

Environmental Assessment, Finding of No Significant Impact, and Draft Decision Notice

Watershed Plan and Environmental Assessment For North Ogden Watershed Plan Weber County, Utah

Project Name: North Ogden Watershed Plan

Project Initiation Date: 1/1/2018

Proponent Name: Weber-Box Elder Conservation District (WBECD) and North Ogden City

Responsible Federal Official

(RFO): Emily Fife, State Conservationist (Utah)

State: Utah

County: Weber

Anticipated Implementation: March 2025 (construction)

Signing Authority: RFO

Tracking #: NR188D43XXXXC004

Project File: S:\NRCS\DamData\PL566 FILES\1 WATERSHED OPERATIONS ALL\1 FUNDED WSOP PROJECTS ALL\2 FY2017 North Ogden Weber-Box Elder

GIS Info: S:\NRCS\DamData\PL566 FILES\1 WATERSHED OPERATIONS ALL\1 FUNDED WSOP PROJECTS ALL\2 FY2017 North Ogden Weber-Box Elder\1 PLAN EA DOCS\Shapefiles

Project Webpage: <https://www.nrcs.usda.gov/north-ogden-watershed-sponsor-weber-box-elder-conservation-district>

General Location: North Ogden, Utah

Applicable Management Areas: N/A

Watershed: (HUC 1602010206) Weber Creek – Frontal Salt Lake

I. AGENCY ROLE AND RESPONSIBILITY

United States Department of Agriculture (USDA) – Natural Resources Conservation Service (NRCS)

In accordance with the NRCS regulations (7 CFR Part 650) implementing the National Environmental Policy Act (NEPA), NRCS in conjunction with the Weber-Box Elder Conservation District (WBECD) and North Ogden City has prepared an environmental review of the Proposed Action. The Proposed Action would provide flood damage risk reduction for people and structures in North Ogden City and provide recreational opportunities for residents of North Ogden City and Weber County.

II. NRCS DECISION TO BE MADE

As the delegated responsible Federal official for compliance with NEPA, I must make the following decision:

I must determine if the agency's Proposed Action (Alternative 2) will or will not be a major Federal action significantly affecting the quality of the human environment. The North Ogden Watershed Plan Plan-Environmental Assessment (EA) accompanying this finding has provided the analysis needed to assess the significance of the potential impacts from the selected alternative. The decision on which alternative is to be implemented and the significance of that alternative's impacts are under part V of this finding.

III. PURPOSE AND NEED FOR ACTION

The purpose of this Proposed Action is to improve management of irrigation water allocated by the WBECD, provide flood damage risk reduction for people and structures in North Ogden City, and provide recreational opportunities for residents of North Ogden City and Weber County. There is a need for greater efficiency in irrigation-water delivery systems in areas with increased development and areas experiencing drought, such as North Ogden City and Weber County. The project is also needed to detain peak runoff in the project area to protect land and community infrastructure from flood related damages. Finally, the project is needed to address a lack of public recreation opportunities in the North Ogden community.

A full project description, along with conceptual design plans, are included in the completed Final Plan-EA prepared by J-U-B Engineers in coordination with NRCS and Weber-Box Elder Conversation District and North Ogden City (Sponsoring Local Organizations).

IV. ALTERNATIVES CONSIDERED IN THE Plan-EA

Two alternatives were analyzed in detail in the Plan-EA and are characterized as follows:

- **Alternative 1: No Action Alternative:** The No Action Alternative considers the most likely future condition if no federal action or federal funding were provided for the project.

The No Action Alternative would not replace the North Ogden Canal Company's older pump house and pipeline, and the new storage reservoir would not be constructed.

The No Action Alternative would not improve recreational opportunities for the North Ogden community, as the proposed recreational amenities are associated with the proposed reservoir, which would not be constructed under the No Action Alternative.

The No Action Alternative would be the continuation of existing conditions, including the continuation of increased flooding risks during heavy rain and spring runoff events.

Other funding sources to address floodwater control and irrigation water storage would likely not be available. Limited funding sources would likely restrict projects to economically inefficient, smaller scale construction phases, with not all phases being fully implemented. The current public health and safety risks would remain, and it is anticipated that local, state, and/or federal agencies would respond to flooding events on a case-by-case scenario as they occur.

- **Alternative 2 – Proposed Action:** This alternative would install project measures to address irrigation water delivery concerns, prevent/reduce damages from flooding, and improve public recreation infrastructure.

This alternative would construct a new approximately 3,000-foot pipeline to divert flood and irrigation water from the North Ogden Canal to a new 42.5-acre-foot retention basin/storage reservoir. The existing pump station at the start of the project limits (near the North Ogden Canal diversion) would be abandoned. A new pump station and approximately 1,000-foot pipeline would be constructed at the new reservoir site to move water from the storage reservoir into the existing floodwater control system. Two approximately 500-foot irrigation pipelines would be installed from the reservoir and connect with existing irrigation pipelines. These improvements would regulate floodwater and improve irrigation delivery efficiency. These improvements would also

allow users to convert from flood irrigation to pressurized sprinkler irrigation, thereby reducing water use and the need for individual pump stations on private property.

This alternative would also provide recreational opportunities, including the development of 2.5-acres of open space, a .25-mile walking trail around the proposed reservoir, pavilion with restrooms, playground equipment, pickleball courts, and a parking area for the community.

This alternative is the locally preferred alternative, the National Economic Development Alternative, and the Preferred Alternative in the Final Plan-EA.

V. NRCS'S DECISION AND FACTORS CONSIDERED IN THE DECISIONS

Based on the evaluation in the Final Plan-EA, I have chosen to select Alternative 2 as the agency's Proposed Action. I have taken into consideration all the potential impacts of the Proposed Action, incorporated herein by reference from the Final Plan-EA and balanced those impacts with considerations of NRCS's purpose and need for action.

In accordance with the Council on Environmental Quality's (CEQ) "40 Most Asked Questions" guidance on NEPA, Question 37(a), NRCS has considered "which factors were weighed most heavily in the determination" when choosing the agency Proposed Action (Alternative 2) to implement. Specifically, I acknowledge that based on the Final Plan-EA, potential impacts to soil, water, air, plants, fish and wildlife, and human resources were heavily considered in the decision. As a result, the agency's Proposed Action (Alternative 2) would result short- and long-term beneficial impacts to the environmental resources potentially impacted by the Proposed Action.

VI. FINDING OF NO SIGNIFICANT IMPACT

To determine the significance of the action analyzed in the Final Plan-EA, NRCS implemented the NEPA regulations at 40 CFR Section 1500-1508 and 7 CFR Part 650 to consider the context and intensity of the Proposed Action.

Based on the detailed analysis in the Final Plan-EA and the review of the NEPA criteria for significant effects, I have determined that Alternative 2, which consists of installing within the watershed pipelines, a retention basin/storage reservoir, pump station, and public recreation facilities, would not have a significant effect upon the quality of the human environment. Therefore, preparation of an environmental impact statement (EIS) on the final action is not required under section 102(2)(c) of the NEPA, Council on Environmental Quality (CEQ) implementing regulations (40 CFR Part 1500-1508, Section 1501.6), or NRCS environmental review procedures (7 CFR Part 650).

The Weber-Box Elder Conservation District and North Ogden City concur with this determination and support the proposed project to meet the current NRCS requirements for a design life expectancy of 20 years.

This finding is based on the following factors from CEQ's implementing regulations at 40 CFR Section 1501.3 and from NRCS regulations at 7 CFR Part 650:

- 1) The Final Plan-EA evaluated both beneficial and adverse impacts of the Proposed Action. It is anticipated the Proposed Action will result in long-term beneficial impacts for environmental resources such as flood damage reduction, land voiding and depreciation, crop damage, improve property values, and protection of infrastructure within the watershed. As a result of the analysis (discussed in detail in Chapter 4 and incorporated by reference), the Proposed Action does not result in significant impacts to the human environment, particularly when focusing on the significant adverse impacts which NEPA is intended to help decisionmakers avoid, minimize, or mitigate.
- 2) The Proposed Action does not significantly affect public health or safety. The indirect effects associated with the implementation of the maintenance actions are in fact anticipated to provide long term beneficial impacts to improve natural ecosystem functions. Specifically,

soil, water, air, fish and wildlife, plants, and cultural issues will be improved and protected through selection of Proposed Action.

- 3) As analyzed in Chapter 4 of the Final Plan-EA, there are no anticipated significant effects to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas from selection of Proposed Action. NRCS regulations (7 CFR Part 650) and policy (Title 420, General Manual, Part 401), require that NRCS identify, assess, and avoid effects to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. In accordance with these requirements, it is not anticipated that implementing Proposed Action would have adverse effects on these resources.
- 4) The effects on the human environment are not considered controversial for the Proposed Action. There are no impacts associated with the Proposed Action that would be considered controversial.
- 5) The Proposed Action is not considered highly uncertain and does not involve unique or unknown risks.
- 6) The Proposed Action will not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about future considerations. The Proposed Action will be carried out for the North Ogden Project only. Other projects not discussed in the Final Plan-EA will be required to undergo NEPA analysis individually.
- 7) Particularly when focusing on the significant adverse impacts which NEPA is intended to help decisionmakers avoid, minimize, or mitigate, Proposed Action does not result in significant adverse cumulative impacts to the human environment as discussed in Chapter 6 of the Final Plan-EA. The Proposed Action is, however, anticipated to result in beneficial long-term impacts as a result of implementation of the proposed measures.

- 8) The Proposed Action will not cause the loss or destruction of significant scientific, cultural, or historical resources as addressed in Section 4.6.3.2 of the Final Plan-EA. After a survey conducted in November 2018, NRCS has concluded that the Proposed Action would have no effect on cultural and historic resources in the Project Area. The Utah State Historic Preservation Office (SHPO), which has jurisdiction over Section 106 of the National Historic Preservation Act compliance requirements, has concurred with our findings. The concurrence letter provided by SHPO is included in Appendix A of the Final Plan-EA. Additionally, scoping letters were sent to the Confederated Tribes of the Goshute Reservation, the Northwestern Band of the Shoshone Nation, and the Ute Tribe of the Uintah and Ouray Reservation. No comments were received during the consultation process. These scoping letters are also included in Appendix A of the Final Plan-EA.
- 9) The Proposed Action will not adversely affect endangered or threatened species, marine mammals, or critical habitat as discussed in Section 4.5 of the Final Plan-EA. NRCS has concluded that the Proposed Action either has no effect on threatened and endangered species or will not likely adversely affect threatened and endangered species. The U.S. Fish and Wildlife Service, which has jurisdiction over these species, has concurred with our findings. The concurrence letter provided by USFWS is included in Appendix A of the Final Plan-EA.
- 10) The Proposed Action does not violate Federal, State, or local law requirements imposed for protection of the environment as noted in chapter 7.0 of the Watershed Plan-EA. The major laws identified with the selection of Proposed Action includes the Clean Water Act, Clean Air Act, Magnuson-Stevens Fishery Conservation and Management Act, Endangered Species Act, National Historic Preservation Act, Marine Mammal Protection Act, the Executive order on Environmental Justice, and Migratory Bird Treaty Act. The Proposed Action is consistent with the requirements of these laws.

For information regarding this finding, contact:

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Conclusion

Based on the information presented in the attached Final Watershed Plan-EA for the North Ogden Project, I find in accordance with 40 CFR Section 1501.6 that the selection of the agency Proposed Action is not a major Federal action significantly affecting the quality of the human environment requiring preparation of an EIS. Thus, a FONSI has been made.

Signed

EMILY FIFE
State Conservationist

Date