



United States
Department of
Agriculture

Ashley Valley Watershed Project

Public Open House



Natural
Resources
Conservation
Service

LOCATION OF DETENTION BASINS



Ashley Valley Watershed Project

Public Open House



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NEPA PROCESS

Initiate Environmental Assessment

- Develop project purpose & need
- Conduct agency & public scoping
- Collect baseline data
- Alternative development

Collect Data

- Analyze existing conditions
- Identify needed resource surveys
- Agency consultation & coordination

Analyze Alternatives

- Analyze alternatives
- Evaluate potential impacts to environmental resources

Draft Environmental Assessment

- Release Draft EA to public for review and comment
- Review all public and agency comments
- Prepare Final EA

Decision Document

- NRCS will prepare a Finding-of-No Significant Impact or recommend an Environmental Impact Statement

ANTICIPATED SCHEDULE

WE ARE HERE



Resource Evaluation/
Prepare Draft EA

2019 - 2021

Agency Review/Public
Comment Period

Spring 2022

Decision
Document

Summer/Fall 2022

Begin Project
Construction*

Fall/Winter 2023

*(pending environmental approval and funding)

Ashley Valley Watershed Project

Public Open House



HOW CAN YOU BE INVOLVED?

The Natural Resources Conservation Service and the Ashley Valley Watershed Plan Study Team are interested in your comments and suggestions regarding the Draft Watershed Plan and Environmental Assessment for the Ashley Valley Watershed Flood & Irrigation Project. Please use one of the following methods to contact the study team and share your input.

Fill out a comment card and leave it in the box provided.

- Take a comment card home and return it to the address indicated.
- Take a comment card home for friends and family to complete.
- Schedule a one-on-one meeting with a study team member.
- Email the study team.



(435) 213-2872



email@ashleywatershed.com



**466 North 900 West
Kaysville, Utah 84037**

Public involvement is an important part of the Environmental Assessment. If you would like a response to your comment, please indicate that on your comment and a member of our study team will respond as soon as possible. Thank you for your participation.

Attachment 2 – June 14, 2022 Public Open House Comments

Comment Cards



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Draft Plan-EA Comment Card



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Comments Please dont change the kids canal. I'm not understanding how it would be a flood risk. There are other measures that could happen or be taken. This would affect things negatively in multiple ways. We are a high drought area. Keep it the same please!

Thanks




Comments

Please do not change Kids Canal!! Can you run the line where the proposed recreation will be? I can't see flood prevention as a reason since the canal is controlled by head gates and our area is in high drought risk.

Thank You -



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Comments

Please do not change the Kids Canal!!
We need uncapped water sources. How is there
a flood protection needed when water is controlled
by head gates etc. We are in a high drought
area & we need open waters for our future
generations to enjoy & play in!!

Thank you!!



Comments Worried about the Great Blue Heron that I have seen using this canal. Other animals I have seen using the canal as a ecosystem have been Utah Prairie dogs, Mexican spotted owls, Bald Eagles, Peregrine Falcons, deer, moose, and so many more. If this 132^{year} old canal is put underground these animals will no longer have a home. we do not understand the repercussions these actions might have on this valley. Children, Parents and Singles love walking kid canal. I have read up on several lawsuits about foundation damage when canal companies dig to close to homes. The trees in our valley will all die. To reduce silting & erosion. Plants help to hold up river banks. When we have flooding the canals will be full of silt and erosion.



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Comments

I've lived in Vernal nearly all of my life. Kids canal has always been there. I want my kids to know the simple joy of swimming in the canal on a hot summer day. This whole project is a way to control our water, therefore control us. Many people have dried up wells and ~~more~~ dead land/trees because of your project. It's a shame that as the years go by what we knew as Vernal goes by the wayside for other's greed.

That being said, pipe the whole damn city, but at least leave Kid's canal, the trees, and the pathway/location be!

WE DON'T WANT YOUR PIPELINE!



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Comments AS A FARMER AND A SHARE HOLDER IN THE CENTRAL CANAL (CHIVERS RANCHES) I WANT ALL OF MY WATER DELIVERED TO MY PIPE LINE WHICH CONNECTS TO THE CANAL. I'M TIRED OF PEOPLE PUMPING, CANAL SEPARATE, AND ALL OTHER THINGS THAT HAPPEN TO 45% OF MY WATER. THANK'S



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Name _____

Address _____ City _____ Zip _____

Email _____ Phone _____

Comments Why did The county and The canal company

not adequately notify and discuss The project plans with
ANY of the residents that live along the canal or own the water
shares along the canal?

How are you going to better notify residents from
now on??



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Comments

Save the canal. we love the playing in the canal
with our friends & family.



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Comments

Kids canal has been a local icon in Vernal my entire life. Its beauty and historical value are very important to the citizens of Uintah County. Please don't destroy what is already in place, find middle ground that will keep the citizens and farmers happy. I understand this is a difficult balance. My suggestion would be to pipe the canal down the existing canal deep and allow run off water to run over the top. I'm not sure if this will work but it would allow both sides to meet in the middle.



Comments Concerns- 1- what happens to the natural springs & wells on our property when the ~~the~~ canals are piped. Currently the valley under ground water ~~is~~ gets its water from the seepage ~~out~~ of valley canals.

2- loss of trees along the canals - help keep the valley green

3- loss of places for the kids to swim (most of the kids are low income & have nothing else



Comments

the solution would depend on what the residents concerns are.

Vintan County pumps 100 AF of water over from Reel Fleet reservoir to supply the local golf course. and the golf course is not available for County residents during the winter or for the High School cross country teams. If the County can pump for the golf course pump some water into the stretch of canal they call Kids Canal. I am not sure if the County or city maintain the trail along the Central (1500 W) it wouldn't take as much as the golf course to keep trees along this stretch. If they can raise \$20,000 for a Dinosaur. If they actually have the numbers they say it shouldn't be a problem.



Draft Plan-EA Comment Card



Comments As an attorney who has litigated EIS/EAs I wanted to note several defaults in the Draft EA. First, I do represent the Ahrensbrak family. Second, the EA has no information about the claimed construction easement. Second, the handout states all trees along the kids canal will be destroyed. Maser, Utah experienced the destruction of historic trees. Given that there are historic Ash and Snow Cherry trees that are proposed to be destroyed, a law suit is warranted. Third, the scoping meeting and now the "Public Meeting" held on June 14 is inadequate by NEPA standards.

My purpose of this comment is to encourage further meaningful discussion
with a facilitator such as [REDACTED]
[REDACTED] hope cooperation prevails.

E-31



Comments

This is all propaganda to
take the water from small
shareholders & give to the
big. Makes it unaffordable
& dries up wells.
Kills vegetation.



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- Comments
- Who will take care of canals
 - Will the well owners sue jintan county
 - Pipe after Kid Canal
 - What are other options



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Comments

Be sure and put all the water in the pipe.
do not leave water in the canal to sub down thru
the valley

Comments

We have water from the trailer park pond on the north of us. that used to drain across our property. We have piped it under ground so our land could be dry and not swampy. It also captures some water from ^{some} springs on the west of our land. This pipeline was installed by my husband (who has been a plumber) and me. It drains in our pipe into the pipe on our south ^{prop} line and on out to Kids Canal. I hope this water will still be able to drain into Kids canal. We do not want swampy land.



Comments

You are destroying the beautiful Valley without flowing water trees will die! You have not done a real study of wild life. Every year because of the canal by my house I have seen migratory bird of many varieties land in the canal field^{and} my front yard. Have you studied this problem? You just tell us and will not listen to the people of the valley and what they want. Why NOT? This is our town and we should have a say in what is going on!



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Comments

Please leave kids canal the way it is. You can pipe any other area but it's so sad to me that we will lose a treasure ~~like~~ like the ~~canal~~ canal provides for many youth who don't have money to pay rec center fees.



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Comments

The children in this community have used & enjoyed this canal for ages. The flooding concern is not anything like Yellow Hills. The removal of the trees and canal only dry this area up. I personally feel this is a grab at more water from the irrigation water users to be allocated to the countys desires.



Comments

Equire Estates will be completely off the map. We need water for animals, etc.

We do not want the Canal to be capped.

There are 40 people depending on that pipe line that pumps the water to ~~the~~ their homes no one wants it to be in a pipe line.

I Live at

I do not want the Pipeline



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Comments The section of Ashley Central Canal that runs along 1500 W from 500 N to Main St. is an important green belt for our community. I strongly support an alternative that would allow water to flow in this section of the canal. This would allow trees to survive along the existing trail. I feel Uintah County has an important role to play in preserving this resource and I am interested in finding out what they are willing to do.



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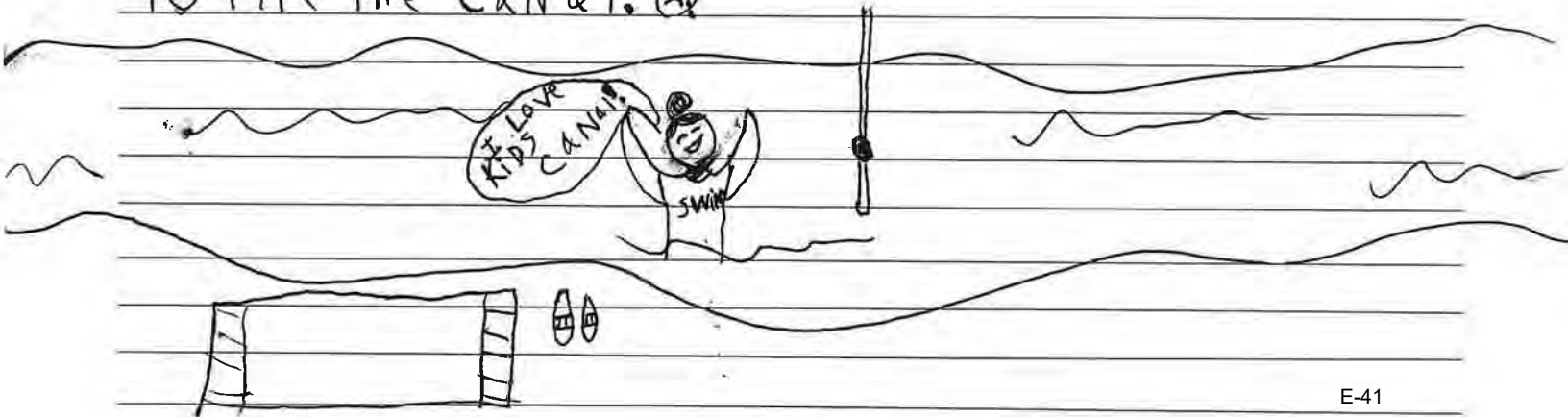
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Comments I DON'T WANT YOU TO PIPE THE CANAL BECAUSE
IT IS MY FAVORITE PLACE TO SWIM. IT IS THE BEST
CANAL IN VERNAL! IT'S THE WORST IDEA EVER
TO PIPE THE CANAL. ☹️





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Comments

I like to swim & play in the Kid's Canal. I will be sad when I can't do that anymore.

I like too see the ants & butterflies & ducks & catch crawdads... sometimes there are fish & birds

I like to see the cottonwoods blowing & the rain when it fills it up and that makes me happy.

Sometimes I lie in the sun on the trail & climb in the tree and play clubhouse.



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Comments

The decision to privatize the Ashley Canal was made many years ago in what was deemed the best interests of the community and originally provided water for 120 farmers which the county/city paid to help dig and trench. The trees that line the canal were donated by the Church of Jesus Christ of LDS & handwatered in order to provide shade & a recreational area for the citizens before the canal was privatized and even then the city/county paid additional funds to maintain the park & trees for community use & enjoyment. The plants which currently line the canal, indigenous willows, cottonwoods transplanted from the banks of the Jordan River, showy milkweed, goldenrods, native currants, and horse tail, wild roses, ect all provide food for animals & cover for them and are edible & medicinal. In areas where the water has been piped & trees removed deer now forage in farmers fields and

For local children who come from poor areas there are no other free places to swim or cool off in the summer besides Kid's Canal.

no attempt has been made to replace the native plants.



Comments DID THE ANALYSIS FOR THIS PROJECT LOOK AT THE DIFFERENCE OF GREENWAYS THAT HAVE WATER FLOWING VS GREENWAYS WITHOUT A WATER FEATURE. THE SCENIC BEAUTY AND RECREATION VALUE OF A PATH OR TRAIL WITH WATER AND MATURE TREES IS SIGNIFICANTLY DIFFERENT THAN A PIPED CANAL WITH NO SHADE OR VEGETATION.

THE OPEN WATER ALLOWS FOR AN ABUNDANCE OF BIOLOGY, THIS WILL ~~BE~~ BE LOST. THERE HAVE BEEN NO MEANINGFUL MITIGATIONS PROPOSED. HAS THERE BEEN A INDEPTH LOOK AT THE CUMULATIVE EFFECTS OF PIPING ALL THE CANALS THROUGHT THE VALLEY AND ALL ^{LSURFACE} WATER IN ASHLEY CREEK BEING DIVERTED AND NOW PIPED.



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Comments MY PARENTS OWN PROPERTY ALONG THE KIDS CANAL PORTION OF ASHLEY CENTRAL CANAL. HAS THE PROJECT LOOKED AT THE EASEMENTS ACROSS PRIVATE PROPERTY. TO ALTER AN EASEMENT THERE MUST BE AN AGREEMENT BETWEEN BOTH PARTIES. TO CHANGE THE CHARACTER OF AN EASEMENT FROM A HISTORIC CANAL WITH ORIGINS FROM THE 1880'S TO A PIPED CANAL REQUIRES DUE DILLIGENCE AND DUE PROCESS.

I AM ALSO CONCERNED ABOUT INPUT INTO THE SECTION 106 PROCESS AND DRAFT MOA. I BELIEVE INPUT FROM REGIONAL HISTORY CENTERS, DAUGHTERS OF UTAH PIONEERS, AND FAMILIES OF THE ORIGINAL HOMESTEADERS COULD PROVIDE A SIGNIFICANT ORAL HISTORY. IT WOULD BE A GREAT COLLABORATIVE EFFORT TO INCLUDE MEMBERS FROM THE AREA TO ASSIST IN MITIGATING ADVERSE EFFECTS



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Comments Yes, We need to keep our beautiful kids Canal with water and all, and stop putting our canals and water ways into pipelines it is killing off all the green vegetation, wildlife and insects like the Honey Bees — they all need water to survive.

Your pipelines are drying up all the ground water, springs and water wells in the Valley. Our forefathers (like my great grandfather (lines)) planned and build our open canals and water ways and we have all benefited from them — and I hope to continue to do so. So go do your water conservation and flood control in some other town and leave ours alone.

TO: Ashley Valley Watershed Project Team

RE: Comments on the draft EA

First of all, I do understand the need for this project and the proponent's responsibility to share holders. Efficient water management is obviously necessary, but use of federal funds carries other responsibilities as well. My concerns pertain to balancing multiple values in the process of achieving the main purpose of this project.

I believe the analysis presented in the draft EA regarding effects to bird nesting habitat and to Kid's Canal users is insufficient and does not support the finding of no impact for these resources. There are, in fact, impacts to these resources that need to be addressed with additional analysis and in the case of Kid's Canal, new mitigation measures. Please see the comments below for my reasoning.

1. WILDLIFE - value to raptors and migratory birds

The EA states that "no active nests belonging to raptors or migratory birds species" were found in the project area, but that the project area could provide "perching or foraging habitat" (p. 64). However, the nest surveys were done in the late summer months (p. 33). Since for many species nesting occurs in spring and early summer, such surveys are unlikely to detect nests. The project area certainly provides suitable habitat for nesting, and one person even commented that owls nest on the canal by her house every year (page E-45).

You indicated that the area would be checked for nests again prior to vegetation removal, but that does not address the potential effects on bird populations due to "permanent removal of riparian vegetation" (p. 49) that currently provides suitable nesting habitat for a variety of migratory species and raptors. The conclusion of "no effect" on p. 65 and in Table 3-1 (p. 50) is therefore not supported by any substantive analysis of nesting habitat availability pre- and post-construction. This needs to be addressed and disclosed before a decision is made.

2. KID'S CANAL PARKWAY - recreation and visual resources/scenic beauty

The EA states Alt 1 will have no effect on recreation and scenic values (Table 3-1, p. 52), and the Parkway in particular will not be impacted by the project (p. 69). But the analysis doesn't support that conclusion.

It is noted in multiple places that construction will require removal of some mature trees and piping the water in the canal will result in loss of vegetation that depends on that water, probably permanently (see, e.g., Section 4.5.1.2). Even though disturbed areas will be reseeded and restored, without the water currently flowing in an open canal it will be impossible for these areas to be "restored to pre-construction conditions" as stated in Table 3-1 (p. 49, under the Riparian Areas heading). Both the type and amount of vegetation will be substantially different. At the very least, shade will be absent for a generation of users. These are values specifically noted in many comment letters as important to people who use the Parkway (see, e.g., Section 2.6.8 on page 40). This is not a "minor long-term visual impact" as stated on p. 52. It's the whole reason the Parkway exists.

The EA does acknowledge that the open water provides "passive recreation value" (e.g., pp. 52 and 69), but dismisses the loss of that value because the canal itself is not designated for

recreation use and the walking path will remain. This seems to be the basis for saying the Parkway will not be affected. But in fact, the **recreation experience** on the Parkway will be significantly degraded by loss of the sight, sound and cooling effect of the water adjacent to the path in the summer months, as well as the shade, wildlife viewing, and other aesthetic values provided by the riparian vegetation year-round.

The recreation experience may not be a measurable physical value but it is important social value - as so many comment letters indicated. It is, in fact, why people go there. So there is clearly an effect on the Parkway that needs to be acknowledged and mitigated.

Alternative 1 is described as "creating a new recreation resource" through construction of 3 miles of asphalt trail along Ashley Central Canal and Steinaker Service Canal (pp. 69-70). Although presented as a recreation improvement, to me, as a user of Kid's Canal, this seems more like an acknowledgment that current recreation values will be lost or degraded and this is an attempt to mitigate that loss. Either way, it does not replicate the user experience that currently exists and I believe there are other options that could be considered before settling for a different kind of trail and experience. The handout provided at the June open house acknowledged that as well, by stating that "the opportunity for a project outside the Ashley Valley Watershed Flood & Irrigation Project to have an open water source along Kid's Canal is an option still available to citizens and Uintah County." So clearly there are other options; you've just left them for someone else to explore.

I believe that since loss of scenic and recreation values I've just described is due to **this project**, it needs to be addressed in **this EA and decision**, not left for citizens to figure out later. Additional mitigation measures for the Kid's Canal Parkway should be developed and included in the final EA.

Respectfully,



Submitted via USPS mail 6/21/22

Attachment 3 – July 27, 2022 Public Meeting Materials

Public Notice of Availability

Mailer

Open House Displays

ASHLEY WATERSHED PUBLIC OPEN HOUSE

The United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) and Uintah County will hold a public open house to discuss proposed design modifications for the proposed piping of portions of the Ashley Central Canal in Vernal, specifically the section known as the Kids Canal. Proposed improvements are included in the Watershed Plan and Environmental Assessment (Plan-EA) for the Ashley Valley Watershed Flood & Irrigation Project (Project).

You are invited to attend a Public Open House where Project information will be provided and comments solicited for the Project Draft Plan-EA. Interested parties may voice their comments, ideas and concerns to NRCS and Uintah County during this meeting.

Draft Plan-EA Public Open House

Date: Wednesday, July 27, 2022
Time: 6:00 - 8:00 p.m.
Location: Uintah County Western Park
302 East 200 South, Vernal, UT



A hard copy of the Draft Plan-EA is available for review at the Uintah County Library at 204 E 100 N, Vernal. An electronic copy of the Draft Plan-EA and an illustration of proposed Kids Canal design modifications can be accessed on the NRCS Project webpage: bit.ly/AshleyValleyWatershed.

Comments can be submitted during the comment period starting **July 13, 2022** and ending on **August 12, 2022**. **Comments must be postmarked by August 12, 2022.**

Comments may be mailed or emailed to the below address or submitted during the public open house. All comments should be directed to Andy Neff with The Langdon Group:

Phone: (435) 213-2872
Email: email@ashleywatershed.com

Mail: 466 North 900 West
Kaysville, Utah 84037

*Persons with disabilities who require accommodations to participate in this meeting should contact Scott Morton, Disability SEPM, at scott.morton@usda.gov or [801/524-4596], or dial 7-1-1 to access telecommunication relay services. *Las personas con discapacidad que requieran acomodo para participar en esta reunión deben comunicarse con Scott Morton, Disability SEPM, a scott.morton@usda.gov o al [801/524-4596], o marcar el 7-1-1 para acceder a los servicios de retransmisión de telecomunicaciones.*

Ashley Valley Watershed Project Uintah County, Utah

Draft Plan-EA Public Meeting

Project Information

The United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) and Uintah County will hold a **public meeting to present proposed design modifications for the proposed piping of portions of the Ashley Central Canal in Vernal, specifically the section known as the Kids Canal**. Proposed improvements are included in the Watershed Plan and Environmental Assessment (Plan-EA) for the Ashley Valley Watershed Flood & Irrigation Project (Project).

You are invited to attend a Public Meeting where Project information will be provided and comments solicited for the Project Draft Plan-EA. Interested parties may voice their comments, ideas, and concerns to NRCS and Uintah County during this meeting.

Draft Plan-EA Public Meeting

You are invited to attend and submit a comment at the public meeting:

Wednesday, July 27, 2022
6:00 - 8:00 p.m. (formal presentation begins at 6:15 p.m.)

Uintah County Western Park
302 East 200 South, Vernal, UT

Review the Draft Plan-EA and Submit a Comment

A hard copy of the Draft Plan-EA is available for review at the Uintah County Library at 204 E 100 N, Vernal.

An electronic copy of the Draft Plan-EA and an illustration of proposed Kids Canal design modifications are available on the NRCS Project webpage: bit.ly/AshleyValleyWatershed.

NRCS invites you to submit comments anytime during the open comment period starting **July 13, 2022** and ending on **August 12, 2022**.



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How to Submit a Comment

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Ashley Valley Watershed Plan-EA Public Meeting
July 27, 2022
6 – 8 PM

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Introductions

- **Andy Neff, Jeni Goff, Sydney Fairclough: Public Involvement Facilitators – Langdon Group**
- **Wayne Simper: President, Ashley Central Canal Irrigation Company**
- **Uintah County: Commissioners Bart Haslem and Brad Horrocks**
- **Derek Hamilton: NRCS Water Resources Coordinator**
- **Tara Hoffmann: NRCS State Cultural Resource Specialist**
- **Jolene Lau: NRCS Outreach Coordinator**
- **Brian Deeter: Project Manager and Project Engineer – J-U-B Engineers**
- **Autumn Davies: Environmental Lead – J-U-B Engineers**

Meeting Purpose

- Follow up to public comments regarding Kids Canal received at Plan-EA Open House (June 14)
- Present Kids Canal design variation
- Provide opportunity for public comment on design variation and overall project

Public Comment Categories

- **Environmental Impacts**
- **Canal is Historical Resource**
- **Design**
- **Public Recreation**
- **Socio-Economic**
- **Private Property Impacts**
- **Purpose and Need**
- **Draft EA**
- **NEPA Process**
- **Easements**
- **Flooding**
- **Public Safety**

Meeting Schedule

6:15 PM – Formal Presentation

- Welcome and Introductions: Andy Neff
- Project Overview and Purpose: Wayne Simper
- Project Engineering and Design: Brian Deeter
- Cultural Resources: Tara Hoffmann
- Wildlife and Vegetation: Autumn Davies

7:00 PM – Open Mic for Public Comment (2-minute limit for each commenter)

7:50 PM – Close Open Mic Commenting

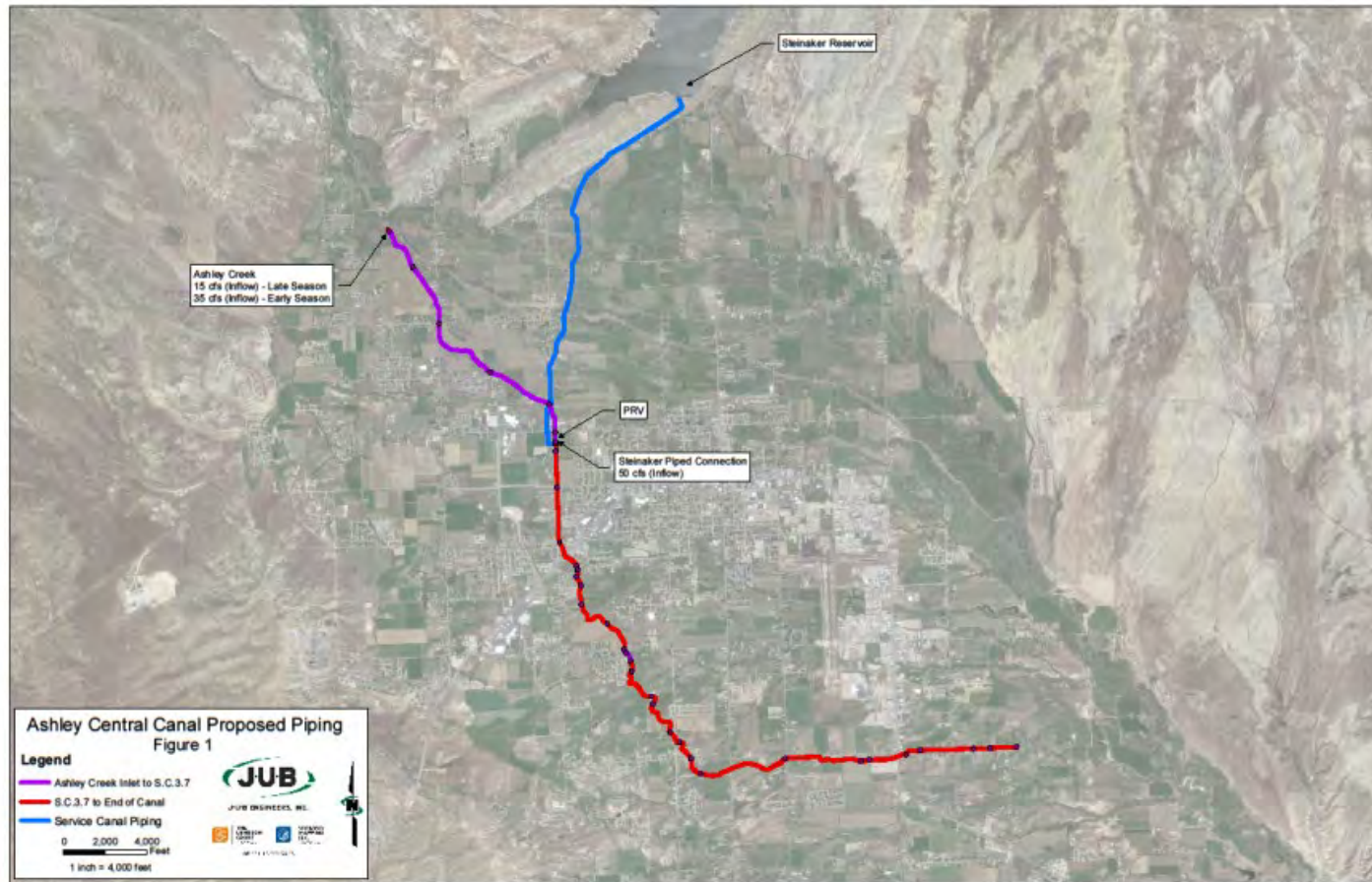
7:50 – 8 PM – Public Opportunity to Submit Written Comments in Comment Boxes

8 PM – Meeting Closed

Design and Engineering

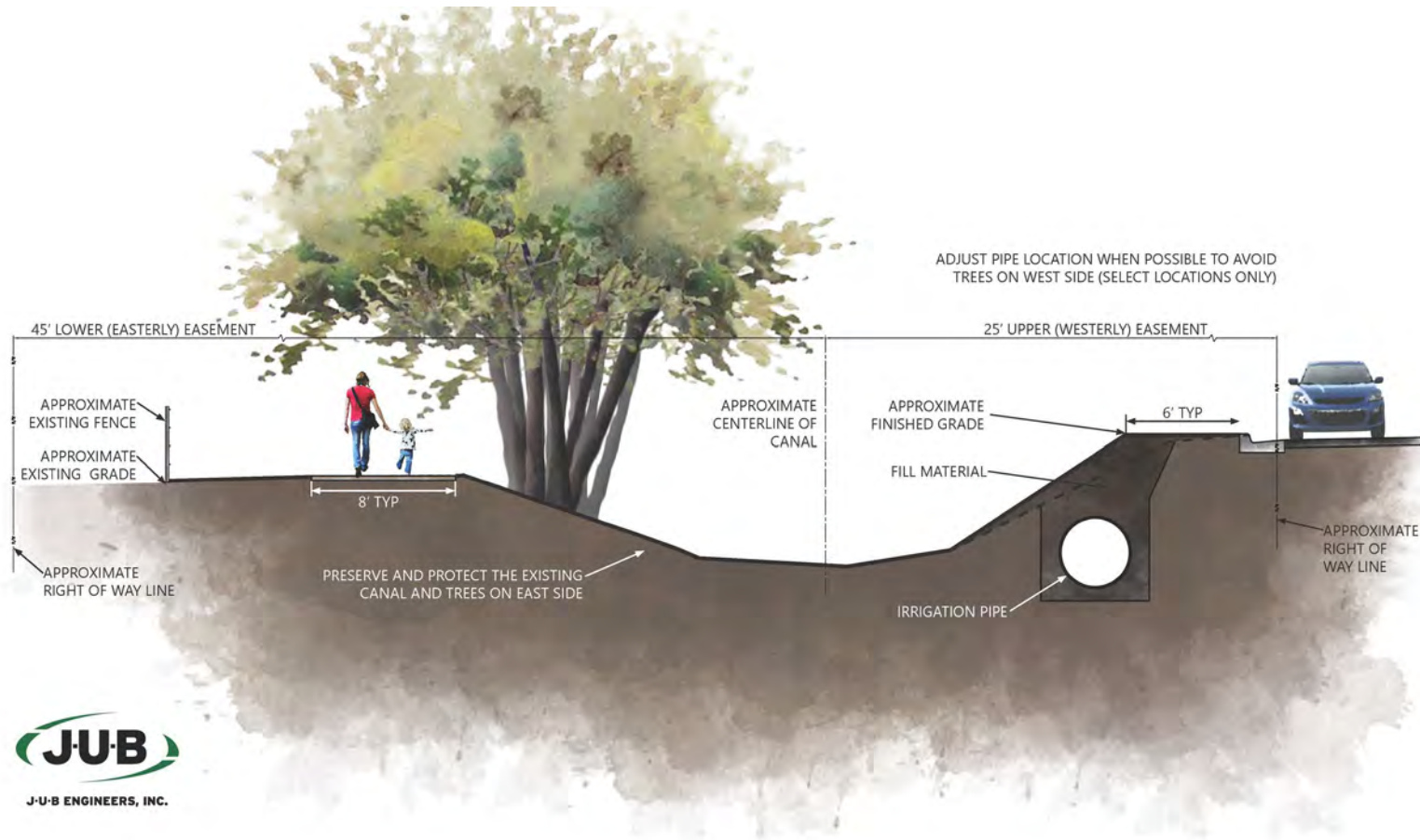
- **Constraints and complications of leaving Kid's Canal open**
- **Kid's Canal design alternative for pipe placement**
- **What can happen to Kid's Canal Section after piping**
- **Landowner coordination for construction**
- **Ashley Central Canal for flood control after piping**

Why Full Piping is Necessary





Kids Canal Design Alternative



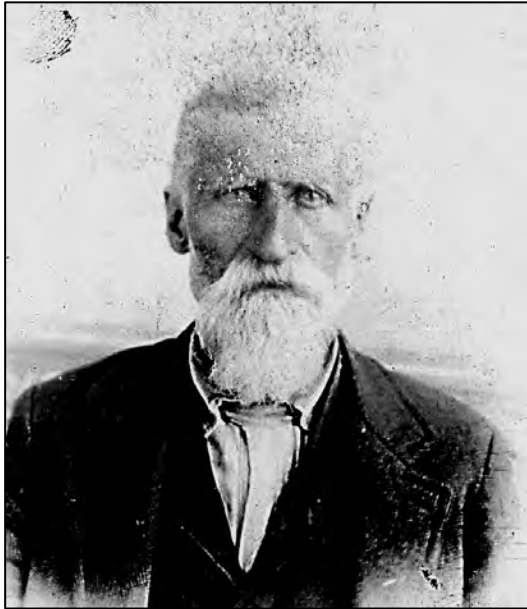


Kids Canal Design Alternative



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Cultural Resources

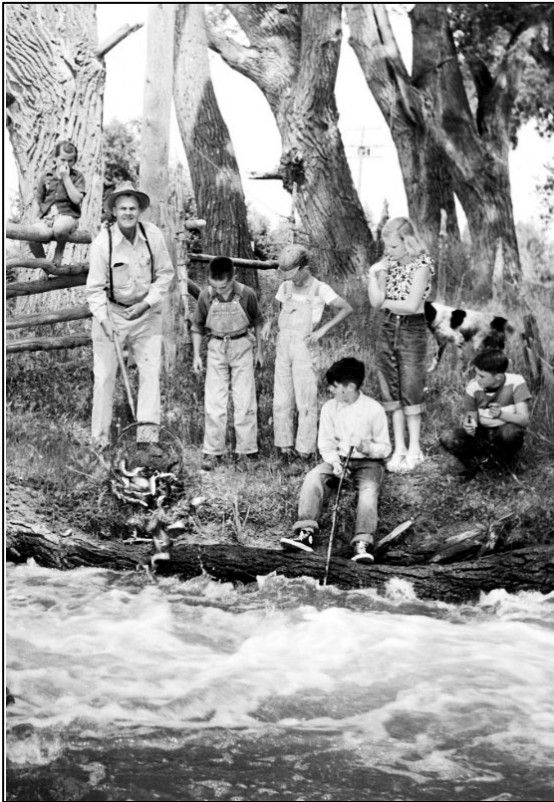


Nelson Merkley Sr. came to Ashley in 1879 and first dug the canal at 500N 1500W.

- **Section 106 process:**
 1. **Initiate the process**
 2. **Identify historic properties**
 3. **Assess adverse effects**
 4. **Resolve adverse effects via Memorandum of Agreement (MOA)**
 5. **Proceed with project**
- **Historic property: Ashley Central Canal was key to the settlement of Vernal and irrigation history of Ashley Valley.**
 - **Eligible for the National Register under Criterion A and B**
 - **A: significant role in settlement and agricultural developments**
 - **B: associated with Sterling Driggs Colton, noted for his role in the canal's development, and the first elected sheriff**
 - **Led to its nomination to the National Register in 1983**
 - **Signing of MOU in 1992 allowed for public access and walking path along Kid's Canal.**
 - **Piping the canal is an adverse effect.**

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Resolving Adverse Effects



Fred Reynolds, the game warden, releases fish into the canal at Merkley corner, 1957.

- **NRCS understands the community's historic and current value of the Kid's Canal.**
- **We have received comments with recommendations for mitigation options:**
 - **Oral histories**
 - **Display at Regional History Center**
 - **Kiosk at Kid's Canal**
- **We welcome any additional mitigation ideas!**
- **Mitigation will be finalized in a Memorandum of Agreement between the NRCS, Utah State Historic Preservation Office, Uintah County, and other signatories/concurring parties.**

Wildlife and Vegetation Impacts

- **Loss of vegetation along Kid's Canal**
- **Impacts to avian habitat along Kid's Canal**
- **Presence of avian species along Kid's Canal**
- **Persistence of vegetation along canal where preserved**

Open Mic Comment Submission

- Line Up at Microphone
- Provide Name to Facilitator
- Two-minute limit for comment out of respect for others who wish to make a comment
- If a written response to a comment or question is desired, a written comment card must be submitted
- Comment cards must be submitted into the comment card boxes, emailed, or mailed to the Project Contact, Andy Neff
- Public Comment Period runs from July 13, 2022 to August 12, 2022

How to Submit a Comment

Public Comment Period Runs July 13, 2022 to August 12, 2022

Comments can be submitted tonight by written comment card, by postal mail or by email to the project contact, Andy Neff.

* email@ashleywatershed.com

* **Ashley Valley Watershed Plan Project Team**

466 North 900 West

Kaysville, Utah 84037

Attachment 4 – July 27, 2022 Public Meeting Comments

Comment Cards

Transcription of Open Mic Comments