or a similar statute, it is prudent to jointly develop a purpose and need statement that can be utilized by both agencies."[3]

Slides from the public scoping meeting held on August 15th, 2024 indicate that NRCS may explore potential purposes and needs beyond those on the fact sheet, such as the desire to have water in the reservoir as a fire suppression resource.[4] To prevent multiple purposes from constraining the range of alternatives and to ensure identification of the LEDPA for the purpose of CWA Section 404 permitting, a separate alternative analysis may be needed for each independent purpose/need. On the other hand, treating an additional outcome, such as water being made available for firefighting, as an *effect* of an alternative, does not constrain the range of alternatives.

(2) Range of Alternatives

NEPA and CWA Requirements: Pursuant to NEPA and its implementing regulations at 40 C.F.R. Parts 1500-1508, a reasonable range of alternatives needs to be considered. "Reasonable" under NEPA is based on consideration of the project purpose as well as technology, economics, and common sense, rather than what is simply desirable from the standpoint of the applicant.[5] For purposes of CWA Section 404, it is important that the NEPA document include a range of alternatives with the goal of avoiding and minimizing impacts to Waters of the U.S. while meeting the purpose of and need for the action. Under CWA Section 404(b)(1) Guidelines, the Corps can only issue a CWA Section 404 permit for the discharge of dredged or fill material into waters of the U.S. if it can be demonstrated that the proposed project is the LEDPA with regard to aquatic resource impacts, provided that the LEDPA does not have other significant adverse environmental consequences. For an alternative to be practicable, it must only be reasonably available or obtainable and may include options beyond the authority of the Corps and the lead agency. It is also important to note that under the Guidelines, cost is not primarily considered according to what the applicant can afford (its financial standing) or based on whether the cost of one alternative is more or less than other alternatives. Rather, practicability in terms of cost is based on whether the cost of an alternative is within the range of costs for similar projects or industry norms.[6]

---

[2] *See* ACOE "Preparing An Alternatives Analysis Under Section 404 of the CWA", pg 2-3.

[3] *See* 2003 CEQ Memo.

[4] Utaba Dam Plan-EA public meeting slides, page 11

[5] *See* Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations (40 Fed. Reg. 18026 [1981]).

[6] *See* section 3.b. of the following EPA/Corp memo on the *Appropriate Level of Analysis Required for Evaluating Compliance with the CWA Section 404(b)(1) Guidelines Alternatives Requirements*.

Screening Process: We recommend that the NEPA document summarize the regulatory requirements and processes utilized to develop the reasonable and practicable alternatives for purposes of NEPA and CWA Section 404. We also recommend documenting the rationale for retaining or eliminating each alternative. The rationale should be consistent with the requirements of the CWA Section 404(b)(1) Guidelines (40 C.F.R. Part 230) including "practicable alternatives" as defined in 40 C.F.R. § 230.10 (b) and described in additional detail in the preamble to the Guidelines at 45 Fed. Reg. 85336 (Dec. 24, 1980). A combination of structural and non-structural components could serve to meet the underlying need for the project and together may reflect a practicable alternative that is potentially less damaging than any single option. If some techniques individually contribute less towards the project purpose and need than others, we recommend designing the screening criteria so that these components are not eliminated solely on the basis of their potentially smaller individual contributions to meeting the project purpose and need. We also recommend evaluating alternatives even if they are not the preferred community alternative to allow for a complete understanding of the costs and benefits (both economic and environmental) of various alternatives and combinations. Furthermore, investigation and education through project development work can also lead to changes in perception by landowners and stakeholders.

Water Storage: It is unclear from the fact sheet or project website if the proposed project will include additional storage capacity beyond what Utaba Reservoir has historically supported. If the proposed project includes an increase in storage capacity, we recommend providing a clear basis for the underlying need for increased storage, quantifying the need, and exploring a suite of structural and non-structural options to meet the underlying project purpose and need when considering a range of alternatives. If any potential increase in storage is proposed as a solution to a water supply need, we recommend framing the need as reducing or eliminating the gap between water supply and demand. This would allow for analysis of alternatives that utilize conservation and efficiencies to reduce demand rather than restricting solutions to more environmentally damaging water storage alternatives.

Alternatives Beneficial to the Environment: The EPA recommends consideration of alternatives that improve or enhance water quality (e.g., dam decommissioning, multi-tiered outlet works to manage water quality) while minimizing disturbance of the natural stream channel. Natural system-based approaches for consideration in alternative development are further supported by the Executive Orders (EOs) 13690, *Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input,* which was published on January 30, 2015, and amended EO 11988, *Floodplain Management*. Section 2(a)(2) of the amended EO states "Where possible, an agency shall use natural systems, ecosystem processes and nature-based approaches when developing alternatives for consideration." We recommend that the NRCS assess natural and nature-based features (NNBF) in accordance with Section 1184 of the Water Resources Development Act of 2016.[7]

It is our understanding that NRCS intends to carry forward an alternative which evaluates the decommissioning and removal of Utaba Dam. We appreciate inclusion of this alternative and recommend that the alternative include restoration of the inundated area and focus on slowing down water flow and increasing green infrastructure methods of water management within the greater project area. For example, restoration of the channel and maintenance of a natural multi-stage channel, with a cross section that includes low flow channel, bankfull channel, and floodplain benches

[7] *See* https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll5/id/35998.

can accommodate flows of varying magnitude from low flows to high flows. Maintaining ample width to accommodate flood flows on floodplain benches allows for more natural flood conveyance processes that reduce the flow velocity and erosive forces of high flow events and the potential to accelerate erosion downstream. Allowing for the spread of stormwater and slowing the flow reduces erosion and flooding dangers and allows for the stormwater to recharge underground aquifers. Furthermore, the EPA strongly supports the use of steps and pools, mimicking a natural high gradient channel as much as possible, to replace failing and hazardous dam infrastructure. In the event that this alternative does not meet the purpose and need of the project, the EPA recommends the NRCS consider if the purpose and need includes factors which may be secondary benefits of the primary purpose and need and therefore artificially constrains the range of alternatives.

The NRCS indicated that materials for the dam would be sourced from the same location as the original construction, an upland area within North Fork Park, immediately adjacent to the existing dam.[8] In addition to providing foundational habitat and supporting species diversity, the ability of upland areas to retain soil and nutrients and absorb and release water can greatly impact riparian condition and buffer high-runoff precipitation events. The EPA recommends the draft NEPA document consider how obtaining source materials from this location may lead to impacts such as increased runoff and sedimentation within and downstream of the project area, as well as outlining the restoration plan for the proposed borrow pit.

Additionally, anecdotal evidence on fishing websites indicates that the North Fork Ogden River supports several fish species, including trout species.[9,10] Headwater streams such as those above Utaba Dam can provide critical spawning habitat for many species and reconnecting this system could have large benefits to the Ogden River as a whole.[11] The EPA recommends that alternatives which promote spawning and support longitudinal connectivity of populations are considered in the draft NEPA document, such as operational (e.g., release schedules) and design features (e.g., fish ladder, bypass structures).

(3) Existing Conditions

Existing Environmental Conditions

Existing conditions are a key frame of reference for quantifying and characterizing magnitudes of adverse and positive environmental effects. The EPA recommends evaluating the effects of project alternatives against existing environmental conditions. By utilizing existing environmental conditions as a point of comparison, future changes to environmental resources can be more accurately measured for all alternatives, including the No Action Alternative. We recommend the following when defining existing environmental conditions:

- Verify whether historical data (e.g., data 5 years or older) are representative of current conditions.
- Include resources directly impacted by potential project footprints within the geographic scope of analysis, including inundation, as well as the resources indirectly (or secondarily) impacted by any of the alternatives. These indirectly impacted areas may include downstream segments,

[8] Utaba Dam Plan-EA public meeting slides, page 10

[9] *See* https://news.orvis.com/fly-fishing/utah-cutthroat-slam-day-three-cutts-ladders.

[10] *See* https://fishbrain.com/fishing-waters/lbit8zZN/north-fork-ogden-river.

[11] *See* https://watermark.silverchair.com/32-273-1-ce.pdf.

source streams where water diversions will occur, and any other resource areas which may be affected by changes in water management or operations.
- Provide clear maps of the project area, including wetland delineation and regional water features.
- Conduct a wetland functional analysis if there is any potential that an alternative could cause the significant loss of wetland acreage.

Existing Operations
Utaba Dam is described as a retarding dam used for flood control. Understanding how water moving through the reservoir will help provide the baseline for understanding the extent of impacts. For example, impacts may be different for a reservoir with a relatively constant surface level from one which fluctuates extensively. Furthermore, the manner and timing of releases of water can have significant impact on downstream waters, riparian areas, and habitat. Therefore, the EPA recommends the draft NEPA document describe the current operations of Utaba Dam. The EPA understands that flood control practices can widely vary based on precipitation and downstream demand. For this reason, the EPA further recommends supporting the characterization of operations with data summarized as trends for recent years.

(4) Impacts Analysis
Direct, Indirect and Cumulative Effects
To determine whether a project may have significant effects on the environment, it is important to examine the direct, indirect (secondary), and cumulative impacts to the aquatic and other resource characteristics of the project area. This may include impacts to water quality and water quantity; stream channel morphology; riparian function; fish and invertebrate assemblages; threatened, endangered and/or sensitive species and their habitat; and other resources within the geographic scope of analysis. Additionally, we recommend that the impact analysis consider the potential for non-linear responses, where incremental impacts of the proposed project may result in non-incremental changes in environmental conditions.

In analyzing cumulative impacts associated with each alternative, we recommend identifying and site-specifically characterizing impacts associated with ongoing diversions and/or other water management projects, including impacts from historical operations affecting aquatic ecosystems such as streams and associated wetlands and aquatic habitat. If impacts from reasonably foreseeable future water diversion and water management projects could exacerbate impacts to the same resources or ecosystems associated with this project, we recommend the NEPA document identify additional stressors from those relationships and disclose any cumulative impacts to the affected environment. We also suggest analyzing impacts to watersheds rather than political boundaries.

Failure Response
The risk profile of a dam is defined by two components, the likelihood of failure (condition rating) and the consequences of failure (hazard rating). Dam hazard classifications are based on the consequences of failure, primarily the economic and environmental losses and the loss of life in the event of a dam failure under any circumstance. Utaba Dam was originally rated as a moderate-hazard dam, but subsequent development within the breach floodplain downstream increased the impact potential and

in 2023 the dam received a high hazard rating.[12] The EPA recommends the draft NEPA document describe how implementation of alternatives would affect the hazard rating, and the likelihood of an increase in hazard rating (hazard creep) due to actions beyond the control of NRCS and Weber County in the future.

We recommend the NEPA document include an evaluation of potential adverse impacts from the structural failure of the proposed project. This should include potential adverse impacts to surface waters, public or private water supplies, human health, vegetation, and wildlife. In this part of the analysis, it would be useful to discuss the probabilities and likely frequencies of different types and volumes of potential failure events over the life of each alternative. We expect this information would be useful in determining emergency transportation corridor locations. We also recommend describing the failure detection and repair program for this project, the associated costs for each alternative, and the margin and methods of potential error for each program.

The Great Salt Lake

The North Ogden River is a tributary to the Weber River, one of the three major tributaries to the Great Salt Lake (GSL). The GSL is a terminal basin, with evaporation existing as the only natural outlet for water loss and allowing salts and minerals to concentrate in the lake. Lake elevation is controlled by the ratio of inflow of water via tributaries to the outflow (evaporation). Water levels in the GSL reached a historic low of 11 feet below average in 2022,[13] largely due to water diversion for agricultural, domestic, and industrial purposes.[14] In addition to adverse impacts to industry and recreation, declining water levels in the GSL have led to impacts to the ecosystem (increased salinity concentrations) and regional air quality (exposed lakebed dust sources). Increased concentration of salts associated with diminished water in the GSL has begun to exceed the salinity tolerance of the brine shrimp and brine flies which form the base of this critical ecosystem. Local policy experts anticipate near-term collapse of the unique GSL ecosystem without increased water conveyance to the lake. Additionally, the exposed lakebed of the GSL has been determined to be a source of dust with the potential to impact air quality and visibility.[15] The dust otherwise known as Particulate Matter (PM) includes PM_{10} and $PM_{2.5}$, which are criteria air pollutants associated with health impacts. The EPA recommends the cumulative effects analysis evaluate how the proposed project may affect the quantity of water downstream available in the GSL and connecting those potential impacts to ongoing water quality and air quality concerns around the GSL.

(5) Water Resources

Utaba Dam releases water to the North Fork Ogden River. The North Fork Ogden River assessment unit is on the State of Utah's most recent EPA-approved CWA §303(d) list and is impaired for Aquatic Life use (dissolved oxygen). We recommend the NEPA document provide a summary of available information and monitoring data on water quality and identify impaired waterbodies within and downstream of the planning area, including waterbodies listed on the most recent EPA-approved State CWA §303(d) list, which can be accessed using EPA's How's My Waterway tool[16] and the Utah

[12] *See* https://www.waterrights.utah.gov/cgi-bin/damview.exe?Modinfo=Viewdam&DAM_NUMBER=UT00541.
[13] GSL at Saltair Boat Harbor, UT
[14] Great Salt Lake Policy Assessment
[15] *See* Great Salt Lake Policy Assessment, page 29.
[16] US EPA How's My Waterway

Department of Environmental Quality 2024 Integrated Report.[17] A review of NEPAssist indicates that there are publicly available data taken within Utaba Reservoir, as well as upstream and downstream from the reservoir.[18] Such data for any streams and waterbodies potentially affected by the proposed project would provide information for the evaluation of the potential impacts on downstream water quality, and a point of comparison for future monitoring of impacts. We recommend including parameters of significance (e.g., dissolved oxygen) to impaired waterbodies within or downstream of the project area and evaluating what ongoing impacts may be due, at least in part, to Utaba Dam. Identification of any significant gaps in data may be helpful in developing the project monitoring plan. When defining existing conditions, please consider the following:

- Include waters directly impacted by the project as well as the waters indirectly (or secondarily) impacted by the project, such as downstream segments.
- Include water quality data, including at flood stage and critical low flow conditions if available, for any potentially affected stream reaches.
- Consider and document water quality impairments per State CWA Section 303(d) lists and draft or established Total Maximum Daily Loads (TMDLs), and identify potentially affected dischargers, including water treatment providers.
- Identify any Source Water Protection areas and how the project will be consistent with Source Water Protection planning measures.

The NEPA document should describe how the NRCS intends to "minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands" as described in EO 11990, including how impacts to wetlands will be avoided and minimized to the extent practicable, and how unavoidable impacts to wetlands would be mitigated. In addition to applying to wetlands that are non-jurisdictional under the CWA, EO 11990 also covers a broader range of actions than those activities regulated under the Section 404 program. For example, while the Section 404 program regulates only the discharge of dredged or fill material, EO 11990 covers other actions that can have adverse impacts on wetlands (e.g., draining, diking, etc.).[19]

Water Quality

The storage capacity in the reservoir has been reduced significantly due to sediment accumulation over the life of the dam. Disturbance and mobilization of this sediment due to the proposed project may lead to chemical (elevated metals or nutrients) and physical (smothering) water quality impacts in the North Fork Ogden River, downstream of Utaba Dam. The EPA recommends the NEPA document describe any mitigation work, such as dredging, that may occur to avoid or minimize downstream impacts. Furthermore, alternatives such as the construction of bypass structures around the dam may allow for a more natural release of sediment in the future into downstream waters.

Storing large volumes of water in reservoirs can affect the temperature regimes of the source water due to increased surface area, and stratification of the stored water can lead to formation of anoxic zones, which can increase sediment release of metals as well as nutrients and subsequent growth of algae, particularly in deeper reservoirs. The increased depth which would occur from restoring the

[17] Utah 2024 Integrated Report
[18] US EPA NEPAssist
[19] EO 11990, Section 7(b)

storage capacity in Utaba Reservoir could exacerbate this effect. The EPA recommends the draft NEPA document discuss the potential for anoxic conditions as a result of the proposed project, and the extent to which it could cause or contribute to further impairments in the watershed.

A CWA section 401 Water Quality Certification may also be needed for this project. EPA recommendations early engagement with the Utah Department of Water Quality (UDWQ) to ensure that any analysis needed to support their decision is included in the document.

(6) Biological Resources

The USFWS Information for Planning and Consultation tool indicates that several birds protected under the Endangered Species Act (ESA), the Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act may be present in the project area. The project area is also less than 10 miles from Willard Bay, which serves as winter nesting site for eagle species.[20] The USFWS tool indicates that other species such as the Canada Lynx, North American Wolverine, Monarch Butterfly as well as Ute Ladies'-tresses may utilize the project area. We recommend the NRCS work with the USFWS and Utah Division of Wildlife Resources to determine both adverse and beneficial potential impacts of the alternatives on plant and wildlife species, especially species classified as rare, threatened, or endangered on either state or federal lists. We also recommend:

- Evaluating in the NEPA document the potential direct, indirect, and cumulative impacts to species and their habitat for each of the proposed alternatives;
- Discussing in the NEPA document the proposed project's consistency with existing laws and regulations, including the ESA, Migratory Bird Treaty Act, and Bald and Golden Eagle Protection Act;
- Engaging in early consultation with the USFWS concerning listed avian species and other listed mammals, fish, plants, and insects in the project area and determining appropriate design criteria, mitigation, and monitoring. We also recommend documenting these consultations in the NEPA document; and
- If applicable, summarizing, or including as an appendix in the NEPA document, any biological assessment prepared by NRCS after informal consultation or biological opinion prepared by USFWS after formal consultation. We also recommend demonstrating that the proposed project is consistent with the biological assessment or opinion.

(7) Air Resources

Impacts to air quality are important to address in the NEPA document. The EPA recommends that the NEPA document provide a discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards, and potential air quality impacts that could result from the proposed project. Monitoring data presented as design values (background pollutant concentrations) are available from EPA's design values webpage.[21] Monitoring locations and data can be accessed through EPA's outdoor air monitor webpage,[22] and through the EPA's Air Quality System (AQS) for AQS users.[23]

[20] https://stateparks.utah.gov/parks/willard-bay/
[21] US EPA Air Quality Design Values
[22] Interactive Map of Air Quality Monitors
[23] US EPA Air Quality System

In order to disclose potential impacts from the implementation of the alternatives we recommend the NEPA document identify the activities necessary to construct, repair and operate the facilities, or, where applicable, decommissioning of the existing dam and restoration of the streambed and floodplain. We recommend identifying equipment that is anticipated to be needed as well as an operating schedule for the equipment. Based on the duration of construction and magnitude of emitting equipment and activities that are anticipated, it may be appropriate to quantify emissions associated with construction. We also recommend that the NEPA document disclose operational activities that have the potential to affect air quality, such as trips to and from the site or exposed areas that may be susceptible to wind erosion. If substantial vehicle traffic or other emission sources are anticipated it may be appropriate to quantify operational emissions in the NEPA document. We also recommend analyzing reasonable mitigation measures to reduce project-related emissions. Typical mitigation measures include design changes to reduce construction and operations emissions, fugitive dust control measures, mobile and stationary source controls, administrative controls, and schedules for implementation of project activities. We recommend the NEPA document include a Construction Emissions Mitigation Plan. We recommend this plan consider operational alternatives that go beyond regulatory requirements, such as use of Tier-4 diesel equipment during construction activities, in order to reduce impacts associated with emissions of particulate matter, nitrogen oxides, and other air toxics. Additionally, we recommend NRCS consider opportunities to reduce vehicle emissions as well as road and construction-related dust emissions through application of BMPs such as dust suppression and limited vehicle idling.

(8) Recreation

Materials for dam repair are proposed to be sourced from North Fork Park, a popular, multi-season recreation area. The EPA recommends that the draft NEPA document consider short- and long-term impacts to recreation, particularly in North Fork Park, as a result of the proposed project. North Fork Park is also a designated as an International Dark Sky area. The EPA recommends that the NEPA document consider potential short- and long-term activities which may introduce additional light to the area, such as increased truck trips, floodlights for work or long-term operations and an increased potential for dust, which may affect this designation.

(9) Project Design Criteria, BMPs, Mitigation, and Monitoring

We support the development of project design criteria, BMPs, mitigation, and monitoring measures to reduce the potential for environmental resource impacts. The EPA recommends the NEPA document include information about inspection and enforcement of design features and BMPs or mitigation to ensure the implementation and effectiveness of measures. We recommend the NEPA document include a monitoring and inspection plan for the proposed project, including timeframes for corrective action and if a FONSI determination is made, that the decision clearly articulate the site-specific mitigation required, including applicable monitoring and enforcement provisions to keep impacts below the level of significance.[24]

[24] *See* 40 CFR § 1501.6 Findings of no significant impact.
(d) The finding of no significant impact shall state the authority for any mitigation that the agency has adopted and any applicable monitoring or enforcement provisions. If the agency finds no significant effects based on mitigation, the mitigated finding of no significant impact shall state the enforceable mitigation requirements or commitments that will be

(10) Climate Change

The EPA recommends including a discussion of ongoing and projected regional climate change relevant to the project area in the "affected environment" section of the NEPA document, based on resources such as the U.S. Global Change Research Program assessments,[25] EPA's Climate Change Indicators,[26] and the Sixth Assessment Report of the Intergovernmental Panel on Climate Change.[27] We also recommend using the CEQ's *National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change*. The CEQ issued this interim guidance to assist Federal agencies in assessing and disclosing climate impacts during environmental reviews. This would enable the NEPA document to identify potential impacts that may be exacerbated by climate changes and ways to mitigate these impacts. Consistent with EO 14008, *Tackling the Climate Crisis at Home and Abroad*, the EPA recommends the NEPA document include a discussion of ways the project may be impacted by climate change, including projected increases in the fraction of precipitation falling as rain rather than snow, changes in the timing of streamflow, and increased frequency of extreme weather events resulting in heavy precipitation and floods. This can then inform opportunities to improve the project's resilience to climate change related issues, protect public health, and conserve our lands, waters, and biodiversity.

The fact sheet indicates that the project may include relocation of the main spillway, expansion and repair of the auxiliary spillway and an increase in the crest height of the dam.[28] Concrete production is a significant contributor to global GHGs. Therefore, and in line with direction in EO 14008 to use federal contracting and procurement to reduce climate pollution in every sector of the economy to and to ensure that Federal infrastructure investment reduces climate pollution, we recommend considering if there may be local sources of construction materials that could reduce the environmental impact of concrete while spurring local economic opportunities and private sector investment into sustainable construction materials.[29] Since cement production is a major driver of the climate impacts of concrete, an established way to reduce the carbon footprint of concrete is replacing cement with different types of binders, including reusable waste materials such as fly ash from coal-fired power plants, granulated slag from steel production, and post-consumer glass. Other currently available ways to reduce the environmental impact of cement are to use alternative fuels for kiln heating, clinker replacement, and concrete production using capture carbon.[30] Mixture optimization can be facilitated through performance-based (vs prescriptive) specifications. We also recommend requesting environmental product declarations in product specifications to help understand the life cycle-based environmental impacts of different alternatives.

Social Cost of GHGs

For the regulatory impact analysis of the EPA's December 2023 Final Rulemaking, "Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing

---

undertaken and the authority to enforce them, such as terms and conditions or other measures in a relevant permit, incidental take statement, or other agreement, and the agency shall prepare a monitoring and compliance plan for that mitigation consistent with § 1505.3(c) of this subchapter. In addition, the agency shall prepare a monitoring and compliance plan for other mitigation as required by § 1505.3(c) of this subchapter.

[25] Fifth National Climate Assessment

[26] Climate Change Indicators in the United States

[27] Sixth Assessment Report of the Intergovernmental Panel on Climate Change

[28] Utaba Dam Rehabilitation Watershed Plan-EA Fact Sheet

[29] *See, e.g.*, Concrete Solutions That Lower Both Emissions and Air Pollution.

[30] *See* June 2021 CEQ Report to Congress (Section 3.4).

Sources: Oil and Natural Gas Sector Climate Review," the EPA estimated climate benefits using a new set of SC-GHG estimates that reflect the state-of-the-science and address recommendations from the National Academies of Science, Engineering, and Medicine (NASEM) on estimating the SC-GHG. The estimates are in a November 2023 *Report on the Social Cost of Greenhouse Gases: Estimates Incorporating Recent Scientific Advances*,[31] which updates the February 2021 Social Cost of Greenhouse Gases Technical Support Document: *Social Cost of Carbon, Methane, and Nitrous Oxide Interim Estimates under Executive Order 13990* developed by the Interagency Working Group on Social Cost of Greenhouse Gases, United States Government. This report improves upon the IWG methodologies for calculating SC-GHGs by incorporating more scientifically defensible discount rates which consider sources of uncertainty and more accurately reflect modern economic theory and climate change models. These updated discount rate values were also calibrated using global economic growth and inflation rates through the year 2080 and underwent an expert peer review process which made them consistent with the recommendations of NASEM.

We therefore recommend calculating SC-GHGs in the draft NEPA document using EPA's new discount rates summarized at the beginning of the November 2023 Report referred to above. To better assist lead agencies with the utilization of these updated estimates, the EPA has also recently released a Microsoft Excel "Workbook for Applying SC-GHG Estimates v.1.0.1" spreadsheet which can be accessed at https://www.epa.gov/environmental-economics/scghg along with the updated report. This workbook presents a 'plug and play' solution for converting project emissions estimates into SC-GHG evaluations. Please feel free to reach out to us directly if there are any follow up questions regarding these recent updates. We are also available to assist the NRCS with using the workbook if desired.

[31] *See* Report on the Social Cost of Greenhouse Gases: Estimates Incorporating Recent Scientific Advances.

Appendix D: Cooperating Agency and Tribal Letters

Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, UT 84138
PHONE: 801-524-4550

Melissa McCoy
NEPA Branch Chief
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street
Denver, CO 80202

RE: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah.

August 7, 2024

Dear Melissa McCoy,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the U.S. Environmental Protection Agency become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA. Information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. Additionally, the enclosed agency scoping notice includes project information and details on an **agency scoping meeting scheduled for August 14, 2024 at 3 pm**.

This request is made since your agency is identified as having special expertise or jurisdiction by law related to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your agency is unable to participate as a cooperating agency, please return a written explanation indicating that your agency cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

USDA is an equal opportunity provider, employer, and lender.

Sincerely,



Emily Fife
State Conservationist

Enclosure

Cc:

Ammon Boswell, Area Conservationist, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT

USDA is an equal opportunity provider, employer, and lender.

REGION 8
DENVER, CO 80202

August 28, 2024

Ref: 8EJC-NE

Emily Fife, State Conservationist
USDA-NRCS
Wallace F Bennett Federal Building
125 South State Street, Room 4010
Salt Lake City, Utah 84138-1100

Dear Emily Fife:

The U.S. Environmental Protection Agency received the Natural Resources Conservation Service's (NRCS) invitation to become a cooperating agency on the Utaba Dam Rehabilitation Watershed Plan-EA for proposed improvements in Weber County, Utah. We appreciate NRCS's interest in working with EPA and accept your invitation to be a cooperating agency under the Council on Environmental Quality's National Environmental Policy Act (NEPA) Implementing Regulations at 40 C.F.R. § 1501.8 (May 2024).

As a cooperating agency, and to the extent that time and resources allow, EPA intends to:

1) Participate in the development process for NEPA documents, including attending inter-agency coordination meetings and reviewing draft documents in accordance with the lead agency's schedule for providing cooperating agency comments. Due to limited travel funding, participation may occur via teleconference;

2) Assist the NRCS in identifying significant environmental issues, particularly those that relate to EPA's special expertise and jurisdiction;

3) Provide comments to the NRCS on preliminary versions of the Draft and Final NEPA documents in accordance with the lead agency's schedule for providing cooperating agency comments; and

4) Work with the NRCS to develop an NEPA document consistent with EPA program or agency requirements.

Please note that EPA's status as a cooperating agency does not affect our independent responsibilities under Section 309 of the Clean Air Act to review and comment publicly on all EISs and does not obligate, commit, or transfer funds. The EPA's cooperating agency status may be acknowledged in the document, but the EPA seal or symbol should not be used unless the NRCS receives prior written

approval from EPA, and then only if a disclaimer is attached stating that the use of the Agency seal or symbol on this document does not imply any agency's endorsement of the proposed action.

The EPA looks forward to working with the NRCS as a cooperating agency on the development of the NEPA document. If you have any questions, please contact Amanda Jensen, who will serve as EPA's point of contact at (303) 312-6981 or jensen.amanda@epa.gov.

Sincerely,

Melissa W. McCoy, Ph.D., J.D.
Manager, NEPA Branch
Environmental Justice, Community Health, and
Environmental Review Division

cc:
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Landon Richins, Environmental Specialist, Franson Civil Engineers

Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, UT 84138
PHONE: 801-524-4550

George Weekley
Deputy Supervisor, Utah Field Office
U.S. Fish and Wildlife Service
2369 West Orton Circle, Suite 50
West Valley City, UT 84119

RE: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah.

August 7, 2024

Dear George Weekley,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the U.S. Fish and Wildlife Service become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA. Information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. Additionally, the enclosed agency scoping notice includes project information and details on an **agency scoping meeting scheduled for August 14, 2024 at 3 pm**.

This request is made since your agency is identified as having special expertise or jurisdiction by law related to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your agency is unable to participate as a cooperating agency, please return a written explanation indicating that your agency cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

USDA is an equal opportunity provider, employer, and lender.

Sincerely,



Emily Fife
State Conservationist

Enclosure

Cc:

Ammon Boswell, Area Conservationist, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT

USDA is an equal opportunity provider, employer, and lender.

Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, UT 84138
PHONE: 801-524-4550

Sean Harwood
District Ranger, Ogden Ranger District
U.S. Forest Service
6620 East 100 South
Huntsville, UT 84317

RE: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah.

August 7, 2024

Dear Sean Harwood,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the U.S. Forest Service become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA. Information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. Additionally, the enclosed agency scoping notice includes project information and details on an **agency scoping meeting scheduled for August 14, 2024 at 3 pm**.

This request is made since your agency is identified as having special expertise or jurisdiction by law related to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your agency is unable to participate as a cooperating agency, please return a written explanation indicating that your agency cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

USDA is an equal opportunity provider, employer, and lender.

Sincerely,



Emily Fife
State Conservationist

Enclosure

Cc:

Ammon Boswell, Area Conservationist, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, UT 84138
PHONE: 801-524-4550

Jason Gipson
Chief, Utah-Nevada Regulatory Branch
U.S. Army Corps of Engineers
533 West 2600 South, Suite 150
Bountiful, UT 84010

RE: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah.

August 7, 2024

Dear Jason Gipson,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the U.S. Army Corps of Engineers become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA. Information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. Additionally, the enclosed agency scoping notice includes project information and details on an **agency scoping meeting scheduled for August 14, 2024 at 3 pm**.

This request is made since your agency is identified as having special expertise or jurisdiction by law related to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your agency is unable to participate as a cooperating agency, please return a written explanation indicating that your agency cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

USDA is an equal opportunity provider, employer, and lender.

Sincerely,



Emily Fife
State Conservationist

Enclosure

Cc:

Ammon Boswell, Area Conservationist, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT

USDA is an equal opportunity provider, employer, and lender.

From: Christopher Merritt
To: Hoffmann, Tara - FPAC-NRCS, UT
Subject: Re: Utaba Dam Rehab NEPA Cooperating Agency Letter
Date: Wednesday, August 21, 2024 9:26:31 AM

Hello Tara,
The Utah SHPO declines participation as a Cooperating Agency, as our consultation occurs strictly through the robust Section 106 process. Good luck with your undertaking.

On Tue, Aug 20, 2024 at 11:08 AM Hoffmann, Tara - FPAC-NRCS, UT <tara.hoffmann@usda.gov> wrote:

> Morning Chris,
>
> We are in the early planning stages for rehabilitating an earthen dam up in Weber County, and per the CEQs regulating implementing NEPA, the NRCS is formally requesting that the Utah SHPO become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA. Because SHPO is an agency with special expertise and jurisdiction by law, we are making this request. Please let us know if the Utah SHPO would like to be or declines being a cooperating agency.
>
> Many thanks,
>
> Tara
>
> Tara S. Hoffmann, MA
>
> *State Watershed Cultural Resources Specialist/Tribal Liaison*
>
> Natural Resources Conservation Service
>
> Salt Lake City, UT
>
> O: 801-524-4556 C: 385-258-1266

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

--
****
Christopher W. Merritt, Ph.D., RPA
State Historic Preservation Officer
Utah Department of Cultural & Community Engagement
Phone: (801) 245-7263
Email: cmerritt@utah.gov



USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Dennis Alex
Chairman
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Chairman Alex,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Northwest Band of the Shoshone Nation become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Ms. Betsy Chapoose
THPO
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Ms. Chapoose,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Ute Indian Tribe of the Uintah and Ouray Reservation become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Lillith Court
Tribal Secretary
Skull Valley Band of Goshute Indians
407 Skull Valley Road
Skull Valley, Utah 84074

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Tribal Secretary Court,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Skull Valley Band of Goshute Indians become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Joshua Mann
Tribal Historic Preservation Officer
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
P.O. Box 538
Fort Washakie, Wyoming 82514

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Chairman St. Clair,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Eastern Shoshone Tribe of the Wind River Reservation, Wyoming, become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

Thank you for your timely response and assistance with these efforts. If you have any questions,

please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Mr. Daniel Moon
Chairman
Skull Valley Band of Goshute Indians
407 Skull Valley Road
Skull Valley, Utah 84074

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Chairman Moon,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Skull Valley Band of Goshute Indians become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Mr. Amos Murphy
Chairman
Confederated Tribes of the Goshute Reservation
HC61 Box 6104
195 Tribal Center Road
Ibapah, Utah 84034

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Chairman Murphy,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Confederated Tribes of the Goshute Reservation become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Mr. Julius Murray
Chairman
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Chairman Murray,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Ute Indian Tribe of the Uintah and Ouray Reservation become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Mr. Brad Parry
Vice Chairman
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Vice Chairman Parry,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Northwest Band of the Shoshone Nation become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Mr. Clell Pete
Environmental Protection Department
Confederated Tribes of the Goshute Reservation
HC61 Box 6104
195 Tribal Center Road
Ibapah, Utah 84034

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Mr. Pete,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Confederated Tribes of the Goshute Reservation become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Carolyn Smith
Cultural Resources Coordinator
Shoshone-Bannock Tribes of the Fort Hall Reservation
P.O. Box 306
Fort Hall, Idaho 83203

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Ms. Smith,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho, become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room
4010 Salt Lake City, UT
84138
PHONE: 801-524-4550

John St. Clair
Chairman
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
P.O Box 538
Fort Washakie, Wyoming 82514

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Chairman St. Clair,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Eastern Shoshone Tribe of the Wind River Reservation, Wyoming, become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Ms. Luana Thompson
Natural Resources Director
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Director Thompson,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Ute Indian Tribe of the Uintah and Ouray Reservation become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Ms. Patti Timbimboo-Madsen
Cultural Resources
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Ms. Timbimboo-Madsen,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Northwest Band of the Shoshone Nation become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 4010
Salt Lake City, Utah 84138
PHONE: 801-524-4550

Mr. Lee Juan Tyler
Chairman
Fort Hall Business Council
Shoshone-Bannock Tribes of the Fort Hall Reservation
P.O. Box 306
Fort Hall, Idaho 83203

Reference: Formal request to be a Cooperating Agency in the development of the Utaba Dam Rehabilitation Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Weber County, Utah

August 20, 2024

Dear Chairman Tyler,

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Part 1501.8, the Natural Resources Conservation Service (NRCS) is formally requesting that the Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho, become a cooperating agency in the planning and development of the Utaba Dam Rehabilitation Watershed Plan-EA.

The NRCS, with Weber County as the project sponsor, is considering a proposed rehabilitation of the Utaba Retarding Dam located just downstream of the confluence of Cutler Creek and the North Fork of the Ogden River. The dam is currently out of compliance with state and NRCS dam safety standards. This project would seek to bring the dam into compliance with these standards and to reduce the possibility of a failure. Further information about the project can be found at https://www.nrcs.usda.gov/conservation-basics/conservation-by-state/utah/utaba-dam-rehabilitation-plan-ea. A project vicinity map is enclosed with this letter.

This request is made since your Tribe is identified as having special expertise to this project. The Plan-EA is being prepared to fulfill our NEPA compliance responsibilities pertaining to our federal financial assistance through the Watershed Protection and Flood Prevention Program as authorized through Public Law 83-566. Upon acceptance of this invitation, roles can be defined in an informal agreement or a memorandum of understanding. If your Tribe is unable to participate as a cooperating agency, please return a written explanation indicating that you cannot participate.

Please send notification confirming your decision to: Emily Fife, State Conservationist, NRCS, Wallace F Bennett Federal Building, 125 South State Street, Room 4010, Salt Lake City, Utah 84138-1100.

USDA is an equal opportunity provider, employer, and lender.

Thank you for your timely response and assistance with these efforts. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc:
Ammon Boswell, ATSC-North Area, NRCS, Ogden, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Anders Fillerup, Assistant State Conservationist-Water Resources, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, North Logan, UT
Connor Benfield, Field Watershed Coordinator, NRCS, Salt Lake City, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

PL 83-566 Section 12 Consultation Letter

July 24, 2024

George Weekley
Field Supervisor, Utah Field Office
U.S. Fish and Wildlife Service
2369 West Orton Circle, Suite 50
West Valley City, UT 84119

RE: Utaba Dam Rehab Supplemental Plan-Environmental Assessment (Plan-EA)
Section 12 Notification--Public Law 83-566

Dear George Weekley:

The Natural Resources Conservation Service (NRCS) is currently preparing the Utaba Dam Rehab Plan-EA (Supplement No. 2) for dam rehabilitation measures in Weber County, Utah. In accordance with Section 12 of the Watershed Protection and Flood Prevention Act, Public Law 83-566 (U.S.C. Section 1008), this letter serves to notify the U.S. Fish and Wildlife Service (USFWS) that NRCS invites the USFWS to submit survey reports or investigations regarding wildlife resources that will be considered in development of the Utaba Dam Rehab Supplemental Plan-EA. Additionally, the NRCS welcomes USFWS participation in the preparation of the Supplemental Plan-EA in accordance with Section 12 of Public Law 83-566.

Thank you for your assistance. If you have any questions, please contact Derek Hamilton, Water Resources Coordinator, at derek.hamilton@usda.gov or 801-524-4560.

Sincerely,

Emily Fife

Emily Fife
State Conservationist

cc:
Anders Fillerup, Acting Assistant State Conservationist—Water Resources, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT

SHPO Consultation & Concurrence/Camp UTABA – Section 106 NHPA

United States Department of Agriculture

August 14, 2024

Dr. Christopher Merritt
State Historic Preservation Officer
Department of Cultural and Community Engagement
3760 Highland Drive
Millcreek, Utah 84106

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Dr. Merritt:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to 36 CFR 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Enclosed is a map of the general location of the proposed watershed plan components. Please review the enclosed map and provide any comments or information on cultural resources that may not be readily available to the NRCS. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

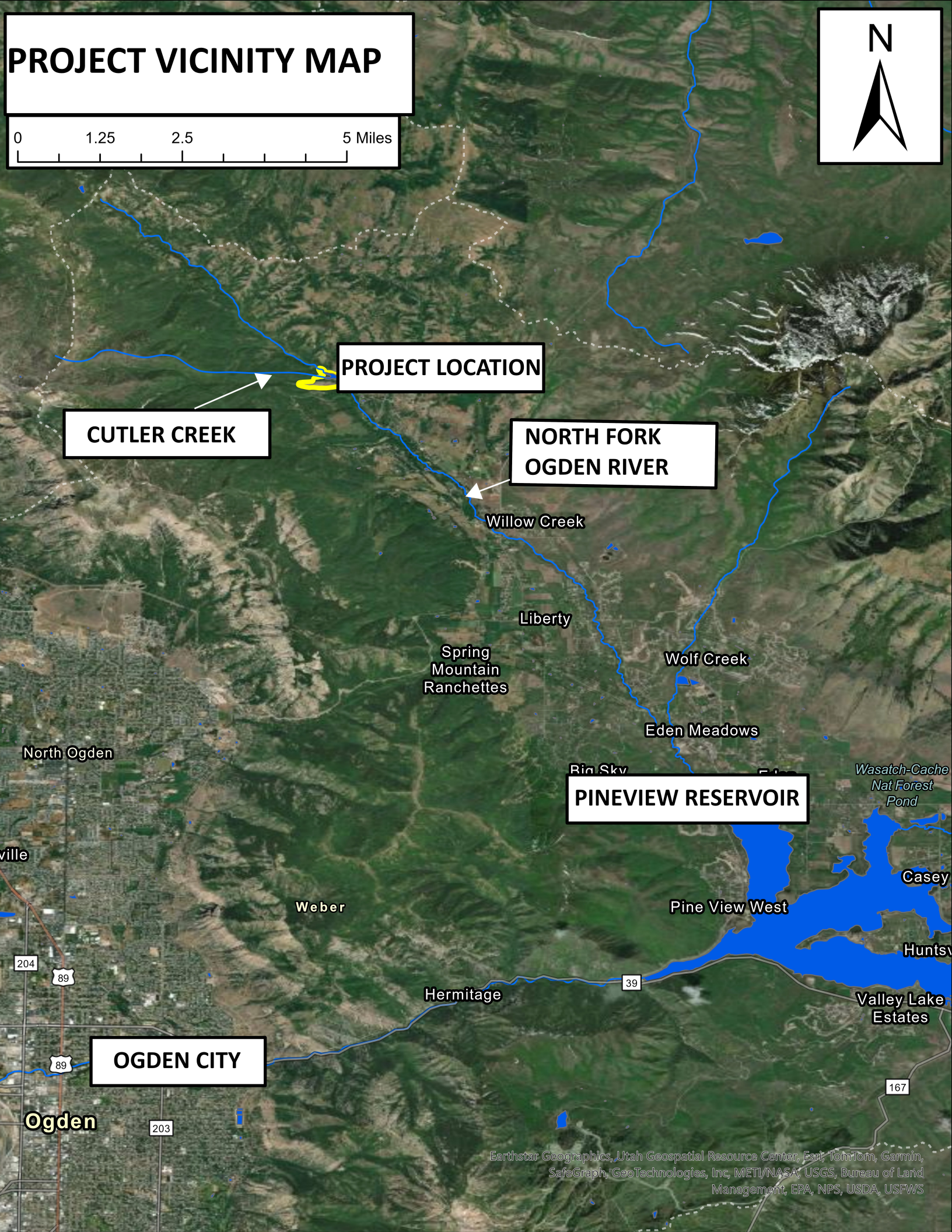
Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT


PROJECT VICINITY MAP
0
1.25
2.5
5 Miles
N
PROJECT LOCATION
CUTLER CREEK
NORTH FORK
OGDEN RIVER
Willow Creek
Liberty
Spring
Mountain
Ranchettes
Wolf Creek
Eden Meadows
North Ogden
PINEVIEW RESERVOIR
Wasatch-Cache
Nat Forest
Pond
Casey
Weber
Pine View West
Hermitage
Valley Lake
Estates
OGDEN CITY
Ogden
204
89
39
167
203
Earthstar Geographics, Utah Geospatial Resource Center, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA, USFWS

Spencer J. Cox
Governor

Deidre M. Henderson
Lieutenant Governor

Donna Law
Interim Executive Director

Christopher Merritt
State Historic Preservation Officer
Utah State Historic Preservation Office

August 23, 2024

Emily Fife
State Conservationist
Natural Resources Conservation Service
125 South State Street, Room 4010
Salt Lake City, Utah 84138-1100

RE: Utaba Watershed Plan-EA, Weber County, UT

For future correspondence, please reference Case No. 24-2003

Dear Ms. Fife,

Thank you for the submission to the Utah State Historic Preservation Office regarding the initiation of consultation on the above-referenced project on August 22, 2024. Based on the information provided to our office, we don't have any comments at this time, but we look forward to consulting with you under the Section 106 process.

This information is provided to assist with Section 106 responsibilities as per §36CFR800. If you have questions, please contact me at (801) 245-7239 or by email at clhansen@utah.gov.

Sincerely,

Christopher Hansen
Preservation Planner/Utah SHPO

From: Christopher Hansen
To: Hoffmann, Tara - FPAC-NRCS, UT
Subject: Re: [External Email]Utah SHPO Decision (Case #24-2294)
Date: Wednesday, October 2, 2024 3:09:44 PM

Sounds good, thanks for the update and for consulting with the reverend on it. Chris

On Wed, Oct 2, 2024 at 2:55 PM Hoffmann, Tara - FPAC-NRCS, UT <tara.hoffmann@usda.gov> wrote:

> Thanks, Chris. We just had a project meeting, and the Reverand Dr. Price of the First Baptist Church attended as well- so the Baptist Church is up to speed with eligibility, effects, etc.
>
> Tara
>
> Tara S. Hoffmann, MA
>
> *State Watershed Cultural Resources Specialist*
>
> Natural Resources Conservation Service
>
> ---
>
> **From:** Christopher Hansen <clhansen@utah.gov>
> **Sent:** Wednesday, October 2, 2024 2:53 PM
> **To:** Hoffmann, Tara - FPAC-NRCS, UT <tara.hoffmann@usda.gov>
> **Subject:** Re: [External Email]Utah SHPO Decision (Case #24-2294)
>
> Thanks Tara! I noticed that came through earlier, I'll let you know if we have any questions. Chris
>
> --
>
> **Christopher L. Hansen**
>
> Preservation Planner/Deputy SHPO
>
> Utah State Historic Preservation Office

Email: clhansen@utah.gov

On Wed, Oct 2, 2024 at 2:16 PM Hoffmann, Tara - FPAC-NRCS, UT <tara.hoffmann@usda.gov> wrote:

> Chris,
>
> I resubmitted an updated report and two sites forms, along with a new consultation request letter. We will also be consulting with the First Baptist Church and President/VP of Camp Utaba. They have been involved during NEPA scoping already.
>
> Let me know if you have any further questions.
>
> Tara
>
> Tara S. Hoffmann, MA
>
> *State Watershed Cultural Resources Specialist*
>
> Natural Resources Conservation Service
>
> Salt Lake City, UT
>
> O: 801-524-4556 C: 385-258-1266
>
> ---
>
> **From:** Christopher Hansen <clhansen@utah.gov>
> **Sent:** Monday, September 23, 2024 9:42 AM
> **To:** Hoffmann, Tara - FPAC-NRCS, UT <tara.hoffmann@usda.gov>
> **Subject:** Re: [External Email]Utah SHPO Decision (Case #24-2294)

Thank you, Tara. Let me know if you or Bighorn have any questions. Chris

--

Christopher L. Hansen

Preservation Planner/Deputy SHPO

Utah State Historic Preservation Office

Email: clhansen@utah.gov

On Mon, Sep 23, 2024 at 8:39 AM Hoffmann, Tara - FPAC-NRCS, UT <tara.hoffmann@usda.gov> wrote:

> Morning Chris,
>
> Thanks for the comments regarding Camp Utaba and the Utaba Dam. I do agree now that Camp Utaba should be eligible as a Historic District. I will work with Bighorn to have them update the site record accordingly.
>
> Also, for the dam, I will also have the ineligible status supported by more information.
>
> Thanks,
>
> Tara
>
> Tara S. Hoffmann, MA
>
> *State Watershed Cultural Resources Specialist*
>
> Natural Resources Conservation Service

Salt Lake City, UT

O: 801-524-4556 C: 385-258-1266

From: noreply@salesforce.com <noreply@salesforce.com> **On Behalf Of** Christopher Hansen
Sent: Wednesday, September 18, 2024 4:21 PM
To: Hoffmann, Tara - FPAC-NRCS, UT <tara.hoffmann@usda.gov>
Subject: [External Email]Utah SHPO Decision (Case #24-2294)

[External Email]
If this message comes from an **unexpected sender** or references a **vague/unexpected topic;**
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Dear Tara,

Thank you for submitting your undertaking, "A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah," to the Utah SHPO via e106.

I do have some concerns with the determination for 42WB593--Camp Utaba. It is our opinion that the camp as a whole should be considered Eligible as a historic district under Criterion A, as far as I can tell it is the only American Baptist Camp located in Utah and has been a historically important religious and outdoor recreation gathering place since the 1940s, and based on what has been submitted it retains its integrity (some newer work has been completed at the camp and a few buildings updated, but it does appear to be compatible with the existing). Our archaeologists also reviewed it and suggested that it may also be Eligible under Criterion D, due to its long history and discrete layout there may be trash dumps buried throughout the property and other features.

For 42WB594, I don't know that we've been provided enough information to be able to concur with the ineligible call on the dam. A more thorough explanation as to why that determination has been made and additional discussion about why exactly it was built and what it has been used for historically would be helpful (flood prevention, sediment control, irrigation, recreation?).

Thanks! Please let me know if you have any questions.

Regards,

Chris Hansen (clhansen@utah.gov)

ref:!00D70088Eu.!500Rh0N3X3r:ref

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Dr. Christopher Merritt, PhD
State Historic Preservation Officer
Department of Cultural and Community Engagement
3760 Highland Drive
Millcreek, Utah 84106

October 2, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Dr. Merritt:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed are an updated cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*, and associated data. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined that 42WB593 is eligible for the National Register of Historic Places (NRHP) as a Historic District, and that 42WB594 is ineligible for the NRHP.

Within the Indirect APE, there are two historic properties (42WB473), a prehistoric lithic scatter, and 42WB594 (historic Camp Utaba). Based on the No Action or Action Alternative, a portion of 42WB473 site would be subject to very minor flooding, not resulting in erosion. Camp Utaba would also be subject to flooding in the unlikely event of a dam breach, under the No Action or Action Alternative. Under the Action Alternative, which

USDA is an equal opportunity provider, employer, and lender.

would bring the dam up to current Utah and NRCS dam safety standards, the likelihood of a dam breach would be greatly reduced versus the No Action Alternative, where the current dam is a high hazard dam and does not meet current safety standards. The Action Alternative will result in the elimination of a non-contributing fire ring used by Camp Utaba, and the access road through the east edge of Camp Utaba may be used to access the dam during construction. The road would not be widened or improved, and would be returned to pre-construction condition.

The NRCS recommends that the proposed project proceed as planned with an overall finding of n**o adverse effect to historic properties** (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT
Reverend Dr. Curtis L. Price, Pastor, First Baptist Church, Salt Lake City, UT

Spencer J. Cox
Governor

Deidre M. Henderson
Lieutenant Governor

Donna Law
Interim Executive Director

Christopher Merritt
State Historic Preservation Officer
Utah State Historic Preservation Office

October 11, 2024

Emily Fife
State Conservationist
USDA NRCS
125 South State Street, Room 6416
Salt Lake City, Utah 84138

RE: Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County

For future correspondence, please reference Case No. 24-2294

Dear Emily,

The Utah State Historic Preservation Office received your submission and request for our comment on the above-referenced project on September 18 and October 2, 2024. Based on the information provided to our office, we concur with the APE and with your determinations of eligibility, including with the determinations that the camp (42WB593) is eligible and that the dam (42WB594) is ineligible. We concur with a finding of no adverse effect for the proposed undertaking. We appreciate your efforts of taking historic properties into account.

This information is provided to assist with Section 106 responsibilities as per §36CFR800. If you have questions, please contact me at (801) 245-7239 or by email at clhansen@utah.gov.

Sincerely,

Christopher Hansen
Preservation Planner/Utah SHPO

NHPA Section 106 Tribal Consultation Table

NRCS RECORD OF TRIBAL CONSULTATIONS

Project/Reason for Initiating Consultation: Utaba Dam Rehabilitation Supplemental Watershed Plan-Environmental Assessment (EA)

Program: NRCS Watershed Rehabilitation Program (REHAB)

Tribe Information			Cons Initiated[1]	Cultural Resource Report Consultation Package[2]			Consultation Follow Up[2]				Tribe Cons Completed (Date)
Federally Recognized Tribe	Contact Name	Address		NRCS Mailed to Tribe[3]	Received by Tribe[3]	Tribe Response	Follow Up #1 Type (Date)	Response #1 Type (Date): Response	Follow Up #2 Type (Date)	Response #2 Type (Date)	
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming	Wayland Large, (Chairman)	P.O. Box 538 Fort Washakie, Wyoming 82514	07/30/2024	09/23/2024	--	None	Email (01/06/2025) jmann@easternshoshone.org	None	Phone Call (04/03/2025)	None -	Complete 04/03/2025
	Joshua Mann, (THPO)				--	None	Email (01/06/2025) lbell@easternshoshone.org	None	Phone Call (04/03/2025)	None -	
Northwest Band of the Shoshone Nation	Dennis Alex (Chairman)	2575 Commerce Way, Ogden, Utah 84401	07/30/2024	09/23/2024	--	None	Email (01/06/2025)	None	Phone Call (04/03/2025)	None -	Complete 04/03/2025
	Patti Timbimboo-Madsen (Cultural Resources)				--	None	Email (01/06/2025) ptimbimboo@nwbshoshone.com	None	Phone Call (04/03/2025)	None -	Complete 04/03/2025
	Brad Parry (Vice Chairman)				--	None	Email (01/06/2025) bparry@nwbshoshone.com	None	Phone Call (04/03/2025)	None -	Complete 04/03/2025
Shoshone-Bannock Tribes of the Fort Hall Reservation	Lee Juan Tyler, (Chairman)	P.O. Box 306, Fort Hall, Idaho 83203	07/30/2024	09/23/2024	--	None	Email (01/06/2025)	None	Phone Call (04/03/2025)	None	Complete 04/03/2025
	Carolyn Smith (Cultural Resources)				--	None	Email (01/06/2025) csmith@sbTribes.com	None	Phone Call (04/03/2025)	None -	Complete 04/03/2025
Skull Valley Band of Goshute Indians	Daniel Moon (Chairman)	407 Skull Valley Rd, Skull Valley, Utah, 84074	07/30/2024	09/23/2024	--	None	Email (01/06/2025)	None	Phone Call (04/03/2025)	None	Complete 04/03/2025
	Kyle Craig (Vice Chairman)				--	None	Email (01/06/2025)	None	Phone Call (04/03/2025)	None	Complete 04/03/2025
Confederated Tribes of the Goshute Reservation	Amos Murphy (Chairman)	HC61 Box 6104, 195 Tribal Center Rd, Ibapah, Utah 84034	07/30/2024	09/23/2024	--	None	Email (01/06/2025)	None	Phone Call (04/03/2025)	None	Complete 04/03/2025
	Clell Pete (Environmental Protection Dept.)				--	None	Email (01/06/2025)	None	Phone Call (04/03/2025)	None	Complete 04/03/2025
Ute Indian Tribe of the Uintah & Ouray Reservation, Utah	Julius Murray (Chairman)	P.O. Box 190 Fort Duchesne, Utah 84026	07/30/2024	09/23/2024	--	None	Email (DATE) betsyc@uteTribe.com	None	Phone Call (04/03/2025)	None	Complete 04/03/2025
	Luana Thompson, (Natural Resources Director)				--	None	Email (01/06/2025)	None	Phone Call (04/03/2025)	None	Complete 04/03/2025
	Betsy Chapoose (THPO)				--	None	Email (01/06/2025)	None	Phone Call (04/03/2025)	Stated there were no concerns	Complete 04/03/2025

Notes: Cons = Consultation, THPO = Tribal Historic Preservation Officer

1 – Tribe consultation was initiated as part of the Scoping process and is documented in the Scoping Report included in Appendix A.

2 – Documentation is included below the Table.

3 – Date of receipt of mail delivery to Tribe.

NHPA Section 106 Consulting Parties Documentation

United States Department of Agriculture

July 30, 2024

Dennis Alex
Chairman
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman Alex:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

Ms. Betsy Chapoose
THPO
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Ms. Chapoose:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

Lillith Court
Tribal Secretary
Skull Valley Band of Goshute Indians
407 Skull Valley Rd
Skull Valley, Utah 84074

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Tribal Secretary Court:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Joshua Mann
Tribal Historic Preservation Officer
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
P.O. Box 538
Fort Washakie, Wyoming 82514

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Officer Mann:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Mr. Daniel Moon
Chairman
Skull Valley Band of Goshute Indians
407 Skull Valley Rd
Skull Valley, Utah 84074

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman Moon:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Mr. Amos Murphy
Chairman
Confederated Tribes of the Goshute Reservation
HC61 Box 6104
195 Tribal Center Road
Ibapah, Utah 84034

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman Murphy:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Mr. Julius Murray
Chairman
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman Murray:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Mr. Brad Parry
Vice Chairman
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Vice Chairman Parry:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Mr. Clell Pete
Environmental Protection Department
Confederated Tribes of the Goshute Reservation
HC61 Box 6104
195 Tribal Center Road
Ibapah, Utah 84034

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Mr. Pete:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Carolyn Smith
Cultural Resources Coordinator
Shoshone-Bannock Tribes of the Fort Hall Reservation
P.O. Box 306
Fort Hall, Idaho 83203

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Coordinator Smith:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

John St. Clair
Chairman
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
P.O Box 538
Fort Washakie, Wyoming 82514

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman St. Clair:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

Ms. Luana Thompson
Natural Resources Director
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Director Thompson:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA

United States Department of Agriculture

July 30, 2024

Ms. Patti Timbimboo-Madsen
Cultural Resources
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Ms. Timbimboo-Madsen:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

United States Department of Agriculture

July 30, 2024

Mr. Lee Juan Tyler
Chairman
Fort Hall Business Council
Shoshone-Bannock Tribes of the Fort Hall Reservation
P.O. Box 306
Fort Hall, Idaho 83203

Reference: Initiation of Section 106 Consultation: Utaba Dam Rehabilitation Watershed Plan-EA, Weber County, Utah

Dear Chairman Tyler:

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), with Weber County as the project sponsor, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) the rehabilitation of the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. These proposed Federal actions constitute an undertaking per 36 CFR 800.3 of the National Historic Preservation Act (NHPA).

This letter initiates the NHPA Section 106 consultation process pursuant to CFR 36 800.3. The purpose of this letter is to notify you of your role as a consulting party for this Federal undertaking. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, and other applicable Federal and state regulations, we write to you at this time regarding the project and we welcome any information you would like to share with us regarding historic properties or places of traditional religious and cultural importance near the proposed general project area that we should consider as part of our analysis. We would also appreciate your assistance in identifying any other Tribes with whom we should consult on this project.

Enclosed is a map of the general location of the proposed watershed plan components. As we continue consultation and project measures are refined, the Area of Potential Effect will be more closely defined per 36 CFR 800. We look forward to hearing from and working with you on this project. We welcome your call if you have questions on the proposed project or if you wish to arrange a meeting.

If you have any questions, comments, or concerns please contact Tara Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556 or email at tara.hoffmann@usda.gov.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure: Project Vicinity Map

cc:
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Dr. Christopher Merritt, PhD
State Historic Preservation Officer
Department of Cultural and Community Engagement
3760 Highland Drive
Millcreek, Utah 84106

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Dr. Merritt:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed are a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*, and associated data. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are

discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Dennis Alex
Chairman
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Chairman Alex:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Ms. Betsy Chapoose
THPO
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Ms. Chapoose:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Lillith Court
Tribal Secretary
Skull Valley Band of Goshute Indians
407 Skull Valley Rd
Skull Valley, Utah 84074

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Tribal Secretary Court:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Joshua Mann
Tribal Historic Preservation Officer
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
P.O. Box 538
Fort Washakie, Wyoming 82514

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Officer Mann:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Mr. Daniel Moon
Chairman
Skull Valley Band of Goshute Indians
407 Skull Valley Rd
Skull Valley, Utah 84074

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Chairman Moon:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Mr. Amos Murphy
Chairman
Confederated Tribes of the Goshute Reservation
HC61 Box 6104
195 Tribal Center Road
Ibapah, Utah 84034

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Chairman Murphy:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Mr. Julius Murray
Chairman
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Chairman Murray:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Mr. Brad Parry
Vice Chairman
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Vice Chairman Parry:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Mr. Clell Pete
Environmental Protection Department
Confederated Tribes of the Goshute Reservation
HC61 Box 6104
195 Tribal Center Road
Ibapah, Utah 84034

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Mr. Pete:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Carolyn Smith
Cultural Resources Coordinator
Shoshone-Bannock Tribes of the Fort Hall Reservation
P.O. Box 306
Fort Hall, Idaho 83203

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Coordinator Smith:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

John St. Clair
Chairman
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
P.O Box 538
Fort Washakie, Wyoming 82514

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Chairman St. Clair:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Ms. Luana Thompson
Natural Resources Director
Ute Indian Tribe of the Uintah & Ouray Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Director Thompson:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Ms. Patti Timbimboo-Madsen
Cultural Resources
Northwest Band of the Shoshone Nation
2575 Commerce Way
Ogden, Utah 84401

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Ms. Timbimboo-Madsen:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Mr. Lee Juan Tyler
Chairman
Fort Hall Business Council
Shoshone-Bannock Tribes of the Fort Hall Reservation
P.O. Box 306
Fort Hall, Idaho 83203

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Chairman Tyler:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

USDA Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 South State Street, Room 6416
Salt Lake City, UT 84138
PHONE: 801-524-4550

Mr. Winston Zack
U.S. Army Corps of Engineers
Albuquerque District and SPD Regulatory Division
NHPA Compliance Specialist, RTS, M.S.
4101 Jefferson Plaza NE
Albuquerque, New Mexico 87109

September 6, 2024

Reference: A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah (U24HO0596)

Dear Mr. Zack:

Per 36 CFR 800, the Natural Resources Conservation Service (NRCS) is continuing Section 106 consultation for the Utaba Dam Rehabilitation Plan and Environmental Assessment (EA) in Weber County near Liberty. Enclosed is a cultural resources report titled *A Cultural Resource Inventory for the Utaba Dam Rehabilitation Plan and Environmental Assessment Project, Weber County, Utah*. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam in Weber County, Utah. Improvements are being proposed to bring the dam into compliance with NRCS and state dam safety standards. The NRCS initiated consultation with your office in a letter dated August 14, 2024. The NRCS is serving as the lead Federal agency for purposes of Section 106 consultation. The U.S. Army Corps of Engineers is a cooperating agency due to the potential need for a 404 Permit during the design phase.

Per 36 CFR 800.4, the NRCS has defined the Direct Area of Potential Effects (APE) as 61 acres of private land, encompassing all potential ground disturbance including geotechnical testing, construction, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach. This APE contains 4,037 acres of private land.

To identify historic properties within the APE (per 36 CFR 800.4), an intensive pedestrian inventory of the Direct APE was conducted by Jon Baxter of Bighorn Archaeological Consultants on July 13, 2024. Mr. Baxter meets the Secretary of the Interior qualifications in archaeology. Two cultural resource sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined both sites ineligible for the National Register of Historic Places.

Within the Indirect APE, there is one eligible site (42WD473), a prehistoric lithic scatter. Based on the No Action or Action Alternaitve, a portion of the site would be subject to very minor flooding, not resulting in erosion.

USDA is an equal opportunity provider, employer, and lender.

The NRCS recommends that the proposed project proceed as planned with an overall finding of ***no adverse effect*** to historic properties (per 36 CFR800.5(b)). In the event that cultural materials, human remains/funerary objects are discovered during construction, procedures outlined in the Prototype Programmatic Agreement between the NRCS and the Utah State Historic Preservation Officer (SHPO) will be followed. Per 36 CFR 800.3 through 800.5, the NRCS requests your concurrence for the delineation of the APE, site eligibility, and determination of project effects. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at 801-524-4556, or tara.hoffmann@usda.gov, at your convenience.

Sincerely,

Emily Fife

EMILY FIFE
State Conservationist

Enclosure

cc: (w/o encl)
Anders Fillerup, Assistant Sate Conservationist Water Resources, NRCS, Salt Lake City, UT
Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT
Norm Evenstad, ACES Water Resources Specialist, NRCS, Salt Lake City, UT
Shawn Stanley, Project Engineer, NRCS, Salt Lake City, UT
Connor Benfield, Watershed Coordinator, NRCS, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Project Manager, Logan, UT
Layne Jensen, Franson Civil Engineers, Technical/Environmental Lead, American Fork, UT
Landon Richins, Franson Civil Engineers, Environmental Specialist, American Fork, UT

USDA is an equal opportunity provider, employer, and lender.

From: Hoffmann, Tara - FPAC-NRCS, UT
To: pastorcurtis@firstbaptist-slc.org
Subject: Utaba Dam Rehab Project
Date: Wednesday, October 2, 2024 2:50:00 PM
Attachments: Utaba_RevPriceLtr_100224.pdf
U24HO0596.pdf
42WB593.pdf
42WB594.pdf

Good Afternoon, Rev. Dr. Price,

So glad you were able to join our meeting earlier. As a brief recap, because the NRCS is providing partial federal funding for the project, we must comply with applicable federal and state historic preservation laws and regulations, such as Section 106 of the National Historic Preservation Act. As part of this compliance, we are required to identify cultural resource sites that may be affected by the proposed project and consult with the Utah State Historic Preservation Office (SHPO), various federally-recognized tribes, and other consulting parties. Given that Camp Utaba is located immediately below the dam, we have identified the Camp and the First Baptist Church as consulting parties.

Earlier this fall, a cultural resources survey of the potential project area was completed by Bighorn Archaeology Consultants, and Camp Utaba was recommended to be recorded as a Historic District by the Utah SHPO, which means the camp in its entirety would be eligible for the National Register of Historic Places. The NRCS has determined that the Utaba dam, though historic, is not eligible for the National Register. With the Camp being eligible, it would not have any measurable effects on the project or camp operations, it would potentially be a benefit for the Camp by being able to say it's a Historic District- there aren't too many in Utah.

I have attached a formal Section 106 consultation letter, associated cultural resources report, which summarizes what was found during the cultural resources survey, and the cultural resources site forms for Camp Utaba and the dam. Camp Utaba is currently within the flood zone, in the event the current dam breaches, and by bringing the dam up to current safety standards, the likelihood of a dam breach would be significantly reduced, though the Camp would still be in the flood zone. As part of construction, there is a fire ring on the north end of the camp at the foot of the dam that would be removed, and the dirt road that runs on the east side of the camp may be used for construction access to transport materials to the foot of the dam. The road would not be widened or officially improved, and any road damages would be repaired.

As a consulting party within the Section 106 Process, the NRCS is requesting feedback and concurrence on the determinations that Camp Utaba is eligible for the National Register as the oldest Baptist Camp in Utah, that the Utaba Dam is not eligible, and that the overall project would result in "No Adverse Effect" to historic properties. Please let us know if you have comments or concerns in regards to removal of the fire pit or use of the road.

Feel free to reach out via email or phone (385-258-1266) if you'd like to discuss further. If you

could respond within 30-days of receipt of this email and consultation letter, that would be most appreciated.

Many thanks,

Tara

Tara S. Hoffmann, MA
State Watershed Cultural Resources Specialist
Natural Resources Conservation Service
Salt Lake City, UT
O: 801-524-4556 C: 385-258-1266

From:	Pectol, Michael A CIV USARMY CESPK (USA)
To:	Hoffmann, Tara - FPAC-NRCS, UT
Cc:	Gipson, Jason A CIV USARMY CESPK (USA)
Subject:	FW: Sec.106 Consultation follow-up- NRCS Utaba Dam Rehab, Weber County, Utah
Date:	Monday, January 6, 2025 12:21:50 PM
Attachments:	image001.png 24-2294.pdf U24HO0596.pdf U24HO0596_Utaba__16Letters_Tribal_09232024.pdf
Importance:	High

Hi Tara,

Your email was forwarded to me for a response. Based on the cultural resource survey information you provided, it appears that our permit area and APE are likely included within the larger NRCS APE, and the completed Section 106 compliance would likely meet the needs of our permitting process. However, I was unable to attend the project scoping meeting in August and we have very little project information on file to date. Once we receive a Section 404 permit application and associated project details, we will be able to provide additional Section 106-related comments, if any are needed. Thanks for keeping us in the loop.

Mike Pectol, Senior Project Manager
U.S. Army Corps of Engineers
Office (801) 295-8380, ext. 8315
Mobile (801) 857-0653
Michael.A.Pectol@usace.army.mil
For program information or to submit a customer service survey:
http://www.spk.usace.army.mil/Missions/Regulatory.aspx



From: Gipson, Jason A CIV USARMY CESPK (USA) <Jason.A.Gipson@usace.army.mil>
Sent: Monday, January 6, 2025 9:59 AM
To: Pectol, Michael A CIV USARMY CESPK (USA) <Michael.A.Pectol@usace.army.mil>
Subject: FW: Sec.106 Consultation follow-up- NRCS Utaba Dam Rehab, Weber County, Utah
Importance: High

Please let Tara know we will be responding soon.

Jason Gipson
Chief, Utah Regulatory Section
U.S. Army Corps of Engineers, Sacramento District
533 West 2600 South, Suite 150
Bountiful, Utah 84010

Office: 801-295-8380 ext. 8314
Cell: 801-725-1275



From: Hoffmann, Tara - FPAC-NRCS, UT <tara.hoffmann@usda.gov>
Sent: Monday, January 6, 2025 9:45 AM
To: Gipson, Jason A CIV USARMY CESPK (USA) <Jason.A.Gipson@usace.army.mil>
Subject: [Non-DoD Source] Sec.106 Consultation follow-up- NRCS Utaba Dam Rehab, Weber County, Utah
Importance: High

Jason,

I hope this email finds you well in this new year. I am following up regarding Section 106 consultation for the NRCS' Utaba Dam Rehabilitation Plan and EA, located on the North Fork of the Ogden River near the town of Liberty in Weber County, Utah. Specifically, the dam and reservoir are located here: Utaba Reservoir: Google Maps. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam and bring it up to current NRCS and state dam safety standards. The NRCS is serving as the lead federal agency, with the US Army Corps as a Cooperating Agency (36 CFR 800.2). A 404 Permit may be required, which would be obtained during the design phase.

Per 36 CFR 800.3, the NRCS began Section 106 consultation in letters mailed September 23, 2024 (all consultation letters and SHPO concurrence attached). The Direct APE, encompassing 61 acres of private land, includes all potential ground disturbance, borrow sources, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach (totaling 4,037 acres of private land) (36 CFR 800.4). The Direct APE was inventoried for cultural resources and two sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined that Camp Utaba is eligible for the National Register as a historic district and that the dam is ineligible. The cultural report is attached.

Within the Indirect APE, there are two historic properties (42WB473), a prehistoric lithic scatter, and 42WB594 (historic Camp Utaba). If the undertaking is implemented, both sites would be subject to similar flooding conditions if no action is taken. Flood risk would also be greatly reduced by bringing the dam up to current safety standards.

Per 36 CFR 800.4-800.5, the NRCS is requesting concurrence on the project APE, determinations of site eligibility, and a finding of ***no adverse effect to historic properties***.

Please respond by January 20, 2024, with any questions, comments, or concerns.

Many thanks,
Tara

Tara S. Hoffmann, MA
State Watershed Cultural Resources Specialist
Natural Resources Conservation Service
Salt Lake City, UT
Phone: 385-258-1266

From:	Hoffmann, Tara - FPAC-NRCS, UT
To:	Betsy Chapoose (betsyc@utetribe.com); Luana Thompson; juliusm@utetribe.com; Clell Pete; Amos Murphy; Daniel Moon; Lilith Court; Patti Timbimboo-Madsen; Brad Parry; Dennis Alex; Carolyn Smith; Lee Juan Tyler; jmann@easternshoshone.org; jstclair@easternshoshone.org
Subject:	Sec.106 Consultation- NRCS Utaba Dam Rehab, Weber County, Utah
Date:	Monday, January 6, 2025 9:35:00 AM
Attachments:	24-2294.pdf U24HO0596.pdf U24HO0596_Utaba_Rehab_16Letters_Combined_09232024.pdf
Importance:	High

Good morning Tribal Leaders,

I hope this email finds you well in this new year. I am following up regarding NHPA Section 106 consultation for the NRCS' Utaba Dam Rehabilitation Plan and EA, located on the North Fork of the Ogden River near the town of Liberty in Weber County, Utah. Specifically, the dam and reservoir are located here: Utaba Reservoir: Google Maps. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam and bring it up to current NRCS and state dam safety standards. The NRCS is serving as the lead federal agency, with the US Army Corps as a Cooperating Agency (36 CFR 800.2).

Per 36 CFR 800.3, the NRCS initiated Section 106 consultation in letters dated September 23, 2024 (letters and SHPO concurrence attached). The Direct APE, encompassing 61 acres of private land, includes all potential ground disturbance, borrow sources, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach (totaling 4,037 acres of private land) (36 CFR 800.4). The Direct APE was inventoried for cultural resources and **two sites were identified**: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined that Camp Utaba is eligible for the National Register as a historic district and that the dam is ineligible. The cultural report is attached.

Within the Indirect APE, there are **two historic properties (42WB473), a prehistoric lithic scatter**, and 42WB594 (historic Camp Utaba). If the undertaking is implemented, both sites would be subject to similar flooding conditions if no action is taken. Flood risk would also be greatly reduced by bringing the dam up to current safety standards.

Per 36 CFR 800.4-800.5, the NRCS is requesting concurrence on the project APE, determinations of site eligibility, and a finding of ***no adverse effect to historic properties***.

Please respond by January 20, 2024, with any questions, comments, or concerns.

Many thanks,
Tara

Tara S. Hoffmann, MA
State Watershed Cultural Resources Specialist

Natural Resources Conservation Service
Salt Lake City, UT
Phone: 385-258-1266

From:	Hoffmann, Tara - FPAC-NRCS, UT
To:	jason.a.gipson
Subject:	Sec.106 Consultation follow-up- NRCS Utaba Dam Rehab, Weber County, Utah
Date:	Monday, January 6, 2025 9:45:00 AM
Attachments:	24-2294.pdf U24HO0596.pdf U24HO0596_Utaba__16Letters_Tribal_09232024.pdf
Importance:	High

Jason,

I hope this email finds you well in this new year. I am following up regarding Section 106 consultation for the NRCS' Utaba Dam Rehabilitation Plan and EA, located on the North Fork of the Ogden River near the town of Liberty in Weber County, Utah. Specifically, the dam and reservoir are located here: Utaba Reservoir: Google Maps. The NRCS is providing technical and financial assistance to Weber County (Project Sponsor) through the PL-83-566 Watershed Protection and Flood Prevention Program to rehabilitate the Utaba Retarding Dam and bring it up to current NRCS and state dam safety standards. The NRCS is serving as the lead federal agency, with the US Army Corps as a Cooperating Agency (36 CFR 800.2). A 404 Permit may be required, which would be obtained during the design phase.

Per 36 CFR 800.3, the NRCS began Section 106 consultation in letters mailed September 23, 2024 (all consultation letters and SHPO concurrence attached). The Direct APE, encompassing 61 acres of private land, includes all potential ground disturbance, borrow sources, access roads, and staging areas. The Indirect APE includes the areas that could be potentially flooded in the event of a dam breach if no action is taken (No Action Alternative) and with a Preferred Alternative breach (totaling 4,037 acres of private land) (36 CFR 800.4). The Direct APE was inventoried for cultural resources and two sites were identified: 42WB593 (historic Camp Utaba), and 42WB594 (Utaba dam). The NRCS has determined that Camp Utaba is eligible for the National Register as a historic district and that the dam is ineligible. The cultural report is attached.

Within the Indirect APE, there are two historic properties (42WB473), a prehistoric lithic scatter, and 42WB594 (historic Camp Utaba). If the undertaking is implemented, both sites would be subject to similar flooding conditions if no action is taken. Flood risk would also be greatly reduced by bringing the dam up to current safety standards.

Per 36 CFR 800.4-800.5, the NRCS is requesting concurrence on the project APE, determinations of site eligibility, and a finding of ***no adverse effect to historic properties***.

Please respond by January 20, 2024, with any questions, comments, or concerns.

Many thanks,
Tara

Tara S. Hoffmann, MA

State Watershed Cultural Resources Specialist
Natural Resources Conservation Service
Salt Lake City, UT
Phone: 385-258-1266

Transcript of Alternative Selection Meeting

Alternative Selection Meeting Transcript

March 5, 2025



Layne Jensen 21:30

So that report, the second part of the purpose of this meeting is alternative selection meeting and I'm going to turn that over to Landon to go through that.
It identifies.
The various.
Measures that have been identified to address the deficiencies.
And so Landon will start talking through that.



Landon Richins 23:27

Perfect. So we got a presentation to maybe try and help do this.
Quickly.
I'm gonna try and hit this share teams button.
Maybe you'll be able to see my PowerPoint fairly soon.
All right.
Can you guys see that perfect?



Layne Jensen 23:52

Yep.



Landon Richins 23:54

All right, so this alternative selection meeting is something that's identified in the scope of work, something we need to do.
We prepared it to summarize our alternative formulation and screening process that's been used so far to identify what the principles, requirements and guidelines or PRNG calls a wide range of alternatives.
That's one of the goals of the PRNG is to look at an initial array of several alternatives.
Narrow that down to a final array of alternatives, and then from that final array select a preferred alternative. That final array of alternatives is where we we have gotten to so far and we just want to present that process here, show you how we've gotten down to that.

Point and what will need to be done to make that final preferred alternative selection?
So the agenda for the meeting as described on this slide, we're gonna review what the PRNG is.
We're gonna go over the management measures that are made-up that the alternatives in the initial and final arrays are made-up of and we're going to talk about the screenings that were done.
To create the alternatives and then to narrow down that first wider array that initial array of alternatives to a a narrower final array of alternatives that we will be able to screen out for the preferred alternative using the environmental effects that PRNG criteria and economic analysis moving forward.
We're also looking to identify of that final array, which one is going to be locally preferred preferred by the sponsor and which one is going to be socially preferred or the least controversial, which one we anticipate would be.
Perceived the best in the eyes of of the public.
So we'll see Weber County's feedback on that once we get to that point.
So just a a quick recap for those who may be unfamiliar here with the PRNG that stands for the principles, requirements, and guidelines for land and water related resource investment projects.
It's an 8 step planning process that NRCS uses to look at a range of alternatives and evaluate them beyond what nipa requires alone.
Nipa looks at the environmental screening, which is an important part of the PRNG, but PRNG goes beyond just the environmental screening to also look at.
Social and most especially, economic consequences of alternatives. On top of that environmental stuff, there are 6 guiding principles that alternatives should follow when they are formulated under the PRNG.
They're listed here.
So healthy and resilient ecosystems, sustainable economic development, protection of floodplains, protection of public safety, promotion of environmental justice and the utilization of a watershed scale approach.
So perfect and feel free. You know, if you have comments or questions.
Nrcs Weber County.
Anybody through this selection meeting? Feel free to just raise your hand.
I don't mind the interruption.
So reviewing our problems and opportunities, that's PRNG language. We identified

these all the way back during scoping.
Nrcs.
You recently looked at these and reviewed them with chapters. Two of the plan, EA.
So.
The main problems we have is that the dam doesn't meet our safety criteria, federal or state and at the auxiliary spillway capacity is a non compliance with those criteria as well.
There are six opportunities which we're also identified back in scoping.
To improve public safety, enhance community awareness to flooding, increase breach and flood risk awareness, create a new fire suppression resource, reduce peak flows from flooding and remove sediment and debris to prevent blockages.
Additionally, in Chapter 2, you've looked at these recently. We identified these in scoping these planning objectives and planning constraint constraints.
These are two of the criteria that a range of alternatives will be was screened against that initial array.
We had four objectives.
To seek to address dam safety compliance issues, seismic stability concerns, address breach, and flood hazards for infrastructure downstream of the dam and to address sedimentation issues in the dam as well.
And constraints are avoidance and minimization criteria.
So things that we when we're developing alternatives, we should seek to not have these alternatives do these things.
So we should have.
We should avoid impacts for ESA species and historic properties.
Looking to avoid real property challenges and adverse impacts to the HOA and Camp Utaba, we're looking to maintain existing recreational opportunities and to stay within the funding limits of the appeal 566 program.
So as lane mentioned, we have developed over the last few months with the sponsors and NRCS management measures, which is a term that PRNG uses to talk about potential solutions, potential ways to address the problems and opportunities.
And we have categorized all of those measures we came up.
With into a set of 10 deficiencies or or issues.
Sub issues of those problems. They're listed here.
I don't.
I don't think that I will read them all to you, just in the interest of time.

There are.
There's additional documentation.
We have reports that will be put in the appendix of the EA and this will be described in greater detail and EA itself, but we have 10 deficiencies and each of them had a set of associated measures that were looked at as potential solutions to be included in.
Our initial array of alternatives.
So what you're seeing here is a list of those deficiencies, and underneath each deficiency is the associated measure or solution.
That was carried forward into detailed analysis to be combined into an alternative plan in parenthesis next to each deficiency number. You can see how many were considered and how many were carried forward.
Only to carry forward forward ones are showed.
Here we have write ups for all of those eliminated measures that are documented in the EA and in additional supporting information for Appendix E, but just for the simplicity of a PowerPoint, the ones that were carried forward, there's fifteen of them.
We had 34 total, 15 were carried forward and looked at for being a part of alternatives.
We then did what the PRNG calls it pairwise compatibility analysis.
This is a screenshot.
You can't really read it, but just to show you what what happened, a screenshot of some of that additional documentation where we looked at each of those 15 measures and compared them against one another and said if we did this, could we also do that?
Are they compatible, compatible, or combinable with one another?
Or are they mutually exclusive or unnecessarily redundant and would need to be that either their own alternative or not carried forward?
So on that chart there, you can see those little green sees that, that identifies a measure that is compatible or combinable, and those red Miss identifies a measure that's mutually exclusive or.
Unnecessarily redundant.
All 17 or excuse me, 15 that should say 15.
All fifteen of those measures were carried forward.
All of them could either be combined with one another, or would need to stand alone as their own alternative three of them.
Particularly stand out as needing to be their own alternative.

They wouldn't be able to occur, or if other measures happen then that would be 3 nonstructural options.
So flood proofing of downstream structures, property relocations or buyouts, and decommissioning of the the current dam.
So they were still carried forward, but they were looked at as as saying, you know, you're not going to rehabilitate the dam if you're going to decommission it, for example. So it had to be its own alternative.
So from that initial formulation assessment, we were able to come up with an initial array of alternatives under PR and G You can see that there are five alternatives under that plan.
First one is the no action or the future without federal investment. This is the conditions.
That would occur if no federal investment is made.
It's the analytic baseline.
This alternative is required to carry all the way through to the final array of alternative plans.
Second alternative is a proposed action.
That's the structural rehabilitation alternative.
So most of those 15 measures you saw on the previous page fall under this alternate alternative.
They're compatible with one another and consist of the individual solutions to those deficiencies at the dam in a structural way.
Alternatives 3-4 and five are all non structural options.
Only one nonstructural alternative needs to be carried forward into the final array for rehabilitation or flood prevention plans. So we had three options that we looked at and screened out to choose one of them.
So we had decommissioning the dam, flood proofing structures and relocations of properties in the 100 year floodplain.
So that's our initial array of alternatives.
From this point we needed to get from an initial array to a final array. That narrows that down.
So it's easier to economically and environmentally screen our alternatives to choose a preferred option.
And we did that through two different screenings suggested by the Water Management Center.

The first one being against the objectives and constraints that excuse me that we talked about earlier.
So you can see here in this this table I have all four objectives and then we have a very simplified version of what's in our documentation which describes why or why not one of those alternatives in the initial array would or would not meet particular planning objective.
Green check mark means that the objective is met.
Red X means that it is not met met.
Hopefully that's fairly intuitive.
But looked at all five of those alternatives in the initial array against the objectives, and then also here on this screen, the planning constraints of which there were six.
So you can see that the alternatives do vary a lot in which constraints and objectives they would meet. Summarized here on this slide, you can see how many objectives each alternative met and how many constraints each alternative met.
We decided in this first step to eliminate the alternative that met the least amount of objectives and constraints, and that was the property relocations alternative.
Technically that would be the no action plan, but as I mentioned earlier, it has to be carried into the final array, so it didn't really count there.
So after that first initial screening of the initial array, we eliminated alternative 5.
The property relocations, the 2nd screening of the initial array, we wanted to take off one more alternative if possible.
If feasible, we looked at what's called the ecosystem services framework, and this is something that the PRNG likes to use to look at the social and economic and environmental benefits that people derive from the world around them. The environment around them. And we scoped 3 different types of.
Ecosystem services for.
This project, what they call provisioning services which provide direct, tangible goods for human use of consumption like food and water.
Agriculture regulating services, which provide a buffer against environmental catastrophe and cultural services which make the world a better place to live in things like historic properties. Having an existence value or.
Aesthetic beauty.
So here this first table shows those provisioning services and how each of the remaining 4 alternatives in the initial array would or would not maintain or improve the quality or delivery of that type of service in the watershed if that alternative were

implemented.
Here for these provisioning services, water quality, irrigation and fish populations, you can see that none of the alternatives would directly benefit those provisioning services.
But a couple of them would maintain the current delivery of those services, whereas a couple others would have negative impacts and actually degrade the ability of the water shed to provide that service.
Looking at regulating services, which are those buffers against environmental catastrophe, we can see that there are several large alternatives that provide benefits, actually improve the delivery of those buffers against catastrophe.
That shouldn't be shocking. Where we have the opportunity to reduce flood damages and provide a fire suppression resource so we have benefits that would come from the alternatives there. But only one alternative.
Alternative two would provide benefits to both of those identified regulating services.
Then we have the cultural services.
There's four of those. Again, make the world a place in which people want to live. These are.
Existence values for yellow billed cuckoo habitat or aesthetic value.
The recreational opportunities at North Fork Park or for youth Camp Utaba and some of the other downstream youth camps.
Only one alternative again would have any positive benefits to any of these cultural services, and that would be alternative to the structural rehabilitation.
But even it would still have some short term negative impacts at North Fork Park. It'd be short term and temporary because the park would be restored afterwards to its former condition.
So we looked at those ecosystem services just like with that first screening of the initial array here with the 2nd, we can summarize them here.
And just like that, first time, the one that performed the worst, we decided to eliminate on that basis. And in this case that was the flood proofing alternative which only met one of the three provisioning services met both regulating services and then only one of four cultural Serv.
In the area. And so once we had done that, we felt pretty confident saying that we have 3 alternatives in our final array of alternative plans.
Alternative one, the no action future without federal investment.

Alternative 2.
The structural rehabilitation alternative and alternative 3.
A non structural alternative for decommissioning the dam.
At this point we need to get from there to the preferred alternative, which can't quite be done yet without an economic analysis and evaluation of environmental effects. But we can take the the first steps to getting there, and so we need to identify which of those 3 alternatives is preferred by the sponsor and why and which of those 3 alternatives would be the least controversial.
Socially to the public, based on Weber County's knowledge and interaction with the public and the results of scoping, and we can report that information in the plan EA. So I'd like to take a little bit of time to to ask Weber County to maybe give their input on which of those 3 alternatives would be their preferred alternative, and maybe provide a bit of explanation why and then give their thoughts on which of those 3 altern.
Might be at the least controversial of the three.
And then I'd also like to give nrcsa little bit of time to give their input as well, so. Ashley, if you would maybe not mind stepping in there. I know it would just kind of went through a whole bunch of technical language, but if you would maybe give your thoughts, that'd be awesome.
So.

Ashley Thoman 40:10
As far as what our preferred alternative is?


Landon Richins 40:12
Yeah, that'd be great.

Ashley Thoman 40:17
I think Alternative 2 is what we'd prefer.
Yeah, yeah. Understand. You can just send that one utility sheet that shows that just to make sure they've seen it, which I'm sure they have.


Landon Richins 40:25
Perfect.
The conversations you've had with the public, which which of those three do you

think would be the the least controversial? Do you expect any pushback from implementing any of them or less, more, more, more on one over the others?

Ashley Thoman 40:30
Yeah. And the deferral agreement.
Did not respond. Since you're installing third, we got her starting, I think.
No action.
I think if as people learned, you know how old it is and the risks, we'd get more pushback.
But probably most people don't know about it.
Decommissioning, I think would be very unpopular with the public.
Yeah, even though it is.
It's on private ground. I think a lot of people use it or are aware of it.
It especially be a challenge for the, you know, the camp would not appreciate that, that I don't think they would support that other than in, in terms of.
OK, if you're not gonna fix it, then don't leave us at risk.


Landon Richins 41:38
OK. Yeah.

Ashley Thoman 41:38
But I think if well, I always hope educated people would come to the same conclusion I do 'cause that either tells me I'm somewhat educated, or that they're seeing the same thing I see, but.
I think alternative two would be the most likely.
Supported by the public.


Landon Richins 42:01
Awesome. I sure appreciate your input.

Ashley Thoman 42:01
Yeah.


Landon Richins 42:02
Ashley at NRCS.

Sean, Derek, E P A. Any thoughts here? As we're looking at these sponsor and socially preferred alternatives?

Ashley Thoman 42:05
Yeah, yeah.
And if we know where it's gonna be at, did it happen?
Wait, you know, you're not saying yourself, but you've sold and then.



Landon Richins 42:18
All right, perfect.
And so with that, I'll just kinda give you a little bit of an explanation of what comes next, Derek mentioned.
We need to get to that preferred alternative before we can finalize the biological assessment and lane mentioned that we're getting very close.
We just checked a box that was an important one to get through and that is that we need to to make sure that we we screened our alternatives properly.
Yeah, Sean.

Stanley, Shawn - FPAC-NRCS, UT 42:42
Hey, sorry to be a little slow on the pick up.
I can.
I pick on Derek Hamilton. I know. I've heard you talk in the past on other projects about.
Needing to make sure that we consider nonstructural alternatives.
Is it just that they need to be considered during the analysis or is it that they need to be carried all the way through?
The the final options analysis.
Just I'm having that little red flag go off, but I can't really tell you the why behind it.

Hamilton, Derek - FPAC-NRCS, UT 43:20
Yeah, I can speak more for the watershed off side, but yeah, it needs to be carried, you know through the through the full analysis. But you know our decommissioning with the rehab projects that's that's a must.
And so we can check that box pretty quick with that alternative of decommissioning.

Stanley, Shawn - FPAC-NRCS, UT 43:35
OK.



Landon Richins 43:40
That's a great question, Sean.
I appreciate you asking it.
That was one I had not that long ago as well.
And so, yeah, what? What comes next?
We need to assess our environmental impacts. We have all of our resource concerns that we have set a baseline for in Chapter 3 and as NIPA instructs, we're going to look at all three of those alternatives in the final array and say what's gonna happen if if this.
Alternative was selected for that resource concern.
Hal's gonna help us out with the economic analysis.
As Layne mentioned, the spreadsheets are just about ready or as far as we can take them right now and he'll be able to do benefit cost analysis for all of those alternatives. Once we have that were going to be able to identified which of those alternatives would be.
Preferred and and get the write ups ready for that. Other thing that we need to do before that draft plan EA is finished is complete our consultations.
For biological cultural.
Section 12.
PL-566 everything that needs to be done and and put into an appendix and compiled.
So yeah, with that, that's all I've got laying for that alternative selection meeting.
Unless you have any additional thoughts.
I think you're muted.
Lane, I think you're muted.



Layne Jensen 45:04
Thank you.
Sorry, I thought a lot of information that's been presented. We will be generating minutes as we have with all the other meetings and with those minutes we'll have this PowerPoint presentation.

So all that information is available to look at at your leisure. If you'd like to. All this information is all will also be in the environmental assessment document.
So that we appreciate the the participation as we move through the process.
In identifying that preferred alternative and and getting one step one step closer.

USDA

United States Department of Agriculture

The U.S. Fish and Wildlife Service concurs with your determination that the proposed action *may affect, andis not likely to adversely affect:*
Species: Ute ladies'-tresses (*Spiranthes diluvialis*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*)

Critical Habitat:

The proposed action is expected to be:
Insignificant X_ Discountable X_ Beneficial _

The U.S. Fish and Wildlife Service concurs with your determination that the action is *not likely tojeopardize the continuing existence of:*
Species:

U.S. Fish and Wildlife Utah Field Supervisor

Office Code: 06E23000 Project Code: 2025-0135067

February 5, 2026

George Weekley
Supervisor, Utah Ecological Services Field Office
U.S. Fish and Wildlife Service
440 West 200 South, Suite 500
Salt Lake City, UT 84101

RE: North Fork Ogden River Supplemental Watershed Plan
Utaba Dam Rehabilitation Project
Weber County, Utah

Dear George Weekley:

The Natural Resources Conservation Service (NRCS) is providing assistance to Weber County through the PL-566 Watershed Protection and Flood Prevention Program to prepare the North Fork Ogden River Supplemental Watershed Plan for the rehabilitation of Utaba Dam. This letter is being submitted in compliance with Section 7 of the Endangered Species Act (ESA) to document our determination of potential project effects on federally listed species and designated critical habitat; additionally, this letter serves as a request for U.S. Fish and Wildlife Service concurrence with our determinations.

The NRCS has determined that the Utaba Dam Rehabilitation Project **may affect but is not likely to adversely affect** the Ute ladies'-tresses (*Spiranthes diluvialis*) and western yellow-billed cuckoo (*Coccyzus americanus occidentalis*). Furthermore, it has been determined that the project would have **no effect** on the remaining federally listed ESA species, including critical habitat, identified in the Information for Planning and Consultation report. Please find the enclosed Biological Assessment that has been prepared to document the basis for our determinations and identify conservation measures for the project.

Thank you for your assistance. If you have any questions or need additional information, please contact Derek Hamilton of my staff at 385/321-4987 or derek.hamilton@usda.gov.

Sincerely,

CATHERINE MAGEE
Digitally signed by CATHERINE MAGEE
Date: 2026.02.05 05:39:54 -0700'

CATHERINE MAGEE
Acting State Conservationist

Enclosure

cc:
Derek Hamilton, Biologist/Water Resources Coordinator, NRCS, Salt Lake City, UT
Brandon Todd, Assistant State Conservationist--Field Operations, NRCS, Richfield, UT
Kenny Oswald, District Conservationist, NRCS, Ogden, UT

From:	Hamilton, Derek - FPAC-NRCS, UT
To:	USFWS Utah Field Office (utahfieldoffice_esa@fws.gov); Weekley, George M
Cc:	Reisor, Rita S; Jencso, Emily D; Adelsbach, Terrence (Terry); Ellis, Michael (Mike); Magee, Catherine - FPAC-NRCS, MA; Todd, Brandon - FPAC-NRCS, UT; Oswald, Kenny - FPAC-NRCS, UT; Boswell, Ammon - FPAC-NRCS, UT
Subject:	Utaba Dam Rehab...request for USFWS concurrence
Date:	Tuesday, February 10, 2026 4:47:00 PM
Attachments:	Utaba Dam Rehab_concurrence request_USFWS_FINAL.pdf NRCS_Utaba Dam Rehab_BA.pdf image001.png

---

Good afternoon George…

Please find attached letter (and associated BA) requesting USFWS concurrence with NRCS's determination that the Utaba Dam Rehabilitation project is **not likely to adversely affect** the Ute ladies'-tresses (*Spiranthes diluvialis*) and western yellow-billed cuckoo (*Coccyzus americanus occidentalis*). It has also been determined that the project would have **no effect** on the remaining federally listed species or critical habitat identified in the IPaC report.

Please contact me if you have any questions.

Thank you…Derek

~~~~~~

Derek Hamilton
Water Resources Coordinator

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service
Utah—State Office
125 South State Street Room 6416, Salt Lake City, UT 84138
Mobile: 385.321.4987

~~~~~~

USDA United States Department of Agriculture

Utaba Dam Watershed Rehabilitation Project Weber County, Utah

Draft Plan-EA Notice of Availability (NOA)

Unique Identification No. : SEAXX-005-53-049-1392303891 **April 2026**



Project Information

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) and Weber County announce the availability of the Draft Watershed Plan and Environmental Assessment (Plan-EA) for the Utaba Dam Watershed Rehabilitation (Project). The Project proposes the structural rehabilitation of Utaba Dam to meet Utah State and NRCS Dam Safety standards while maintaining water detention capacity, including the following project measures:

- **Abandon & Replace the Principal Spillway—**Rehabilitate spillway system to improve safety and reduce sediment accumulation rates.
- **Replace Auxiliary Spillway—**Replace the existing auxiliary spillway with a new auxiliary spillway on the left abutment.
- **Widen the Dam Crest—**Widen the dam crest by adding downstream material to meet NRCS & Utah Dam Safety Standards; or request a variance to allow a narrower minimum crest width with additional freeboard.
- **Address Seepage Concerns—**Address seepage at the principal spillway outlet conduit and at the toe of the dam with a downstream filter and drain system.
- **Chimney & Blanket Filter & Drain System—**Install a chimney and blanket filter and drain system within the dam embankment.
- **Remove Sediment—**Remove some of the accumulated sediment from the reservoir.
- **Fire Suppression Control Gate—**Install a control gate to detain water for wildland fire suppression.
- **Measurement Gages—**Install a measurement gage upstream along the North Fork of the Ogden River and another along Cutler Creek.



An evaluation of potential project alternatives and associated environmental impacts has been documented in the form of a Draft Watershed Plan-EA. NRCS (lead federal agency) and Weber County (project sponsor) will hold a public meeting to provide information about the Preferred Alternative and to collect comments on the Draft Plan-EA.

NRCS & Weber County invite you to submit comments anytime during the open comment period starting **April 20, 2026, and concluding on May 20, 2026**. An electronic copy of the Draft Plan-EA can be downloaded from the NRCS project webpage which can be accessed at: **https://www.nrcs.usda.gov/state-offices/utah/utaba-dam-rehabilitation-plan-ea**

A hard copy of the Draft Plan-EA is also available for review at the Weber County Engineering Building.

Draft Plan-EA Public Meeting

You are invited to attend, discuss, and submit your comments during an open house style Draft Plan-EA meeting on May 5, 2026. The presentation will begin at 6:00 PM:

May 5, 2026 – Tuesday
6:00 PM to 7:00 PM
Ogden Valley Branch Library
131 South 7400 East
Huntsville, Utah 84317

How to Submit a Comment

All comments should be directed to Ammon Boswell:

Address: 1950 West Main St, Tremonton, Utah 84337
Phone: (435) 257-5403
Email: Ammon.boswell@usda.gov

Comments may be mailed or emailed to the above address or submitted during the Draft Plan-EA meeting. Comments must be received by **May 20, 2026**, to become part of the public record.

USDA is an equal opportunity provider, employer, and lender.

USDA United States Department of Agriculture

Utaba Dam Watershed Rehabilitation Project Weber County, Utah

Draft Plan-EA Notice of Availability (NOA)

Unique Identification No. : SEAXX-005-53-049-1392303891 **April 2026**



Project Information

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) and Weber County announce the availability of the Draft Watershed Plan and Environmental Assessment (Plan-EA) for the Utaba Dam Watershed Rehabilitation (Project). The Project proposes the structural rehabilitation of Utaba Dam to meet Utah State and NRCS Dam Safety standards while maintaining water detention capacity, including the following project measures:

- **Abandon & Replace the Principal Spillway—**Rehabilitate spillway system to improve safety and reduce sediment accumulation rates.
- **Replace Auxiliary Spillway—**Replace the existing auxiliary spillway with a new auxiliary spillway on the left abutment.
- **Widen the Dam Crest—**Widen the dam crest by adding downstream material to meet NRCS & Utah Dam Safety Standards; or request a variance to allow a narrower minimum crest width with additional freeboard.
- **Address Seepage Concerns—**Address seepage at the principal spillway outlet conduit and at the toe of the dam with a downstream filter and drain system.
- **Chimney & Blanket Filter & Drain System—**Install a chimney and blanket filter and drain system within the dam embankment.
- **Remove Sediment—**Remove some of the accumulated sediment from the reservoir.
- **Fire Suppression Control Gate—**Install a control gate to detain water for wildland fire suppression.
- **Measurement Gages—**Install a measurement gage upstream along the North Fork of the Ogden River and another along Cutler Creek.



An evaluation of potential project alternatives and associated environmental impacts has been documented in the form of a Draft Watershed Plan-EA. NRCS (lead federal agency) and Weber County (project sponsor) will hold a public meeting to provide information about the Preferred Alternative and to collect comments on the Draft Plan-EA.

NRCS & Weber County invite you to submit comments anytime during the open comment period starting **April 20, 2026, and concluding on May 20, 2026**. An electronic copy of the Draft Plan-EA can be downloaded from the NRCS project webpage which can be accessed at: **https://www.nrcs.usda.gov/state-offices/utah/utaba-dam-rehabilitation-plan-ea**

A hard copy of the Draft Plan-EA is also available for review at the Weber County Engineering Building.

Draft Plan-EA Agency Meeting

You are invited to attend, discuss, and submit your comments during a virtual Draft Plan-EA meeting on April 28, 2026. The presentation will begin at 10:00 AM:

April 28, 2026
10:00 AM
VIA MICROSOFT TEAMS
Click Here to Join Meeting
tel:+13855004885,,422279550

How to Submit a Comment

All comments should be directed to Ammon Boswell:

Address: 1950 West Main St, Tremonton, Utah 84337
Phone: (435) 257-5403
Email: Ammon.boswell@usda.gov

Comments may be mailed or emailed to the above address or submitted during the Draft Plan-EA meeting. Comments must be received by **May 20, 2026**, to become part of the public record.

USDA is an equal opportunity provider, employer, and lender.