
APPENDIX A:

COMMENTS AND RESPONSES

- **Scoping Report**
- **Notice of Intent to Prepare Watershed Plan-EIS**
- **NOI Public, Agency, & Tribal Outreach Materials**
- **Plan-EIS (NOI) Scoping Comments Received**
- **NHPA Section 106 Tribal Consultation Table**
- **Plan-EA NEPA Scoping Letters (Agencies)**
- **Cooperating Agency Responses (Plan-EA)**
- **Tribal Scoping Letters (Plan-EA)**
- **Transition to Plan-EIS Letter (Agencies)**
- **Cooperating Agency Responses (Plan-EIS)**
- **Memorandum of Understanding (MOU) - NRCS, EPA, USBR**
- **Section 106 Reinitiation/Transition to EIS Notice - Tribes**
- **Tribal Consultation Return Receipt Tracking & Follow-Ups**
- **Utah SHPO Consultation/Concurrence Documentation**
- **ACHP Consultation Documentation**
- **Draft Memorandum of Agreement (MOA) for Adverse Effects**
- **ESA Section 7 Consultation/USFWS Concurrence on MANLAA**
- **PL 83-566 Section 12 Consultation Documentation**

Wellsville Canyon Plan-EA (Plan-EIS)

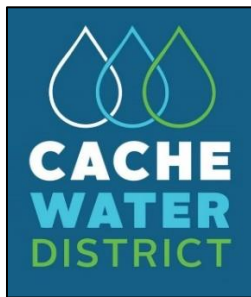
Scoping Report

August 2021



Wellsville-Mendon Watershed Plan-EA — Scoping Report —

Sponsor:



Consultants:



Co-Sponsors:



WELLSVILLE CITY IRRIGATION COMPANY
LLC



Wellsville
GATEWAY TO CACHE VALLEY



**Wellsville-Mendon
Conservation District**

— August 2021 —

Prepared by:
Franson Civil Engineers
115 Golf Course Road, Suite D
Logan, UT 84321

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	3
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.....	7
3.2.1	Summary of Comments:	7
4.0	Resource Concerns and Cooperating Agencies	9
4.1	Resource Concerns.....	9
4.2	Cooperating Agencies	10
4.2.1	Agencies.....	10
5.0	Appendix.....	11

List of Tables

Table 3-1. Project Team Member Attendance	6
Table 4-1. Resource Concerns	9
Table 4-2. Cooperating Agencies	10

Appendices

Appendix A	<i>Public Participation Plan</i>
Appendix B	<i>Agency and Public Scoping Materials and Records</i>
Appendix C	<i>Scoping Comments Received</i>
Appendix D	<i>Cooperating Agency and Tribal Letter Examples</i>

1.0 Introduction

The United States Department of Agriculture, Natural Resources Conservation Service (NRCS) is proposing improvements in the Wellsville Canyon and Threemile Creek Watersheds through the Watershed Protection and Flood Prevention Program (WPFP). The Wellsville-Mendon Watershed Plan-EA is sponsored by Cache Water District and co-sponsored by Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville-Mendon Conservation District.

This project's planning phase has been funded through the WPFP Act (Public Law [PL] 83-566), which authorizes funding to help rural and urban communities protect, improve, and develop land resources in watersheds of up to 250,000 acres. This planning phase follows this law 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 will comply with the Council on Environmental Quality's (CEQ) regulations—40 CFR Parts 1500-1508—which require an evaluation of the federal project's actions and potential environmental impacts.

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
- 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. Interested parties can use a form found on the project website (<https://www.fransoncivil.com/wellsville-mendon-plan-ea/>) to request inclusion on project updates. 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*
- Cache Water District: *Project Sponsor*
- Cache County: *Project Co-Sponsor*
- Wellsville City Irrigation Company: *Project Co-Sponsor*
- Wellsville City: *Project Co-Sponsor*
- Mendon City: *Project Co-Sponsor*
- Wellsville-Mendon Conservation District: *Project Co-Sponsor*
- Franson Civil Engineers: *Third-Party Engineering Consultant*
- J-U-B Engineers, Inc: *Third-Party Engineering Consultant*
- CRS Engineers: *Third-Party Engineering 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 April 27, 2021, and May 27, 2021, to solicit input on issues, resource concerns, and potential solutions.

2.1.1 *Agency Scoping Meeting*

- **April 22, 2021:** Scoping meeting invitations sent to agencies, including cooperating agencies, via email
- **April 26, 2021:** Scoping meeting invitations sent to agencies via mail
- **May 6, 2021:** Scoping meeting invitations sent to cooperating agencies by NRCS via mail
- **May 10, 2021:** Agency Scoping Meeting held virtually, recording link is in Appendix B

2.1.2 *Public Scoping Meeting*

- **April 22, 2021:** An example of correspondence letters can be found in Appendix D. Letters and public scoping notices were mailed to the following tribes.
 - Eastern Shoshone Tribe of the Wind River Reservation
 - Northwest Band of the Shoshone Nation
 - Shoshone-Bannock Tribes of the Fort Hall Reservation
 - Ute Indian Tribe of the Uintah & Ouray Reservation
- **April 23 and April 26, 2021:** Public scoping notices were mailed to the public including residents of Wellsville City, Mendon City, and shareholders of Wellsville City Irrigation Company, and Wellsville-Mendon Conservation District.
- **April 27 and May 4, 2021:** Meeting notice published in *The Herald Journal* and *Utah Legals* (See Appendix B)
- **May 11, 2021:** Public Scoping Meeting held virtually. A recording of the meeting was made available on the project website within 24 hours after the public meeting.

2.1.3 *Comment Period*

- **April 27, 2021 (Comment Period Opened):** Scoping notice, presentation materials, and meeting recording available at:
 - NRCS project website:
<https://www.nrcs.usda.gov/wps/portal/nrcs/detail/ut/programs/planning/wpfp/?cid=nrkseprd1769027>

- Project website: <https://www.fransoncivil.com/wellsville-mendon-plan-ea/>
- **May 27, 2021** (*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 mail, a scoping notice placed on the project and NRCS websites, and an ad placed in *The Herald Journal* and *Utah Legals* on two dates. Appendix B includes links for scoping notice, *Utah Legals*, and the newspaper ad. The list of recipients (agency, stakeholder, public) was prepared by the NRCS, sponsors/co-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 mailed to 2,327 public/stakeholders on April 23 and 26, 2021. Shareholder lists were obtained from the Wellsville-Mendon Conservation District, Wellsville City Irrigation Company, Wellsville City, and Mendon City.
- Webpage with project, meeting, and comment period details posted on <https://www.fransoncivil.com/wellsville-mendon-plan-ea/> on April 15, 2021.
- Scoping notice and meeting details posted in legal section of *The Herald Journal* and *Utah Legals* on April 27, and May 4, 2021.
- Comment form and further comment method details posted on <https://www.fransoncivil.com/wellsville-mendon-plan-ea/> on April 27, 2021.

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

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

Sponsor Kick-off Meeting:

April 14, 2021; 9:30 a.m.; virtual meeting via Microsoft Teams

Project kickoff meeting with NRCS, project sponsors/co-sponsors, and consultants to make introductions; discuss project purposes, and to setup project communication and outreach activities including the scoping meeting schedule.

Agency Scoping Meeting:

May 10, 2021, 9:00 a.m.; 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: https://fransoncivileng-my.sharepoint.com/:v/g/personal/mrobbins_fransoncivil_com/Edj7PR0ew0pKv1iiVfyfNDQBDoH6PP6XFuJ8YOXWIIRegw

Public Scoping Meeting:

May 11, 2021, 6:00 p.m.; virtual meeting via WebinarJam

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.

3.0 Comments

3.1 Public Scoping Meeting

The Public Scoping Meeting took place on May 11, 2021, at 6:00 p.m. There were 32 virtual attendees and eleven in-person attendees at the Wellsville City Offices at 75 E Main Street, Wellsville, 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 April 27 through May 27, 2021. As previously noted, a recording of the public scoping meeting was made available on the project website within 24 hours after the meeting. A total of 11 people have watched the meeting recording as of August 13, 2021. Table 3-1 identifies the project team members in attendance for the scoping meetings.

Table 3-1. Project Team Member Attendance

Name	Organization	Title
Nathan Daus	Cache Water District	Sponsor General Manager
Kirk Taylor	Mendon City	Co-Sponsor Entity
Matt Phillips	Cache County	Co-Sponsor Entity
Clint Kerr	Wellsville City Irrigation Company	Co-Sponsor Entity
Quinn Murray	Wellsville-Mendon Conservation District	Co-Sponsor Entity
Scott Wells	Wellsville City	Co-Sponsor Entity
Anthony Beals	NRCS-Utah	Watershed Coordinator
Derek Hamilton	NRCS-Utah	Water Resources Coordinator
Jonathan Bingham	NRCS-Utah	Watershed Engineer
Leslie Warta	NRCS-Utah	Environmental Compliance Specialist
Brandon Todd	NRCS-Utah	District Conservationist
Chad Brown	Franson Civil Engineers	Engineering Project Manager
Monique Robbins	Franson Civil Engineers	Environmental Lead
Eleanore Chambers	Franson Civil Engineers	Public Involvement
Zan Murray	JUB Engineers	Engineering Consultant
Mike Wilson	CRS Engineers	Engineering Consultant

3.2 Comments Received

There were multiple methods available for submission of comments: online form (accessible via the project website), email, or physical letter. Ten comments were received during the scoping period—seven were from members of the public, one was from a local government official, 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.

Flooding Concerns:

Comment in support of the project to prevent flooding and water seepage around personal property. Concerns about the existing canals capturing and having the necessary capacity to capture flood waters. Mendon City has flooding issues, mostly when the ground is frozen and/or snow-covered and warm temperatures and/or rain bring too much flow too quickly. Requests for construction of pipelines to capture flood flows and larger culverts to handle high flows. Request for proposed locations be discussed with Utah Department of Natural Resources, Cache County, Wellsville, and Mendon Towns. Evaluation of flood control measures and potential failures. Question about if FERC should be involved. In favor of retention pools to prevent flooding.

Water Agricultural Management:

Comment in support of the project to reduce water losses in the canal. Request for construction of pipeline to replace the canal for irrigation water. Review and consider drinking water impacts. Will project require residents to add a secondary water connection? Comment regarding a pressurized system would be nice but not necessary.

Flood Study:

Utah Division of Emergency Management is conducting a flood study in the project area with preliminary data available by end of June 2021.

Wildlife:

Commentor indicates issues with wildlife within town and requests additional projects be developed to entice wildlife to remain outside of town at a higher elevation. Another comment suggested adding landscaping/vegetation to provide additional wildlife benefits at recreation site. In favor of retention pools to add to wildlife habitat.

Recreation:

Add recreation component including a small park and reflection area. Commentor was not in favor of a boat ramp at Wellsville Dam and is concerned about the homeless population at the existing RV camp.

Water Quality:

Review and consider sedimentation and water quality impacts. Assess how will water quality be protected during project activities when identifying and monitoring best management practices (BMPs).

Groundwater and Surface Water:

Review and consider groundwater and surface water body impacts. Monitor surface water quality after construction to identify improvements or mitigation needs. Include alternatives to avoid and minimize impacts to waters of the U.S.

Wetlands:

Request to analyze impacts to total wetland area and function, including wetland vegetation, riparian habitats, and aquatic biota and provide for protection and restoration if necessary.

Air Quality:

Review and identify air quality conditions and project impacts. Project area is in an attainment area and needs to follow governmental regulations.

Mitigation and Control Measures:

Identify mitigation and control measures including what entity executes it. Document all permits necessary for the project. Clean Water Act permit can only be issued for least environmentally damaging practicable alternative (LEDPA).

Financial Impacts:

Question regarding the cost to farmers and homeowners.

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.

Table 4-1. Resource Concerns

Item/Concern	Item/Concern
SOILS	ANIMALS
Soil (Upland Erosion and Sedimentation)	Fish and Wildlife Habitat
Prime and Unique Farmland	Endangered and Threatened Species Special Status Species
Stream Bank Erosion	Invasive Animal Species
WATER	Wildlife Community
Surface Water Quality and Quantity	Migratory Birds
Ground Water Quality and Quantity	Ecologically Critical Areas
Water bodies – Waters of the U.S.	HUMANS
Regional Water Mgt. Plans	Cultural and Historic Resources
Floodplain Management	Environmental Justice
Wetlands	Public Health and Safety
Wild and Scenic Rivers	Land Use and Recreation
AIR	Scenic Beauty
Air Quality	Parklands
Clean Air Act	Ecologically Critical Areas
PLANTS	Scientific Resources
Endangered and Threatened Species Special Status Species	Transportation
Essential Fish Habitat	National Parks, Monuments and Historical Sites
Invasive Plant Species	Not Included – Do Not Occur in Utah
Natural Areas	Coral Reefs
Riparian Areas	Coastal Zone Management Areas

4.2 Cooperating Agencies

The NRCS mailed letters to the following agencies along with the agency scoping notice requesting their participation as a cooperating agency on the project.

4.2.1 Agencies

- Environmental Protection Agency (EPA)
- U.S. Fish and Wildlife Service (USFWS)
- Bureau of Land Management (BLM)
- U.S. Forest Service (USFS)
- U.S. Bureau of Reclamation (USBR)
- Utah Department of Transportation (UDOT)
- U.S. Army Corps of Engineers (USACE)

EPA, USBR, and UDOT formally accepted the request to participate as a cooperating agency. No other agencies expressed interest in participating as a cooperating agency at 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)	Accepted
Utah Department of Transportation (UDOT)	Accepted
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

5.0 Appendix

Appendix A: Public Participation Plan

A-1 : Public Participation Plan for Wellsville-Mendon Watershed Plan-EA

Appendix B: Agency and Public Scoping Meeting Materials

B-1 : Public Scoping Materials – Notice, Presentation, and Meeting Recording Link

B-1 : Agency Scoping Meeting Notice, Presentation, Meeting Recording Link

B-1 : Agency Scoping Meeting Attendees

B-3 : Wellsville-Mendon Watershed Plan-EA Stakeholder List

B-5 : Public Scoping Meeting Newspaper and Utah Legals Ad Proofs

Appendix C: Scoping Comments Received

Appendix D: Cooperating Agency and Tribal Letter Examples

D-1: Cooperating Agency Letter Example

D-2: Cooperating Tribal Letter Example

Appendix A: Public Participation Plan

Public Participation Plan For Wellsville-Mendon Watershed Plan-Environmental Assessment (EA)

OBJECTIVES OF THE PUBLIC PARTICIPATION PLAN

1. Ensure that the general public, including private groups, 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 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 interested agencies with assistance of the NRCS.
2. Determine if participation by potential National Environmental Policy Act (NEPA) Cooperating Agencies is needed and if so, the required scope and extent of their participation.
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 Draft PLAN-EA newspaper notice will include both the notice of availability of the Draft PLAN-EA and the schedule and meeting details for the Draft PLAN-EA public meeting(s). The Final Plan Environmental Assessment (Final PLAN-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 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 Draft PLAN-EA and prior to its public meeting(s); one (1) concurrent with filing the Final PLAN-EA; and one (1) concurrent with the completion of the Finding of No Significant Impact (FONSI).
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. Mail scoping notice to Wellsville Mendon Conservation District shareholders and the public using Wellsville City and Mendon City's mailing lists.

SCHEDULE

Task	Item	Notice Date (Newspaper: 14 & 7 days prior Mailing: receive 2 weeks prior)	Meeting Date
1	Agency Scoping Meeting	email mtg invite (Teams)	May 10, 2021
2	Public Scoping Meeting*	Notice in newspapers, city websites Postcards to adjacent landowners	May 11, 2021
3	Internal Alternatives Meeting	N/A	August 2021
4	Technical Review of Preliminary Draft Plan-EA	N/A	July-Aug 2022
5	Draft PLAN-EA Public Meeting (<i>Notice of availability & date/location of meeting*</i>)		January 2023
6	Draft Plan-EA Finalization		February 2023
7	Final PLAN-EA (<i>Notice of availability*</i>)		March 2023
8	FONSI completion*		March 2023

*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

Public Scoping Materials

Public Scoping Notice

- <https://www.fransoncivil.com/wp-content/uploads/2021/04/W-M-Public-Scoping-Notice.pdf>

Public Scoping Meeting Presentation

- <https://www.fransoncivil.com/wp-content/uploads/2021/05/W-M-Public-Scoping-Meeting-Presentation.pdf>

Public Scoping Meeting Recording

- <https://event.webinarjam.com/go/replay/20/n13vgf6ip7b8nb1>

Agency Scoping Materials

Agency Scoping Notice

- <https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:92011302-8242-4c91-8d9a-59e77f783484>

Agency Scoping Meeting Presentation

- <https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:c96d8409-b2c0-4264-ba9b-eff6d3f2cc2c>

Agency Scoping Meeting Recording

- [Meeting Recording Link](#)

Agency Meeting Attendees

NAME	AGENCY / ORGANIZATION	CONTACT INFO
Sponsors & Co-Sponsors		
Nathan Daus	Cache Water District, General Manager	ndaugs@cachewaterdistrict.com
Matt Phillips	Cache County, Co-Sponsor Entity	matt.phillips@cachecounty.org
Jon Hardman	Mendon City Council Member	jhardmanfarms@yahoo.com
Project Team		
Chad Brown	Franson Civil Engineers, Project Manager and Engineering Lead	cbrown@fransoncivil.com
Monique Robbins	Franson Civil Engineers, Environmental Lead and NEPA Specialist	mrobbins@fransoncivil.com

Wellsville-Mendon Watershed Plan-EA
Scoping Report

NAME	AGENCY / ORGANIZATION	CONTACT INFO
Project Team (continued)		
Eleanore Chambers	Franson Civil Engineers, Public Involvement	echambers@fransoncivil.com
Ben Sandberg	Franson Civil Engineers, Project Engineer	bsandberg@fransoncivil.com
Zan Murray	JUB Engineers, Engineering Consultant	zmurray@jub.com
Quinn Dance	JUB Engineers, Project Engineer	qdance@jub.com
Mike Wilson	CRS Engineers, Engineering Consultant	mike.wilson@crsengineers.com
NRCS		
Jonathan Bingham	NRCS-Utah, Watershed Engineer	jonathan.bingham@usda.gov
Derek Hamilton	NRCS-Utah, Water Resources Coordinator	derek.hamilton@usda.gov
Anthony Beals	NRCS-Utah, Watershed Coordinator	anthony.beals@usda.gov
Leslie Warta	NRCS-Utah, Environmental Compliance Specialist	leslie.warta@usda.gov
Agencies		
Jamie Huff	Utah Division of Emergency Management	jhuff@utah.gov
Mike Talbot	USBR	mtalbot@usbr.gov
Laura Margason	EPA	margason.laura@epa.gov
Paul Chase	USFWS	pchase@fs.fed.us
Christopher Lizotte	UDOT	clizotte@utah.gov
Will Atkin	Utah DWR	willatkin@utah.gov
Michael Pectol	ACOE	michael.a.petctol@usace.army.mil
Scott Walker	Utah Department of Natural Resources	scottwalker@utah.gov
Angelia Crowther	Utah Department of Public Safety	acrowther@utah.gov

Wellsville-Mendon Watershed Plan-EA Stakeholder List

	Invitation To:				Stakeholder	Contact Name	Email	Phone	Mailing Address	City	State	ZIP
	Agency Mtg	Public Mtg	Email Date	Mail Date								
Sponsor	X	X	4/22/2021	4/28/2021	Cache Water District	Nathan Daug's, Manager	ndaugs@cachewaterdistrict.com	435-999-0051	199 Main St	Logan	UT	84321
	X	X	4/22/2021	-	Cache Water District	Kirk Lindley	kirkclindley@gmail.com	435-512-6658				
	X	X	4/22/2021	-	Cache Water District, Mendon City Council	Jon Hardman	jhardmanfarms@yahoo.com					
Co-Sponsors	X	X	4/22/2021	-	Wellsville-Mendon Conservation District	Quinn Murray	murrayquinn@aol.com	435-232-8207				
	X	X	-	-	Wellsville City Irrigation Company	Clint Kerr	no email	435-757-3376				
	X	X	4/22/2021	4/28/2021	Wellsville City	Scott Wells, City Manager	swells@wellsvillecity.com	435-245-3686	75 East Main	Wellsville	UT	84339
	X	X	4/22/2021	4/28/2021	Mendon City	Kirk Taylor, Public Works Director	kirk@mendoncity.org	435-770-6138	15 N Main St	Mendon	UT	84325
	X	X	4/22/2021	-	Cache County	Matt Phillips	Matt.phillips@cachecounty.org	435-760-2127				
Local Government		X	-	4/28/2021	Wellsville City	Thomas Bailey, Mayor	mayor@wellsvillecity.com		75 East Main	Wellsville	UT	84339
		X	-	4/28/2021	Wellsville City	Kaylene Ames, City Council	kames@wellsvillecity.com	435-245-6950	75 East Main	Wellsville	UT	84339
		X	-	4/28/2021	Wellsville City	Bob Lindley, City Council	blindley@wellsvillecity.com	435-881-4186	75 East Main	Wellsville	UT	84339
		X	-	4/28/2021	Wellsville City	Chad Poulsen, City Council	cpoulsen@wellsvillecity.com	435-279-3670	75 East Main	Wellsville	UT	84339
		X	-	4/28/2021	Wellsville City	Denise Lindsay, City Council	dlindsay@wellsvillecity.com	435-245-6727	75 East Main	Wellsville	UT	84339
		X	-	4/28/2021	Wellsville City	Austin Wood, City Council	awood@wellsvillecity.com	435-757-5581	75 East Main	Wellsville	UT	84339
		X	-	4/28/2021	Mendon City	Ed Buist, Mayor	ed.buist@usu.edu	435-770-9824	15 N Main St	Mendon	UT	84325
		X	-	4/28/2021	Mendon City	Ian Nemelka, City Council	ianjinemelka@gmail.com	801-814-3811	15 N Main St	Mendon	UT	84325
		X	-	4/28/2021	Mendon City	Ron Campbell, City Council	r44.campbell@gmail.com	435-760-3150	15 N Main St	Mendon	UT	84325
		X	-	4/28/2021	Mendon City	Greg Taylor, City Council	greg.taylor@hrisupport.com	435-753-3408	15 N Main St	Mendon	UT	84325
		X	-	4/28/2021	Mendon City	Jon Hardman, City Council	jhardmanfarms@yahoo.com	435-755-6648	15 N Main St	Mendon	UT	84325
		X	-	4/28/2021	Mendon City	Bob Jepsen, City Council	bjepsen04@gmail.com	435-466-0166	15 N Main St	Mendon	UT	84325
		X	-	4/28/2021	Cache County Commissioner, South District	Nolan Gunnell		435-760-2902	199 North Main St.	Logan	UT	84321
		X	-	4/28/2021	Cache County	Joel Merriitt, Road Superintendent		435-755-1569	525 North 100 West	Logan	UT	84321
		X	-	4/28/2021	Cache County	Public Works Director		435-755-1640	179 North Main St., Suite 305	Logan	UT	84321
		X	-	4/28/2021	Cache County	Water District Director		435-999-0051	199 North Main St.	Logan	UT	84321
		X	-	4/28/2021	Cache County	Planning & Zoning Director		435-755-1640	179 North Main St., Suite 305	Logan	UT	84321
Cooperating Agency Letters	X		4/22/2021	5/5/2021		Jason Gipson, Branch Chief Hollis Jencks Michael Pectol	jason.a.gipson@usace.army.mil Hollis.G.Jencks@usace.army.mil Michael.A.Pectol@usace.army.mil		533 West 2600 South #150	Bountiful	UT	84010-7744
	X		4/22/2021	5/6/2021		Yvette Converse George Weekley Reyna Ritamay	yvette_converse@fws.gov george_weekley@fws.gov ritamay_reyna@fws.gov	801-975-3330	2369 Orton Circle Suite 50	West Valley City	UT	84119
	X		4/22/2021	5/6/2021		Jessica Wade Emily Boivin, Realty Specialist Todd Marks, Assistant Field Manager	blm_ut_so_public_room@blm.gov jwade@blm.gov eboivin@blm.gov tmarks@blm.gov	801-539-4001	440 W 200 S #500	Salt Lake City	UT	84101
	X		4/22/2021	5/6/2021		Utah Department of Transportation, Region 1	Chris Lizotte, Environmental Manager	clizotte@utah.gov	166 West South Well Street	Ogden	UT	84404-4194
			-	-		Utah Department of Transportation, Region 1	Darin Fristrup, North District Engineer	dfristrup@utah.gov	166 West South Well Street	Ogden	UT	84404-4194
	X		4/27/2021	sent from NR	FERC	Frank Blackett, Regional Engineer	frank.blackett@ferc.gov	415-369-3318	100 First Street, Suite 2300	San Francisco	CA	94105
	X		-	5/6/2021	US EPA	Laura Margason	margason.laura@epa.gov		1595 Wynkoop Street	Denver	CO	80202-1129
	X		4/22/2021	5/6/2021	US Forest Service	Jennefer Parker, District Ranger	jennefer.parker@usda.gov	435-755-3620	1500 US-89	Logan	UT	84321
	X		5/10/2021		US Forest Service	Paul Chase	pchase@fs.fed.us					
	X		4/22/2021	5/6/2021		Kent Kofford Peter Crookston, Environmental Group Chief/NEPA Compliance Brittany White, Fish & Wildlife Biologist	kkofford@usbr.gov pcrookston@usbr.gov blwhite@usbr.gov	801-379-1152 BW: 801-379-1052 O 385-224-0079 M	125 South State Street Room 6107	Salt Lake City	UT	84138-1102
	X		4/22/2021	4/26/2021	Utah Division of Drinking Water	Ying-Ying Macauley, Interim Director	ymacauley@utah.gov ying@utah.gov	801-536-4200	PO Box 144830/ 195 North 1950 West	Salt Lake City	UT	84114-4830
Government	X		4/22/2021	4/26/2021	Utah Division of Emergency Management	Jamie Huff, State Flood Mapping Coordinator	jhuff@utah.gov	801-538-3752	PO Box 141775/1110 State Office Buil	Salt Lake City	UT	84114-1775
	X		4/22/2021	4/26/2021	Utah Division of Forestry, Fire, and State Lands	Office Director			1780 N Research Parkway, Suite 104	North Logan	UT	84341-1940
	X		4/22/2021	-	Utah Division of Homeland Security	Kathy Holder	kcholder@utah.gov	801-538-3332				
	X		4/22/2021	4/26/2021	Utah Division of Water Rights	Will Atkin	willatkin@utah.gov	435-752-8755	1780 North Research Parkway, Ste 10	Logan	UT	84341
	X		4/22/2021	4/26/2021	Utah Division of Water Resources	Todd Adams, Director	toddadams@utah.gov	801-725-5201	PO Box 146201	Salt Lake City	UT	84114-6201
	X		4/22/2021	4/26/2021	Utah Division of Water Quality	Erica Gaddis, Division Director	egaddis@utah.gov	801-536-4310	PO Box 144870	Salt Lake City	UT	84114
	X		4/22/2021	-	Utah Division of Water Quality	Leanna Littler-Woolf, Environmental Scientist	lnlittler@utah.gov	801-536-4397				
	X		4/22/2021	4/26/2021	Utah Division of Wildlife Resources	Ashley Green, Habitat Section Chief	ashleygreen@utah.gov	801-310-5578	515 E 5300 S	South Ogden	UT	84405
	X		-	-	Utah Division of Wildlife Resources	Pam Kramer, Wildlife Habitat Biologist	pamkramer@utah.gov	801-725-8537 M	515 E 5300 S	South Ogden	UT	84405
	X		4/22/2021	4/26/2021	Utah Division of Wildlife Resources	Kent Sorenson	kentsorenson@utah.gov	801-476-2740	PO Box 146301	Salt Lake City	UT	84114
	X		4/22/2021	4/26/2021	Utah Department of Agriculture	Craig Butters, Commissioner	craigbutters@utah.gov	801-982-2200	PO Box 146500	Salt Lake City	UT	84114-2220

	Invitation To:				Stakeholder	Contact Name	Email	Phone	Mailing Address	City	State	ZIP
	Agency Mtg	Public Mtg	Email Date	Mail Date								
Government Cont.	X		-	4/26/2021	Utah Department of Environmental Health	Director			PO Box 142104	Salt Lake City	UT	84114-2104
	X		4/22/2021	4/26/2021	Utah Department of Environmental Quality	Scott Baird, Executive Director	scottbaird@utah.gov	801-536-0095	PO Box 144870	Salt Lake City	UT	84114-4879
	X		4/22/2021	4/26/2021	Utah Department of Natural Resources	Tyler Thompson, Watershed Director	tylerthompson@utah.gov	801-538-4876	PO Box 145610	Salt Lake City	UT	84114-5610
	X		5/10/2021	-	Utah Department of Natural Resources	Scott Walker, Regional Habitat Manager	scottwalker@utah.gov	801-476-2776	PO Box 145610	Salt Lake City	UT	84114-5610
	X		4/22/2021	4/26/2021	Utah Department of Public Safety	Kris Hamlet, Director	krishamlet@utah.gov	801-538-9553	PO Box 141775/1110 State Office Buil	Salt Lake City	UT	84114
	X		4/22/2021	-	Utah Department of Public Safety	Angelia Crowther, Utah Floodplain Manager	acrowther@utah.gov	801-664-5861				
	X		4/22/2021	-	Utah State Clearinghouse	Ken Matthews	kmatthews@utah.gov	801-538-1149				
	X		4/22/2021	4/26/2021	Utah State Historic Preservation Office	Savanna Agardy	sagardy@utah.gov	801-245-7246	300 S Rio Grande St	Salt Lake City	UT	84101
	X		4/22/2021	4/26/2021	Utah Natural Heritage Program	Sarah Lindsey	sarahlindsey@utah.gov	801-538-4759	PO Box 146301	Salt Lake City	UT	84114-6301
	X		-	4/26/2021	Cache County Commissioner, South District	Nolan Gunnell		435-760-2902	199 North Main St.	Logan	UT	84321
	x		4/22/2021	-	Cache County Farm Bureau	Chris Chambers, President	chrischambers8@hotmail.com					
Other	x		4/22/2021	4/26/2021	RDCC Coordinator	Sindy Smith	sindysmith@utah.gov		P.O. Box 14114-1107	Salt Lake City	UT	84114
	X	X	4/28/2021	4/28/2021	Union Pacific Railroad	Nathan Anderson, Senior Director Public Affairs	nanderson@up.com	801-212-5415	650 David Rd	Salt Lake City	UT	84119
		X	-	4/28/2021	PacifiCorp	Eve Davies	Eve.davies@pacificorp.com	801-220-2245 O 801-232-1704 M				
		X	-	4/28/2021	Blacksmith Fork Soil and Conservation	JonWhite		435-753-6029	1407 West North Temple, Ste 210	Salt Lake City	UT	84116
Tribes		X	-	4/22/2021	Eastern Shoshone Tribe of the Wind River Rese	Joshua Mann	jmann@easternshoshone.org	307-335-2081	1860 N 100 E	Logan	UT	84341
		X	-	4/22/2021	Eastern Shoshone Tribe of the Wind River Rese	Ms. Lynette Bell	lbell@easternshoshone.org	307-335-2081	14 N Fork Road	Fort Washakie	WY	82514
		X	-	4/22/2021	Northwest Band of the Shoshone Nation	Shane Warner	S2eagles@yahoo.com	435-734-2286	P.O. Box 538	Fort Washakie	WY	82514
		X	-	4/22/2021	Northwest Band of the Shoshone Nation	Ms. Patti Timbimboo-Madsen	ptimbimboo@nwbshoshone.com	435-734-2286 x13	707 North Main Street	Brigham City	UT	84302
		X	-	4/22/2021	Fort Hall Business Council				707 North Main Street	Brigham City	UT	84302
					Shoshone-Bannock Tribes of the Fort Hall Reservation	Devon Boyer						
		X	-	4/22/2021	Shoshone-Bannock Tribes of the Fort Hall	Nathan Small	nsmall@sbTribes.com	208-478-3769	PO Box 306	Fort Hall	ID	83203
		X	-	4/22/2021	Shoshone-Bannock Tribes of the Fort Hall	Carolyn Smith	csmith@sbTribes.com	208-236-1086	PO Box 306	Fort Hall	ID	83203
		X	-	4/22/2021	Shoshone-Bannock Tribes of the Fort Hall	Louise E. Dixey	ledixey@sbtribes.com	208-236-1086	PO Box 306	Fort Hall	ID	83203
		X	-	4/22/2021	Ute Indian Tribe of the Uintah & ouray Reservat	Mr. Luke Duncan		435-722-5141	PO Box 190	Fort Duchesne	UT	84026
		X	-	4/22/2021	Ute Indian Tribe of the Uintah & ouray Reservat	Ms. Betsy Chapoose	betsyc@uteTribe.com	435-725-4826	PO Box 190	Fort Duchesne	UT	84026

PROOF OF PUBLICATION
Herald Journal

4486 93022
FRANSON CIVIL ENGINEERS

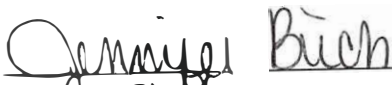
Civil
PROOF OF PUBLICATION

FRANSON CIVIL ENGINEERS
1276 SOUTH 820 EAST, SUITE
100 1276 SOUTH 820 EAST,
SUITE 100
AMERICAN FORK UT 84003

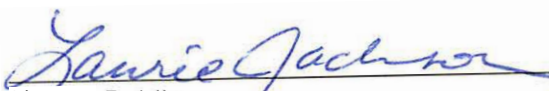
STATE OF UTAH
COUNTY OF CACHE, ss

On this 4th day of May, A.D. 2021 personally appeared before me Jennifer Birch who being first being duly sworn, deposes and says that (s)he is the Principal Legal Clerk of the PNG Media LLC, publishers of The Herald Journal a daily newspaper published in Logan City, Cache County Utah, and that the Legal Notice, a copy of which is hereto attached was published in said newspaper for 2 issue(s) and that said notice also published on utahlegals.com on the same day(s) as publication in said newspaper.

Commencing on the following days:
04/27/21, 05/04/21


Principal Legal Clerk

Subscribed and sworn to before me on this 4th day of May, A.D. 2021


Notary Public
Commissioned in the State of Utah
My Commission expires 11-1-2021 10-18-23



WELLSVILLE-MENDON WATERSHED PLAN-EA

The United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS), with assistance from Cache Water District as the project sponsor, and several co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, are considering proposed improvements within the Wellsville Canyon and Threemile Creek Watersheds, in Cache County, UT. Goals for this project include preventing or reducing flooding, enhancing wildlife habitat, and improving irrigation water delivery.

As part of the Environmental Assessment (EA), the public is invited to attend a virtual public scoping meeting held by NRCS, which will provide information about the proposed flood prevention and reduction and agricultural water management projects in the Wellsville and Mendon areas. At this time, NRCS is requesting comments on the project to identify issues and resource concerns.

Date: Tuesday, May 11, 2021

Time: 6:00 p.m.

Written comments are requested between April 27, 2021 and May 27, 2021. They may be submitted via email, mail, or using the online comment submission form. They must be received or post-marked by May 27, 2021.

Project information including the comment form and, afterwards, a recording of the meeting, will be available at: <https://www.fransoncivil.com/wellsville-mendon-plan-EA>

MAIL:

Franson Civil Engineers
Attn: Wellsville-Mendon Watershed Plan-EA
115 Golf Course Road, Suite D
Logan, UT 84321

EMAIL: mrobbins@fransoncivil.com

Published April 27, May 4, 2021

Ref. No. 93022

Herald Journal

Publication Logo
Unavailable

Publication Name:

Herald Journal

Publication URL:

Publication City and State:

Logan, UT

Publication County:

Cache

Notice Popular Keyword Category:

Notice Keywords:

wellsville-mendon

Notice Authentication Number:

202108161721075608480

1276854728

Notice URL:

[Back](#)

Notice Publish Date:

Tuesday, April 27, 2021

Notice Content

WELLSVILLE-MENDON WATERSHED PLAN-EA

The United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS), with assistance from Cache Water District as the project sponsor, and several co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, are considering proposed improvements within the Wellsville Canyon and Threemile Creek Watersheds, in Cache County, UT. Goals for this project include preventing or reducing flooding, enhancing wildlife habitat, and improving irrigation water delivery.

As part of the Environmental Assessment (EA), the public is invited to attend a virtual public scoping meeting held by NRCS, which will provide information about the proposed flood prevention and reduction and agricultural water management projects in the Wellsville and Mendon areas. At this time, NRCS is requesting comments on the project to identify issues and resource concerns.

Date: Tuesday, May 11, 2021

Time: 6:00 p.m.

Written comments are requested between April 27, 2021 and May 27, 2021. They may be submitted via email, mail, or using the online comment submission form. They must be received or post-marked by May 27, 2021.

Project information including the comment form and, afterwards, a recording of the meeting, will be available at:

<https://www.fransoncivil.com/wellsville-mendon-plan-EA>

MAIL:

Franson Civil Engineers

Attn: Wellsville-Mendon Watershed Plan-EA

115 Golf Course Road, Suite D
Logan, UT 84321

EMAIL: mrobbins@fransoncivil.com

Published April 27, May 4, 2021

Ref. No. 93022

[Back](#)

Herald Journal

Publication Logo
Unavailable

Publication Name:

Herald Journal

Publication URL:

Publication City and State:

Logan, UT

Publication County:

Cache

Notice Popular Keyword Category:

Notice Keywords:

wellsville-mendon

Notice Authentication Number:

202108161720181867429

1276854728

Notice URL:

[Back](#)

Notice Publish Date:

Tuesday, May 04, 2021

Notice Content

WELLSVILLE-MENDON WATERSHED PLAN-EA

The United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS), with assistance from Cache Water District as the project sponsor, and several co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, are considering proposed improvements within the Wellsville Canyon and Threemile Creek Watersheds, in Cache County, UT. Goals for this project include preventing or reducing flooding, enhancing wildlife habitat, and improving irrigation water delivery.

As part of the Environmental Assessment (EA), the public is invited to attend a virtual public scoping meeting held by NRCS, which will provide information about the proposed flood prevention and reduction and agricultural water management projects in the Wellsville and Mendon areas. At this time, NRCS is requesting comments on the project to identify issues and resource concerns.

Date: Tuesday, May 11, 2021

Time: 6:00 p.m.

Written comments are requested between April 27, 2021 and May 27, 2021. They may be submitted via email, mail, or using the online comment submission form. They must be received or post-marked by May 27, 2021.

Project information including the comment form and, afterwards, a recording of the meeting, will be available at:

<https://www.fransoncivil.com/wellsville-mendon-plan-EA>

MAIL:

Franson Civil Engineers

Attn: Wellsville-Mendon Watershed Plan-EA

115 Golf Course Road, Suite D
Logan, UT 84321

EMAIL: mrobbins@fransoncivil.com

Published April 27, May 4, 2021

Ref. No. 93022

[Back](#)

Appendix C: Scoping Comments Received

From: Charles Gay <Chuck.Gay@usu.edu>
Sent: Tuesday, April 27, 2021 2:02 PM
To: Monique Robbins
Subject: FW: Wellsville-Mendon Watershed Plan

I received the notice for the Wellsville-Mendon Watershed Plan with great interest. My interests stem from my career as a professor of rangeland management and rancher. Now retired from both, I am interested in the surface water management that impacts our home and others in the Cobblestone area south of Mendon City and our neighbors below us. We have lived here for the past 34 years and have experienced numerous flooding events that have required a neighborhood brigade to sandbag homes and other structures. Our main road, 5900 West, although a Cache County road was never designed to cope with water. There are no bar ditches, culverts or control structures. Given that our homes are strung out along the road, they create the dams when heavy rains or rapid snowmelt comes off of the watershed of the Wellsville Mountains. Spring rains on snow is the worst once the snowpack becomes saturated. If a bar ditch were constructed on the uphill side of 5900 West with culverts under driveways, runoff could be captured and easily transported to natural drainage. There is a large natural channel south of us. I have wondered why this could not be used as a catchment to retain and allow water to drain slowly. A bar ditch on 5900 West would drain to this channel.

As I am sure you know, the problem for the Mendon area is the irrigation canal. All water on this huge watershed from Hyrum Lake to Petersboro is eventually trapped in the canal. There is no emergency overflow or drainage system to prevent overflow and cutting. The canal has been purposely cut twice since we have lived in our home.

I applaud this project and hope for success. It is much needed.

Sincerely,

Chuck

Charles W. Gay
2420 S Cobble Terrace
Mendon, UT 84325
435-770-1992

From: Tom Condie <tcondie@hotmail.com>
Sent: Wednesday, May 5, 2021 6:23 PM
To: Monique Robbins
Subject: ATTN: Chad Brown: Wellsville-Mendon Watershed Plan: Concern Regarding Lack of Lining/Piping of Lower Canal

Dear Mr. Brown,

I'm Thomas Condie. I have a house on 14+ acres at 5650 S. 2400 W.. I own 4 shares of irrigation water. The issue I'm hoping will be addressed as part of the proposed project improvements is the need for lining of the lower canal starting, I believe, at Roy Hugie's property and ending at 2400 West 5700 South(Steve Kyriopoulou's east property line). The specific problem for me is that approximately 2 weeks after the flow in the lower canal begins, water begins flowing under my house and water seeps occur along the side of the hill, south of my outbuildings. At first the French drain and underground pipes adequately channel this water under my driveway to the wetland north of my yard. But, within a few weeks the flow increases to the point that it overwhelms the system and other seeps appear resulting in saturating my front yard and creating a shallow pool of water for the duration of the irrigation season. Just the water running under my house runs at ~5 gal/minute. Considering this and the other seeps, lost water is in excess of ~1,000,000 gals/season. I imagine there are many more additional gallons of water lost on the other properties east.

Please let me know if completing the lining/piping of the lower canal, as mentioned above, is part of the project. If not currently part of the project, what needs to be done to include it. Thank you for your time and consideration.

Tom Condie
5650 South 2400 West
Wellsville, Utah 84339

From: Tim Cronin <tim.cronin72@gmail.com>
Sent: Thursday, May 6, 2021 12:22 PM
To: Monique Robbins
Subject: Wellsville Mendon Watershed Plan

Will portions of the existing canals be put into pipes? We are along 5700 South in Wellsville, what changes are planned for that portion?

Thank you
Tim Cronin

From: Jamie Huff <jhuff@utah.gov>
Sent: Monday, May 10, 2021 9:57 AM
To: Monique Robbins
Subject: DEM Comments: Wellsville Mendon Watershed Plan
Attachments: Cache_Scoped_Streams_REVISED_1-19-2016-FINAL_8x11.pdf

Greetings,

As mentioned on the State agencies call, the Utah Division of Emergency Management is currently conducting a flood study on several creeks and streams and the Wellsville Mendon Lower Canal as part of a larger Cache County Flood study. Please see the attached map for reference. Flood study data is currently being produced and the preliminary data is anticipated to be released to the public on June 30, 2021. We would be happy to share the data when it is released. Jamie Huff is your best contact for any questions on the study.

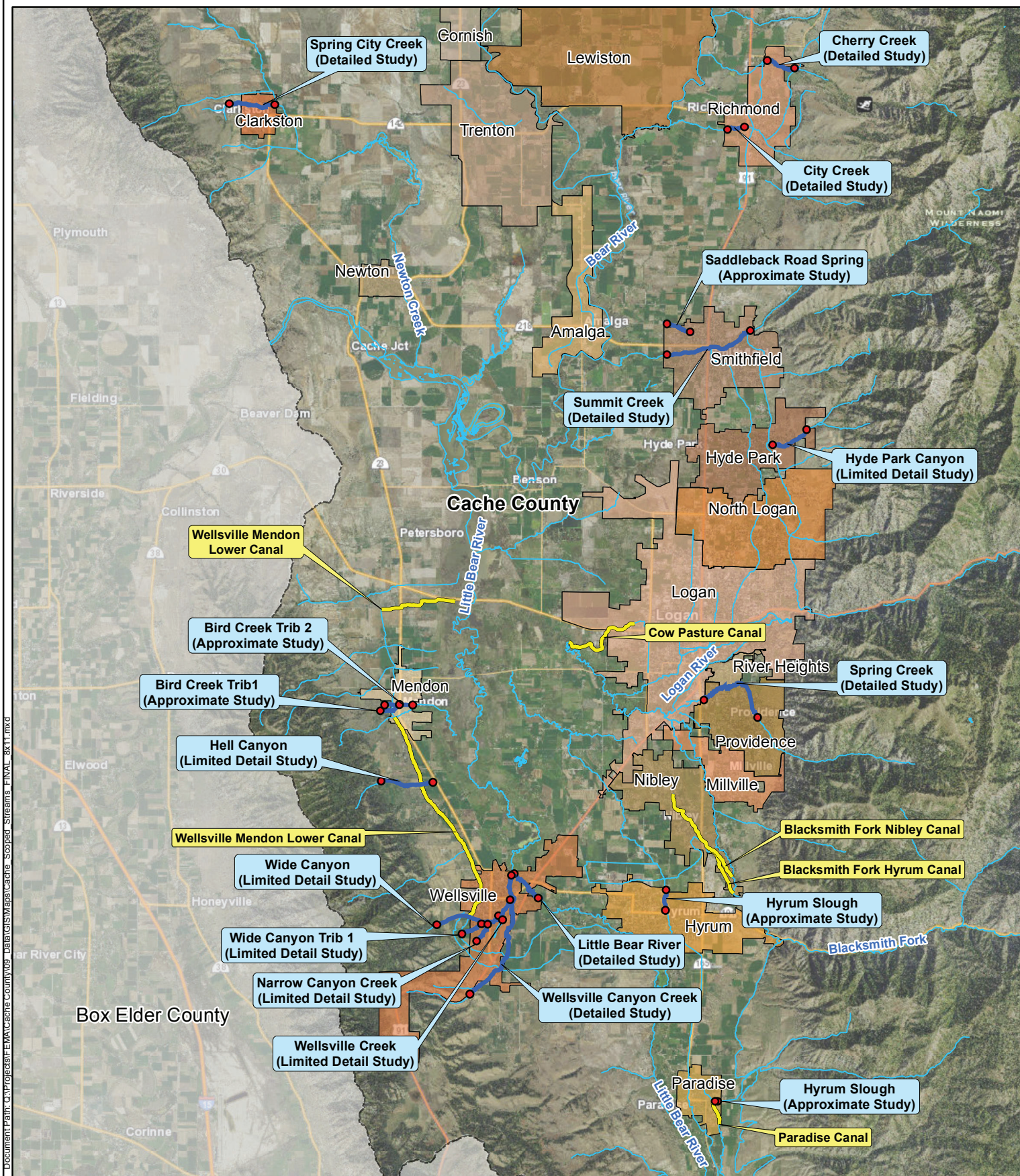
In addition to the flood study modeling data, please ensure that any work proposed or conducted in current mapped floodplains obtain floodplain development permits from the local Floodplain Administrator (FPA) in the community they are doing the work in. Any work in the floodplain needs to make sure they are in compliance with the National Flood Insurance Program (NFIP) and with the local floodplain regulations by contacting the local community's FPA. Even state and federal agencies need to obtain the local floodplain development permits as per the 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 FPA should know what is required in these areas. If there there are questions as to what is needed feel free to call or email Angelia Crowther, State Floodplain Manager at 801-963-2004 or acrowther@utah.gov.

Regards,

Jamie Huff, CFM

Risk MAP Program Manager
Utah Division of Emergency Management
Taylorsville State Office Building
4315 S 2700 W.,
2nd Fl., Suite 2200
Taylorsville, UT 84129-2128
Phone: 385-549-0746
Email: jhuff@utah.gov

(Please note address and phone number change)



Document Path: Q:\Project\15-EMAC\Cache County\GIS\Map\Streams_FINAL_8x11.mxd

Flooding Source	Reach Length	Reach Description	Study Level
Bird Creek Trib 1	1.0	from confluence with Bird Canyon Creek upstream approx. 1 mi	Approximate
Bird Creek Trib 2	0.5	from confluence with Bird Creek Trib 1 upstream to Thimbleberry Ln	Approximate
Cherry Creek	1.0	from 1200 E upstream to a point approx. 750 ft downstream of 2000 E	Detailed Study
City Creek	0.6	from western Richmond corporate limits upstream to 200 W	Detailed Study
Hell Canyon	1.5	from State Highway 23 upstream approx. 1.5 mi to the mouth of Hell Canyon	Limited Detail
Hyde Park Canyon	1.2	from approx 700 E upstream approx. 1.2 mi to eastern Hyde Park corporate limits	Limited Detail
Hyrum Slough	0.7	from Main Street upstream to Hyrum corporate limits, approx. 4800 S	Approximate
Hyrum Slough	0.2	from 200 E upstream to Paradise corporate limits, approx. 360 E	Approximate
Little Bear River	1.1	from 500 N upstream approx 1.1 miles to eastern Wellsville corporate limits	Detailed Study
Narrow Canyon Creek	0.7	from confluence with Wide Canyon upstream to 800 S	Limited Detail
Saddleback Road Spring	0.8	from 800 W upstream to 250 W	Approximate
Spring City Creek	1.4	from confluence with Clarkston Creek upstream approx. 1.4 mi	Detailed Study
Spring Creek	2.5	from State Highway 165 upstream to approx. 200 S	Detailed Study
Summit Creek	2.5	from western Smithfield corporate limits at Birch Canyon Rd upstream to eastern Smithfield corporate limits at 800 E	Detailed Study
Wellsville Canyon Creek	3.9	from confluence with Little Bear River upstream to mouth of Wellsville Canyon (approx. 0.5 mi upstream of Mt Sterling Rd)	Detailed Study
Wellsville Creek	0.8	from confluence with Wellsville Canyon river upstream to Wellsville Reservoir	Limited Detail
Wide Canyon	1.9	from confluence with Wellsville Creek upstream approx. 2 mi to mouth of Wide Canyon	Limited Detail
Wide Canyon Trib 1	0.7	from confluence with Wide Canyon upstream approx. 0.75 mi	Limited Detail

From: Margason, Laura <Margason.Laura@epa.gov>
Sent: Thursday, May 13, 2021 2:48 PM
To: Evenstad, Norm - NRCS, Salt Lake City, UT
Cc: Hamilton, Derek - NRCS, Salt Lake City, UT; Bingham, Jonathan - FPAC-NRCS, OGDEN, UT; Chet.Fitzgerald@usda.gov; Todd, Brandon - NRCS, North Logan, UT; mrobbins@fransoncivil.com
Subject: [External Email]EPA Scoping comments for Wellsville-Mendon Watershed Plan EA
Attachments: NRCS Wellsville-Mendon EA - EPA Scoping Comments 5.13.2021.pdf

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

Good afternoon Mr. Evenstad-

Thank you for the opportunity to review and provide feedback on the scoping proposal for the **Wellsville-Mendon Watershed Plan EA**. Attached to this message you will find an electronic transmission of our comment letter, I hope you find our comments helpful. We look forward to working with your staff as this project moves forward with the NEPA process. Please do not hesitate to contact me if you have any questions regarding our comments.

Regards,

Laura A Margason
NEPA Branch
Office of the Regional Administrator
U.S. EPA, Region 8, ORA-N
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-6665



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

May 13, 2021

Ref: ORA-N

Norm Evenstad–NRCS
125 S. State Street, Room 4420
Salt Lake City, UT 84138
(Transmittal by email)

Dear Mr. Evenstad:

The U.S. Environmental Protection Agency Region 8 reviewed the Scoping Notice, PL-566 Watershed Proposal and participated in the May 10th virtual agency meeting (Meeting) for the **Wellsville-Mendon Watershed Plan-Environmental Assessment (EA) Project** (Project) prepared by the United States Department of Agriculture-Natural Resources Conservation Service (NRCS). The following scoping comments were prepared in accordance with our responsibilities under the National Environmental Policy Act (NEPA).

The NRCS Wellsville-Mendon Watershed Plan Project is proposing to install flood control improvements, irrigation efficiency measures and recreational opportunities within the Wellsville Canyon and Threemile Creek Watersheds, in Cache County, UT. The proposal is intended to improve flood prevention, watershed protection, wildlife habitat enhancement and agricultural water management within these areas. Several possible improvement structures were mentioned during the Meeting but none were illustrated in detail at this early stage of Project development. These proposed structures may include culvert improvements, channel stabilization, detention basins, and stormwater diversion improvements, along with the construction of secondary pressurized irrigation systems. To our knowledge, alternatives to these proposals have not been detailed.

Based on our current understanding of the Project and the area, the EPA has identified the following key topics that we recommend evaluating in the NEPA analysis so that potential impacts or benefits to public health and the environment can be fully understood: (1) surface water resources; (2) air resources; (3) construction and failure response; (4) mitigation and control measures; (5) a range of alternatives; and (6) purpose and need.

The EPA understands that the Project is in the planning stage and a preferred alternative has not been identified. Our comments are based on the scoping notice description and the sponsor's application documents provided by NRCS. Our input may need to be revised once Project planning and design has advanced.

The EPA's detailed comments are enclosed; we appreciate your consideration of our comments at this early stage of Project development and request a future notification to review the Draft EA. If further explanation of our comments is desired, please contact me at (303) 312-6665 or Margason.laura@epa.gov, or Region 8 NEPA Branch Chief Philip Strobel at (303) 312-6704 or strobel.philip@epa.gov.

Sincerely,



Laura A. Margason
NEPA Branch

Enclosure

cc: Derek Hamilton, Water Resources Coordinator, NRCS-Utah
Jonathan Bingham, Lead Engineer, NRCS-Utah
Chet Fitzgerald, Area Conservationist, NRCS-Utah
Brandon Todd, District Conservationist, NRCS-Utah
Franson Civil Engineers (mrobbins@fransoncivil.com)

Natural Resource Conservation Service: Wellsville-Mendon Watershed Plan-EA

(1) Surface Water Resources

A. Water Quality Impacts and Mitigation

The EPA recommends discussing the following resource impacts, including disclosure of which waters may be impacted or improved, the nature of these actions, and the specific relevant pollutants:

- Sedimentation and Water Quality: Potential impacts to water quality from runoff associated with surface disturbance. Runoff could introduce sediments as well as salts, nutrients, and other pollutants into surface waters.
- Drinking Water: Potential impacts to drinking water from the Project, which may include source water protection areas and other municipal or private water supplies.
- Surface Water Bodies: Potential impacts to historically impaired rivers and creeks in the area – such as Bear River, Little Bear River, Spring Creek, and Malad River– including the extent to which regulated discharge of detention basin floodwaters to these water systems could dilute existing pollutants, introduce salts, nutrients and other pollutants from the Project catchment areas, or modify sediment loads.
- Groundwater: Potential impacts to groundwater recharge areas and the identification of community wells with associated shallow or sensitive aquifers that may be modified by Project activities.

The EPA recommends the NEPA analysis identify and discuss how surface water quality will be protected during Project activities. To this end, the EPA recommends the NEPA analysis include:

- A list of Best Management Practices (BMPs) that will be required to protect surface water resources;
- A discussion of the circumstances under which the BMPs would be applied (e.g., proximity to surface water resources, presence of erosive soils, slope, floodwater discharge, etc.); and,
- An explanation of how NRCS or another government entity would ensure that the BMPs would be monitored to ensure timely and correct implementation as well as timely maintenance.

B. Protection of Wetlands and Riparian Areas

The protection and restoration of wetlands and riparian areas is a high priority. These resources increase landscape and species diversity, support many wildlife species, and are critical to protecting water quality and designated beneficial water uses. We recommend that NRCS analyze impacts from all potential Project alternatives to the following:

- Total wetland area and function, such as from reduced floodwater inundation and/or reduced overbank flow;
- Wetland vegetation, riparian habitats, and aquatic biota; and
- Wetland erosion or aggradation from floodwater channelization or redirection.

We also recommend that the NEPA analysis evaluate methods to protect surrounding wetlands and riparian areas including the following:

- Specific mitigation requirements and BMPs applicable for construction, maintenance and

reclamation activities to prevent adverse impacts to aquatic resources downslope of the Project site. These could include silt fences, detention ponds and other stormwater control measures; and,

- A map of seeps, springs, and wetlands delineating these resources before development to facilitate their protection and support any necessary permits from the U.S. Army Corps of Engineers (Corps).

(2) Air Resources

Based on the information provided, the project is in Cache County, Utah. Cache County (in part) is included in the Logan UT-ID PM_{2.5} National Ambient Air Quality Standard (NAAQS) nonattainment area; however, the Region 8 Acting Regional Administrator signed the final rule redesignating the Logan, UT-ID PM_{2.5} nonattainment area to attainment on May 11, 2021. This final rule should be published in the Federal Register within the next few weeks and will update 40 CFR 81.345 to show that the area is now in “attainment” status.

Because the project will be located in the Logan (Cache County) PM_{2.5} attainment/maintenance area, we recommend evaluating and disclosing current air quality conditions, identify any potential air quality impacts from the proposed construction and, if necessary, detail mitigation steps that will be taken to minimize associated adverse impacts. Pollutants contributing to PM_{2.5} that need to be considered include directly emitted PM_{2.5}, precursors including NO_x, sulfur dioxide (SO₂), and VOC.

We recommend the Draft EA include the following: existing air quality conditions in the project vicinity, and an assessment of any impacts on NAAQS, air quality related values (AQRVs), and an assessment of any Class 1 Areas in the vicinity that may be impacted by construction emissions.

A. Existing Conditions

We recommend that design values be presented using available ambient air quality data in the vicinity of the project, especially for PM_{2.5}. For this analysis, we recommend consulting with the Utah Division of Air Quality (UDAQ) to assist in generating appropriate design values for Criteria Pollutants, such as PM_{2.5}. Any relevant information on AQRVs such as visibility would also assist in characterizing the existing environment.

B. Environmental Consequences

Dust suppression from disturbed areas is an important mitigation consideration in many areas of the West. Given the proximity of the project to residential communities, the EPA recommends the NEPA analysis include a plan for addressing dust control during construction. We suggest the plan include the level of required or anticipated dust control, control methods, inspection schedules, documentation procedures, and accountability processes. The EPA recommends reducing surface disturbance to effectively reduce fugitive dust. Impacts can also be reduced by reclaiming disturbed areas as soon as practicable.

In addition, we recommend estimating combustion emissions resulting from mobile and stationary sources necessary to support and conduct construction activities. We recommend considerations be given to using cleaner emitting equipment as well as limiting unnecessary idling through the implementation of best practices to minimize emissions.

The Clean Air Act (CAA) General Conformity provisions and requirements at CAA section 176(c) and 40 CFR §§ 93.150 to 93.165 will apply to emissions that occur within the nonattainment/maintenance area. Under these provisions, federal agencies (in this case NRCS) must ensure that actions they conduct or sponsor in nonattainment or maintenance areas are consistent with the State Implementation Plan (SIP), Tribal Implementation Plan (TIP), or Federal Implementation Plan (FIP), as appropriate, that are established to protect human health and the environment. This means that emissions of air pollutants from planned federal activities do not cause new violations of the NAAQS, do not increase the frequency or severity of NAAQS violations, or do not impact the continued maintenance of the NAAQS. Therefore, a general conformity analysis, and if appropriate a conformity determination, must be completed by the lead federal agency prior to authorizing the proposed action.

(2) Construction and Failure Response

A. Construction Alternatives

We recommend including specific information about flood control structure construction so that anticipated environmental impacts can be considered when selecting between alternatives. These details include a description of the following factors:

- Structural specifications and materials;
- Anticipated support facilities including structural yards, maintenance buildings and roads, construction camps and materials sites;
- Sensitive plant and animal life in the Project area; and,
- Topography, geology and surficial hydrology in the vicinity of each structure.

Based on these criteria, we recommend choosing flood control structure locations proposed in each alternative in cooperation with the Utah Department of Natural Resources, Cache County, and the cities of Wellsville and Mendon, Utah.

B. Failure Response

Given the trend toward increased urbanization and the case of several severe storm events in the Project area, we recommend the EA include an evaluation of potential adverse impacts from the structural failure of the proposed flood control measures. 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 evaluating the environmental impacts of potential structural failures and in determining emergency transportation corridor locations. We also recommend describing the failure detection and repair program for this Project, their associated costs for each alternative, and the margin and methods of potential error for each program.

(4) Mitigation and Control Measures

We recommend that the NRCS include a section in the NEPA analysis that details the mitigation and control measures that will be implemented for the Project, including what entity will be executing the mitigation. A list of all necessary permits for construction, transportation, water, air, or land use in the

Project vicinity may also clarify implementation and mitigation plans in the EA. Monitoring of surface water quality in the Project area following construction is also recommended for inclusion in order to identify any potential resource improvements or mitigation needs developed through Project operation.

(5) Range of Alternatives

The NRCS sponsor application document for this project mentions the need for a Clean Water Act (CWA) Section 404 permit. If this permit is needed, under CWA regulations the Corps can only issue a permit for a discharge of dredged or fill material into waters of the U.S. if it can be demonstrated that it is the least environmentally damaging practicable alternative (LEDPA). To assure that this is achieved, the NEPA document needs to include a full range of alternatives with the goal of avoiding and minimizing impacts to waters of the U.S. while meeting the purpose of the action.

The NEPA documentation should summarize criteria used to screen reasonable alternatives, including the CWA regulatory criteria used to develop practicable alternatives. Environmental, logistical, technological and cost criteria should all be considered. The NEPA document should clearly explain the reasoning used to eliminate alternatives. This rationale must be consistent with the practicability definition and criteria outlined in the preamble language of the CWA 404(b)(1) Guidelines (40 CFR § 230.10).

(6) Purpose and Need

The purpose and need statement for purposes of complying with both the CWA and NEPA should remain broad enough to encompass an appropriate range of both reasonable and practicable alternatives for meeting the basic (i.e., underlying) project purpose, including the proposed action.

A broad purpose and need statement should allow for analysis of a multitude of options and should not eliminate alternatives that may still be considered practicable under the CWA Section 404 implementing regulations. Pursuant to the Section 404 requirements, the burden to clearly demonstrate that an alternative is not practicable (i.e., available and capable of being accomplished taking into consideration existing technology, logistics, and cost) rests on the applicant. If an alternative is a standard industry norm, then it is likely practicable unless clearly demonstrated otherwise (40 CFR 230.10). Developing an agency-coordinated purpose and need statement is critical prior to the development of screening criteria or identification of alternatives.

From: Jon Hardman <jhardmanfarms@yahoo.com>
Sent: Wednesday, May 26, 2021 8:27 AM
To: Monique Robbins
Subject: Mendon City Comments
Attachments: PL-566 Mendon City Comments.pdf

Monique

Please accept these comments on behalf of Mayor Ed Buist of Mendon pertaining to the PL-566 process that is on going. Since I have been more involved in the process until now he has asked that I submit these on the City's behalf. Contact information is:

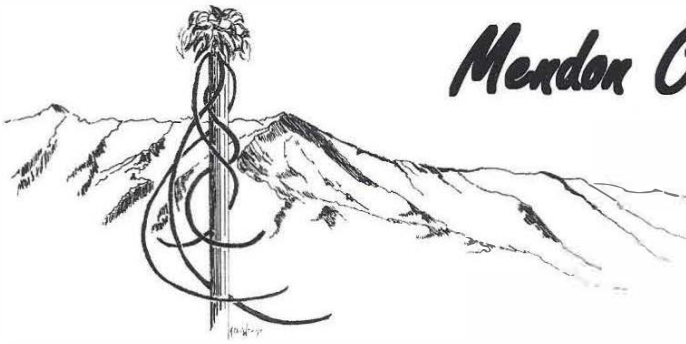
Mayor Ed Buist
ed.buist@usu.edu
435-770-9824
15 North Main St., Mendon, UT 84325 (City Admin Building)
P.O. Box 70, Mendon, UT 84325 (mailing address)

We look forward to working with the planning team as the process moves forward and would appreciate the opportunity to discuss further the specific details regarding the issues, concerns and opportunities briefly outlined in the comments submitted.

Thank You.

JH

Sent from [Mail](#) for Windows 10



Mendon City Corporation

P.O. Box 70 Mendon, UT
84325

Phone (435) 753-3449
www.mendoncity.org

May 25, 2021

Franson Civil Engineering

To Whom It May Concern

These comments are written on behalf of Mendon City and are intended for review as part of the PL-556 Environmental review process currently underway. Mendon City has dealt with numerous flooding events over the years and is hopeful that the current PL-556 process will be able to identify solutions to avoid future flooding events. Most severe flooding occurs during periods when the ground is frozen, snow-covered, and warm temperatures and rain brings large volumes of water down from sloping ground both above and in town overwhelming small waterways and ditches used for irrigation systems in the past but since abandoned when most of the citizens in town installed private pressurized sprinkler irrigation systems connecting to the Wellsville-Mendon Canal System.

Most recently major flooding events occurred in 2012 and 2017 requiring major sandbagging and redirection of concentrated water flows away from critical infrastructure and homes. Water collecting from fields above the Wellsville-Mendon Canal as it travels through Wellsville heading North towards Mendon results in a canal that exceeds capacity and then tries to top its banks in several locations as it travels through Mendon.

Mendon is requesting consideration of several key pipelines from the Wellsville-Mendon Canal to the East to help transport water through town and below County Road 5400 West during major flooding events including a major pipe to cut-off flows before even entering the city near 2400 South. These same pipelines could serve a dual purpose for irrigation during summer irrigation season. Several culverts need to be up-sized through town to allow larger flows to pass without over-topping and flooding homes and streets.

Mendon is also requesting that the PL-566 process explore the possibility of piping the entire Wellsville-Mendon Canal system to further eliminate flooding potential and reduce water losses during the irrigation season. The canal system frequently runs short of water on drier year's and reducing water losses would potentially extend the irrigation period during drier periods.

Mendon has additional culinary water resources and needs and would like to request assistance in developing their water resources located in Maple Bench Spring originating on Forest Service land under Mendon Central Irrigation Company's water right by developing the spring and piping water to the city's Cobblestone storage tank.

As a rural community Mendon has several wildlife challenges mainly involving turkeys within town. Mendon has been working with the Utah Division of Wildlife Resources to develop habitat above town to try and entice turkeys to remain at a higher elevation rather than in town directly. Additional projects could be developed to enhance this effort.

Mendon City would also like to include a recreation component to include a small park/reflection area along with its cemetery expansion to include pressurized secondary irrigation water and water feature. Landscaping and vegetation could provide additional wildlife benefits in the area. A second community project involving a city camping area directly West of town on city owned property should also be considered.

Mendon City appreciates the opportunity to participate in the PL-556 planning process and looks forward to working with the planning staff to look at Mendon's flood control, culinary water, irrigation, wildlife, and recreational needs more specifically.

Sincerely

A handwritten signature in black ink, appearing to read 'Ed Buist', written over a horizontal line.

Mayor Ed Buist, Mendon City

Timestamp	What is your full name?	What is your email address?	What is the best phone number to reach you?	What is your address? (This helps give context)	What is your comment? (Be as detailed as you would like. We will respond to all comments!)
4/29/2021	Charles Gay	chuck.gay@usu.edu	435-770-1992	2420 S. Cobble Terrace, Mendon	Duplicate to email sent: I received the notice for the Wellsville-Mendon Watershed Plan with great interest. My interests stem from my career as a professor of rangeland management and rancher. Now retired from both, I am interested in the surface water management that impacts our home and others in the Cobblestone area south of Mendon City and our neighbors below us. We have lived here for the past 34 years and have experienced numerous flooding events that have required a neighborhood brigade to sandbag homes and other structures. Our main road, 5900 West, although a Cache County road was never designed to cope with water. There are no bar ditches, culverts or control structures. Given that our homes are strung out along the road, they create the dams when heavy rains or rapid snowmelt comes off of the watershed of the Wellsville Mountains. Spring rains on snow is the worst once the snowpack becomes saturated. If a bar ditch were constructed on the uphill side of 5900 West with culverts under driveways, runoff could be captured and easily transported to natural drainage. There is a large natural channel south of us. I have wondered why this could not be used as a catchment to retain and allow water to drain slowly. A bar ditch on 5900 West would drain to this channel. As I am sure you know, the problem for the Mendon area is the irrigation canal. All water on this huge watershed from Hyrum Lake to Petersboro is eventually trapped in the canal. There is no emergency overflow or drainage system to prevent overflow and cutting. The canal has been purposely cut twice since we have lived in our home. I applaud this project and hope for success. It is much needed.
5/2/2021	Tim Gowens	tmgowens@msn.com	3852408038	106 W 1550 S Wellsville	I do not have secondary water at my residence. I've heard that this assessment includes putting my home on secondary water. Is that true? I don't want it. I'd rather pay for what I actually use. I once had secondary water when I lived in Syracuse, UT. I paid \$16 year round for secondary water I only had available to me for 6 months. I did what everybody else did which is use the heck out of it—it was wasteful behavior. I'd rather stay on city water and pay for what I actually use. This forces me and everyone else to monitor their own consumption. Please let me know what the plans are to deliver secondary water to areas in Wellsville that do not currently have it and the costs that will no doubt be passed on to me and my neighbors to set it up in addition to the monthly cost burden I will be forced to bare.
5/10/2021	Jamie Huff	jhuff@utah.gov	385-549-0746	State Agency	The Utah Division of Emergency Management is currently conducting a flood on several creeks and streams and the Wellsville Mendon Lower Canal. Flood study data is currently being produced and the preliminary data is anticipated to be released to the public on June 30, 2021. In addition to the flood study modeling data, Please ensure proper floodplain development permits are obtained from the local Floodplain Administrator (FPA) in the community they are doing the work in. Any work in the floodplain needs to make sure they are in compliance with the National Flood Insurance Program (NFIP) and with the local floodplain regulations by contacting the local community's FPA. Even state and federal agencies need to obtain the local floodplain development permits as per the 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 FPA should know what is required in these areas. If there are questions as to what is needed feel free to call or email my office.
5/10/2021	J R Petersen	jpetersen100@comcast.net	4352454878	Wellsville, Utah	I am a local farmer and like others have spent thousands putting in a pressurized irrigation system and will not gain much of a benefit from this project and fear the farmers are going to be saddled with burdensome costs either outright or through higher water maintenance fees which are already sky high. I currently pay nearly 100.00 an acre for water maintenance fees and add electricity costs for irrigation and other standard farm costs and consistently low farm prices most of us are lucky to break even. What is the financial impact of this project going to be for the farmer as well as home owner in Wellsville? Thanks, J R Petersen
5/13/2021	Wesley Davis	wesley.davis67@yahoo.com	4352324398	748 s 200 e Wellsville Utah 84339	Hi, I joined the online meeting on May 11 and wanted to follow up with some comments. It looks like your project is mainly intended for flooding in the area. I think that's a good thing and we could use the help. Not so much for my area but others for sure. I NOT in favor of a boat ramp at the Wellsville Dam. The folks just move their equipment to the water now and all is good. I think that money is better spent elsewhere. Currently the small camp next to the Wellsville Dam is used by homeless RVers who stay as long as they can and move out only to return as soon as the can. I just can see any money spent in that area. At my house I am the last customer on our 2nd water line. My pressure is holding at 12 pounds and is gravity type feed. A pressured line would be nice but yet not really needed unless it could be place into a consideration pool. Like I said nice but not needed. Some retention pools would be nice to add to the wildlife habitat in the areas to prevent the flooding. Maybe some trail maintenance in the Wellsville mountains and trail accesses would be great which may be located near and around the retention dams. Just my thoughts. Wes
5/27/2021	John Powell	jpzionrocks@gmail.com	801-725-4044	160 W 500 N, Wellsville, UT 84339	I like the idea for improvements within the project boundaries for flood prevention, water management and recreational purposes. I also like the idea of a pressurized irrigation system, where it is feasible.

Appendix D: Cooperating Agency and Tribal Letter Examples



United States Department of Agriculture

Natural Resources
Conservation Service

Utah State Office

125 South State Street
Room 4010
Salt Lake City, UT 84138

Ph: 801-524-4550
Fax: 844-715-4928
www.ut.nrcs.usda.gov

May 5, 2021

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

Dear _____ :

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 Bureau of Land Management become a cooperating agency in the planning and development of the Wellsville-Mendon Watershed Plan-EA. The enclosed agency scoping notice includes project information and details on an **agency scoping meeting scheduled for May 10, 2021 at 9 am.**

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.

Sincerely,

NORM EVENSTAD
Asst. State Conservationist - Water Resources

Enclosure

cc:



April 26, 2021

Re: Wellsville-Mendon Watershed Plan-EA

Dear _____ :

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), with Cache Water District as the project sponsor and co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, as project co-sponsors, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) improvements within the Wellsville Canyon and Threemile Creek Watersheds, Cache County, UT. Improvements are being proposed to improve flood prevention, watershed protection, wildlife habitat enhancement, agricultural water management, and recreation.

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 and Section 106 of the National Historic Preservation Act (NHPA), the NRCS is the designated lead agency. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, 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 project area that we should consider as part of our analysis.

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 public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

April 26, 2021

Page 2

Public Scoping Meeting

Date: Tuesday, May 11, 2021

Time: 6:00 p.m.

Virtual meeting link: <https://www.fransoncivil.com/wellsville-mendon-plan-EA>

Written comments may be submitted anytime during the open comment period from April 27, 2021 to May 27, 2021 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 **May 27, 2021**.

- The comment submission form and additional information may be found at <https://www.fransoncivil.com/wellsville-mendon-plan-EA/>
- Comments may be emailed or mailed to the following address
Franson Civil Engineers mrobbins@fransoncivil.com
Attn: Wellsville-Mendon Watershed Plan-EA Phone (435) 754-7661
115 Golf Course Road, Suite D
Logan, UT 84321

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 government-to-government consultation regarding this project.

If you have any questions, comments, or concerns please contact Shelley Szeghi, North Area Cultural Resources Specialist, at 385-405-7244 or email at shelley.szeghi@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,

EMILY FIFE
State Conservationist

Enclosure

cc: (without enclosure)

**Notice of Intent (NOI) to Prepare a
Watershed Plan-Environmental Impact
Statement for the Wellsville Canyon
Watershed, Cache County, Utah**

May 2024

Billing Code: 3410-16 P

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

[Docket No. NRCS-2024-0003]

**Notice of Intent to Prepare an Environmental Impact Statement for the Wellsville
Canyon Watershed Plan, Cache County, Utah**

AGENCY: Natural Resources Conservation Service, USDA.

ACTION: Notice of Intent (NOI) to Prepare an Environmental Impact Statement (EIS).

SUMMARY: The Natural Resources Conservation Service (NRCS) Utah State Office, in cooperation with the U.S. Bureau of Reclamation (USBR), the Environmental Protection Agency (EPA), and Cache Water District (project sponsor), announces its intent to prepare a watershed plan for the Wellsville Canyon Watershed Plan located within the Little Bear River Watershed in Cache County, Utah. The proposed Wellsville Canyon Watershed Plan will examine alternative solutions to provide flood protection and conveyance infrastructure, reduce irrigation water loss, enhance recreational facilities, and reduce erosion and nutrient loading to the Little Bear River in Wellsville and Mendon cities and portions of unincorporated Cache County. NRCS is requesting comments to identify significant issues, potential alternatives, information, and analyses relevant to the proposed action from all interested individuals, Federal and State agencies, and Tribes.

DATES: We will consider comments received by **June 7, 2024**. We will consider comments received after close of the comment period to the extent possible.

ADDRESSES: We invite you to submit comments in response to this notice. You may submit your comments through one of the methods below:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and search for docket ID NRCS-2024-0003. Follow the online instructions for submitting comments; or
- *Mail or Hand Delivery:* Derek Hamilton, Water Resources Coordinator, USDA, NRCS, Utah State Office, 125 S. State Street, #4010, Salt Lake City, Utah 84138. In your comments, specify the docket ID NRCS-2024-0003.

All comments received will be posted without change and made publicly available on www.regulations.gov.

FOR FURTHER INFORMATION CONTACT: Derek Hamilton; telephone: (801) 524-4560; email: derek.hamilton@usda.gov. Individuals who require alternative means for communication should contact the U.S. Department of Agriculture (USDA) Target Center at (202) 720-2600 (voice and text telephone (TTY)) or dial 711 for Telecommunications Relay service (both voice and text telephone users can initiate this call from any telephone).

SUPPLEMENTARY INFORMATION

Purpose and Need

The purpose of this watershed plan is to prevent or reduce potential flooding in Wellsville, Mendon, and other unincorporated areas of Cache County, Utah; to provide more reliable management of agricultural water in the area; and to increase opportunities for public recreation in the watershed. Watershed planning is authorized under the

Watershed Protection and Flood Prevention Act of 1954 (Pub. L. 83-566), as amended, and the Flood Control Act of 1944 (Pub. L. 78-534).

The Wellsville Canyon Watershed Plan will reduce flood risks and improve public safety in the Wellsville Canyon watershed. It will greatly reduce flooding concerns associated with intense rain-on-snow and frozen ground events within the Wellsville Canyon Watershed Plan project area. More dependable floodwater management will benefit homes, businesses, agricultural fields, roads, and public utilities in the Wellsville Canyon Watershed Plan project area.

The Wellsville Canyon Watershed Plan will implement improved culinary and agricultural water conservation techniques in the Wellsville Canyon watershed. A more efficient irrigation delivery system within Mendon City and Wellsville City will help mitigate the heavy seepage losses experienced by the current earthen canal irrigation distribution systems. The Wellsville Canyon Watershed Plan improvements will also reduce demand for the existing culinary water systems within the watershed and capital expenditures to meet peak summer irrigation demands.

The Wellsville Canyon Watershed Plan will address limited public recreational facilities and opportunities within the Wellsville Canyon watershed available for the growing population of Cache County. Recreational improvements will provide residents with a higher quality of life and will increase the public's well-being by providing new opportunities for leisure and enjoyment.

Preliminary Proposed Action and Alternatives

The objective of the EIS is to formulate and evaluate alternatives for the flood control, agricultural water management, and public recreation needs in the approximately

70,845-acre Wellsville Canyon Watershed-focused planning area. The EIS is expected to evaluate three alternatives: two action alternatives, and one no action alternative. The alternatives that may be considered for detailed analysis include:

- *Alternative 1 – No Action Alternative:* Taking no action would consist of activities carried out if no federal action or funding were provided. This alternative would not address flooding into the canals. The canals would continue to overtop during rain-on-snow events, and flooding in the Wellsville Canyon Watershed Plan area would continue. The canals would be maintained in their existing condition as earthen channels, and irrigation conveyance within the communities of Wellsville and Mendon would be unchanged. The additional recreational access to Wellsville Reservoir would not be built, and erosion and sedimentation from the alluvial plains above the canals would continue unaltered under this alternative. The existing infrastructure would continue to operate in its current condition and would not improve flood control, conserve irrigation water, improve recreational access, or reduce watershed erosion as described above. Residents would continue to use culinary water for irrigation (that is, watering lawns and gardens), putting stress on existing water supply and infrastructure.
- *Alternative 2 – Proposed Action – Pipe the Canals and Improve the Lower Canal for Flood Flows:* The proposed action is to enclose the Wellsville-Mendon Canal (Lower Canal) and convey water through piping in Wellsville and Mendon cities and part of unincorporated Cache County,

Utah. The existing Wellsville-Mendon Canal would be improved with the addition of open channel overflow systems at 2900 South (Unincorporated Cache County) and 200 South (Mendon City). This would be accomplished through a combination of conduits and channels to convey floodwaters from the west side of Cache Valley between Wellsville and Petersboro to the natural floodplain of the Little Bear River east of the communities. This proposed action would continue to divert the water for the Wellsville-Mendon Conservation District from below Hyrum Reservoir at the existing diversion points. This proposed action would enclose and pipe a portion of the Wellsville Eastfield Canal beginning at the existing diversion at the base of Hyrum Dam and passing through Hyrum and ending in unincorporated Cache County, Utah. This proposed action would pressurize Wellsville City Irrigation Company's irrigation system within Wellsville City and within Mendon City's irrigation system managed by the Mendon North, Mendon Central, Mendon South, Mendon Second North, and Greater Mendon Irrigation companies. This proposed action would also install regulating ponds to stabilize peak demands on the pressurized irrigation systems. A new access ramp limited to non-motorized personal watercraft would be constructed at Wellsville Reservoir for recreational activities.

- *Alternative 3 – Line the Canal and Improve the Lower Canal for Flood Flows:* All Wellsville Canyon Watershed Plan project measures would be the same as Alternative 2 with the following exceptions. Alternative 3

would line and increase the capacity of the Wellsville-Mendon Canal (Lower Canal) to carry both irrigation and flood water from the west alluvial plains between Wellsville and Petersboro in Cache County instead of enclosing and piping. This would include the reconstruction of the existing Murray Spring overflow structure and the addition of overflow structures at 2900 South in unincorporated Cache County and 200 South in Mendon City.

Summary of Expected Impacts

The EIS will be prepared as required by section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA); the Council on Environmental Quality Regulations (40 CFR parts 1500-1508); and NRCS regulations that implement NEPA in 7 CFR Part 650.

An NRCS evaluation of this federally assisted action indicates that the proposed alternatives may have significant local, regional, or national impacts on the environment. Potential resource impacts include alteration or disturbance of wetlands and riparian zones, disruptions to wildlife, compaction or displacement of soils, and temporary disturbances to air quality, migratory birds, transportation routes, aesthetic resources, and water quality.

The proposed alternatives may have long-term environmental benefits, such as reduction of long-term carbon emissions due to pumping, improvement of public health and safety, increased recreational opportunities, reduction of erosion and nutrient loading into the Little Bear River, improved surface water quality, and increased surface water quantity as a result of water conservation measures. The proposed alternatives would

minimize flooding by reducing flood risks and flood damages from runoff, erosion, and sediment deposition to areas downstream of the sub-basin, as well as improving agricultural water management by reducing seepage losses. It would also create new recreational opportunities for public use by providing reservoir access for non-motorized personal watercraft.

Anticipated Permits and Authorizations

The following permits and other authorizations are anticipated to be required:

- *Federal Emergency Management Agency Floodplain Development Permit.* Implementation of the proposed action would require coordination with the local floodplain administrator and may require a Floodplain Development Permit to ensure all development and engineering requirements for construction within the Special Flood Hazard Areas are implemented. The proposed action will require a Conditional Letter of Map Revision (CLOMR) and a Letter of Map Revision (LOMR) since the floodplain maps include the canal and flows from the benches in Zone A.
- *Clean Water Act (CWA) and National Pollutant Discharge Elimination System (NPDES) Permits.* The proposed action would require water quality certification under section 401 of the CWA, permitting under section 402 of the NPDES, and Section 404 of the CWA for potential Waters of the United States impacts.

- *Encroachment Permit.* The proposed action would require coordination and permitting with Utah Department of Transportation for temporary construction work within State and federal roadway rights-of-way.
- *Utah Pollutant Discharge Elimination System (UPDES) Construction Permit.* A construction permit would be required through the UPDES.
- *Railroad Permits.* The proposed action may require railroad permits to allow for the right of entry and crossings of the railroad.
- *Stream Alteration Permit.* The proposed action would require coordination and permits with the Utah Division of Water Rights for potential crossings of the Little Bear River and other natural water ways.
- *National Historic Preservation Act (NHPA) Section 106.* Consultation with Tribal Nations and interested parties would be conducted as required by the NHPA.
- *Local Encroachment.* Consultation and potential encroachment permits would be required with Wellsville City, Mendon City, and Cache County for all construction work within the local roadway rights-of-way.

Schedule of Decision-Making Process

A Draft EIS (DEIS) will be prepared and circulated for review and comment by agencies, Tribes, consulting parties, and the public for at least 45 days as required by 40 CFR 1503.1, 1502.20, 1506.11, and 1502.17, and 7 CFR 650.13. The DEIS is anticipated to be published in the *Federal Register*, approximately 21 months after publication of this NOI. A Final EIS is anticipated to be published within 3 months of completion of the public comment period for the DEIS.

NRCS will decide whether to implement one of the action alternatives as evaluated in the EIS. A Record of Decision will be completed after the required 30-day waiting period and will be publicly available. The responsible Federal official and decision maker for NRCS is the Utah State Conservationist.

Public Scoping Process

A virtual scoping meeting was held on May 10, 2021, at 9:00 a.m. MST. Scoping meeting presentation materials are available on NRCS' website, along with Wellsville Canyon Watershed Plan background information at <https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>. The meeting included a Wellsville Canyon Watershed Plan presentation followed by a group question and answer period. Wellsville Canyon Watershed Plan team members were also available to address individual questions. Comments received, including the names and addresses of those who commented, were part of the public record.

NRCS invited Federal, State, Tribal, local agencies and representatives and the public to take part in the scoping period for the Wellsville Canyon Watershed Plan. Based on funding limitations and project scope, NRCS determined an EIS was necessary, and is seeking further public comment to help determine the range of actions, alternatives, and impacts to be evaluated and included in the EIS. NRCS will include the comments received from the previous scoping efforts into the EIS analysis.

NRCS will coordinate the scoping process to correspond with any required NHPA processes, as allowed in 36 CFR 800.2(d)(3) and 800.8 (54 U.S.C. 306108).

Identification of Potential Alternatives, Information, and Analyses

NRCS invites agencies, Tribes, consulting parties, and individuals that have special expertise, legal jurisdiction, or interest in the Wellsville Canyon Watershed Plan to provide written comments concerning the scope of the analysis and identification of potential alternatives, information, analyses relevant to the Proposed Action.

The information about historic and cultural resources within the area potentially affected by the proposed Wellsville Canyon Watershed Plan will assist NRCS in identifying and evaluating impacts to such resources in the context of both NEPA and NHPA.

NRCS will consult with Native American Tribes on a government-to-government basis in accordance with 36 CFR 800.2 and 800.3, Executive Order 13175, and other policies. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources and historic properties, will be given due consideration.

Authorities

This document is published pursuant to the NEPA regulations regarding publication of an NOI to issue an EIS (40 CFR 1501.9(d)). Watershed planning is authorized under the Watershed Protection and Flood Prevention Act of 1954, as amended, and the Flood Control Act of 1944.

Federal Assistance Programs

The title and number of the Federal Assistance Program as found in the Assistance Listing¹ to which this document applies is 10.904, Watershed Protection and Flood Prevention.

¹See <https://sam.gov/content/assistance-listings>.

Executive Order 12372

Executive Order 12372, “Intergovernmental Review of Federal Programs,” requires consultation with State and local officials that would be directly affected by proposed Federal financial assistance. The objectives of the Executive Order are to foster an intergovernmental partnership and a strengthened federalism, by relying on State and local processes for State and local government coordination and review of proposed Federal financial assistance and direct Federal development. This Wellsville Canyon Watershed Plan is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials.

USDA Non-Discrimination Policy

In accordance with Federal civil rights law and USDA civil rights regulations and policies, USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family or parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Individuals who require alternative means of communication for program information (for example, Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA TARGET Center at (202) 720–2600 (voice and text telephone) or dial 711 for Telecommunications Relay Service (both voice

and text telephone users can initiate this call from any phone). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint> and at any USDA office or write a letter addressed to USDA and provide in the letter all the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail to: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

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

Emily Fife,

Utah State Conservationist,

Natural Resources Conservation Service.

NOI Public/Agency/Tribal

Outreach Materials

May & June 2024

Wellsville Canyon Watershed Project

Notice of Intent



Project Information

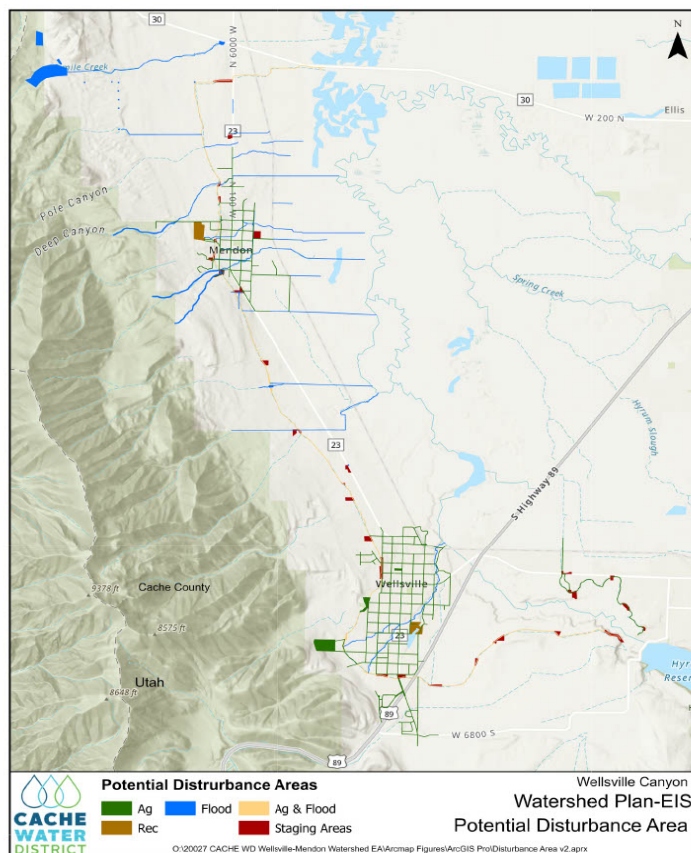
The Natural Resources Conservation Service (NRCS) Utah State Office, in cooperation with the U.S. Bureau of Reclamation (USBR), the Environmental Protection Agency (EPA), and Cache Water District (project sponsor), announces its intent to prepare a watershed plan and EIS for the Wellsville Canyon Watershed Plan located within the Little Bear River Watershed in Cache County, Utah. The proposed watershed plan will examine alternative solutions to provide flood protection and conveyance infrastructure, reduce irrigation water loss, enhance recreational facilities, and reduce erosion and nutrient loading to the Little Bear River in Wellsville and Mendon cities and portions of unincorporated Cache County. NRCS is requesting comments to identify significant issues, potential alternatives, information, and analysis relevant to the proposed action from all interested individuals, Federal and State agencies, and Tribes.

NRCS began an Environmental Assessment (EA) for the proposed Project in mid-2021. As the EA developed, the project team completed public and agency scoping, development of the initial design alternatives and review of those alternatives based on the purpose and need for the project. Based on programmatic project scale requirements, NRCS determined an EIS was necessary and is seeking further public comment to help determine the range of actions, alternatives, and impacts to be evaluated and included in the EIS.

The map to the right shows areas of potential disturbance associated with currently proposed design alternatives. Additional descriptions of those alternatives are available on the project webpage: <https://www.nrcs.usda.gov/conservation-basics/natural-resource-concerns/watersheds/Wellsville-mendon-watershed-sponsor-cache>.

More Information

Contact the project team at **801-756-0309** or **wellsvillecanyoneis@fransoncivil.com** for more information.



How to Submit a Comment

Written or emailed comments can be submitted through **6/7/24** and should be directed to:

Mail: Wellsville Canyon Watershed Plan-EIS
c/o Landon Richins
1276 South 820 East, Suite 100
American Fork, Utah 84003

Email: wellsvillecanyoneis@fransoncivil.com

Please note that all comments received previously during the Environmental Assessment scoping comment period in 2021 will be included and do not need to be resubmitted. Previously submitted comments can be reviewed in the Scoping Report on the project webpage, as well as the complete Notice of Intent and additional background information and maps: <https://www.nrcs.usda.gov/conservation-basics/natural-resource-concerns/watersheds/Wellsville-mendon-watershed-sponsor-cache>.

Following the public comment period, the environmental process will continue to move forward with development of alternatives and the alternative analysis required for the EIS. The Draft EIS is anticipated to be available by summer 2025 which will include another public comment period.





WELLSVILLE CANYON WATERSHED PROJECT

NOTICE OF INTENT

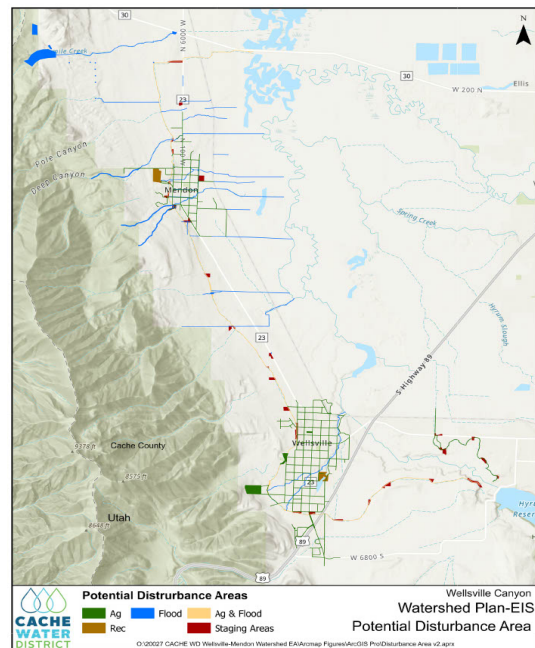


Project Information

The Natural Resources Conservation Service (NRCS) Utah State Office, in cooperation with the U.S. Bureau of Reclamation (USBR), the Environmental Protection Agency (EPA), and Cache Water District (project sponsor), announces its intent to prepare a watershed plan and EIS for the Wellsville Canyon Watershed Plan located within the Little Bear River Watershed in Cache County, Utah. The proposed watershed plan will examine alternative solutions to provide flood protection and conveyance infrastructure, reduce irrigation water loss, enhance recreational facilities, and reduce erosion and nutrient loading to the Little Bear River in Wellsville and Mendon cities and portions of unincorporated Cache County. NRCS is requesting comments to identify significant issues, potential alternatives, information, and analysis relevant to the proposed action from all interested individuals, Federal and State agencies, and Tribes.

NRCS began an Environmental Assessment (EA) for the proposed Project in mid-2021. As the EA developed, the project team completed public and agency scoping, development of the initial design alternatives and review of those alternatives based on the purpose and need for the project. Based on programmatic project scale requirements, NRCS determined an EIS was necessary and is seeking further public comment to help determine the range of actions, alternatives, and impacts to be evaluated and included in the EIS.

The map to the right shows areas of potential disturbance associated with currently proposed design alternatives. Additional descriptions of those alternatives are available on the project webpage: <https://www.nrcs.usda.gov/conservation-basics/natural-resource-concerns/watersheds/Wellsville-mendon-watershed-sponsor-cache>



How to Submit a Comment

Written or emailed comments can be submitted through 6/7/24, and should be directed to:

Mail: Wellsville Canyon Watershed Plan-EIS
c/o Landon Richins
1276 South 820 East, Suite 100
American Fork, UT 84003

Email: wellsvillecanyoneis@fransoncivil.com

Please note that all comments received previously during the Environmental Assessment scoping comment period in 2021 are being brought forward to the EIS and do not need to be resubmitted. Previously submitted comments can be reviewed in the Scoping Report on the project webpage, as well as the complete Notice of Intent and additional background information and maps: <https://www.nrcs.usda.gov/conservation-basics/natural-resource-concerns/watersheds/Wellsville-mendon-watershed-sponsor-cache>

Following the public comment period, the environmental process will continue to move forward with development of alternatives and the alternative analysis required for the EIS. The Draft EIS is anticipated to be available by summer 2025 which will include another public comment period.

Contact the project team at **801-756-0309** or **wellsvillecanyoneis@fransoncivil.com** for more information.



Natural Resources Conservation Service
U.S. DEPARTMENT OF AGRICULTURE

Utah State Office
125 State St #4010
Salt Lake City, Utah 84138



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



ADVERTISING INVOICE

APG West Payment
Processing
PO Box 1570
Pocatello, ID 83204
Ph. 435-514-1830

BILLING DATE:	ACCOUNT NO:
05/07/24	4486

CHARITY MAIR
FRANSON CIVIL ENGINEERS
1276 SOUTH 820 EAST, SUITE 100
AMERICAN FORK, UT 84003

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
512710	Wellsville Canyon Wa	05/09/24	05/09/24	2	\$174.37

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
------	--------	-----------	---------------	-------	--------

Discount: **\$0.00**
Surcharge: **\$0.00**
Credits: **\$0.00**

Gross: **\$174.37**
Paid Amount: **\$0.00**

Amount Due: **\$174.37**

We Appreciate Your Business!

Wellsville Canyon Watershed Plan Environmental Impact Statement, Cache County, Utah

Public Comment Period: Comments can be submitted through June 7, 2024.

The Natural Resources Conservation Service (NRCS) Utah State Office, in cooperation with the U.S. Bureau of Reclamation (USBR), the Environmental Protection Agency (EPA), and Cache Water District (project sponsor), announces its intent to prepare a watershed plan for the Wellsville Canyon Watershed Plan located within the Little Bear River Watershed in Cache County, Utah. The proposed Wellsville Canyon Watershed Plan will examine alternative solutions to provide flood protection and conveyance infrastructure, reduce irrigation water loss, enhance recreational facilities, and reduce erosion and nutrient loading to the Little Bear River in Wellsville and Mendon cities and portions of unincorporated Cache County. NRCS is requesting comments to identify significant issues, potential alternatives, information, and analyses relevant to the proposed action from all interested individuals, Federal and State agencies, and Tribes.

The Wellsville Canyon Watershed Project began in 2021 when key stakeholders identified resource concerns within the Wellsville Canyon Watershed. NRCS and stakeholders held a virtual public scoping meeting on May 10, 2021, to gather input on concerns and interests and to inform alternative development and prioritization for the watershed. Scoping meeting presentation materials are available on the NRCS website, along with the full Notice of Intent (NOI) and additional background information and maps at <https://www.nrcs.usda.gov/conservation-basics/natural-resource-concerns/watersheds/Wellsville-mendon-watershed-sponsor-cache>.

The full NOI will also be published and available to the public in the May 8, 2024, issue of the Federal Register at <https://www.federalregister.gov/>.

Based on funding limitations, NRCS determined an EIS was necessary and is seeking further public comment to help determine the range of actions, alternatives, and impacts to be evaluated and included in the EIS. NRCS will include the comments **NRCS received from the previous scoping efforts into the EIS analysis.**

Identification of Potential Alternatives, Information, and Analyses

NRCS invites agencies, Tribes, consulting parties, and individuals that have special expertise, legal jurisdiction, or interest in the Wellsville Canyon Watershed Plan to provide written comments concerning the scope of the analysis and identification of potential alternatives, information, analyses relevant to the Proposed Action.

DATES: We will consider comments that we receive by **June 7, 2024**. We will consider comments received later to the extent possible.

ADDRESSES: We invite you to submit comments in response to this notice. You may submit your comments through one of the methods below:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and search for docket UT NRCS-2024-0003. Follow the online instructions for submitting comments; or
- **Mail or Hand Delivery:** Derek Hamilton, Water Resources Coordinator, USDA, NRCS, Utah State Office, 125 S. State Street, #4010, Salt Lake City, Utah 84138. In your comments, specify the docket UT NRCS-2024-0003.

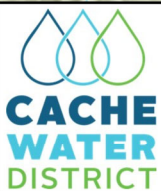
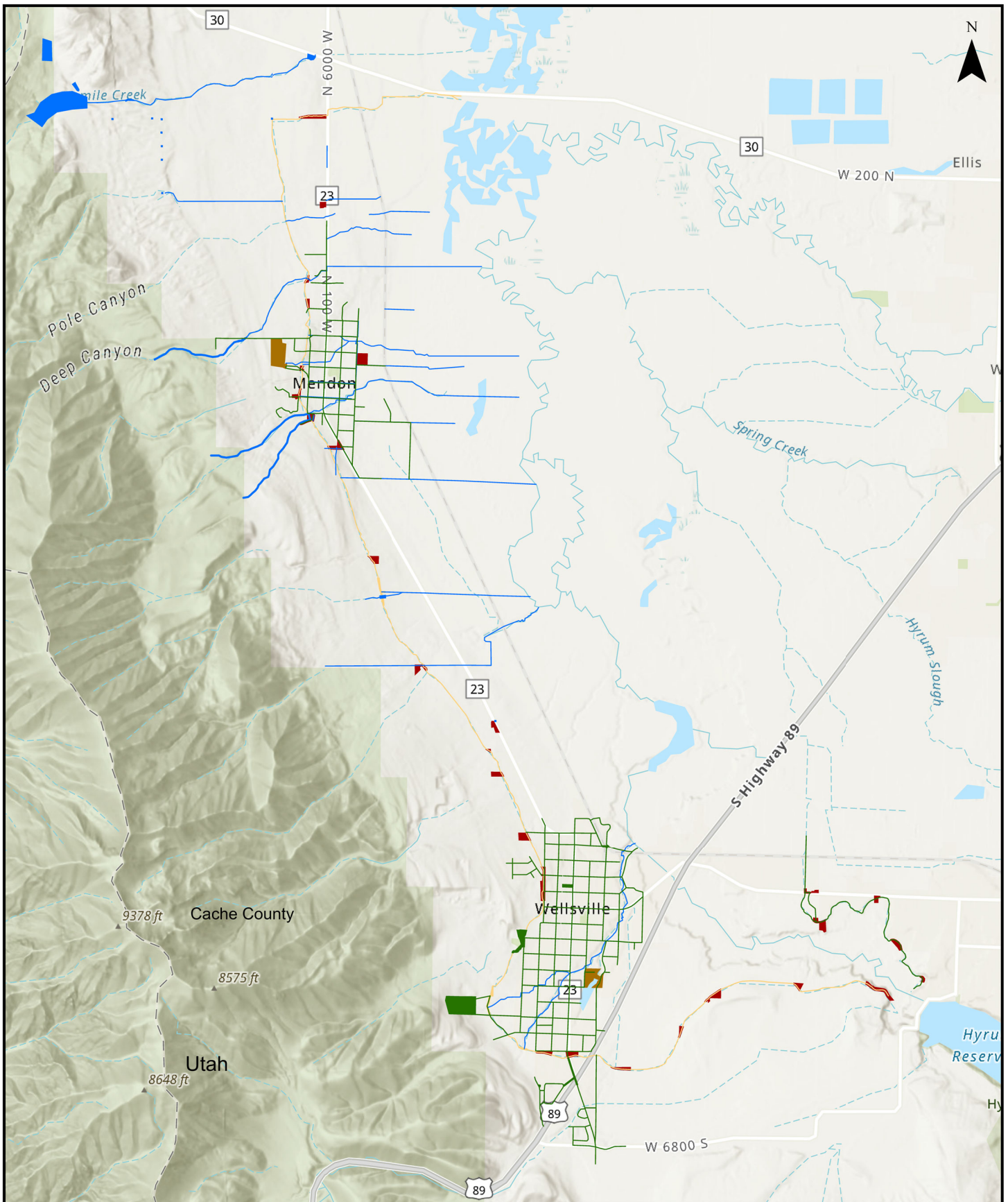
All comments received will be posted without change and made publicly available on www.regulations.gov.

FOR FURTHER INFORMATION, CONTACT: Derek Hamilton, Water Resources Coordinator; telephone: (801) 524-4560; email: derek.hamilton@usda.gov. Individuals who require alternative means for communication should contact the U.S. Department of Agriculture Target Center at (202) 720-2600 (voice and text telephone (TTY)) or dial 711 for Telecommunications Relay service (both voice and text telephone users can initiate this call from any telephone).

If other comments or questions arise after the public comment period, email the project team at wellsvillecanyoneis@fransocivil.com.

Written comments must be postmarked by June 7, 2024.

Published: May 9th, 2024 (HJ4486-512710)



Potential Disturbance Areas

- Ag
- Flood
- Ag & Flood
- Rec
- Staging Areas

Wellsville Canyon Watershed Plan-EIS Potential Disturbance Area

O:\20027 CACHE WD Wellsville-Mendon Watershed EA\Arcmap Figures\ArcGIS Pro\Disturbance Area v2.aprx

Notice of Intent Scoping Comments Received

June 2024

Comment Analysis NOI 30-day Public Comment Period 5/7/2024 - 6/7/2024 Wellsville Canyon Watershed Plan-EIS									
Comment Code	Comment From	Location of Comment	Assigned To	Action To Take/Taken	Response	Comment Text	Concern Subject	Comment Group	Summarized Concern Response Text
001	J R Petersen, Wellsville Resident & Farmer	EMAIL	LR	Respond to comment. Include on notification list when preliminary draft Plan-EIS is available.	Mr. Petersen, Thank you for your comment. We expect the preliminary draft plan-EIS to be available for public comment by Summer 2025. We will be sure to notify you of the document's availability. Unfortunately, the timing of the preliminary draft becoming available could change.	Hi Landon, For what its worth, our agriculture property on 300 west covering 4th south to 5th south in Wellsville and running roughly 1700 feet west is already under pressurized irrigation. When is your preliminary draft of what you are proposing going to be released to the public?	Preliminary Draft Availability, Pressurized Irrigation System	Public Commenters	Preliminary Draft Plan-EIS expected to be available for public comment Summer 2025. Timing is not guaranteed and may change. Will notify of document availability when time comes.
002	Jean Publie	REGULATIONS.GOV	LR	Respond to comment.	Thank you for your comment. The protection of wildlife and vegetation are top priorities of the NRCS, the project sponsor, the EPA, and the USBR. Efforts are being made, as mandated by the NEPA process, to ensure minimal adverse impacts on botanical species and wildlife in the vicinity of the project area. Additionally, per the PR&G, this project has sought to meet the Federal Objective to protect the environment. As this relates to wildlife and vegetation, the proposed alternatives are being evaluated out of an ecosystem services framework that includes measures to protect healthy and resilient ecosystems and utilize a watershed approach. All resources are given equal concern in NEPA analysis, both natural and human, no single resource is prioritized more than another. NRCS would like to invite you to provide comments on the Draft Plan-EIS once it becomes available to the public. We value your input and look forward to addressing any additional comments you may have in the future.	the priority of keeping this land suitable for wildlife and vegetation is very important to me and millions of others. the ideas of a pipeline is completely negative. i would never support any plan that wiped out any wildlife species that need this area for their home. i think this agency puts their human pals on a pedestal and plans only for humans and is absolutely cruel and abusive to wildlife, who need homes too. please make surwe i continue to be on your recods so that i can comtine to comment on any plans. i think you must be more clear in what the public comment writesin to you. the publi is getting muddled reports of what these regulatory agencies count up when making their decisions. their decisions seem to bre unsupportable based on public mcomment.	Wildlife habitat, vegetation protection, pipeline concerns, clarity of agency notices	Public Commenters	NRCS and cooperating agencies value wildlife and vegetation concerns. NEPA analysis is being conducted to minimize impacts to species. PR&G requirements are being used to protect ecosystems and habitat. The Ecosystem Services framework is being used to protect species and their habitat. No resource concerns are prioritized over other ones. All analysis is equal. Invited to provide comments on Draft Plan-EIS.
003	Gowens Family Wellsville Residents	EMAIL	MN, LR	Respond to comment. Invite to participate in document review.		Good morning, Landon, I live in Wellsville and received your email alert about the Wellsville Watershed project. I have questions of the exact path the water pipes will be going down Mt. Sterling road. Which side of the road south or north will the pipeline go? How many feet in from the road will be dug up to install the pipeline? I am also wondering where you are from? My Mom is a Richins? I look forward to hearing from you. Thanks, Monica Gowens	Pipeline placement	Public Commenters	
004	Richard Spotts Washington County Resident? (Former?) Bureau of Land Management Employee	REGULATIONS.GOV	LR, LH	Respond to Comment, Invite to review draft plan-EIS, review attachments, ensure documentation is included in EIS.	Thank you for your comment. Like you, the NRCS and project sponsors are supportive of improving watershed health, wildlife conditions, and to restore and maintain water resource quality. Additionally, we appreciate your suggestion to consider the impacts that the proposed project may have on greenhouse gas emissions and fossil fuel use. Climate change is being included as its own resource concern in the Draft Plan-EIS and emissions calculations are being done to quantify the impacts of the project. We believe that total greenhouse gas emissions in the watershed will be reduced as a result of the project as a result of the decreased demand on pumping that will come by conserving water via a pipeline or canal liner. We have referenced the guidelines of the EPA for evaluating this resource and appreciate the additional information you provided on the subject. The protection of fish and wildlife and their habitats is also being considered in the EIS, including discussion of impacts to Federally threatened and endangered species as well as state special status animal species.	I appreciate this opportunity to provide scoping comments on this significant proposed watershed plan. I support all efforts to improve watershed health, restore riparian and other wildlife habitats, reintroduce beavers where they historically occurred but are now absent, enhance water quality and fisheries, and increase groundwater recharge and more efficient water uses. At the outset, I believe that this and other federal planning and NEPA analysis processes should actively consider how the proposed action and alternatives may add to or help solve the climate and extinction crises. These overlapping crises pose an existential threat to humanity and the health of the biosphere. On the climate crisis, please review the attached IPCC report. This report summarizes the overwhelming international scientific consensus on the severity of the climate crisis and the urgent need to phase out the use and development of fossil fuels. On the extinction crisis, there are an increasing number of scientific reports on the rapid loss of biological diversity and how this loss undermines the stability, resilience, and productivity of the ecosystems upon which life on Earth depends. Overall, this compelling science demonstrates the urgent need for bold and innovative solutions. Questions arise like: how can fossil fuel use be reduced and replaced by clean, renewable energy sources? How can any destruction, degradation, or fragmentation of wildlife habitat be avoided, reduced, or successfully mitigated? How could construction materials be sourced from sustainable producers and practices? How could the use of any toxic chemicals be replaced by safer alternatives? How could gains in energy and water conservation be achieved? How could any harmful invasive plants be prevented, controlled, reduced, or eradicated? Please consider these questions in moving forward. On this specific proposed action, I am concerned about how this work may not only affect important wildlife habitat but also how it may interfere with necessary wildlife movements. And I am concerned about protecting the quality and quantity of surface and groundwater sources. The	Climate Change, Wildlife Habitat and Migration, Water Resource Quality & Quantity, Livestock Management, Grazing Impacts	Public Commenters	Thank you for your comment. We are supportive of improving watershed health, wildlife conditions, and water resource quality, and we appreciate your suggestions on greenhouse gas emissions and fossil fuel impacts. The Draft Plan-EIS will address these concerns, including climate change, fish and wildlife protection, and water quality issues, with considerations for Federally threatened species, beaver management, nutrient loading in the Little Bear River, and arsenic contamination in groundwater. Your input is valuable, and we encourage you to review the Draft Plan-EIS when available for public comment.

NRCS Record of Tribal Consultations (Tribal Consultation Table)

April 30, 2025

NRCS RECORD OF TRIBAL CONSULTATIONS											
Project/Reason for Initiating Consultation: Wellsville Canyon Watershed Plan-Environmental Impact Statement (NEPA)											
Program: NRCS Watershed and Flood Prevention Operations Program											
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 ^{3,4}	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	John St. Clair, (Chairman 2024)	P.O. Box 538 Fort Washakie, Wyoming 82514	05/08/2024	02/12/2025	02/18/2025	None	Email (03/25/2025) jmann@easternshoshone.org	No Response	Phone (04/30/2025)-	No Response	Complete 4/30/2025
	Lynette Bell (THPO 2021)	P.O. Box 538 Fort Washakie, Wyoming 82514	04/22/2021	NA	NA	None	NA	NA	NA	NA	
	Joshua Mann, (Chairman in 2021, THPO in 2024)	P.O. Box 538, Fort Washakie, Wyoming 82514	04/22/2021 05/08/2024	02/12/2025	02/19/2025	None	Email (03/25/2025) lbell@easternshoshone.org	No Response	Phone (04/30/2025)-	No Response	
Northwest Band of the Shoshone Nation	Dennis Alex (Chairman 2024)	707 North Main St Brigham City, Utah 84302	05/08/2024	02/12/2025	02/18/2025	None	Email (03/25/2025)	No Response	Phone (04/30/2025)-	No Response	Complete 4/30/2025
	Shane Warner (Chairman 2021)	707 North Main St Brigham City, Utah 84302	04/22/2021	NA	NA	None	NA	NA	NA	NA	
	Patti Timbimboo-Madsen (Cultural Resources)	707 North Main St Brigham City, Utah 84302	04/22/2021 05/08/2024	02/12/2025	02/18/2025	None	Email (03/25/2025) ptimbimboo@nwbsoshone.com	No Response	Phone (04/30/2025)-	No Response	
	Brad Parry (Vice Chairman 2024)	2575 Commerce Way, Ogden, Utah 84401	05/08/2024	02/12/2025	02/18/2025	None	Email (03/25/2025) bparry@nwbsoshone.com	No Response	Phone (04/30/2025)-	No Response	
Shoshone-Bannock Tribes of the Fort Hall Reservation	Lee Juan Tyler, (Chairman 2024)	P.O. Box 306, Fort Hall, Idaho 83203	05/08/2024	02/12/2025	02/18/2025	None	Email (03/25/2025) -	No Response	Phone (04/30/2025)-	No Response	Complete 4/30/2025
	Devon Boyer (Chairman 2021)	P.O. Box 306, Fort Hall, Idaho 83203	04/22/2021	NA	NA	None	NA	NA	NA	NA	
	Nathan Small, (Council Member 2021)	P.O. Box 306 Fort Hall, Idaho 83203	04/22/2021	NA	NA	None	NA	NA	NA	NA	
	Louise E. Dixey (Cultural Resources 2021 & 2024)	P.O. Box 306 Fort Hall, Idaho 83203	04/22/2021 05/08/2024	NA	NA	None	Email (03/25/2025) ledixey@sbtribes.com	No Response	Phone (04/30/2025)-	No Response	
	Carolyn Smith (Cultural Resources 2024)	P.O. Box 306 Fort Hall, Idaho 83203	04/22/2021 05/08/2024	02/12/2025	02/18/2025	None	Email (03/25/2025) csmith@sbtribes.com	No Response	Phone (04/30/2025)-	No Response	
Ute Indian Tribe of the Uintah & Ouray Reservation, Utah	Betsy Chapoose (Cultural Resources)	P.O. Box 190 Fort Duchesne, Utah 84026	04/22/2021 05/08/2024	02/12/2025	02/15/2025	None	Email (03/25/2025) betsyc@uteTribe.com	No Response	Phone (04/30/2025)-	No Response	Complete 4/30/2025
	Luke Duncan, (Chairman 2021))		04/22/2021	NA	NA	None	NA	NA	NA	NA	
	Luana Thompson, (Natural Resources Director)	P.O. Box 190 Fort Duchesne, Utah 84026	05/08/2024	02/12/2025	02/15/2025	None	Email (03/25/2025)	No Response	Phone (04/30/2025)-	No Response	
	Julius Murray (Chairman 2024)	P.O. Box 190 Fort Duchesne, Utah 84026	05/08/2024	02/12/2025	02/15/2025	None	Email (03/25/2025)	No Response	Phone (04/30/2025)-	No Response	

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. 05/08/2024 was the date or Section 106 Re-Initiation
2 – Documentation is included below the Table.
3 – An addendum to the Cultural Resource Survey was made after it was provided to the Tribes, and a second letter was sent to all Tribes with the updated Cultural Resource Survey. The first letter and second letter mailed and received dates are included. Contacts with a notation of “NA” are marked as such because they no longer held the position at the time the CR package was sent out for consultation.
4 – Date of receipt of mail delivery to Tribe.

Cooperating Agency Responses

(Plan-EA)

May 2021



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

May 12, 2021

Ref: 8ORA-N

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

Dear Ms. Fife:

The U.S. Environmental Protection Agency received the Natural Resources Conservation Service's (NRCS) invitation to become a cooperating agency on the *Wellsville-Mendon Watershed Plan-Environmental Assessment* (EA). We appreciate NRCS's interest in working with EPA and accept your invitation.

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

- 1) Participate in the EA process, 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 EPA's travel moratorium, participation can only occur via teleconference;
- 2) Assist NRCS in identifying significant environmental issues, particularly those that relate to EPA's special expertise and jurisdiction;
- 3) Provide comments to NRCS on preliminary versions of the Draft and Final EA in accordance with the lead agency's schedule for providing cooperating agency comments;
- 4) If requested by NRCS, assist with responses to public comments that concern EPA's areas of expertise and jurisdictional responsibilities as EPA resources allow; and
- 5) Work with NRCS to develop an EA 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 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 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 NRCS as a cooperating agency in the efficient and effective

development of the subject EA. If you have any questions, please contact Laura Margason, who will serve as EPA's point of contact at (303) 312-6665 or margason.laura@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "P. S. Strobel", with a stylized flourish at the end.

Philip S. Strobel
Chief, NEPA Branch
Office of the Regional Administrator



United States Department of the Interior

BUREAU OF RECLAMATION
Provo Area Office
302 East Lakeview Parkway
Provo, UT 84606



IN REPLY REFER TO:

PRO-631
2.1.4.17

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

Subject: Request to be a Cooperating Agency in the Development of the Wellsville-Mendon Watershed Plan-Environmental Assessment for Proposed Improvements in Cache County, Utah

Dear Ms. Fife:

We received your letter dated May 5, 2021, regarding the development of the Wellsville-Mendon Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Cache County, Utah. On behalf of the Natural Resources Conservation Service, you requested the Bureau of Reclamation be a cooperating agency for the project as defined in 40 CFR 1501.8.

This letter is to inform you that we accept your request to be a cooperating agency on the Project. Ms. Brittany White from our environmental group will be the team lead on your project. Please work directly with her to develop a memorandum of understanding outlining responsibilities under the National Environmental Policy Act for the respective agencies. Ms. Brittany White can be contacted by phone or email at (801) 379-1052 or blwhite@usbr.gov. For Text Telephone Relay Service access, call the Federal Relay System Text Telephone (TTY) number at (800) 877-8339.

Sincerely,

KENT
KOFFORD

Digitally signed by KENT
KOFFORD
Date: 2021.05.13
11:10:04 -06'00'

Kent Kofford
Area Manager

cc: derek.hamilton@usda.gov

From: [George, Abby C](#)
To: [Hamilton, Derek - NRCS, Salt Lake City, UT](#)
Cc: [White, Brittany L](#); [Lovell, Zachary J](#)
Subject: Request to be a Cooperating Agency in the Development of the Wellsville-Mendon Watershed Plan
Date: Thursday, May 13, 2021 11:49:03 AM
Attachments: [Accepting CA - Wellsville-Mendon Watershed Plan-EA Letterhead.pdf](#)

Please see the attachment,

Thank you!

Abby George

Administrative Clerk
Bureau of Reclamation
Interior Region 7 – Upper Colorado Basin
Provo Area Office
302 East Lakeview Parkway
Provo, Utah 84606
801-379-1030



State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

CARLOS M. BRACERAS, P.E.
Executive Director

TERIANNE S. NEWELL, P.E.
Deputy Director of Planning and Investment

LISA J. WILSON, P.E.
Deputy Director of Engineering and Operations

May 24, 2021

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

Dear Ms. Fife:

RE: Wellsville-Mendon Watershed Plan-Environmental Assessment (Plan-EA)

The Utah Department of Transportation (UDOT) is pleased to become a cooperating agency for the development of the Wellsville-Mendon Watershed Plan-Environmental Assessment (Plan-EA) for proposed improvements in Cache County, Utah.

The representative for UDOT in this partnership will be Mr. Christopher Lizotte, Environmental Manager. Please send all notifications of future meetings and pertinent information to Mr. Lizotte. His contact information is as follows:

- Address - 166 West Southwell Street, Ogden Utah 84404
- Email address: clizotte@utah.gov
- Phone numbers: Office: 801-620-1687, Cell: 801-786-9701

Darin Fristrup, North District Engineer, will also serve as a contact. His information is as follows:

- Address – 166 West Southwell Street, Ogden Utah 84404
- Email Address: dfristrup@utah.gov
- Phone numbers: Office 801-620-1650, Cell: 801-940-2239

Please contact me if you any questions at rwight@utah.gov or 801-620-1640.

Sincerely,

Robert J. Wight, P.E.
Region One Director

RJW/jkm

Cc: Christopher Lizotte, Environmental Manager
Brandon Weston, Director of Environmental Services

Tribal Scoping Letters

(Plan-EA)

April 2021



April 26, 2021

Ms. Lynette Bell
Tribal Historic Preservation Officer
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
14 N. Fork Road
Building 17A
Fort Washakie, Wyoming 82514

Re: Wellsville-Mendon Watershed Plan-EA

Dear Ms. Bell:

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), with Cache Water District as the project sponsor and co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, as project co-sponsors, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) improvements within the Wellsville Canyon and Threemile Creek Watersheds, Cache County, UT. Improvements are being proposed to improve flood prevention, watershed protection, wildlife habitat enhancement, agricultural water management, and recreation.

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 and Section 106 of the National Historic Preservation Act (NHPA), the NRCS is the designated lead agency. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, 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 project area that we should consider as part of our analysis.

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 public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Ms. Lynette Bell

April 26, 2021

Page 2

Public Scoping Meeting

Date: Tuesday, May 11, 2021

Time: 6:00 p.m.

Virtual meeting link: <https://www.fransoncivil.com/wellsville-mendon-plan-EA>

Written comments may be submitted anytime during the open comment period from April 27, 2021 to May 27, 2021 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 **May 27, 2021**.

- The comment submission form and additional information may be found at <https://www.fransoncivil.com/wellsville-mendon-plan-EA/>
- Comments may be emailed or mailed to the following address
Franson Civil Engineers mrobbins@fransoncivil.com
Attn: Wellsville-Mendon Watershed Plan-EA Phone (435) 754-7661
115 Golf Course Road, Suite D
Logan, UT 84321

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 government-to-government consultation regarding this project.

If you have any questions, comments, or concerns please contact Shelley Szeghi, North Area Cultural Resources Specialist, at 385-405-7244 or email at shelley.szeghi@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc: (without enclosure)

Chet Fitzgerald, NRCS, Assistant State Conservationist for Field Operations, Ogden, UT

Brandon Todd, NRCS, District Conservationist, Logan, UT

Shelley Szeghi, NRCS, North Area Cultural Resources Specialist, Ogden, UT

Norm Evenstad, NRCS, ASTC – Water Resources, Salt Lake City, UT

Derek Hamilton, NRCS, Water Resources Coordinator, Salt Lake City, UT

Leslie Warta, NRCS, Environmental Specialist, Salt Lake City, UT

Chad Brown, Franson Civil Engineers, Logan, UT



April 26, 2021

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

Re: Wellsville-Mendon Watershed Plan-EA

Dear Mr. Boyer:

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), with Cache Water District as the project sponsor and co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, as project co-sponsors, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) improvements within the Wellsville Canyon and Threemile Creek Watersheds, Cache County, UT. Improvements are being proposed to improve flood prevention, watershed protection, wildlife habitat enhancement, agricultural water management, and recreation.

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 and Section 106 of the National Historic Preservation Act (NHPA), the NRCS is the designated lead agency. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, 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 project area that we should consider as part of our analysis.

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 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: Tuesday, May 11, 2021

Time: 6:00 p.m.

Virtual meeting link: <https://www.fransoncivil.com/wellsville-mendon-plan-EA>

Written comments may be submitted anytime during the open comment period from April 27, 2021 to May 27, 2021 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 **May 27, 2021**.

- The comment submission form and additional information may be found at <https://www.fransoncivil.com/wellsville-mendon-plan-EA/>
- Comments may be emailed or mailed to the following address
Franson Civil Engineers mrobbins@fransoncivil.com
Attn: Wellsville-Mendon Watershed Plan-EA Phone (435) 754-7661
115 Golf Course Road, Suite D
Logan, UT 84321

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 government-to-government consultation regarding this project.

If you have any questions, comments, or concerns please contact Shelley Szeghi, North Area Cultural Resources Specialist, at 385-405-7244 or email at shelley.szeghi@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc: (without enclosure)

Chet Fitzgerald, NRCS, Assistant State Conservationist for Field Operations, Ogden, UT
Brandon Todd, NRCS, District Conservationist, Logan, UT
Shelley Szeghi, NRCS, North Area Cultural Resources Specialist, Ogden, UT
Norm Evenstad, NRCS, ASTC – Water Resources, Salt Lake City, UT
Derek Hamilton, NRCS, Water Resources Coordinator, Salt Lake City, UT
Leslie Warta, NRCS, Environmental Specialist, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Logan, UT



April 26, 2021

Ms. Betsy Chapoose
Director
Cultural Rights Protection Department
Ute Indian Tribe of the Uintah & Ouray Reservation, Utah
P.O. Box 190
Fort Duchesne, Utah 84026

Re: Wellsville-Mendon Watershed Plan-EA

Dear Ms. Chapoose:

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), with Cache Water District as the project sponsor and co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, as project co-sponsors, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) improvements within the Wellsville Canyon and Threemile Creek Watersheds, Cache County, UT. Improvements are being proposed to improve flood prevention, watershed protection, wildlife habitat enhancement, agricultural water management, and recreation.

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 and Section 106 of the National Historic Preservation Act (NHPA), the NRCS is the designated lead agency. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, 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 project area that we should consider as part of our analysis.

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 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: Tuesday, May 11, 2021

Time: 6:00 p.m.

Virtual meeting link: <https://www.fransoncivil.com/wellsville-mendon-plan-EA>

Written comments may be submitted anytime during the open comment period from April 27, 2021 to May 27, 2021 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 **May 27, 2021**.

- The comment submission form and additional information may be found at <https://www.fransoncivil.com/wellsville-mendon-plan-EA/>
- Comments may be emailed or mailed to the following address
Franson Civil Engineers mrobbins@fransoncivil.com
Attn: Wellsville-Mendon Watershed Plan-EA Phone (435) 754-7661
115 Golf Course Road, Suite D
Logan, UT 84321

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 government-to-government consultation regarding this project.

If you have any questions, comments, or concerns please contact Shelley Szeghi, North Area Cultural Resources Specialist, at 385-405-7244 or email at shelley.szeghi@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc: (without enclosure)

Chet Fitzgerald, NRCS, Assistant State Conservationist for Field Operations, Ogden, UT
Brandon Todd, NRCS, District Conservationist, Logan, UT
Shelley Szeghi, NRCS, North Area Cultural Resources Specialist, Ogden, UT
Norm Evenstad, NRCS, ASTC – Water Resources, Salt Lake City, UT
Derek Hamilton, NRCS, Water Resources Coordinator, Salt Lake City, UT
Leslie Warta, NRCS, Environmental Specialist, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Logan, UT



April 26, 2021

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

Re: Wellsville-Mendon Watershed Plan-EA

Dear Mr. Duncan:

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), with Cache Water District as the project sponsor and co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, as project co-sponsors, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) improvements within the Wellsville Canyon and Threemile Creek Watersheds, Cache County, UT. Improvements are being proposed to improve flood prevention, watershed protection, wildlife habitat enhancement, agricultural water management, and recreation.

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 and Section 106 of the National Historic Preservation Act (NHPA), the NRCS is the designated lead agency. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, 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 project area that we should consider as part of our analysis.

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 public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Mr. Luke Duncan

April 26, 2021

Page 2

Public Scoping Meeting

Date: Tuesday, May 11, 2021

Time: 6:00 p.m.

Virtual meeting link: <https://www.fransoncivil.com/wellsville-mendon-plan-EA>

Written comments may be submitted anytime during the open comment period from April 27, 2021 to May 27, 2021 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 **May 27, 2021**.

- The comment submission form and additional information may be found at <https://www.fransoncivil.com/wellsville-mendon-plan-EA/>
- Comments may be emailed or mailed to the following address
Franson Civil Engineers mrobbins@fransoncivil.com
Attn: Wellsville-Mendon Watershed Plan-EA Phone (435) 754-7661
115 Golf Course Road, Suite D
Logan, UT 84321

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 government-to-government consultation regarding this project.

If you have any questions, comments, or concerns please contact Shelley Szeghi, North Area Cultural Resources Specialist, at 385-405-7244 or email at shelley.szeghi@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc: (without enclosure)

Chet Fitzgerald, NRCS, Assistant State Conservationist for Field Operations, Ogden, UT

Brandon Todd, NRCS, District Conservationist, Logan, UT

Shelley Szeghi, NRCS, North Area Cultural Resources Specialist, Ogden, UT

Norm Evenstad, NRCS, ASTC – Water Resources, Salt Lake City, UT

Derek Hamilton, NRCS, Water Resources Coordinator, Salt Lake City, UT

Leslie Warta, NRCS, Environmental Specialist, Salt Lake City, UT

Chad Brown, Franson Civil Engineers, Logan, UT



April 26, 2021

Mr. Joshua Mann
Chairman
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
14 N. Fork Road
Building 17A
Fort Washakie, Wyoming 82514

Re: Wellsville-Mendon Watershed Plan-EA

Dear Mr. Mann:

The United States Department of Agriculture (USDA) - Natural Resources Conservation Service (NRCS), with Cache Water District as the project sponsor and co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, as project co-sponsors, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) improvements within the Wellsville Canyon and Threemile Creek Watersheds, Cache County, UT. Improvements are being proposed to improve flood prevention, watershed protection, wildlife habitat enhancement, agricultural water management, and recreation.

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 and Section 106 of the National Historic Preservation Act (NHPA), the NRCS is the designated lead agency. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, 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 project area that we should consider as part of our analysis.

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 public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Mr. Joshua Mann

April 26, 2021

Page 2

Public Scoping Meeting

Date: Tuesday, May 11, 2021

Time: 6:00 p.m.

Virtual meeting link: <https://www.fransoncivil.com/wellsville-mendon-plan-EA>

Written comments may be submitted anytime during the open comment period from April 27, 2021 to May 27, 2021 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 **May 27, 2021**.

- The comment submission form and additional information may be found at <https://www.fransoncivil.com/wellsville-mendon-plan-EA/>
- Comments may be emailed or mailed to the following address
Franson Civil Engineers mrobbins@fransoncivil.com
Attn: Wellsville-Mendon Watershed Plan-EA Phone (435) 754-7661
115 Golf Course Road, Suite D
Logan, UT 84321

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 government-to-government consultation regarding this project.

If you have any questions, comments, or concerns please contact Shelley Szeghi, North Area Cultural Resources Specialist, at 385-405-7244 or email at shelley.szeghi@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc: (without enclosure)

Chet Fitzgerald, NRCS, Assistant State Conservationist for Field Operations, Ogden, UT

Brandon Todd, NRCS, District Conservationist, Logan, UT

Shelley Szeghi, NRCS, North Area Cultural Resources Specialist, Ogden, UT

Norm Evenstad, NRCS, ASTC – Water Resources, Salt Lake City, UT

Derek Hamilton, NRCS, Water Resources Coordinator, Salt Lake City, UT

Leslie Warta, NRCS, Environmental Specialist, Salt Lake City, UT

Chad Brown, Franson Civil Engineers, Logan, UT



April 26, 2021

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

Re: Wellsville-Mendon Watershed Plan-EA

Dear Ms. Smith:

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), with Cache Water District as the project sponsor and co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, as project co-sponsors, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) improvements within the Wellsville Canyon and Threemile Creek Watersheds, Cache County, UT. Improvements are being proposed to improve flood prevention, watershed protection, wildlife habitat enhancement, agricultural water management, and recreation.

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 and Section 106 of the National Historic Preservation Act (NHPA), the NRCS is the designated lead agency. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, 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 project area that we should consider as part of our analysis.

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 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: Tuesday, May 11, 2021

Time: 6:00 p.m.

Virtual meeting link: <https://www.fransoncivil.com/wellsville-mendon-plan-EA>

Written comments may be submitted anytime during the open comment period from April 27, 2021 to May 27, 2021 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 **May 27, 2021**.

- The comment submission form and additional information may be found at <https://www.fransoncivil.com/wellsville-mendon-plan-EA/>
- Comments may be emailed or mailed to the following address
Franson Civil Engineers mrobbins@fransoncivil.com
Attn: Wellsville-Mendon Watershed Plan-EA Phone (435) 754-7661
115 Golf Course Road, Suite D
Logan, UT 84321

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 government-to-government consultation regarding this project.

If you have any questions, comments, or concerns please contact Shelley Szeghi, North Area Cultural Resources Specialist, at 385-405-7244 or email at shelley.szeghi@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc: (without enclosure)

Chet Fitzgerald, NRCS, Assistant State Conservationist for Field Operations, Ogden, UT
Brandon Todd, NRCS, District Conservationist, Logan, UT
Shelley Szeghi, NRCS, North Area Cultural Resources Specialist, Ogden, UT
Norm Evenstad, NRCS, ASTC – Water Resources, Salt Lake City, UT
Derek Hamilton, NRCS, Water Resources Coordinator, Salt Lake City, UT
Leslie Warta, NRCS, Environmental Specialist, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Logan, UT



April 26, 2021

Mr. Nathan Small
Council Member
Fort Hall Business Council
Shoshone-Bannock Tribes of the Fort Hall Reservation
P.O. Box 306
Fort Hall, Idaho 83203

Re: Wellsville-Mendon Watershed Plan-EA

Dear Mr. Small:

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), with Cache Water District as the project sponsor and co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, as project co-sponsors, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) improvements within the Wellsville Canyon and Threemile Creek Watersheds, Cache County, UT. Improvements are being proposed to improve flood prevention, watershed protection, wildlife habitat enhancement, agricultural water management, and recreation.

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 and Section 106 of the National Historic Preservation Act (NHPA), the NRCS is the designated lead agency. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, 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 project area that we should consider as part of our analysis.

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 public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Mr. Nathan Small

April 26, 2021

Page 2

Public Scoping Meeting

Date: Tuesday, May 11, 2021

Time: 6:00 p.m.

Virtual meeting link: <https://www.fransoncivil.com/wellsville-mendon-plan-EA>

Written comments may be submitted anytime during the open comment period from April 27, 2021 to May 27, 2021 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 **May 27, 2021**.

- The comment submission form and additional information may be found at <https://www.fransoncivil.com/wellsville-mendon-plan-EA/>
- Comments may be emailed or mailed to the following address
Franson Civil Engineers mrobbins@fransoncivil.com
Attn: Wellsville-Mendon Watershed Plan-EA Phone (435) 754-7661
115 Golf Course Road, Suite D
Logan, UT 84321

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 government-to-government consultation regarding this project.

If you have any questions, comments, or concerns please contact Shelley Szeghi, North Area Cultural Resources Specialist, at 385-405-7244 or email at shelley.szeghi@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc: (without enclosure)

Chet Fitzgerald, NRCS, Assistant State Conservationist for Field Operations, Ogden, UT

Brandon Todd, NRCS, District Conservationist, Logan, UT

Shelley Szeghi, NRCS, North Area Cultural Resources Specialist, Ogden, UT

Norm Evenstad, NRCS, ASTC – Water Resources, Salt Lake City, UT

Derek Hamilton, NRCS, Water Resources Coordinator, Salt Lake City, UT

Leslie Warta, NRCS, Environmental Specialist, Salt Lake City, UT

Chad Brown, Franson Civil Engineers, Logan, UT



April 26, 2021

Ms. Patti Timbimboo-Madsen
Cultural Resources
Northwest Band of the Shoshone Nation
707 North Main Street
Brigham City, Utah 84302

Re: Wellsville-Mendon Watershed Plan-EA

Dear Ms. Timbimboo-Madsen:

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), with Cache Water District as the project sponsor and co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, as project co-sponsors, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) improvements within the Wellsville Canyon and Threemile Creek Watersheds, Cache County, UT. Improvements are being proposed to improve flood prevention, watershed protection, wildlife habitat enhancement, agricultural water management, and recreation.

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 and Section 106 of the National Historic Preservation Act (NHPA), the NRCS is the designated lead agency. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, 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 project area that we should consider as part of our analysis.

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 public scoping meeting where the project will be presented and the attendees will have the opportunity to ask questions, and express ideas and concerns.

Ms. Patti Timbimboo-Madsen

April 26, 2021

Page 2

Public Scoping Meeting

Date: Tuesday, May 11, 2021

Time: 6:00 p.m.

Virtual meeting link: <https://www.fransoncivil.com/wellsville-mendon-plan-EA>

Written comments may be submitted anytime during the open comment period from April 27, 2021 to May 27, 2021 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 **May 27, 2021**.

- The comment submission form and additional information may be found at <https://www.fransoncivil.com/wellsville-mendon-plan-EA/>
- Comments may be emailed or mailed to the following address
Franson Civil Engineers mrobbins@fransoncivil.com
Attn: Wellsville-Mendon Watershed Plan-EA Phone (435) 754-7661
115 Golf Course Road, Suite D
Logan, UT 84321

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 government-to-government consultation regarding this project.

If you have any questions, comments, or concerns please contact Shelley Szeghi, North Area Cultural Resources Specialist, at 385-405-7244 or email at shelley.szeghi@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc: (without enclosure)

Chet Fitzgerald, NRCS, Assistant State Conservationist for Field Operations, Ogden, UT

Brandon Todd, NRCS, District Conservationist, Logan, UT

Shelley Szeghi, NRCS, North Area Cultural Resources Specialist, Ogden, UT

Norm Evenstad, NRCS, ASTC – Water Resources, Salt Lake City, UT

Derek Hamilton, NRCS, Water Resources Coordinator, Salt Lake City, UT

Leslie Warta, NRCS, Environmental Specialist, Salt Lake City, UT

Chad Brown, Franson Civil Engineers, Logan, UT



April 26, 2021

Mr. Shane Warner
Chairman
Northwest Band of the Shoshone Nation
707 North Main Street
Brigham City, Utah 84302

Re: Wellsville-Mendon Watershed Plan-EA

Dear Mr. Warner:

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), with Cache Water District as the project sponsor and co-sponsors including Cache County, Wellsville City Irrigation Company, Wellsville City, Mendon City, and Wellsville Mendon Conservation District, as project co-sponsors, is proposing to fund through the Watershed Protection and Flood Prevention Act (Public Law [PL] 83-566) improvements within the Wellsville Canyon and Threemile Creek Watersheds, Cache County, UT. Improvements are being proposed to improve flood prevention, watershed protection, wildlife habitat enhancement, agricultural water management, and recreation.

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 and Section 106 of the National Historic Preservation Act (NHPA), the NRCS is the designated lead agency. Pursuant to Section 106 of the NHPA, Executive Order 13007, the American Indian Religious Freedom Act, 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 project area that we should consider as part of our analysis.

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 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: Tuesday, May 11, 2021

Time: 6:00 p.m.

Virtual meeting link: <https://www.fransoncivil.com/wellsville-mendon-plan-EA>

Written comments may be submitted anytime during the open comment period from April 27, 2021 to May 27, 2021 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 **May 27, 2021**.

- The comment submission form and additional information may be found at <https://www.fransoncivil.com/wellsville-mendon-plan-EA/>
- Comments may be emailed or mailed to the following address
Franson Civil Engineers mrobbins@fransoncivil.com
Attn: Wellsville-Mendon Watershed Plan-EA Phone (435) 754-7661
115 Golf Course Road, Suite D
Logan, UT 84321

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 government-to-government consultation regarding this project.

If you have any questions, comments, or concerns please contact Shelley Szeghi, North Area Cultural Resources Specialist, at 385-405-7244 or email at shelley.szeghi@usda.gov. We look forward to receiving your comments and discussing this project further.

Sincerely,



EMILY FIFE
State Conservationist

Enclosure

cc: (without enclosure)

Chet Fitzgerald, NRCS, Assistant State Conservationist for Field Operations, Ogden, UT
Brandon Todd, NRCS, District Conservationist, Logan, UT
Shelley Szeghi, NRCS, North Area Cultural Resources Specialist, Ogden, UT
Norm Evenstad, NRCS, ASTC – Water Resources, Salt Lake City, UT
Derek Hamilton, NRCS, Water Resources Coordinator, Salt Lake City, UT
Leslie Warta, NRCS, Environmental Specialist, Salt Lake City, UT
Chad Brown, Franson Civil Engineers, Logan, UT

**Transition to Plan-EIS Letters
Cooperating Agency Invitations**

August 2023



August 22, 2023

Jessica Wade
Field Manager, Salt Lake Field Office
Bureau of Land Management
2370 South Decker Lake Blvd.
West Valley, Utah 84119

RE: Formal request to be a Cooperating Agency in the development of the Wellsville-Mendon Watershed Plan-Environmental Impact Statement (Plan-EIS) for proposed improvements in Cache County, Utah.

Dear Jessica Wade:

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 Bureau of Land Management become a cooperating agency in the planning and development of the Wellsville-Mendon Watershed Plan-EIS. Information about the project can be found at <https://bit.ly/wellsville-mendon-EIS>.

This request is made since your agency is identified as having special expertise or jurisdiction by law related to this project. The Plan-EIS 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.

Sincerely,

A handwritten signature in black ink that reads "Emily Fife". The signature is written in a cursive, flowing style.

EMILY FIFE
State Conservationist

cc:

Ammon Boswell, Area Conservationist, NRCS, Ogden, UT
Justin Elsner, District Conservationist, NRCS, North Logan, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT



August 22, 2023

Chris Lizotte
Environmental Manager, Region 1
Utah Department of Transportation
440 West 200 South, Suite 500
Ogden, UT 84404

RE: Formal request to be a Cooperating Agency in the development of the Wellsville-Mendon Watershed Plan-Environmental Impact Statement (Plan-EIS) for proposed improvements in Cache County, Utah.

Dear Chris Lizotte:

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 Utah Department of Transportation become a cooperating agency in the planning and development of the Wellsville-Mendon Watershed Plan-EIS. Information about the project can be found at <https://bit.ly/wellsville-mendon-EIS>.

This request is made since your agency is identified as having special expertise or jurisdiction by law related to this project. The Plan-EIS 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.

Sincerely,

A handwritten signature in cursive script that reads "Emily Fife".

EMILY FIFE
State Conservationist

cc:

Ammon Boswell, Area Conservationist, NRCS, Ogden, UT
Justin Elsner, District Conservationist, NRCS, North Logan, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT



August 22, 2023

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

RE: Formal request to be a Cooperating Agency in the development of the Wellsville-Mendon Watershed Plan-Environmental Impact Statement (Plan-EIS) for proposed improvements in Cache County, Utah.

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 Wellsville-Mendon Watershed Plan-EIS. Information about the project can be found at <https://bit.ly/wellsville-mendon-EIS>.

This request is made since your agency is identified as having special expertise or jurisdiction by law related to this project. The Plan-EIS 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.

Sincerely,

A handwritten signature in cursive script that reads "Emily Fife".

EMILY FIFE
State Conservationist

cc:

Ammon Boswell, Area Conservationist, NRCS, Ogden, UT
Justin Elsner, District Conservationist, NRCS, North Logan, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT



August 22, 2023

Kent Kofford
Area Manager, Provo Area Office
Bureau of Reclamation
302 East 1860 South
Provo, UT 84606

RE: Formal request to be a Cooperating Agency in the development of the Wellsville-Mendon Watershed Plan-Environmental Impact Statement (Plan-EIS) for proposed improvements in Cache County, Utah.

Dear Kent Kofford:

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 Bureau of Reclamation become a cooperating agency in the planning and development of the Wellsville-Mendon Watershed Plan-EIS. Information about the project can be found at <https://bit.ly/wellsville-mendon-EIS>.

This request is made since your agency is identified as having special expertise or jurisdiction by law related to this project. The Plan-EIS 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.

Sincerely,

A handwritten signature in black ink that reads "Emily Fife". The signature is written in a cursive, flowing style.

EMILY FIFE
State Conservationist

cc:

Ammon Boswell, Area Conservationist, NRCS, Ogden, UT
Justin Elsner, District Conservationist, NRCS, North Logan, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT



August 22, 2023

Marshall Alford
District Ranger, Logan Ranger District
U.S. Forest Service
1500 East Highway 89
Logan, Utah 84321

RE: Formal request to be a Cooperating Agency in the development of the Wellsville-Mendon Watershed Plan-Environmental Impact Statement (Plan-EIS) for proposed improvements in Cache County, Utah.

Dear Marshall Alford:

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 Wellsville-Mendon Watershed Plan-EIS. Information about the project can be found at <https://bit.ly/wellsville-mendon-EIS>.

This request is made since your agency is identified as having special expertise or jurisdiction by law related to this project. The Plan-EIS 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.

Sincerely,

A handwritten signature in cursive script that reads "Emily Fife".

EMILY FIFE
State Conservationist

cc:

Ammon Boswell, Area Conservationist, NRCS, Ogden, UT
Justin Elsner, District Conservationist, NRCS, North Logan, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT



August 22, 2023

George Weekley
Acting 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 Wellsville-Mendon Watershed Plan-Environmental Impact Statement (Plan-EIS) for proposed improvements in Cache County, Utah.

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 Wellsville-Mendon Watershed Plan-EIS. Information about the project can be found at <https://bit.ly/wellsville-mendon-EIS>.

This request is made since your agency is identified as having special expertise or jurisdiction by law related to this project. The Plan-EIS 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.

Sincerely,

A handwritten signature in black ink that reads "Emily Fife". The signature is written in a cursive, flowing style.

EMILY FIFE
State Conservationist

cc:

Ammon Boswell, Area Conservationist, NRCS, Ogden, UT
Justin Elsner, District Conservationist, NRCS, North Logan, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT



August 22, 2023

Melissa McCoy, Ph.D.
Manager, NEPA Branch
U.S. Environmental Protection Agency (Region 8)
1595 Wynkoop Street
Denver, Colorado 80202

RE: Formal request to be a Cooperating Agency in the development of the Wellsville-Mendon Watershed Plan-Environmental Impact Statement (Plan-EIS) for proposed improvements in Cache County, Utah.

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 Wellsville-Mendon Watershed Plan-EIS. Information about the project can be found at <https://bit.ly/wellsville-mendon-EIS>.

This request is made since your agency is identified as having special expertise or jurisdiction by law related to this project. The Plan-EIS 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.

Sincerely,

A handwritten signature in black ink that reads "Emily Fife". The signature is written in a cursive, flowing style.

EMILY FIFE
State Conservationist

cc:

Ammon Boswell, Area Conservationist, NRCS, Ogden, UT
Justin Elsner, District Conservationist, NRCS, North Logan, UT
Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, UT

Transition to Plan-EIS Letters
Cooperating Agency Responses
October & November 2023



REGION 8

DENVER, CO 80202

October 26, 2023

Ref: 8ORA-N

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 Wellsville-Mendon Watershed Plan-Environmental Impact Statement (EIS). 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. Part 1501.8 (April 2022).

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

- 1) Participate in the EIS process, 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 EIS in accordance with the lead agency's schedule for providing cooperating agency comments; and
- 4) Work with the NRCS to develop an EIS 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 subject EIS. If you have any questions, please contact Laura Margason, who will serve as EPA's point of contact at (303) 312-6665 or Margason.Laura@epa.gov.

Sincerely,

Melissa W. McCoy, Ph.D., J.D.
Manager, NEPA Branch
Office of the Regional Administrator



United States Department of the Interior

BUREAU OF RECLAMATION
Provo Area Office
302 East Lakeview Parkway
Provo, UT 84606



IN REPLY REFER TO:

49-630-2
2.1.4.17

Ms. Emily Fife
State Conservationist
USDA-NRCS
125 South State Street, Room 4010
Salt Lake City, Utah 84138-1100

Subject: Request to be a Cooperating Agency in the Development of the Wellsville-Mendon Watershed Plan – Environmental Impact Statement (Plan-EIS) for Proposed Improvements in Cache County, Utah.

Dear Ms. Fife:

We received your letter dated August 22, 2023, regarding the Wellsville-Mendon Watershed Plan-Environmental Impact Statement (Plan-EIS) for proposed improvements in Cache County, Utah. On behalf of the Natural Resources Conservation District, you requested the Bureau of Reclamation be a cooperating agency for the project as defined in 40 CFR 1501.8.

This letter is to inform you that we accept your request to be a cooperating agency on the Plan-EIS. Mr. Wyatt Carter from our environmental group will be the team lead on your project. Please work directly with him to develop a memorandum of understanding outlining responsibilities under the National Environmental Policy Act for the respective agencies.

If you have any questions regarding this, please contact Mr. Carter at (801) 379-1161 or by email at wcarter@usbr.gov. For the deaf, hard of hearing or speech impaired, please dial 7-1-1 to access the telecommunication relay system.

Sincerely,

Digitally signed by RICK BAXTER
Date: 2023.11.02 10:12:18
-06'00'

Rick Baxter
Acting Area Manager

cc: derek.hamilton@usda.gov
pcrookston@usbr.gov
blwhite@usbr.gov
wcarter@usbr.gov

INTERIOR REGION 7 • UPPER COLORADO BASIN

COLORADO, NEW MEXICO, UTAH, WYOMING

From: [Landon Richins](#)
To: [Hamilton, Derek - FPAC-NRCS, UT](#)
Subject: RE: Wellsville-Mendon Watershed Plan-EIS....cooperating agency request
Date: Tuesday, September 12, 2023 9:09:23 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[e6189cce-9a28-45e1-b577-36473bf63ee2.png](#)
[Project_Boundary.zip](#)

Derek,

Thanks for reaching out. It does not appear that any of the proposed measures would be located on USFS lands. Attached is a shapefile of the project area which you can send to USFS if you'd like.

Let me know if you have any questions,

Landon

Landon Richins

Franson Civil Engineers

Office: 801.756.0309 | Direct: 801.938.7585

From: Hamilton, Derek - FPAC-NRCS, UT <derek.hamilton@usda.gov>
Sent: Friday, September 8, 2023 1:33 PM
To: Landon Richins <lrichins@fransoncivil.com>; Lance Houser <lhouser@fransoncivil.com>
Subject: FW: Wellsville-Mendon Watershed Plan-EIS....cooperating agency request

Lance & Landon...

Similar to my email request earlier (re BLM)...pls confirm whether any project measures are being considered on USFS lands.

Thx...Derek

~~~~~  
Derek Hamilton  
Water Resources Coordinator

U.S. Department of Agriculture  
Natural Resources Conservation Service  
125 South State Street Room 4010, Salt Lake City, UT 84138  
Office: 801.524.4560 Mobile: 385.321.4987  
E-mail: [derek.hamilton@usda.gov](mailto:derek.hamilton@usda.gov) | [www.ut.nrcs.usda.gov](http://www.ut.nrcs.usda.gov)  
~~~~~

From: Alford, Marshall - FS, UT <marshall.alford@usda.gov>
Sent: Friday, September 8, 2023 12:29 PM
To: Hamilton, Derek - FPAC-NRCS, UT <derek.hamilton@usda.gov>
Subject: RE: Wellsville-Mendon Watershed Plan-EIS....cooperating agency request

Hey Derek,

One question, are any of the flood protection structures (particularly diversion structures, detention basins, channel stabilization measures, or culvert replacements) considered anticipated to be located on NFS lands?



Marshall Alford
District Ranger

Forest Service
Uinta-Wasatch-Cache National Forest, Logan Ranger District

Office: 435-755-3621
marshall.alford@usda.gov

1500 East Highway 89

Logan, UT 84321

www.fs.fed.us



Caring for the land and serving people

From: Hamilton, Derek - FPAC-NRCS, UT <derek.hamilton@usda.gov>
Sent: Thursday, August 31, 2023 15:14
To: Alford, Marshall - FS, UT <marshall.alford@usda.gov>
Subject: Wellsville-Mendon Watershed Plan-EIS....cooperating agency request

Hello Marshall...

Please find attached correspondence from NRCS requesting that USFS become a cooperating agency in development of the Wellsville-Mendon Watershed Plan-EIS.

Hard copy will be sent upon request.

Thx..Derek

~~~~~  
Derek Hamilton  
Water Resources Coordinator

U.S. Department of Agriculture  
Natural Resources Conservation Service  
125 South State Street Room 4010, Salt Lake City, UT 84138

Office: 801.524.4560 Mobile: 385.321.4987

E-mail: [derek.hamilton@usda.gov](mailto:derek.hamilton@usda.gov) | [www.ut.nrcs.usda.gov](http://www.ut.nrcs.usda.gov)

~~~~~

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.

From: [Landon Richins](#)
To: [Hamilton, Derek - FPAC-NRCS, UT](#)
Subject: RE: [EXTERNAL] Wellsville-Mendon Watershed Plan-EIS....cooperating agency request
Date: Tuesday, September 12, 2023 9:09:32 AM
Attachments: [f1b8b42c-9325-470f-81c1-4a8b1ee1e22f.png](#)
[Project_Boundary.zip](#)

Derek,

Thanks for reaching out. It does not appear that any of the proposed measures would be located on BLM lands. Attached is a shapefile of the project area which you can send to BLM if you'd like.

Let me know if you have any questions,

Landon

Landon Richins

Franson Civil Engineers

Office: 801.756.0309 | Direct: 801.938.7585

From: Hamilton, Derek - FPAC-NRCS, UT <derek.hamilton@usda.gov>
Sent: Friday, September 8, 2023 12:09 PM
To: Landon Richins <lrichins@fransoncivil.com>; Lance Houser <lhouser@fransoncivil.com>
Subject: FW: [EXTERNAL] Wellsville-Mendon Watershed Plan-EIS....cooperating agency request

Hi Lance & Landon...

See email below from BLM regarding Wellsville-Mendon Plan-EIS.

Pls confirm whether any proposed measures (for all alternatives carried fwd) are located on BLM lands....I don't believe so, but wanted to double-check.

Send shapefiles of alternatives if available.

Pls reply back to me and I will send BLM separate email.

Thx....Derek

~~~~~  
Derek Hamilton  
Water Resources Coordinator

U.S. Department of Agriculture  
Natural Resources Conservation Service  
125 South State Street Room 4010, Salt Lake City, UT 84138  
Office: 801.524.4560 Mobile: 385.321.4987  
E-mail: [derek.hamilton@usda.gov](mailto:derek.hamilton@usda.gov) | [www.ut.nrcs.usda.gov](http://www.ut.nrcs.usda.gov)

---

**From:** Schuller, Pamela N <[pschulle@blm.gov](mailto:pschulle@blm.gov)>  
**Sent:** Wednesday, September 6, 2023 2:05 PM  
**To:** Hamilton, Derek - FPAC-NRCS, UT <[derek.hamilton@usda.gov](mailto:derek.hamilton@usda.gov)>  
**Cc:** Davis, Jordan R <[jordandavis@blm.gov](mailto:jordandavis@blm.gov)>; [jputtere@blm.gov](mailto:jputtere@blm.gov); Marks, Todd R <[tmarks@blm.gov](mailto:tmarks@blm.gov)>; Wade, Jessica A <[jwade@blm.gov](mailto:jwade@blm.gov)>; Powers, Colin M <[cpowers@blm.gov](mailto:cpowers@blm.gov)>  
**Subject:** Re: [EXTERNAL] Wellsville-Mendon Watershed Plan-EIS....cooperating agency request

Dear Derek,

On behalf of BLM, I am drafting a letter to accept NRCS's invitation to be a Cooperating Agency on this important project (Wellsville-Mendon Watershed Plan). I was looking at the project's website and I did not see project area shapefiles/layers. Could you forward those to us so that we can confirm whether or not BLM land/obligations are involved in the project area. This will assist us in determining if the BLM has a decision to be made based on your NEPA document (EA or EIS) and scope.

Thank You, *Pamela*  
(Pamela Schuller)

---

**From:** Wade, Jessica A <[jwade@blm.gov](mailto:jwade@blm.gov)>  
**Sent:** Saturday, September 2, 2023 1:40 PM  
**To:** Schuller, Pamela N <[pschulle@blm.gov](mailto:pschulle@blm.gov)>  
**Cc:** Davis, Jordan R <[jordandavis@blm.gov](mailto:jordandavis@blm.gov)>; Puttere, Jennifer M <[jputtere@blm.gov](mailto:jputtere@blm.gov)>; Marks, Todd R <[tmarks@blm.gov](mailto:tmarks@blm.gov)>  
**Subject:** FW: [EXTERNAL] Wellsville-Mendon Watershed Plan-EIS....cooperating agency request

Hi Pam,

Please advise. Thank you.

**Jessica Wade**  
**Bureau of Land Management**  
**West Desert District/Salt Lake Field Office**  
**Field Manager**  
**O: 801-320-8350**



---

**From:** Hamilton, Derek - FPAC-NRCS, UT <[derek.hamilton@usda.gov](mailto:derek.hamilton@usda.gov)>

**Sent:** Thursday, August 31, 2023 3:12 PM

**To:** Wade, Jessica A <[jwade@blm.gov](mailto:jwade@blm.gov)>

**Subject:** [EXTERNAL] Wellsville-Mendon Watershed Plan-EIS....cooperating agency request

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Hello Jessica...

Please find attached correspondence from NRCS requesting that BLM become a cooperating agency in development of the Wellsville-Mendon Watershed Plan-EIS.

Hard copy will be sent upon request.

Thx..Derek

~~~~~  
Derek Hamilton

Water Resources Coordinator

U.S. Department of Agriculture

Natural Resources Conservation Service

125 South State Street Room 4010, Salt Lake City, UT 84138

Office: 801.524.4560 Mobile: 385.321.4987

E-mail: derek.hamilton@usda.gov | www.ut.nrcs.usda.gov
~~~~~

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.

# **Memorandum of Understanding (MOU)**

**NRCS, EPA, & USBR**

**July 2024**

**Memorandum of Understanding  
Between  
U.S. Department of Agriculture's Natural Resources Conservation Service  
as the Lead Federal Agency  
and  
Bureau of Reclamation and Environmental Protection Agency  
as Cooperating Agencies  
in the Preparation of an Environmental Impact Statement  
for the Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

**I. Introduction**

The Natural Resources Conservation Service (NRCS) is the Lead Federal Agency for the development of a Watershed Plan-Environmental Impact Statement (Plan-EIS) as defined in 40 C.F.R. Section 1501.7 for the Wellsville Canyon Watershed Plan-EIS in Cache County, Utah. The Bureau of Reclamation (USBR) and the Environmental Protection Agency (EPA) are cooperating in the development of the Plan-EIS as defined in 40 C.F.R. Section 1501.8.

This Memorandum of Understanding (MOU) outlines the roles and responsibilities of NRCS, USBR, and EPA herein referred to as Parties, with respect to preparation of the Plan-EIS. This MOU describes responsibilities and procedures agreed to by the Parties.

**II. Purpose**

The purposes of this MOU are:

1. To designate USBR and EPA as Cooperating Agencies in the Plan-EIS process.
2. To provide a framework for mutual cooperation and coordination between the Parties that will ensure successful completion of the Plan-EIS in a timely, efficient, and thorough manner that satisfies compliance requirements.
3. To recognize that NRCS is the Lead Federal Agency with responsibility for the completion of the Plan-EIS (EIS; see 40 C.F.R. §1501.7) and preparation of a single Record of Decision ((ROD; See 40 C.F.R. §1505).
4. To describe the respective responsibilities, jurisdictional authority, and expertise of USBR and EPA in the planning process.

**III. Authorities**

The authorities and regulations of NRCS to enter into and engage in the activities described within this MOU include, but are not limited to:

1. National Environmental Policy Act of 1969 (42 U.S.C. § 4321 et seq.).
2. Council on Environmental Quality regulations (40 C.F.R. § 1500-1508 et seq.)
3. NRCS Regulations Implementing the NEPA (7 C.F.R. Part 650)
4. Watershed Protection and Flood Prevention Act (PL 83-566, 16 U.S.C. §§ 1000 et seq.)

The authorities and regulations of USBR to enter into this MOU include, but are not limited to:

1. National Environmental Policy Act of 1969 (42 U.S.C. § 4321 et seq.)
2. Council on Environmental Quality regulations (40 C.F.R. § 1500-1508 et seq.), (40 CFR 1508.5)
3. Department of the Interior Regulations (43 CFR § 46).
4. Reclamation Act of 1902 (43 USC § 391 et seq., P.L. 57-161).

The authorities and regulations of EPA to enter into this MOU include, but are not limited to:

1. National Environmental Policy Act of 1969 (42 U.S.C. § 4321 et seq.).
2. Council on Environmental Quality regulations (40 C.F.R. § 1500 et seq.), (40 C.F.R. § 1501.8).
3. Clean Air Act (CAA), as amended, (42 U.S.C. § 7401 et seq.).
4. Clean Water Act (33 U.S.C. § 1251 et seq.).

This MOU does not grant the Parties any additional rights or powers, nor does it excuse the Parties from fulfilling any other statutory obligation they might have. Each Party is responsible for its own actions/omissions. This MOU does not incur upon the Parties a shared statutory responsibility to fulfill the obligations of the other Party. This MOU does not alter any other written agreements, regulatory or other statutory authorities, or responsibilities between the Parties and the project sponsors or other government agencies, or parties.

#### **IV. Roles and Responsibilities**

1. General Responsibilities
  - a. The Parties resolve to participate in this planning process in good faith and make all reasonable efforts to resolve disagreements.
  - b. The Parties resolve to fund their own expenses associated with the Plan-EIS process.
2. NRCS Responsibilities
  - a. NRCS, as the Lead Federal Agency, has primary responsibility for compliance with the requirements of the National Environmental Policy Act (NEPA) and completion of the draft Plan-EIS, final Plan-EIS, and preparation of a single ROD.
  - b. NRCS will work cooperatively with USBR and EPA to identify the necessary processes and procedures to allow the Parties to complete an appropriate analysis to formulate their respective decisions with regards to jurisdictional responsibilities.
  - c. NRCS will work with USBR, and EPA to identify concerns, issues, and opportunities to be addressed as part of the Plan-EIS.
  - d. NRCS will provide USBR and EPA with those Plan-EIS resource characterization studies and technical reports, as determined necessary by the respective cooperator, for review and comment.
  - e. NRCS will consult with the USBR and EPA regarding the alternatives considered and associated mitigation measures to be evaluated in the Plan-EIS.

- f. NRCS will identify USBR and EPA on the draft Plan-EIS and final Plan-EIS cover pages, and will describe in the introduction sections, as provided by USBR and EPA, the specific roles and authorities of USBR and EPA with respect to this planning project.
- g. Where the Parties disagree on substantive elements of the Plan-EIS, and these disagreements cannot be resolved, NRCS will include a summary of USBR or EPA views in the draft Plan-EIS and final Plan-EIS. NRCS will also describe substantial inconsistencies between its proposed action(s) and the objectives of state, local, or tribal land use plans and policies.

3. USBR and EPA Responsibilities

- a. EPA and USBR resolve to provide early input to NRCS regarding issues to address in the resource characterization studies, technical reports, and Plan-EIS. EPA and USBR also resolve to provide comments or analyses to NRCS in those areas where EPA and USBR have regulatory authority or technical expertise.

USBR is recognized to have the following jurisdiction by law and/or special expertise: USBR administers and/or has interest in the Hyrum Project (National Industrial Recovery Act of 1933) and associated lands within the Bear River Watershed, specifically as it applies to the oversight and operation of the diversion, delivery, and storage of Hyrum project waters.

EPA is recognized to have the following jurisdiction by law and/or special expertise: EPA has authority and expertise in environmental statutes and regulations, including but not limited to NEPA, Section 404 of the Clean Water Act, and in surface water, ground water, stream and wetland systems, water quality, air quality, climate change, and environmental justice, and mitigation strategies. EPA also maintains its independent obligations under Section 309 of the CAA (42 U.S.C. § 7609) to review and comment in writing on the environmental impacts of this federal agency action and, in the event EPA determines that the action is unsatisfactory from the standpoint of public health or welfare or environmental quality, to publish its determination and refer the matter to the CEQ (42 U.S.C. § 7609).

- b. As staff and funding allow, USBR and EPA may review, and provide to NRCS, comments on the administrative draft Plan-EIS, issued draft Plan-EIS and final Plan-EIS in accordance with the project review schedule developed as discussed in Section XI prior to public circulation.
- c. The Parties resolve to coordinate with each other pursuant to this MOU in order to maximize the use of resources and minimize duplication of effort during the preparation of the Plan-EIS.

4. Other Terms

- a. Parties retain all immunities and defenses provided by law with respect to any action based on or occurring as a result of this MOU.
- b. *Franson Civil Engineers* serves as the contractor, in coordination with Cache Water District, for the Plan-EIS preparation. USBR and EPA may provide information and comments directly to the contractor as well as collaborate with the contractor's technical staff and subcontractors on matters within USBR or EPA's jurisdiction or

area of special expertise. USBR and EPA acknowledge that NRCS retains the exclusive responsibility to authorize modifications to NRCS's contract with Cache Water District and that USBR and EPA are not authorized to provide technical or policy direction regarding the performance of this contract. All attorney client privileged documents provided to the contractor will remain confidential.

**V. Agency Representatives**

1. Parties resolve to designate a representative and alternate representative, as described in Attachment A, to ensure coordination between the Parties during the preparation of the Plan-EIS. Each Party may change its representative at will by providing written notice to the other Parties.

**VI. Administration of the MOU**

1. This MOU becomes effective upon signature by the authorized officials of the Parties and remains in effect until either a ROD is executed or five (5) years, whichever comes first.
2. This MOU may be extended or modified by the Parties hereto by mutual agreement only, as discussed in Section XII, Modifications. Any modification will be in writing to the Parties.
3. This MOU does not alter the statutory, regulatory, or other authority or responsibilities of the Parties under their respective authorities and regulations (see Section III). The MOU does not supersede any existing agreement or restrict any future agreements between the Parties.
4. This MOU is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by any party against the United States, its agencies, its officers, or any person.
5. Any Party may terminate its participation in this MOU upon written notice to the other Parties as specified in Section VII. Notices. The MOU will remain in effect for any and all remaining Parties.

**VII. Notices**

Termination or modification of this MOU is sufficient only if agreed to by all parties in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, at least 30 days before the implementation of the requested change, as follows:

1. To the NRCS Project Manager, at the address specified in the MOU.
2. To the USBR Project Manager, at the address shown in the MOU or such other address designated within the MOU.
3. To the EPA Primary Contact, at the address shown in the MOU or such other address designated within the MOU.

Notices are effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

## VIII. Principal Contacts

Individuals listed below are authorized to act in their respective areas on matters related to this MOU.

### **Principal NRCS Contacts:**

| Lead Federal Agency<br>NRCS Program Contact                                                                                                                                                                                              | Lead Federal Agency<br>NRCS Administrative Contact                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name: Derek Hamilton<br>Title: Water Resources Coordinator<br>Address: Wallace F. Bennett Federal Building,<br>125 South State Street Room 4010<br>Salt Lake City, UT 84138<br>Telephone: 801-524-4560<br>Email: derek.hamilton@usda.gov | Name: Todd Allai<br>Title: Acting Assistant State Conservationist – Water Resources<br>Address: Wallace F. Bennett Federal Building,<br>125 South State Street Room 4010<br>Salt Lake City, UT 84138<br>Telephone: 775-781-2472<br>Email: todd.allai@usda.gov |

### **Principal USBR Contacts:**

| Cooperating Agency<br>USBR Program Contact                                                                                                           | Cooperating Agency<br>USBR Administrative Contact                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| Name: Wyatt Carter<br>Address: Provo Area Office<br>302 East Lakeview Parkway, Provo, UT 84606<br>Telephone: 801/379-1161<br>Email: wcarter@usbr.gov | Name: Rick Baxter<br>Address: Provo Area Office<br>302 East Lakeview Parkway, Provo, UT 84606<br>Telephone: 801/379-1100<br>Email: rbaxter@usbr.gov |

### **Principal EPA Contacts:**

| Cooperating Agency<br>EPA Primary Contact                                                                                                                                                      | Cooperating Agency<br>EPA Backup Contact                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name: Laura Margason<br>Title: Lead NEPA Reviewer<br>Address: U.S. EPA Region 8, NEPA Branch,<br>1595 Wynkoop St, Denver, CO 80202<br>Telephone: 303-312-6665<br>Email: margason.laura@epa.gov | Name: Melissa McCoy, Ph.D., J.D.<br>Title: NEPA Branch Manager<br>Address: U.S. EPA Region 8, NEPA Branch, 1595<br>Wynkoop St, Denver, CO 80202 Telephone: 303-312-<br>6704<br>Email: mccoymelissa@epa.gov |

## IX. Participation In Similar Activities

This MOU in no way restricts the Parties from participating in similar activities with other public or private agencies, organizations, and individuals.

## X. Nonbinding Agreement

This MOU creates no right, benefit, or trust responsibility, substantive or procedural, enforceable by law or equity against the Parties, their officers or employees, or any other person. This MOU does not apply to any person or entity outside of the Parties.

The Parties shall manage their respective resources and activities in a separate, coordinated, and mutually beneficial manner to meet the purposes of this MOU. Nothing in this MOU authorizes or requires any of the Parties to transfer funds or to commit, obligate, or expend their appropriations or to enter into any contract, assistance agreement, interagency agreement or incur other financial obligation. Specific projects or activities that involve the transfer of funds, services, or property among the Parties will be handled in accordance with applicable laws, regulations and procedures under separate written agreements and are contingent upon the

availability of appropriated funds.

These activities must be independently authorized by statute. This MOU does not provide that authority. Negotiation, execution, and administration of these agreements must comply with all applicable laws. Each Party operates under its own laws, regulations, and policies, subject to the availability of appropriated funds. Nothing in this MOU is intended to alter, limit, or expand the statutory and regulatory authority of the Parties.

#### **XI. Agency Review and Concurrence Timeline**

Parties will process the Plan-EIS and develop an environmental review and authorization schedule. Agencies will work together to develop a single Permitting Timetable for the necessary environmental review and authorization decisions, prepare the Plan-EIS, sign a ROD, and issue all necessary authorization decisions within 90 days of issuance of the ROD, subject to limited exceptions.

#### **XII. Modifications**

Modifications within the scope of this MOU must be made by mutual consent of the Parties, by the issuance of a written modification signed and dated by all properly authorized officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change.

### **XIII. Authorized Representatives**

By signature below, each Party certifies that the individuals listed in this document as representatives of the individual Parties are authorized to act in their respective areas for matters related to this MOU. In witness whereof, the Parties hereto have executed this MOU as of the last date written below.

#### **USDA-Natural Resources Conservation Service—Utah**

Travis Mote

Name

Acting Utah State Conservationist

Title

TRAVIS  
MOTE

Digitally signed by  
TRAVIS MOTE  
Date: 2024.07.02  
12:39:15 -06'00'

Signature

Date

#### **U.S. Bureau of Reclamation**

Rick Baxter

Name

Area Manager

Title



Digitally signed by RICK  
BAXTER  
Date: 2024.06.14  
11:37:35 -06'00'

Signature

Date

#### **U.S. Environmental Protection Agency**

Angelique D. Diaz, Ph.D., P.E.

Name

Acting Director, Environmental Justice, Community Health,  
and Environmental Review Division

Title

ANGELIQUE  
DIAZ

Digitally signed by ANGELIQUE DIAZ  
Date: 2024.06.27 14:48:44 -06'00'

Signature

Date

**NHPA Section 106 & NOI Letters**  
**Tribal Consultation**

**May 2024**



May 7, 2024

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

**Reference: Initiation of Section 106 and Notice of Intent to Prepare an EIS: Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

Dear Chairman Alex:

The Natural Resources Conservation Service (NRCS) would like to inform you that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Wellsville Canyon Watershed Plan has been published in the *Federal Register* on May 8, 2024.

This letter initiates the public scoping process under the National Environmental Policy Act (NEPA) for the EIS and the National Historic Preservation Act (NHPA) Section 106 consultation process pursuant to Code of Federal Regulations Title 36, Section 800.3. Previous scoping was conducted in 2021 as part of the Environmental Assessment process, however due to scope change, it was deemed necessary to prepare an EIS. 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 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.

A copy of the NOI is enclosed with this letter and may also be read in its entirety by visiting <https://www.federalregister.gov/> and searching for NRCS-2024-0003. You can find additional project information at the NRCS project website:

<https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>

The NRCS invites you to comment on the scope of the EIS. Scoping comments will be accepted through **June 7, 2024**. We will accept comments after this date to the extent feasible. Comments under NEPA and the NHPA may be submitted concurrently.

Comments may be provided in the following ways:

**Online**—Go to <http://www.regulations.gov> and search for docket ID “NRCS-2024-0003”. Follow the online instructions for submitting comments.

**Mail**—Please address to: Derek Hamilton, Water Resources Coordinator Utah Natural Resources Conservation Service, 125 South State Street, Room 4010, Salt Lake City, Utah 84138. Please specify the docket ID NRCS-2024-0003.

Thank you for your interest and input in the planning process for this project. We look forward to hearing from and continuing to work 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 government-government meeting. If you have any questions, comments or concerns, please contact State Watershed Cultural Resources Specialist Tara S. Hoffmann at 385-258-1266 or 801-524-4556 or [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov), at your earliest convenience.

Sincerely,



TRAVIS MOTE  
Acting State Conservationist

Enclosure:

- NOI
- Map

cc:

Anders Fillerup, Acting ASTC-Water Resources, NRCS, Salt Lake City, UT  
Tara S. Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT  
Shawn Stanley, North Watershed Engineer, NRCS, Logan, UT  
Connor Benfield, Water Resources Coordinator, NRCS, Salt Lake City, UT  
Landon Richens, Franson Civil Engineers, American Fork, UT



May 7, 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 and Notice of Intent to Prepare an EIS: Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

Dear THPO Chapoose:

The Natural Resources Conservation Service (NRCS) would like to inform you that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Wellsville Canyon Watershed Plan has been published in the *Federal Register* on May 8, 2024.

This letter initiates the public scoping process under the National Environmental Policy Act (NEPA) for the EIS and the National Historic Preservation Act (NHPA) Section 106 consultation process pursuant to Code of Federal Regulations Title 36, Section 800.3. Previous scoping was conducted in 2021 as part of the Environmental Assessment process, however due to scope change, it was deemed necessary to prepare an EIS. 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 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.

A copy of the NOI is enclosed with this letter and may also be read in its entirety by visiting <https://www.federalregister.gov/> and searching for NRCS-2024-0003. You can find additional project information at the NRCS project website:

<https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>

The NRCS invites you to comment on the scope of the EIS. Scoping comments will be accepted through **June 7, 2024**. We will accept comments after this date to the extent feasible. Comments under NEPA and the NHPA may be submitted concurrently.

Comments may be provided in the following ways:

**Online**—Go to <http://www.regulations.gov> and search for docket ID “NRCS-2024-0003”. Follow the online instructions for submitting comments.

**Mail**—Please address to: Derek Hamilton, Water Resources Coordinator Utah Natural Resources Conservation Service, 125 South State Street, Room 4010, Salt Lake City, Utah 84138. Please specify the docket ID NRCS-2024-0003.

Thank you for your interest and input in the planning process for this project. We look forward to hearing from and continuing to work 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 government-government meeting. If you have any questions, comments or concerns, please contact State Watershed Cultural Resources Specialist Tara S. Hoffmann at 385-258-1266 or 801-524-4556 or [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov), at your earliest convenience.

Sincerely,



TRAVIS MOTE  
Acting State Conservationist

Enclosure:

- NOI
- Map

cc:

Anders Fillerup, Acting ASTC-Water Resources, NRCS, Salt Lake City, UT  
Tara S. Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT  
Shawn Stanley, North Watershed Engineer, NRCS, Logan, UT  
Connor Benfield, Water Resources Coordinator, NRCS, Salt Lake City, UT  
Landon Richens, Franson Civil Engineers, American Fork, UT



May 7, 2024

Louise E. Dixey  
Cultural Resources Director  
Shoshone-Bannock Tribes of the Fort Hall Reservation  
P.O. Box 306  
Fort Hall, Idaho 83203

**Reference: Initiation of Section 106 and Notice of Intent to Prepare an EIS: Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

Dear Director Dixey:

The Natural Resources Conservation Service (NRCS) would like to inform you that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Wellsville Canyon Watershed Plan has been published in the *Federal Register* on May 8, 2024.

This letter initiates the public scoping process under the National Environmental Policy Act (NEPA) for the EIS and the National Historic Preservation Act (NHPA) Section 106 consultation process pursuant to Code of Federal Regulations Title 36, Section 800.3. Previous scoping was conducted in 2021 as part of the Environmental Assessment process, however due to scope change, it was deemed necessary to prepare an EIS. 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 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.

A copy of the NOI is enclosed with this letter and may also be read in its entirety by visiting <https://www.federalregister.gov/> and searching for NRCS-2024-0003. You can find additional project information at the NRCS project website:

<https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>

The NRCS invites you to comment on the scope of the EIS. Scoping comments will be accepted through **June 7, 2024**. We will accept comments after this date to the extent feasible. Comments under NEPA and the NHPA may be submitted concurrently.

Comments may be provided in the following ways:

**Online**—Go to <http://www.regulations.gov> and search for docket ID “NRCS-2024-0003”. Follow the online instructions for submitting comments.

**Mail**—Please address to: Derek Hamilton, Water Resources Coordinator Utah Natural Resources Conservation Service, 125 South State Street, Room 4010, Salt Lake City, Utah 84138. Please specify the docket ID NRCS-2024-0003.

Thank you for your interest and input in the planning process for this project. We look forward to hearing from and continuing to work 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 government-government meeting. If you have any questions, comments or concerns, please contact State Watershed Cultural Resources Specialist Tara S. Hoffmann at 385-258-1266 or 801-524-4556 or [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov), at your earliest convenience.

Sincerely,



TRAVIS MOTE  
Acting State Conservationist

Enclosure:

- NOI
- Map

cc:

Anders Fillerup, Acting ASTC-Water Resources, NRCS, Salt Lake City, UT  
Tara S. Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT  
Shawn Stanley, North Watershed Engineer, NRCS, Logan, UT  
Connor Benfield, Water Resources Coordinator, NRCS, Salt Lake City, UT  
Landon Richens, Franson Civil Engineers, American Fork, UT



May 7, 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 and Notice of Intent to Prepare an EIS: Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

Dear Officer Mann:

The Natural Resources Conservation Service (NRCS) would like to inform you that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Wellsville Canyon Watershed Plan has been published in the *Federal Register* on May 8, 2024.

This letter initiates the public scoping process under the National Environmental Policy Act (NEPA) for the EIS and the National Historic Preservation Act (NHPA) Section 106 consultation process pursuant to Code of Federal Regulations Title 36, Section 800.3. Previous scoping was conducted in 2021 as part of the Environmental Assessment process, however due to scope change, it was deemed necessary to prepare an EIS. 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 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.

A copy of the NOI is enclosed with this letter and may also be read in its entirety by visiting <https://www.federalregister.gov/> and searching for NRCS-2024-0003. You can find additional project information at the NRCS project website:

<https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>

The NRCS invites you to comment on the scope of the EIS. Scoping comments will be accepted through **June 7, 2024**. We will accept comments after this date to the extent feasible. Comments under NEPA and the NHPA may be submitted concurrently.

Comments may be provided in the following ways:

**Online**—Go to <http://www.regulations.gov> and search for docket ID “NRCS-2024-0003”. Follow the online instructions for submitting comments.

**Mail**—Please address to: Derek Hamilton, Water Resources Coordinator Utah Natural Resources Conservation Service, 125 South State Street, Room 4010, Salt Lake City, Utah 84138. Please specify the docket ID NRCS-2024-0003.

Thank you for your interest and input in the planning process for this project. We look forward to hearing from and continuing to work 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 government-government meeting. If you have any questions, comments or concerns, please contact State Watershed Cultural Resources Specialist Tara S. Hoffmann at 385-258-1266 or 801-524-4556 or [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov), at your earliest convenience.

Sincerely,



TRAVIS MOTE  
Acting State Conservationist

Enclosure:

- NOI
- Map

cc:

Anders Fillerup, Acting ASTC-Water Resources, NRCS, Salt Lake City, UT  
Tara S. Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT  
Shawn Stanley, North Watershed Engineer, NRCS, Logan, UT  
Connor Benfield, Water Resources Coordinator, NRCS, Salt Lake City, UT  
Landon Richens, Franson Civil Engineers, American Fork, UT



May 7, 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 and Notice of Intent to Prepare an EIS: Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

Dear Chairman Murray:

The Natural Resources Conservation Service (NRCS) would like to inform you that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Wellsville Canyon Watershed Plan has been published in the *Federal Register* on May 8, 2024.

This letter initiates the public scoping process under the National Environmental Policy Act (NEPA) for the EIS and the National Historic Preservation Act (NHPA) Section 106 consultation process pursuant to Code of Federal Regulations Title 36, Section 800.3. Previous scoping was conducted in 2021 as part of the Environmental Assessment process, however due to scope change, it was deemed necessary to prepare an EIS. 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 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.

A copy of the NOI is enclosed with this letter and may also be read in its entirety by visiting <https://www.federalregister.gov/> and searching for NRCS-2024-0003. You can find additional project information at the NRCS project website:

<https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>

The NRCS invites you to comment on the scope of the EIS. Scoping comments will be accepted through **June 7, 2024**. We will accept comments after this date to the extent feasible. Comments under NEPA and the NHPA may be submitted concurrently.

Comments may be provided in the following ways:

**Online**—Go to <http://www.regulations.gov> and search for docket ID “NRCS-2024-0003”. Follow the online instructions for submitting comments.

**Mail**—Please address to: Derek Hamilton, Water Resources Coordinator Utah Natural Resources Conservation Service, 125 South State Street, Room 4010, Salt Lake City, Utah 84138. Please specify the docket ID NRCS-2024-0003.

Thank you for your interest and input in the planning process for this project. We look forward to hearing from and continuing to work 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 government-government meeting. If you have any questions, comments or concerns, please contact State Watershed Cultural Resources Specialist Tara S. Hoffmann at 385-258-1266 or 801-524-4556 or [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov), at your earliest convenience.

Sincerely,



TRAVIS MOTE  
Acting State Conservationist

Enclosure:

- NOI
- Map

cc:

Anders Fillerup, Acting ASTC-Water Resources, NRCS, Salt Lake City, UT  
Tara S. Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT  
Shawn Stanley, North Watershed Engineer, NRCS, Logan, UT  
Connor Benfield, Water Resources Coordinator, NRCS, Salt Lake City, UT  
Landon Richens, Franson Civil Engineers, American Fork, UT



May 7, 2024

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

**Reference: Initiation of Section 106 and Notice of Intent to Prepare an EIS: Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

Dear Vice Chairman Parry:

The Natural Resources Conservation Service (NRCS) would like to inform you that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Wellsville Canyon Watershed Plan has been published in the *Federal Register* on May 8, 2024.

This letter initiates the public scoping process under the National Environmental Policy Act (NEPA) for the EIS and the National Historic Preservation Act (NHPA) Section 106 consultation process pursuant to Code of Federal Regulations Title 36, Section 800.3. Previous scoping was conducted in 2021 as part of the Environmental Assessment process, however due to scope change, it was deemed necessary to prepare an EIS. 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 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.

A copy of the NOI is enclosed with this letter and may also be read in its entirety by visiting <https://www.federalregister.gov/> and searching for NRCS-2024-0003. You can find additional project information at the NRCS project website:

<https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>

The NRCS invites you to comment on the scope of the EIS. Scoping comments will be accepted through **June 7, 2024**. We will accept comments after this date to the extent feasible. Comments under NEPA and the NHPA may be submitted concurrently.

Comments may be provided in the following ways:

**Online**—Go to <http://www.regulations.gov> and search for docket ID “NRCS-2024-0003”. Follow the online instructions for submitting comments.

**Mail**—Please address to: Derek Hamilton, Water Resources Coordinator Utah Natural Resources Conservation Service, 125 South State Street, Room 4010, Salt Lake City, Utah 84138. Please specify the docket ID NRCS-2024-0003.

Thank you for your interest and input in the planning process for this project. We look forward to hearing from and continuing to work 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 government-government meeting. If you have any questions, comments or concerns, please contact State Watershed Cultural Resources Specialist Tara S. Hoffmann at 385-258-1266 or 801-524-4556 or [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov), at your earliest convenience.

Sincerely,



TRAVIS MOTE  
Acting State Conservationist

Enclosure:

- NOI
- Map

cc:

Anders Fillerup, Acting ASTC-Water Resources, NRCS, Salt Lake City, UT  
Tara S. Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT  
Shawn Stanley, North Watershed Engineer, NRCS, Logan, UT  
Connor Benfield, Water Resources Coordinator, NRCS, Salt Lake City, UT  
Landon Richens, Franson Civil Engineers, American Fork, UT



May 7, 2024

Ms. 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 and Notice of Intent to Prepare an EIS: Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

Dear Coordinator Smith:

The Natural Resources Conservation Service (NRCS) would like to inform you that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Wellsville Canyon Watershed Plan has been published in the *Federal Register* on May 8, 2024.

This letter initiates the public scoping process under the National Environmental Policy Act (NEPA) for the EIS and the National Historic Preservation Act (NHPA) Section 106 consultation process pursuant to Code of Federal Regulations Title 36, Section 800.3. Previous scoping was conducted in 2021 as part of the Environmental Assessment process, however due to scope change, it was deemed necessary to prepare an EIS. 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 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.

A copy of the NOI is enclosed with this letter and may also be read in its entirety by visiting <https://www.federalregister.gov/> and searching for NRCS-2024-0003. You can find additional project information at the NRCS project website:

<https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>

The NRCS invites you to comment on the scope of the EIS. Scoping comments will be accepted through **June 7, 2024**. We will accept comments after this date to the extent feasible. Comments under NEPA and the NHPA may be submitted concurrently.

Comments may be provided in the following ways:

**Online**—Go to <http://www.regulations.gov> and search for docket ID “NRCS-2024-0003”. Follow the online instructions for submitting comments.

**Mail**—Please address to: Derek Hamilton, Water Resources Coordinator Utah Natural Resources Conservation Service, 125 South State Street, Room 4010, Salt Lake City, Utah 84138. Please specify the docket ID NRCS-2024-0003.

Thank you for your interest and input in the planning process for this project. We look forward to hearing from and continuing to work 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 government-government meeting. If you have any questions, comments or concerns, please contact State Watershed Cultural Resources Specialist Tara S. Hoffmann at 385-258-1266 or 801-524-4556 or [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov), at your earliest convenience.

Sincerely,



TRAVIS MOTE  
Acting State Conservationist

Enclosure:

- NOI
- Map

cc:

Anders Fillerup, Acting ASTC-Water Resources, NRCS, Salt Lake City, UT  
Tara S. Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT  
Shawn Stanley, North Watershed Engineer, NRCS, Logan, UT  
Connor Benfield, Water Resources Coordinator, NRCS, Salt Lake City, UT  
Landon Richens, Franson Civil Engineers, American Fork, UT



May 7, 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 and Notice of Intent to Prepare an EIS: Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

Dear Chairman St. Clair:

The Natural Resources Conservation Service (NRCS) would like to inform you that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Wellsville Canyon Watershed Plan has been published in the *Federal Register* on May 8, 2024.

This letter initiates the public scoping process under the National Environmental Policy Act (NEPA) for the EIS and the National Historic Preservation Act (NHPA) Section 106 consultation process pursuant to Code of Federal Regulations Title 36, Section 800.3. Previous scoping was conducted in 2021 as part of the Environmental Assessment process, however due to scope change, it was deemed necessary to prepare an EIS. 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 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.

A copy of the NOI is enclosed with this letter and may also be read in its entirety by visiting <https://www.federalregister.gov/> and searching for NRCS-2024-0003. You can find additional project information at the NRCS project website:

<https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>

The NRCS invites you to comment on the scope of the EIS. Scoping comments will be accepted through **June 7, 2024**. We will accept comments after this date to the extent feasible. Comments under NEPA and the NHPA may be submitted concurrently.

Comments may be provided in the following ways:

**Online**—Go to <http://www.regulations.gov> and search for docket ID “NRCS-2024-0003”. Follow the online instructions for submitting comments.

**Mail**—Please address to: Derek Hamilton, Water Resources Coordinator Utah Natural Resources Conservation Service, 125 South State Street, Room 4010, Salt Lake City, Utah 84138. Please specify the docket ID NRCS-2024-0003.

Thank you for your interest and input in the planning process for this project. We look forward to hearing from and continuing to work 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 government-government meeting. If you have any questions, comments or concerns, please contact State Watershed Cultural Resources Specialist Tara S. Hoffmann at 385-258-1266 or 801-524-4556 or [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov), at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Travis Mote', with a horizontal line drawn through it.

TRAVIS MOTE  
Acting State Conservationist

Enclosure:

- NOI
- Map

cc:

Anders Fillerup, Acting ASTC-Water Resources, NRCS, Salt Lake City, UT  
Tara S. Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT  
Shawn Stanley, North Watershed Engineer, NRCS, Logan, UT  
Connor Benfield, Water Resources Coordinator, NRCS, Salt Lake City, UT  
Landon Richens, Franson Civil Engineers, American Fork, UT



May 7, 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 and Notice of Intent to Prepare an EIS: Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

Dear Director Thompson:

The Natural Resources Conservation Service (NRCS) would like to inform you that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Wellsville Canyon Watershed Plan has been published in the *Federal Register* on May 8, 2024.

This letter initiates the public scoping process under the National Environmental Policy Act (NEPA) for the EIS and the National Historic Preservation Act (NHPA) Section 106 consultation process pursuant to Code of Federal Regulations Title 36, Section 800.3. Previous scoping was conducted in 2021 as part of the Environmental Assessment process, however due to scope change, it was deemed necessary to prepare an EIS. 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 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.

A copy of the NOI is enclosed with this letter and may also be read in its entirety by visiting <https://www.federalregister.gov/> and searching for NRCS-2024-0003. You can find additional project information at the NRCS project website:

<https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>

The NRCS invites you to comment on the scope of the EIS. Scoping comments will be accepted through **June 7, 2024**. We will accept comments after this date to the extent feasible. Comments under NEPA and the NHPA may be submitted concurrently.

Comments may be provided in the following ways:

**Online**—Go to <http://www.regulations.gov> and search for docket ID “NRCS-2024-0003”. Follow the online instructions for submitting comments.

**Mail**—Please address to: Derek Hamilton, Water Resources Coordinator Utah Natural Resources Conservation Service, 125 South State Street, Room 4010, Salt Lake City, Utah 84138. Please specify the docket ID NRCS-2024-0003.

Thank you for your interest and input in the planning process for this project. We look forward to hearing from and continuing to work 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 government-government meeting. If you have any questions, comments or concerns, please contact State Watershed Cultural Resources Specialist Tara S. Hoffmann at 385-258-1266 or 801-524-4556 or [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov), at your earliest convenience.

Sincerely,



TRAVIS MOTE  
Acting State Conservationist

Enclosure:

- NOI
- Map

cc:

Anders Fillerup, Acting ASTC-Water Resources, NRCS, Salt Lake City, UT  
Tara S. Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT  
Shawn Stanley, North Watershed Engineer, NRCS, Logan, UT  
Connor Benfield, Water Resources Coordinator, NRCS, Salt Lake City, UT  
Landon Richens, Franson Civil Engineers, American Fork, UT



May 7, 2024

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

**Reference: Initiation of Section 106 and Notice of Intent to Prepare an EIS: Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

Dear Ms. Timbimboo-Madsen:

The Natural Resources Conservation Service (NRCS) would like to inform you that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Wellsville Canyon Watershed Plan has been published in the *Federal Register* on May 8, 2024.

This letter initiates the public scoping process under the National Environmental Policy Act (NEPA) for the EIS and the National Historic Preservation Act (NHPA) Section 106 consultation process pursuant to Code of Federal Regulations Title 36, Section 800.3. Previous scoping was conducted in 2021 as part of the Environmental Assessment process, however due to scope change, it was deemed necessary to prepare an EIS. 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 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.

A copy of the NOI is enclosed with this letter and may also be read in its entirety by visiting <https://www.federalregister.gov/> and searching for NRCS-2024-0003. You can find additional project information at the NRCS project website:

<https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>

The NRCS invites you to comment on the scope of the EIS. Scoping comments will be accepted through **June 7, 2024**. We will accept comments after this date to the extent feasible. Comments under NEPA and the NHPA may be submitted concurrently.

Comments may be provided in the following ways:

**Online**—Go to <http://www.regulations.gov> and search for docket ID “NRCS-2024-0003”. Follow the online instructions for submitting comments.

**Mail**—Please address to: Derek Hamilton, Water Resources Coordinator Utah Natural Resources Conservation Service, 125 South State Street, Room 4010, Salt Lake City, Utah 84138. Please specify the docket ID NRCS-2024-0003.

Thank you for your interest and input in the planning process for this project. We look forward to hearing from and continuing to work 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 government-government meeting. If you have any questions, comments or concerns, please contact State Watershed Cultural Resources Specialist Tara S. Hoffmann at 385-258-1266 or 801-524-4556 or [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov), at your earliest convenience.

Sincerely,



TRAVIS MOTE  
Acting State Conservationist

Enclosure:

- NOI
- Map

cc:

Anders Fillerup, Acting ASTC-Water Resources, NRCS, Salt Lake City, UT  
Tara S. Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT  
Shawn Stanley, North Watershed Engineer, NRCS, Logan, UT  
Connor Benfield, Water Resources Coordinator, NRCS, Salt Lake City, UT  
Landon Richens, Franson Civil Engineers, American Fork, UT



May 7, 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 and Notice of Intent to Prepare an EIS: Wellsville Canyon Watershed Plan-EIS, Cache County, Utah**

Dear Chairman Tyler:

The Natural Resources Conservation Service (NRCS) would like to inform you that the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Wellsville Canyon Watershed Plan has been published in the *Federal Register* on May 8, 2024.

This letter initiates the public scoping process under the National Environmental Policy Act (NEPA) for the EIS and the National Historic Preservation Act (NHPA) Section 106 consultation process pursuant to Code of Federal Regulations Title 36, Section 800.3. Previous scoping was conducted in 2021 as part of the Environmental Assessment process, however due to scope change, it was deemed necessary to prepare an EIS. 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 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.

A copy of the NOI is enclosed with this letter and may also be read in its entirety by visiting <https://www.federalregister.gov/> and searching for NRCS-2024-0003. You can find additional project information at the NRCS project website:

<https://www.nrcs.usda.gov/wellsville-mendon-watershed-sponsor-cache-water-district>

The NRCS invites you to comment on the scope of the EIS. Scoping comments will be accepted through **June 7, 2024**. We will accept comments after this date to the extent feasible. Comments under NEPA and the NHPA may be submitted concurrently.

Comments may be provided in the following ways:

Online—Go to <http://www.regulations.gov> and search for docket ID “NRCS-2024-0003”. Follow the online instructions for submitting comments.

Mail—Please address to: Derek Hamilton, Water Resources Coordinator Utah Natural Resources Conservation Service, 125 South State Street, Room 4010, Salt Lake City, Utah 84138. Please specify the docket ID NRCS-2024-0003.

Thank you for your interest and input in the planning process for this project. We look forward to hearing from and continuing to work 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 government-government meeting. If you have any questions, comments or concerns, please contact State Watershed Cultural Resources Specialist Tara S. Hoffmann at 385-258-1266 or 801-524-4556 or [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov), at your earliest convenience.

Sincerely,



TRAVIS MOTE  
Acting State Conservationist

Enclosure:

- NOI
- Map

cc:

Anders Fillerup, Acting ASTC-Water Resources, NRCS, Salt Lake City, UT  
Tara S. Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, UT  
Shawn Stanley, North Watershed Engineer, NRCS, Logan, UT  
Connor Benfield, Water Resources Coordinator, NRCS, Salt Lake City, UT  
Landon Richens, Franson Civil Engineers, American Fork, UT

**NHPA Section 106 Initiation Letters  
Tribal Receipt Tracking & Follow-Ups**

**March 25 2025**

**From:** [Hoffmann, Tara - FPAC-NRCS, UT](#)  
**To:** [Landon Richins](#)  
**Cc:** [Chad Brown](#); [Martilyn Neilsen](#); [Lance Houser](#)  
**Subject:** RE: [External Email]Wellsville Canyon NHPA Consultation  
**Date:** Thursday, March 27, 2025 1:01:58 PM  
**Attachments:** [image001.png](#)  
[Wellsville TribalEmails\\_03252025.pdf](#)  
[Wellsville ACHPNotification\\_03272025.pdf](#)

---

Hi Landon,

Made some progress on consultation for Wellsville. Attached are the tribal follow-up emails sent on Tuesday, the ACHP email notification and attachment, and table below showing tribal receipt of the initial letters. Reclamation has arranged a meeting next month to meet with NRCS and the Corps regarding the Programmatic Agreement. I'll still draft an MOA since the timing of the PA may not coincide with planning.

| Wellsville Watershed   |                        |                    |                                |
|------------------------|------------------------|--------------------|--------------------------------|
| <u>Name</u>            | <u>Tracking Number</u> | <u>Date Mailed</u> | <u>Date Recipient Received</u> |
| Jami Van Huss          | 9405514903304891740941 | 2/13/2025          | 2/15/2025                      |
| Dennis Alex            | 9405514903304891740934 | 2/13/2025          | 2/18/2025                      |
| Joshua Mann            | 9405514903304891740927 | 2/13/2025          | 2/19/2025                      |
| Betsy Chapoose         | 9405514903304891740910 | 2/13/2025          | 2/15/2025                      |
| Julius Murray          | 9405514903304891740903 | 2/13/2025          | 2/15/2025                      |
| Brad Parry             | 9405514903304891740897 | 2/13/2025          | 2/18/2025                      |
| Lee Juan Tyler         | 9405514903304891740880 | 2/13/2025          | in transit                     |
| Patti Timbimboo-Madsen | 9405514903304891740873 | 2/13/2025          | 2/18/2025                      |
| Luana Thompson         | 9405514903304891740866 | 2/13/2025          | 2/15/2025                      |
| Carolyn Smith          | 9405514903304891740859 | 2/13/2025          | in transit                     |
| John St. Clair         | 9405514903304891740842 | 2/13/2025          | 2/18/2025                      |

Tara S. Hoffmann  
*State Watershed Cultural Resources Specialist*  
NRCS Utah | Water Resources

125 S State St Rm 6146, Salt Lake City, UT, 84138  
p: (801) 524-4556 | c: (385) 258-1266  
e: [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov) | w: [www.nrcs.usda.gov/ut](http://www.nrcs.usda.gov/ut)

---

**From:** Hoffmann, Tara - FPAC-NRCS, UT <[tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov)>  
**Sent:** Tuesday, March 18, 2025 8:36 AM  
**To:** Landon Richins <[lrichins@fransoncivil.com](mailto:lrichins@fransoncivil.com)>  
**Cc:** Chad Brown <[cbrown@fransoncivil.com](mailto:cbrown@fransoncivil.com)>; Martilyn Neilsen <[mneilsen@fransoncivil.com](mailto:mneilsen@fransoncivil.com)>; Lance Houser <[lhouser@fransoncivil.com](mailto:lhouser@fransoncivil.com)>  
**Subject:** Re: [External Email]Wellsville Canyon NHPA Consultation

Hey Landon- see answers to questions below. I will do my best to send out the ACHP letter as soon as possible, but my team has a been given a mission critical task by NRCS leadership that we must complete by next Friday, so my priority will be on that. Otherwise, Wellsville is still on track with consultation being done by beginning of May.

Happy snowy day!  
Tara

**Tara S. Hoffmann**  
*State Watershed Cultural Resources Specialist*  
NRCS-Utah | Water Resources



Natural Resources Conservation Service  
125 S State St Rm 6146, Salt Lake City, UT, 84138)  
p: (801) 524-4556 | c: (385) 258-1266  
e: [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov) | w: [www.nrcs.usda.gov/ut](http://www.nrcs.usda.gov/ut)

---

**From:** Landon Richins <[lrichins@fransoncivil.com](mailto:lrichins@fransoncivil.com)>  
**Sent:** Tuesday, March 18, 2025 7:27 AM  
**To:** Hoffmann, Tara - FPAC-NRCS, UT <[tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov)>  
**Cc:** Chad Brown <[cbrown@fransoncivil.com](mailto:cbrown@fransoncivil.com)>; Martilyn Neilsen <[mneilsen@fransoncivil.com](mailto:mneilsen@fransoncivil.com)>; Lance Houser <[lhouser@fransoncivil.com](mailto:lhouser@fransoncivil.com)>  
**Subject:** [External Email]Wellsville Canyon NHPA Consultation

**[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](mailto:Spam.Abuse@usda.gov)

Good Morning, Tara!

I just wanted to check-in with you on a few things regarding the Wellsville project...

1. I believe the initial Tribal consultation period is now over, correct? Do you have to wait until after the ACHP notification to do the follow-ups?

2. follow ups can be done concurrently

2. Are we able to move directly into the ACHP notification? That process is ~15-days rights? When do you anticipate this step taking place?

Yes, however my team has been given a priority task that must be done by next Friday and all other work will have to come second to that.

3. Are you able to provide an estimate on when you can move forward on drafting an MOA? If I remember correctly, it can't begin until after the 15-day ACHP consultation, right?

The MOA will be drafted by the end of May.

4. Has there been any luck getting NRCS into the programmatic agreement through USU?

This is a complex process- reclamation is setting up a meeting with NRCS and the Corps for mid-April to start drafting the amendment. To keep on schedule with Wellsville, we will still go down the MOA route until a PA is executed, if done in time.

5. If my math is correct, we should be looking to be all done with Section 106 consultation around the first of May. Is this correct?

Yes.

6. Would you be able to send me the Tribal return receipts for the initial consultation period for Appendix A?

We don't do return receipts anymore. Will check the tracking database for proof of delivery (we switched to priority mail).

Sorry for all the questions! I hope your weekend was relaxing and that things are going well. I appreciate all the work you do for us!

Sincerely,

Landon

**Landon Richins** | [lrichins@fransoncivil.com](mailto: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.*

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.

**From:** [Hoffmann, Tara - FPAC-NRCS, UT](#)  
**To:** [istclair@easternshoshone.org](mailto:istclair@easternshoshone.org); [jmann@easternshoshone.org](mailto:jmann@easternshoshone.org); [Dennis Alex](#); [Brad Parry](#); [Patti Timbimboo-Madsen](#); [Lee Juan Tyler](#); [Carolyn Smith](#); [Julius Murray](#); [Betsy Chapoose \(betsyc@utetribes.com\)](mailto:betsyc@utetribes.com); [Luana Thompson](#)  
**Subject:** NRCS Sec. 106 Consultation for Wellsville Watershed Plan- EIS, Cache County, Utah  
**Date:** Tuesday, March 25, 2025 11:33:00 AM  
**Attachments:** image001.png  
WellsvilleEIS\_\_CRReport106Ltrs\_022025.pdf  
U21HY0960.pdf  
Wellsville\_SHPOConcur\_03012025.pdf  
**Importance:** High

---

Good Morning, Tribal Leaders,

NRCS, as lead federal agency, is following up regarding Section 106 consultation for the Wellsville Canyon Watershed Plan-Environmental Impact Statement (EIS). The Bureau of Reclamation (Bureau) is a consulting party due to the adjacent location of this proposed undertaking to Bureau canals. We last consulted with your nation on the project APE, site eligibility, and finding of “**Adverse Effect**” in letters dated February 12, 2025 (attached). Also attached is the cultural report for reference and SHPO concurrence.

Project Overview: The NRCS, with Cache Water District as the project sponsor, proposes improvements within the Wellsville Canyon Watershed to address flooding, reduce irrigation water loss, and enhance recreational facilities in broader Wellsville and Mendon area. The project is funded through the authority of the Watershed Protection and Flood Prevention Act (Public Law 566). Issuance of such Federal funding by the NRCS invokes the National Historic Preservation Act and its implementing regulations at 36 CFR 800 for the consideration of historic properties in project planning and execution.

APE: 847.60 acres of private land, encompassing all proposed ground disturbance, buffers for flexibility during final design, staging areas, and access roads. The APE includes a series of linear corridors and polygons. The No Action Alternative APE consists of the current 100-year flood inundation zone, which includes that area that is currently subject to flooding and the area that would benefit from reduced flooding with project implementation. A total of 975 acres were surveyed to identify cultural resources, prior to the refinement of the APE.

Cultural Resources/Historic Properties within APE: 13 newly recorded historic sites; **8 eligible for the National Register**. The table below lists all sites, eligibility determinations description of impacts, and finding of effect. The attached cultural report provides additional details.

| Site Number | Description                                   | Eligibility Determination | Description of Impact(s)                                                                                                                                                                                                                                           | Finding of Effect     |
|-------------|-----------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| 42CA88      | Utah Northern Railroad/Union Pacific Railroad | Eligible                  | The Utah Northern Railroad corridor would be crossed by new pipelines at 18 locations. Crossings would generally be perpendicular to the tracks and involve boring under the railroad.                                                                             | No adverse effect     |
| 42CA174     | Wellsville-Mendon Lower Canal system          | Eligible                  | The Wellsville-Mendon Lower Canal will be piped along most of its length by placing the pipe in the downhill bank berm. The channel will remain open, and the berm will remain in place and comparable to the current berm in composition. Many of the field-level | <b>Adverse Effect</b> |

|         |                                      |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                 |
|---------|--------------------------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
|         |                                      |            | ditches associated with the system, especially those within the street grids of Wellsville and Mendon, would be piped as part of the proposed pressurized irrigation system. Thus, while the main canal would largely remain intact, the associated system would be impacted more substantially.                                                                                                                                                                                                                               |                                 |
| 42CA184 | Wellsville-Mendon Upper Canal system | Eligible   | The Wellsville-Mendon Upper Canal passes through a staging area, and several proposed pipelines would cross the canal. These crossings would occur either through boring under the currently open channel or through open trenching with recontouring of the channel. It is important to note that this canal is slated for piping through an unrelated undertaking. If said piping has occurred by the time the construction for the present undertaking begins, this canal site would no longer exist on the ground surface. | No adverse effect               |
| 42CA198 | Wellsville Canal/East Field Lateral  | Eligible   | A long segment of the Wellsville Canal/East Field Canal from the diversion at Hyrum Reservoir, passing through Hyrum, and ending in unincorporated Cache County would be enclosed and piped. This would eliminate the surface expression of the canal.                                                                                                                                                                                                                                                                         | <b>Adverse Effect</b>           |
| 42CA322 | Mendon South Canal                   | Eligible   | The Mendon South Canal would be or otherwise intersected at four locations by pipelines for the proposed pressurized irrigation system. These crossings would occur either through boring under the currently open canal channel or through open trenching with restoration of the channel upon completion.                                                                                                                                                                                                                    | No adverse effect               |
| 42CA337 | Ogden, Logan & Idaho Railroad        | Eligible   | The Ogden, Logan & Idaho Railroad site crosses the project area in one location north of Mendon. It crosses an area where bank stabilization, channel vegetation clearing, and similar activities would occur within Threemile Creek. These measures would be limited to the creek channel and would not extend into upland areas. There are no features of this site within the channel. Thus, the project would effectively avoid the site.                                                                                  | No historic properties affected |
| 42CA338 | Stone Foundation & Fire Ring         | Ineligible | NA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | NA                              |
| 42CA339 | Mendon Cemetery                      | Eligible   | Pressurized irrigation system pipes would be installed in the roadways of the Mendon City Cemetery. A temporary construction staging area would be located at the entrance of the cemetery, and recreation-related improvements would occur along the west edge of the site. None of these actions would alter any contributing features of the site or introduce visual intrusions that would alter the setting or feeling of the site.                                                                                       | No adverse effect               |
| 42CA340 | Wellsville Dam & Reservoir           | Ineligible | NA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | NA                              |
| 42CA341 | Wellsville Cemetery                  | Eligible   | While the survey area encroaches on the Wellsville Cemetery, no features associated with it will be impacted by the proposed watershed improvements. The proposed pipelines near the cemetery will be installed in                                                                                                                                                                                                                                                                                                             | No historic properties affected |

|         |                                                             |            |                                        |    |
|---------|-------------------------------------------------------------|------------|----------------------------------------|----|
|         |                                                             |            | roadways<br>outside the site boundary. |    |
| 42CA342 | Mendon Main<br>Street Culvert &<br>Rock Wall                | Ineligible | NA                                     | NA |
| N/A     | Wellsville 200 East<br>Culvert                              | Ineligible | NA                                     | NA |
| N/A     | Wellsville Canyon<br>Creek Bridge<br>(Structure<br>005051D) | Ineligible | NA                                     | NA |

-

Finding of Adverse Effect to Historic Properties: Applying the Criteria of Adverse Effect (36 CFR 800.5), the NRCS has determined that the conversion from open canal to pipe of sites 42CA174 (Wellsville-Mendon Lower Canal) and 42CA198 (Wellsville Canal/East Lateral) constitute adverse effects to those characteristics that qualify the properties for inclusion in the National Register. To resolve the adverse effects, per 36 CFR 800.6, the NRCS will continue consultation to develop mitigation stipulations that will be executed in a Memorandum of Agreement (MOA).

Per 36 CFR 800.3-800.5, the NRCS requests concurrence for the delineation of the APE, identification of historic properties and finding of adverse effect. We also ask if your tribe like to participate in the development of the MOA.

Please respond by **April 4th** with any questions, comments, or concerns. Thank you again you for your continued involvement and support of the NRCS watershed program projects.

Many thanks,

Tara

**Tara S. Hoffmann**

*State Watershed Cultural Resources Specialist*  
NRCS Utah | Water Resources



**U.S. DEPARTMENT OF AGRICULTURE**  
Natural Resources Conservation Service  
125 S State St Rm 6146, Salt Lake City, UT, 84138  
p: (801) 524-4556 | c: (385) 258-1266  
e: [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov) | w: [www.nrcs.usda.gov/ut](http://www.nrcs.usda.gov/ut)

**Utah SHPO**  
**Documentation**

**March 1, 2025**

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

February 12, 2025

Reference: A Cultural Resource Assessment for the Wellsville Canyon Watershed Plan-EIS, Cache County, Utah (U21HY0960)

Dear Dr. Merritt:

The United States Department of Agriculture's Natural Resources Conservation Service (USDA-NRCS) is continuing Section 106 consultation for the proposed Wellsville Canyon Watershed Plan and Environmental Impact Statement (EIS), near Wellsville, and Mendon, Utah. Per 36 CFR 800.3. We initiated consultation with your office in a letter dated May 9, 2024. Enclosed is a cultural resources report titled *A Cultural Resource Assessment for the Wellsville Canyon Watershed Plan-EIS, Cache County, Utah*. The USDA-NRCS, with Cache Water District as the Sponsoring Local Organization (Sponsor), proposes improvements within the Wellsville Canyon Watershed to address flooding, reduce irrigation water loss, and enhance recreational facilities in broader Wellsville and Mendon area. The Sponsor would receive at least partial funding for the projects from the USDA-NRCS under the Watershed Protection and Flood Prevention Act of 1954 (P.L. 83-566). Issuance of such Federal funding by the NRCS invokes the National Historic Preservation Act and its implementing regulations at 36 CFR 800 for the consideration of historic properties in project planning and execution. The NRCS is serving as the lead Federal agency for the purposes of Section 106.

The U.S. Bureau of Reclamation (BOR) has been identified as a consulting party under Section 106, due to the proximity of proposed actions along the Wellsville-Mendon Lower Canal (42CA174), and the Wellsville-Mendon Upper Canal (42CA184). The segments of the canals within the Area of Potential Effects (APE) are owned by the Wellsville-Mendon Conservancy District; however, the canal lengths adjacent to these segments are BOR-managed facilities and were constructed as part of the Hyrum Project.

Per 36 CFR 800.4, the NRCS has established the Direct APE as 847.60 acres of private land, encompassing all proposed ground disturbance, buffers for flexibility during final design, staging areas, and access roads. The APE includes a series of linear corridors and polygons. The No Action Alternative APE consists of the current 100-year flood inundation zone, which includes that area that is currently subject to flooding and the area that would benefit from reduced flooding with project implementation.

To identify historic properties within the APE, a literature review, followed by an intensive pedestrian inventory was completed by Sheri Murray Ellis of Certus Environmental Solutions. Ms. Ellis meets or exceeds the Secretary of the Interior Standards for Archaeology and Architectural History, and fieldwork procedures followed those required by the Utah NRCS and Utah State Historic Preservation Office (SHPO). No fieldwork was conducted in the No Action Alternative APE, except for those areas that overlap with the Direct APE. Fieldwork was conducted over a period of several years based on project area and schedule changes as well as a change from preparing an Environmental Assessment (EA) in 2021 and 2022 to preparing the current EIS in 2023. Field surveys occurred November 18 through December 5, 2021, and June 11 to 17, 2024. The intensive survey area exceeds the size of the APE, and included 975 acres, of which 921 acres are private land, 5 acres on U.S. Forest Service (USFS) land, and 49 acres within rights-of-ways (ROW) administered by the BOR. The undertaking will have no actions within the BOR ROW, nor on USFS-administered lands.

A total of 13 newly recorded sites were identified within the Direct APE as a result of the intensive inventory.

Table 1 below summarizes the recorded cultural sites within the Direct APE and NRCS's eligibility determinations.



Table 1. Recorded Cultural Sites.

| Site Number | Description                                        | Eligibility Determination |
|-------------|----------------------------------------------------|---------------------------|
| 42CA88      | Utah Northern Railroad/Union Pacific Railroad      | Eligible                  |
| 42CA174     | Wellsville-Mendon Lower Canal system               | Eligible                  |
| 42CA184     | Wellsville-Mendon Upper Canal system               | Eligible                  |
| 42CA198     | Wellsville Canal/East Field Lateral                | Eligible                  |
| 42CA322     | Mendon South Canal                                 | Eligible                  |
| 42CA337     | Ogden, Logan & Idaho Railroad                      | Eligible                  |
| 42CA338     | Stone Foundation & Fire Ring                       | Ineligible                |
| 42CA339     | Mendon Cemetery                                    | Eligible                  |
| 42CA340     | Wellsville Dam & Reservoir                         | Ineligible                |
| 42CA341     | Wellsville Cemetery                                | Eligible                  |
| 42CA342     | Mendon Main Street Culvert & Rock Wall             | Ineligible                |
| N/A         | Wellsville 200 East Culvert                        | Ineligible                |
| N/A         | Wellsville Canyon Creek Bridge (Structure 005051D) | Ineligible                |

Table 2 summarizes the project measures proposed at each historic property and NRCS's finding of effect.

Table 2. Historic properties and findings of effect.

| Site Number | Description of Impact                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Finding of Effect |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 42CA88      | The Utah Northern Railroad corridor would be crossed by new pipelines at 18 locations. Crossings would generally be perpendicular to the tracks and involve boring under the railroad.                                                                                                                                                                                                                                                                                                                                                                              | No Adverse Effect |
| 42CA174     | The Wellsville-Mendon Lower Canal will be piped along most of its length by placing the pipe in the downhill bank berm. The channel will remain open, and the berm will remain in place and comparable to the current berm in composition. Many of the field-level ditches associated with the system, especially those within the street grids of Wellsville and Mendon, would be piped as part of the proposed pressurized irrigation system. Thus, while the main canal would largely remain intact, the associated system would be impacted more substantially. | Adverse Effect    |
| 42CA184     | The Wellsville-Mendon Upper Canal passes through a staging area, and several proposed pipelines would cross the canal. These crossings would occur either through boring under the currently open channel or through open trenching with recontouring of the channel. It is important to note that this canal is slated for piping through an unrelated undertaking. If said piping has occurred by the time the construction for the present undertaking begins, this canal site would no longer exist on the ground surface.                                      | No Adverse Effect |
| 42CA198     | A long segment of the Wellsville Canal/East Field Canal from the diversion at Hyrum Reservoir, passing through Hyrum, and ending in unincorporated Cache County would be enclosed and piped. This would eliminate the surface expression of the canal.                                                                                                                                                                                                                                                                                                              | Adverse Effect    |



| Site Number | Description of Impact                                                                                                                                                                                                                                                                                                                                                                                                                            | Finding of Effect               |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| 42CA322     | The Mendon South Canal would be or otherwise intersected at four locations by pipelines for the proposed pressurized irrigation system. These crossings would occur either through boring under the currently open canal channel or through open trenching with restoration of the channel upon completion.                                                                                                                                      | No Adverse Effect               |
| 42CA337     | The Ogden, Logan & Idaho Railroad site crosses the project area in one location north of Mendon. It crosses an area where bank stabilization, channel vegetation clearing, and similar activities would occur within Threemile Creek. These measures would be limited to the creek channel and would not extend into upland areas.<br>There are no features of this site within the channel. Thus, the project would effectively avoid the site. | No Historic Properties Affected |
| 42CA339     | Pressurized irrigation system pipes would be installed in the roadways of the Mendon City Cemetery. A temporary construction staging area would be located at the entrance of the cemetery, and recreation-related improvements would occur along the west edge of the site. None of these actions would alter any contributing features of the site or introduce visual intrusions that would alter the setting or feeling of the site.         | No Adverse Effect               |
| 42CA341     | While the survey area encroaches on the Wellsville Cemetery, no features associated with it will be impacted by the proposed watershed improvements. The proposed pipelines near the cemetery will be installed in roadways outside the site boundary.                                                                                                                                                                                           | No Historic Properties Affected |

Applying the Criteria of Adverse Effect (36 CFR 800.5), the NRCS has determined that the conversion from open canal to pipe of sites 42CA174 (Wellsville-Mendon Lower Canal) and 42CA198 (Wellsville Canal/East Lateral) constitute adverse effects to those characteristics that qualify the properties for inclusion in the National Register of Historic Places (NRHP).

Within the No Action Alternative APE, a literature review was conducted to identify existing historic properties. A total of 11 eligible archaeological sites and 341 eligible buildings/structures are currently identified, though more likely exist. These historic properties would benefit from the proposed undertaking by a reduction in future flood events and would continue to be potentially affected by flooding under the No Action Alternative.

As such, the NRCS has determined that the proposed undertaking will result in an **Adverse Effects** to historic properties. To resolve the adverse effects, per 36 CFR 800.6, the NRCS will continue consultation with your office, the Sponsors, Tribes, and other consulting parties, to develop mitigation stipulations that will be executed in a Memorandum of Agreement (MOA). We invite you to participate in the development of the MOA. The NRCS will also notify the Advisory Council on Historic Preservation of the adverse effect finding by providing documentation specified in 36 CFR 800.11(e). Per 36 CFR 800.3-800.5, the NRCS requests concurrence for the delineation of the APE, site eligibility, finding of effect, and decision regarding participation in the MOA. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at (385)-258-1266 at your convenience.

Sincerely,

EMILY FIFE  
State Conservationist

Enclosure



## Natural Resources Conservation Service

U.S. DEPARTMENT OF AGRICULTURE

### State Office Natural Resources Conservation Service

125 South State Street, Room 6146

Salt Lake City, Utah 84138

Phone: 801-524-4550

cc: (w/o encl)

Anders Fillerup, ASTC-Water Resources, NRCS, Salt Lake City, Utah

Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, Utah

Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, Utah

Ammon Boswell, Assistant State Conservationist for Field Operations, NRCS, Ogden, Utah

Justin Elsner, District Conservationist, NRCS, North Logan, Utah

Landon Richens, Franson Civil Engineers, American Fork, Utah

Tom Flanigan, Heritage Program Manager, Uintah-Wasatch-Cache National Forest, Salt Lake City, Utah

Zac Nelson, Regional Archeologist, Bureau of Reclamation, Provo, Utah



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

March 1, 2025

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

RE: Wellsville Canyon Watershed Plan-EIS Cultural Resource Assessment, Cache County, Utah

For future correspondence, please reference Case No. 25-0230

Dear Emily Fife,

The Utah State Historic Preservation Office received your submission and request for our comment on the above-referenced undertaking on February 21, 2025.

We concur with your determinations of eligibility and effect for this undertaking.

This letter serves as our comment on the determinations you have made within the consultation process specified in §36CFR800.4. If you have questions, please contact me at (801) 535-2502 or by email at [rmcgrath@utah.gov](mailto:rmcgrath@utah.gov).

Sincerely,

Ryan McGrath  
Compliance Archaeologist

**NHPA Section 106 Consultation  
Agency/Consulting Party Documentation  
February 2025**

Ms. Jami Van Huss  
Wellsville Certified Local Government  
75 East Main  
P.O. Box 6  
Wellsville, Utah 84339

February 12, 2025

Reference: A Cultural Resource Assessment for the Wellsville Canyon Watershed Plan-EIS, Cache County, Utah (U21HY0960)

Dear Ms. Huss:

The United States Department of Agriculture's Natural Resources Conservation Service (USDA-NRCS) is continuing Section 106 consultation for the proposed Wellsville Canyon Watershed Plan and Environmental Impact Statement (EIS), near Wellsville, and Mendon, Utah. Per 36 CFR 800.3. We initiated consultation with your office in a letter dated May 9, 2024. Enclosed is a cultural resources report titled *A Cultural Resource Assessment for the Wellsville Canyon Watershed Plan-EIS, Cache County, Utah*. The USDA-NRCS, with Cache Water District as the Sponsoring Local Organization (Sponsor), proposes improvements within the Wellsville Canyon Watershed to address flooding, reduce irrigation water loss, and enhance recreational facilities in broader Wellsville and Mendon area. The Sponsor would receive at least partial funding for the projects from the USDA-NRCS under the Watershed Protection and Flood Prevention Act of 1954 (P.L. 83-566). Issuance of such Federal funding by the NRCS invokes the National Historic Preservation Act and its implementing regulations at 36 CFR 800 for the consideration of historic properties in project planning and execution. The NRCS is serving as the lead Federal agency for the purposes of Section 106.

The U.S. Bureau of Reclamation (BOR) has been identified as a consulting party under Section 106, due to the proximity of proposed actions along the Wellsville-Mendon Lower Canal (42CA174), and the Wellsville-Mendon Upper Canal (42CA184). The segments of the canals within the Area of Potential Effects (APE) are owned by the Wellsville-Mendon Conservancy District; however, the canal lengths adjacent to these segments are BOR-managed facilities and were constructed as part of the Hyrum Project.

Per 36 CFR 800.4, the NRCS has established the Direct APE as 847.60 acres of private land, encompassing all proposed ground disturbance, buffers for flexibility during final design, staging areas, and access roads. The APE includes a series of linear corridors and polygons. The No Action Alternative APE consists of the current 100-year flood inundation zone, which includes that area that is currently subject to flooding and the area that would benefit from reduced flooding with project implementation.

To identify historic properties within the APE, a literature review, followed by an intensive pedestrian inventory was completed by Sheri Murray Ellis of Certus Environmental Solutions. Ms. Ellis meets or exceeds the Secretary of the Interior Standards for Archaeology and Architectural History, and fieldwork procedures followed those required by the Utah NRCS and Utah State Historic Preservation Office (SHPO). No fieldwork was conducted in the No Action Alternative APE, except for those areas that overlap with the Direct APE. Fieldwork was conducted over a period of several years based on project area and schedule changes as well as a change from preparing an Environmental Assessment (EA) in 2021 and 2022 to preparing the current EIS in 2023. Field surveys occurred November 18 through December 5, 2021, and June 11 to 17, 2024. The intensive survey area exceeds the size of the APE, and included 975 acres, of which 921 acres are private land, 5 acres on U.S. Forest Service (USFS) land, and 49 acres within rights-of-ways (ROW) administered by the BOR. The undertaking will have no actions within the BOR ROW, nor on USFS-administered lands.

A total of 13 newly recorded sites were identified within the Direct APE as a result of the intensive inventory.

Table 1 below summarizes the recorded cultural sites within the Direct APE and NRCS's eligibility determinations.



Table 1. Recorded Cultural Sites.

| Site Number | Description                                        | Eligibility Determination |
|-------------|----------------------------------------------------|---------------------------|
| 42CA88      | Utah Northern Railroad/Union Pacific Railroad      | Eligible                  |
| 42CA174     | Wellsville-Mendon Lower Canal system               | Eligible                  |
| 42CA184     | Wellsville-Mendon Upper Canal system               | Eligible                  |
| 42CA198     | Wellsville Canal/East Field Lateral                | Eligible                  |
| 42CA322     | Mendon South Canal                                 | Eligible                  |
| 42CA337     | Ogden, Logan & Idaho Railroad                      | Eligible                  |
| 42CA338     | Stone Foundation & Fire Ring                       | Ineligible                |
| 42CA339     | Mendon Cemetery                                    | Eligible                  |
| 42CA340     | Wellsville Dam & Reservoir                         | Ineligible                |
| 42CA341     | Wellsville Cemetery                                | Eligible                  |
| 42CA342     | Mendon Main Street Culvert & Rock Wall             | Ineligible                |
| N/A         | Wellsville 200 East Culvert                        | Ineligible                |
| N/A         | Wellsville Canyon Creek Bridge (Structure 005051D) | Ineligible                |

Table 2 summarizes the project measures proposed at each historic property and NRCS's finding of effect.

Table 2. Historic properties and findings of effect.

| Site Number | Description of Impact                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Finding of Effect |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 42CA88      | The Utah Northern Railroad corridor would be crossed by new pipelines at 18 locations. Crossings would generally be perpendicular to the tracks and involve boring under the railroad.                                                                                                                                                                                                                                                                                                                                                                              | No Adverse Effect |
| 42CA174     | The Wellsville-Mendon Lower Canal will be piped along most of its length by placing the pipe in the downhill bank berm. The channel will remain open, and the berm will remain in place and comparable to the current berm in composition. Many of the field-level ditches associated with the system, especially those within the street grids of Wellsville and Mendon, would be piped as part of the proposed pressurized irrigation system. Thus, while the main canal would largely remain intact, the associated system would be impacted more substantially. | Adverse Effect    |
| 42CA184     | The Wellsville-Mendon Upper Canal passes through a staging area, and several proposed pipelines would cross the canal. These crossings would occur either through boring under the currently open channel or through open trenching with recontouring of the channel. It is important to note that this canal is slated for piping through an unrelated undertaking. If said piping has occurred by the time the construction for the present undertaking begins, this canal site would no longer exist on the ground surface.                                      | No Adverse Effect |
| 42CA198     | A long segment of the Wellsville Canal/East Field Canal from the diversion at Hyrum Reservoir, passing through Hyrum, and ending in unincorporated Cache County would be enclosed and piped. This would eliminate the surface expression of the canal.                                                                                                                                                                                                                                                                                                              | Adverse Effect    |



| Site Number | Description of Impact                                                                                                                                                                                                                                                                                                                                                                                                                            | Finding of Effect               |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| 42CA322     | The Mendon South Canal would be or otherwise intersected at four locations by pipelines for the proposed pressurized irrigation system. These crossings would occur either through boring under the currently open canal channel or through open trenching with restoration of the channel upon completion.                                                                                                                                      | No Adverse Effect               |
| 42CA337     | The Ogden, Logan & Idaho Railroad site crosses the project area in one location north of Mendon. It crosses an area where bank stabilization, channel vegetation clearing, and similar activities would occur within Threemile Creek. These measures would be limited to the creek channel and would not extend into upland areas.<br>There are no features of this site within the channel. Thus, the project would effectively avoid the site. | No Historic Properties Affected |
| 42CA339     | Pressurized irrigation system pipes would be installed in the roadways of the Mendon City Cemetery. A temporary construction staging area would be located at the entrance of the cemetery, and recreation-related improvements would occur along the west edge of the site. None of these actions would alter any contributing features of the site or introduce visual intrusions that would alter the setting or feeling of the site.         | No Adverse Effect               |
| 42CA341     | While the survey area encroaches on the Wellsville Cemetery, no features associated with it will be impacted by the proposed watershed improvements. The proposed pipelines near the cemetery will be installed in roadways outside the site boundary.                                                                                                                                                                                           | No Historic Properties Affected |

Applying the Criteria of Adverse Effect (36 CFR 800.5), the NRCS has determined that the conversion from open canal to pipe of sites 42CA174 (Wellsville-Mendon Lower Canal) and 42CA198 (Wellsville Canal/East Lateral) constitute adverse effects to those characteristics that qualify the properties for inclusion in the National Register of Historic Places (NRHP).

Within the No Action Alternative APE, a literature review was conducted to identify existing historic properties. A total of 11 eligible archaeological sites and 341 eligible buildings/structures are currently identified, though more likely exist. These historic properties would benefit from the proposed undertaking by a reduction in future flood events and would continue to be potentially affected by flooding under the No Action Alternative.

As such, the NRCS has determined that the proposed undertaking will result in an **Adverse Effects** to historic properties. To resolve the adverse effects, per 36 CFR 800.6, the NRCS will continue consultation with your office, the Sponsors, Tribes, and other consulting parties, to develop mitigation stipulations that will be executed in a Memorandum of Agreement (MOA). We invite you to participate in the development of the MOA. The NRCS will also notify the Advisory Council on Historic Preservation of the adverse effect finding by providing documentation specified in 36 CFR 800.11(e). Per 36 CFR 800.3-800.5, the NRCS requests concurrence for the delineation of the APE, site eligibility, finding of effect, and decision regarding participation in the MOA. If you have any questions, comments, or concerns, please contact Tara S. Hoffmann, State Watershed Cultural Resources Specialist, at (385)-258-1266 at your convenience.

Sincerely,

EMILY FIFE  
State Conservationist

Enclosure



## Natural Resources Conservation Service

U.S. DEPARTMENT OF AGRICULTURE

### State Office Natural Resources Conservation Service

125 South State Street, Room 6146

Salt Lake City, Utah 84138

Phone: 801-524-4550

cc: (w/o encl)

Anders Fillerup, ASTC-Water Resources, NRCS, Salt Lake City, Utah

Derek Hamilton, Water Resources Coordinator, NRCS, Salt Lake City, Utah

Tara Hoffmann, State Watershed Cultural Resources Specialist, NRCS, Salt Lake City, Utah

Ammon Boswell, Assistant State Conservationist for Field Operations, NRCS, Ogden, Utah

Justin Elsner, District Conservationist, NRCS, North Logan, Utah

Landon Richens, Franson Civil Engineers, American Fork, Utah

Tom Flanigan, Heritage Program Manager, Uintah-Wasatch-Cache National Forest, Salt Lake City, Utah

Zac Nelson, Regional Archeologist, Bureau of Reclamation, Provo, Utah

**From:** [Hoffmann, Tara - FPAC-NRCS, UT](#)  
**To:** [Nelson, Zachary](#)  
**Subject:** NRCS Wellsville Watershed Plan-EIS Section 106  
**Date:** Thursday, February 13, 2025 10:37:00 AM  
**Attachments:** image001.png  
WellsvilleEIS\_\_CRReport106Ltrs\_022025.pdf  
**Importance:** High

---

Morning Zac,

The NRCS, in cooperation with the Cache Water District (Sponsor), is proposing improvements within the Wellsville Canyon Watershed to address flooding, reduce irrigation water loss, and enhance recreational facilities in broader Wellsville and Mendon area. The Sponsor would receive at least partial funding for the projects from the NRCS under the Watershed Protection and Flood Prevention Act of 1954 (P.L. 83-566). Issuance of such Federal funding by the NRCS invokes the National Historic Preservation Act and its implementing regulations at 36 CFR 800 for the consideration of historic properties in project planning and execution. The NRCS is serving as the lead Federal agency for the purposes of Section 106.

We have identified the U.S. Bureau of Reclamation (BOR) as a consulting party under Section 106, due to the proximity of proposed actions along the NRHP-eligible Wellsville-Mendon Lower Canal (42CA174), and the Wellsville-Mendon Upper Canal (42CA184). The segments of the canals within the Area of Potential Effects (APE) are owned/managed by the Wellsville-Mendon Conservancy District; however, the canal lengths adjacent to these segments are BOR-managed facilities and were constructed as part of the Hyrum Project. The BOR is also a cooperating agency under NEPA and has been involved with review of EIS as we proceed through planning.

To keep BOR in the loop on Section 106 consultation, I have attached the current consultation letters and below is a link to the cultural deliverables:

[https://drive.google.com/drive/folders/1k\\_aSmCCKZgti30XVkl1ndPG\\_kX3lxhA4?usp=sharing](https://drive.google.com/drive/folders/1k_aSmCCKZgti30XVkl1ndPG_kX3lxhA4?usp=sharing)

With the conversion of the two canal segments from open channel to pipe, the NRCS has determined that this constitutes an adverse effect to those characteristics that qualify the properties for inclusion in the National Register of Historic Places (NRHP). The NRCS has therefore determined that the proposed undertaking will result in Adverse Effects to historic properties. Given the proximity of the segments to BOR-segments, would the BOR like to participate in the development of the MOA to mitigate adverse effects? NRCS alas doesn't yet have a water control feature PA, so an MOA will be needed.

Let me know if BOR is in agreement with NRCS being the lead for 106, and if you'd like to be involved with the MOA, or if there are any other questions.

Thanks again!

Tara

**Tara S. Hoffmann**

*State Watershed Cultural Resources Specialist*

NRCS Utah | Water Resources



**U.S. DEPARTMENT OF AGRICULTURE**

Natural Resources Conservation Service

125 S State St Rm 6416, Salt Lake City, UT, 84138

p: (801) 524-4556 | c: (385) 258-1266

e: [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov) | w: [www.nrcs.usda.gov/ut](http://www.nrcs.usda.gov/ut)

**From:** [Flanigan, Tom - FS, UT](#)  
**To:** [Hoffmann, Tara - FPAC-NRCS, UT](#)  
**Subject:** RE: NRCS Wellsville Watershed Plan-EIS Section 106  
**Date:** Thursday, February 13, 2025 12:56:43 PM  
**Attachments:** image002.png  
image003.png  
image004.png  
image005.png  
image006.png

---

Hello Tara,

We are fine with NRCS taking the lead. Thanks for the heads up, and all the information! Let me know if you need anything from us. -Tom



**Tom Flanigan, PhD**  
**Heritage Program Manager / Forest Archaeologist**  
**Forest Service**  
**Uinta-Wasatch-Cache National Forests, Supervisor's Office**  
**p: 801-999-2162 (office) 801-834-3870 (cell)**  
[thomas.flanigan@usda.gov](mailto:thomas.flanigan@usda.gov)  
857 West, South Jordan PKWY  
South Jordan, UT 84095  
[www.fs.fed.us](http://www.fs.fed.us)  
    
**Caring for the land and serving people**

---

**From:** Hoffmann, Tara - FPAC-NRCS, UT <tara.hoffmann@usda.gov>  
**Sent:** Thursday, February 13, 2025 10:42 AM  
**To:** Flanigan, Tom - FS, UT <Thomas.Flanigan@usda.gov>  
**Subject:** NRCS Wellsville Watershed Plan-EIS Section 106

Morning Tom,

The NRCS, in cooperation with the Cache Water District (Sponsor), is proposing improvements within the Wellsville Canyon Watershed to address flooding, reduce irrigation water loss, and enhance recreational facilities in broader Wellsville and Mendon area. The Sponsor would receive at least partial funding for the projects from the NRCS under the Watershed Protection and Flood Prevention Act of 1954 (P.L. 83-566). Issuance of such Federal funding by the NRCS invokes the National Historic Preservation Act and its implementing regulations at 36 CFR 800 for the consideration of historic properties in project planning and execution. The NRCS is serving as the lead Federal agency for the purposes of Section 106.

We have identified the U.S. Bureau of Reclamation (BOR) as a consulting party under Section

106, due to the proximity of proposed actions along the NRHP-eligible Wellsville-Mendon Lower Canal (42CA174), and the Wellsville-Mendon Upper Canal (42CA184). The segments of the canals within the Area of Potential Effects (APE) are owned/managed by the Wellsville-Mendon Conservancy District; however, the canal lengths adjacent to these segments are BOR-managed facilities and were constructed as part of the Hyrum Project. The BOR is also a cooperating agency under NEPA and has been involved with review of EIS as we proceed through planning.

The Direct Area of Potential Effects (APE) consists of 847.60 acres of private land, encompassing all proposed ground disturbance, buffers for flexibility during final design, staging areas, and access roads. The APE includes a series of linear corridors and polygons. The No Action Alternative APE consists of the current 100-year flood inundation zone, which includes that area that is currently subject to flooding and the area that would benefit from reduced flooding with project implementation.

Sheri Ellis completed an intensive inventory of the APE, and at that inventory included 5 acres of USFS-administered land. The proposed watershed plan-EIS will have no actions on USFS land.

To keep you in the loop on Section 106 consultation, I have attached the current consultation letters and below is a link to the cultural deliverables:

[https://drive.google.com/drive/folders/1k\\_aSmCCKZgti30XVkl1ndPG\\_kX3lxhA4?usp=sharing](https://drive.google.com/drive/folders/1k_aSmCCKZgti30XVkl1ndPG_kX3lxhA4?usp=sharing)

With the conversion of the two canal segments from open channel to pipe, the NRCS has determined that this constitutes an adverse effect to those characteristics that qualify the properties for inclusion in the National Register of Historic Places (NRHP). The NRCS has therefore determined that the proposed undertaking will result in Adverse Effects to historic properties. Given the proximity of the segments to BOR-segments we will be working with BOR, SHPO, the Sponsor, and other consulting parties to develop mitigation stipulations and execute an MOA.

Let me know if USFS is in agreement with NRCS being the lead for 106, or if you have any questions.

Thanks again!

Tara

**Tara S. Hoffmann**

*State Watershed Cultural Resources Specialist*  
NRCS Utah | Water Resources



U.S. DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service  
125 S State St Rm 6416, Salt Lake City, UT, 84138  
p: (801) 524-4556 | c: (385) 258-1266  
e: [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov) | w: [www.nrcs.usda.gov/ut](http://www.nrcs.usda.gov/ut)

**Advisory Council on Historic  
Preservation (ACHP) Consultation**

**March 27, 2025 & April 11, 2025**

**From:** [Hoffmann, Tara - FPAC-NRCS, UT](#)  
**To:** [e106](#)  
**Cc:** [Carrig, Charles - FPAC-NRCS, AR](#); [Seibert, Erika - FPAC-NRCS, DC](#); [Alexis Clark](#); [Pappas, Christina - FPAC-NRCS, AR](#)  
**Bcc:** [Boswell, Ammon - FPAC-NRCS, UT](#); [Elsner, Justin - FPAC-NRCS, UT](#)  
**Subject:** NRCS Utah Notification of Adverse Effects- Wellsville Canyon Watershed  
**Date:** Thursday, March 27, 2025 12:52:00 PM  
**Attachments:** image001.png  
e106\_WellsvilleWatershed\_NRCSUtah.pdf  
WellsvilleCanyonEIS\_ConsultationRecord.pdf  
U21HY0960.pdf

---

Good Afternoon,

As the designated lead federal agency under 36 CFR 800.2, the Natural Resources Conservation Service (NRCS) is notifying the Advisory Council on Historic Preservation of adverse effects to two historic properties (historic canals) as a result of the proposed Wellsville Canyon Watershed Plan and Environmental Impact Statement, Cache County, Utah (36 CFR 800.6(a)(1)). Included in the submission are all Section 106 consultation correspondence to-date and the cultural resources report.

Sincerely,  
Tara

**Tara S. Hoffmann, MA**  
*State Watershed Cultural Resources Specialist*  
USDA-NRCS | Water Resources



**U.S. DEPARTMENT OF AGRICULTURE**  
Natural Resources Conservation Service  
125 S State St Rm 6416, Salt Lake City, UT, 84138  
p: (801) 524-4556 | c: (385) 258-1266  
e: [tara.hoffmann@usda.gov](mailto:tara.hoffmann@usda.gov) | w: [www.nrcs.usda.gov/ut](http://www.nrcs.usda.gov/ut)

**From:** [e106](#)  
**To:** [Hoffmann, Tara - FPAC-NRCS, UT](#)  
**Cc:** [Maxwell Sickler](#); [cmerritt@utah.gov](mailto:cmerritt@utah.gov); [rmcgrath@utah.gov](mailto:rmcgrath@utah.gov); [znelson@usbr.gov](mailto:znelson@usbr.gov)  
**Subject:** [External Email]Wellsville Canyon Watershed Improvement Project, Cache County, Utah, ACHP Project Number: 022509  
**Date:** Friday, April 11, 2025 11:16:27 AM  
**Attachments:** ut.nrcs.cache county.wellsville canyon watershed improvement project.20250411.np.pdf

---

**[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](mailto:Spam.Abuse@usda.gov)

From: Office of Federal Agency Programs

Advisory Council on Historic Preservation

Attached is our letter on the subject undertaking (in Adobe Acrobat PDF format)

If you have any questions concerning our letter, please contact

Max Sickler  
202-517-0220  
[msickler@achp.gov](mailto:msickler@achp.gov)  
Case # 022509

**e106**-online section 106 documentation submittal system  
now available to all federal agencies  
<http://www.achp.gov/work106.html>



April 11, 2025

Tara S. Hoffmann  
State Cultural Resources Specialist  
Natural Resources Conservation Service  
125 South State Street, room 4010  
Salt Lake City, UT 84138-1100

Ref: *Wellsville Canyon Watershed Improvement Project*  
*Cache County, Utah*  
*ACHP Project Number: 022509*

Dear Mr. Hoffman:

On March 27, 2025, the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the potential adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act, does not apply to this undertaking. Accordingly, we do not believe our participation in the consultation to resolve adverse effects is needed.

However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Should the undertaking's circumstances change, consulting parties cannot come to consensus, or you need further advisory assistance to conclude the consultation process, please contact us.

Pursuant to Section 800.6(b)(1)(iv), you will need to file the final Section 106 agreement document (Agreement), developed in consultation with the Utah SHPO and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the Agreement and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require our further assistance, please contact Max Sickler at (202) 517-0220 or by e-mail at [msickler@achp.gov](mailto:msickler@achp.gov) and reference the ACHP Project Number above.

Sincerely,

Dana Daniels

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637  
Phone: 202-517-0200 • Fax: 202-517-6381 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)

Historic Preservation Technician  
Office of Federal Agency Programs

**NHPA Section 106 Memorandum of  
Agreement (MOA) for Mitigation of  
Adverse Effects**

**April 2025**

**MEMORANDUM OF AGREEMENT  
AMONG  
THE UTAH NATURAL RESOURCES CONSERVATION SERVICE,  
UTAH STATE HISTORIC PRESERVATION OFFICE, AND  
CACHE WATER DISTRICT  
REGARDING  
MITIGATION OF ADVERSE EFFECTS TO  
TWO HISTORIC CANALS (42CA174 and 42CA198)  
CACHE COUNTY, UTAH**

**WHEREAS**, the Utah Natural Resources Conservation Service (NRCS) is providing technical and financial assistance to the Cache Water District as the project sponsor to complete the Wellsville Canyon Watershed Plan and River Watershed Plan and Environmental Impact Statement to address flooding, reduce irrigation water loss, and enhance recreational facilities in broader Wellsville and Mendon area. (hereafter referred to as the “Project”); and

**WHEREAS**, the NRCS has determined that the Project is an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. §305108, and its implementing regulations, 36 C.F.R. 800; and

**WHEREAS**, the NRCS, as the lead Federal agency under Section 106 of the National Historic Preservation Act, as amended (54 U.S.C. § 306108); and

**WHEREAS**, the NRCS has defined the Project’s Direct Area of Potential Effects (APE) as 847.60 acres of private land. The Indirect APE consists of the No Action Alternative 100-year flood inundation zone, including the area that will benefit from reduced flooding as a result of the Project; and

**WHEREAS**, a cultural resources inventory of the APE has been completed, as required by 36 C.F.R. 800, and described in *A Cultural Resource Assessment for the Wellsville Canyon Watershed Plan-EIS, Cache County, Utah*, prepared by Certus Environmental Solutions in October 2024; and

**WHEREAS**, the NRCS and the Utah State Historic Preservation Office (Utah SHPO) agree that historic canals 42CA174 (Wellsville-Mendon Lower Canal) and 42CA198 (Wellsville Canal/East Field Canal) are eligible for inclusion in the National Register of Historic Places (NRHP); and

**WHEREAS**, the NRCS has determined that the Project will result in adverse effects to the aforementioned historic properties due to the enclosure and piping of portions of the canal systems; and

**WHEREAS**, the NRCS has consulted with the Utah State Historic Preservation Office (SHPO), Bureau of Reclamation (Reclamation), Eastern Shoshone Tribe of the Wind River Reservation, Wyoming, Northwest Band of the Shoshone Nation, Shoshone-Bannock Tribes of the Fort Hall Reservation, Ute Indian Tribe of the Uintah & Ouray Reservation to resolve the Project's adverse effects on historic properties; and

**WHEREAS**, Reclamation, the Eastern Shoshone Tribe of the Wind River Reservation, Wyoming, Northwest Band of the Shoshone Nation, Shoshone-Bannock Tribes of the Fort Hall Reservation, Ute Indian Tribe of the Uintah & Ouray Reservation declined or failed to respond to further participation in the development of this MOA; and

**WHEREAS**, the SHPO and Cache Water District have agreed to participate in the development of the MOA; and

**WHEREAS**, the NRCS notified the Advisory Council on Historic Preservation (ACHP) of the adverse effects associated with the Project, pursuant with 36 CFR 800.6(a)(1)(i) in a letter dated March 27, 2025; and

**WHEREAS**, in a letter dated April 11, 2025, the ACHP declined to participate in the consultation; and

**WHEREAS**, "Signatories" hereafter collectively refers to the required (NRCS and SHPO) and invited (Cache Water District); and

**WHEREAS**, other parties may be invited to become signatories to this MOA if such a party agrees to these terms; and

**NOW, THEREFORE**, the Signatories agree that upon NRCS's decision to proceed with the Project, the NRCS shall ensure that the following stipulations are implemented in order to take resolve the adverse effects of the Project on historic properties, and that these stipulations shall govern the Project and all of its parts until this MOA expires or is terminated.

## **STIPULATIONS**

The NRCS shall ensure that the following stipulations are implemented:

### **I. PROFESSIONAL QUALIFICATIONS**

- A.** All tasks will be completed by personnel meeting the Secretary of the Interior's Standards and Guidelines for Archeology and Architectural History as stated in 36 C.F.R. 61.
- B.** All tasks will be completed according to specifications consistent with the Secretary of Interior's *Standards and Guidelines for Archeological and Historical*

*Documentation* and, where appropriate, guidelines required by the SHPO and NRCS.

## **II. MITIGATION OF ARCHAEOLOGICAL RESOURCES**

- A.** The NRCS shall ensure the mitigation measures outlined below are completed. Draft and final documentation shall be submitted to the NRCS and SHPO for review and approval.
  - 1.** Historical context of the canals in relation to their involvement in the early settlement of the region; and
  - 2.** Prior to Project construction, an aerial video recording of the canals, where permitted, including aerial photos at select structures.
  - 3.** Updated Utah Archaeology Site Forms, including re-evaluation of each canal's eligibility to the NRHP after completion of Project construction, submitted to SHPO with formal determinations; and
  - 4.** ArcGIS Story Map website to be hosted by the NRCS or SHPO.

## **III. UNANTICIPATED DISCOVERIES**

- A.** In the event of an unanticipated archaeological discovery during construction, the NRCS shall follow procedures outlined in the Prototype Programmatic Agreement with the SHPO. If significant discoveries requiring longer-term work stoppage for consultation and mitigation are encountered, the NRCS will consult per 36 C.F.R. 800.6 to develop a plan to further mitigate the adverse effect.
- B.** If human remains are discovered under any circumstance, the remains will be treated in accordance with the requirements of the Native American Graves Protection and Repatriation Act (NAGPRA) (25 U.S.C. 3001 et seq.) and its implementing regulations (43 C.F.R. 10). All construction activities within 100 feet of the remains shall cease immediately and the NRCS shall consult pursuant to 43 C.F.R. 10.5, to develop a written plan of action to manage the discovery. Construction in the area of the remains may need to be halted throughout the review process. Continuation of work following a discovery will be contingent upon approval by the NRCS in consultation with the SHPO, applicable tribes, and other consulting parties that the approved plan has been satisfactorily completed.

## **IV. DISPUTE RESOLUTION**

- A.** Should any Signatory to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the NRCS shall consult with such party to resolve the objection. If the NRCS determines that such objection cannot be resolved, the NRCS will:

1. Forward all documentation relevant to the dispute, including the NRCS's proposed resolution, to the ACHP. The ACHP shall provide the NRCS with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the NRCS shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP and the Signatories, and provide them with a copy of this written response. The NRCS will then proceed according to its final decision.
2. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the NRCS may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the NRCS shall prepare a written response that takes into account any timely comments regarding the dispute from the Signatories to the MOA, and provide them and the ACHP with a copy of such written response.
3. It will be the responsibility of the NRCS to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute.

## **V. AMENDMENTS**

This MOA may be amended when such an amendment is agreed to in writing by all Signatories. The amendment will be effective on the date a copy signed by all of the Signatories is filed with the ACHP.

## **VI. COORDINATION WITH OTHER ACTIONS**

Other state or federal agencies that provide permitting or financial assistance to an undertaking covered by this MOA may satisfy their own compliance responsibilities under Section 106 of the NHPA by accepting and complying with the terms of this MOA. Other parties may have their actions covered by this MOA if they agree to its terms. Agencies shall notify the NRCS and the Utah SHPO in writing of the intent to adhere to this MOA.

## **VII. TERMINATION**

- A. If the terms of this MOA have not been implemented within five years of the date of final signature, then this MOA shall be considered null and void. In such an event, the NRCS shall so notify the Signatories and, if it chooses to continue with the Project, then it shall reinstate review of and consultation on the Project in accordance with 36 C.F.R. 800.3 through 800.7.
- B. In the event that the NRCS does not carry out the terms of this MOA, the Signatories shall consult to seek amendment to the MOA and proceed in accordance with 36 C.F.R. 800.6(c)(8).
- C. Any signatory to the MOA may terminate this MOA by providing thirty (30) days

notice to the other parties, provided that the parties shall consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the NRCS shall proceed in accordance with 36 C.F.R. 800.6(c)(8), execute a new agreement in accordance with 800.6(c)(1) or request comments of the ACHP under 800.7(a).

## **VIII. USDA STIPULATIONS**

- A.** The signatories to this agreement and their respective agencies will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.
- B.** Any transfer of funds from one party to another shall be done via a separate instrument as appropriate. Specific work projects or activities that involve the transfer of funds, services, or property among the signatories, and their respective agencies will require execution of separate agreements and be contingent upon the availability of appropriated funds. Negotiation, execution, and administration of each such agreement must comply with all applicable statutes and regulations.

Execution of this MOA by the NRCS and Signatories, and its submission to the ACHP in accordance with 36 C.F.R. 800.6(b)(1)(iv), shall, pursuant to 36 C.F.R. 800.6(c), be considered to be an agreement with the ACHP for the purposes of Section 110(l) of the NHPA. Execution and submission of this MOA, and implementation of its terms, evidence that the NRCS has afforded the ACHP an opportunity to comment on the Project and its effects on historic properties, and that the NRCS has taken into account the effects of the Project on historic properties.

**SIGNATORY PAGE**

**MEMORANDUM OF AGREEMENT**

**AMONG**

**THE UTAH NATURAL RESOURCES CONSERVATION SERVICE,  
UTAH STATE HISTORIC PRESERVATION OFFICE, AND  
CACHE WATER DISTRICT**

**REGARDING**

**MITIGATION OF ADVERSE EFFECTS TO  
TWO HISTORIC CANALS (42CA174 and 42CA198)  
CACHE COUNTY, UTAH**

NATURAL RESOURCES CONSERVATION SERVICE

\_\_\_\_\_  
Emily Fife, Utah State Conservationist

Date: \_\_\_\_\_

**SIGNATORY PAGE**

**MEMORANDUM OF AGREEMENT  
AMONG  
THE UTAH NATURAL RESOURCES CONSERVATION SERVICE,  
UTAH STATE HISTORIC PRESERVATION OFFICE, AND  
CACHE WATER DISTRICT  
REGARDING  
MITIGATION OF ADVERSE EFFECTS TO  
TWO HISTORIC CANALS (42CA174 and 42CA198)  
CACHE COUNTY, UTAH**

UTAH STATE HISTORIC PRESERVATION OFFICE

\_\_\_\_\_  
Dr. Chris Merritt, State Historic Preservation Officer

Date: \_\_\_\_\_

**INVITED SIGNATORY PAGE**

**MEMORANDUM OF AGREEMENT**

**AMONG**

**THE UTAH NATURAL RESOURCES CONSERVATION SERVICE,**

**UTAH STATE HISTORIC PRESERVATION OFFICE, AND**

**CACHE WATER DISTRICT**

**REGARDING**

**MITIGATION OF ADVERSE EFFECTS TO**

**TWO HISTORIC CANALS (42CA174 and 42CA198)**

**CACHE COUNTY, UTAH**

CACHE COUNTY WATER DISTRICT

\_\_\_\_\_  
Nathan Daus, Manager

Date: \_\_\_\_\_

# **USFWS Concurrence on Biological Assessment (ESA Section 7 Compliance)**

**January 2026**



June 23, 2025

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

RE: Wellsville Canyon Watershed Plan-Environmental Impact Statement (EIS)  
Cache County, Utah

Dear George Weekley:

The Natural Resources Conservation Service (NRCS) is providing assistance to the Cache Water District through the PL-566 Watershed Protection and Flood Prevention Program to prepare the Wellsville Canyon Watershed Plan-EIS for proposed improvements in Cache County, Utah. 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 Lower Bear River Watershed Plan **may affect, but is not likely to adversely affect** the Ute ladies'-tresses (*Spiranthes diluvialis*). 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,

EMILY FIFE  
State Conservationist

Enclosure

cc:

Derek Hamilton, Biologist/Water Resources Coordinator  
Ammon Boswell, Area Conservationist, NRCS, Ogden  
Justin Elsner, District Conservationist, NRCS, North I

The U.S. Fish and Wildlife Service concurs with your determination that the proposed action *may affect, and is not likely to adversely affect*:  
Species: Ute ladies'-tresses (*Spiranthes diluvialis*)

Critical Habitat: None

The proposed action is expected to be:  
Insignificant ☒ Discountable ☒ Beneficial ☐

The U.S. Fish and Wildlife Service concurs with your determination that the action is *not likely to jeopardize the continuing existence of*:  
Species: Monarch butterfly (*Danaus plexippus*); Suckley's cuckoo bumble bee (*Bombus suckleyi*)

U.S. Fish and Wildlife Utah Field Supervisor

Office Code: 06E23000 Project Code: 2023-0129508

# **PL 83-566 Section 12 Consultation Documentation**

**May 17, 2024**



May 17, 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: Wellsville Canyon Watershed Plan-Environmental Impact Statement (Plan-EIS)  
Section 12 Notification--Public Law 83-566

Dear George Weekley:

The Natural Resources Conservation Service (NRCS) is currently preparing the Wellsville Canyon Watershed Plan-EIS for agricultural water management, flood control, and recreational measures in Cache 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 Wellsville Canyon Watershed Plan-EIS. Additionally, the NRCS welcomes USFWS participation in the preparation of the Plan-EIS 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](mailto:derek.hamilton@usda.gov) or 801/524-4560.

Sincerely,

**TRAVIS MOTE** Digitally signed by TRAVIS MOTE  
Date: 2024.05.20 14:41:37 -06'00'

Travis Mote  
Acting 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