Emergency Watershed Protection

On Utah Tribal Lands

The Emergency Watershed Protection (EWP) program was established by the U.S. Department of Agriculture’s Natural Resources Conservation Service (NRCS) to help communities address watershed impairments that pose imminent threats to lives and property. If your land has suffered damage due to flood, fire, drought, windstorm, or other natural occurrence, please contact your local authorities and/or your local NRCS office to find out if you qualify for the EWP program.

Between 2011 and 2015, there were 42 EWP projects implemented in 18 counties throughout Utah. The majority of the disasters were caused by floods or fire, and one was related to wind. Five projects were located in Tribal boundaries that include the Skull Valley, Shiwwits, Uintah/Ouray, and Navajo Reservations (2). These projects on Tribal Reservations in Utah are featured inside this report.

Map of Tribal and non-Tribal EWP Projects from 2011-2015
Hatch Trading Post EWP Project

The Hatch Trading Post EWP project protected sites on Montezuma Creek in the Aneth Chapter of the Navajo Nation near the old Hatch Trading Post. The first site is located in the corner of a section of Bureau of Land Management (BLM) land surrounded by tribal land. During the summer of 2012 large floods eroded the streambanks of Montezuma Creek near Black Steer Canyon Road which is a vital road for tribal members, oil and gas crews, tourists, and emergency vehicles.

San Juan County requested and received EWP money ($235,000) from NRCS to design and construct streambank protection and repair the rip-rap protection for the bridge. The county also provided the required 25 percent local match. The BLM donated rock for the project and worked with NRCS to grant a categorical exclusion to satisfy National Environmental Protect Act (NEPA) requirements. NRCS also provided cultural resources consultation with Tribal Historic Preservation Office (THPO) and State Historic Preservation Office (SHPO), biological evaluation, engineering oversight, seed mix recommendations and pole planting plans.

Piute Creek Bridge EWP Project

The Piute Creek Bridge EWP project is located on San Juan County Road 434 within the Navajo Mountain Chapter of the Navajo Nation. The bridge provides a critical route across Piute Creek for the residents of Piute Mesa. Severe flooding on Piute Creek during 2012 and 2013 damaged the armoring of the bridge abutments.

San Juan County requested and received EWP money ($415,000) from NRCS to design and construct new protection walls for the bridge abutments. Construction of the project was completed in June of 2014 and a meeting was held with Chapter officials, Bureau of Indian Affairs (BIA), engineering firm, county representatives, and Navajo Department of Transportation to get basic guidance and agreement as to repair work. The county also provided a required 25 percent match for the project. NRCS provided (in addition to the funding) cultural resources consultation with the Navajo Nation, a biological evaluation, and engineering oversight.
**Shem Dam EWP Project**

The Shem Dam EWP project is located on the Santa Clara River approximately five miles below Gunlock Reservoir on the Shivwits Reservation of the Shivwits Band of the Paiutes, in Washington County. Shem Dam was originally constructed by the Civilian Conservation Corps between 1933 and 1935, and the structure is eligible for listing on the National Register of Historic Places. Large floods in 2011 destabilized the dam by undercutting the downstream toe of the spillway in the center of the dam. Washington County was concerned that a catastrophic failure could occur releasing a very large amount of sediment, trees, and shrubs that have built up behind the dam over the years. This sediment and debris could damage downstream bridges and potentially cause flooding in Santa Clara and the St. George.

Washington County requested and received $1.6 million in EWP funding from NRCS to design and implement a stabilization project that would maintain the historic nature of the dam to the greatest extent practicable. Since the dam is no longer used for irrigation, the center spillway will be lowered and the abutments stabilized to allow the river to flow through safely but maintain the “historic” look of the structure. The tribe volunteered to allow the sediment and debris to be placed on tribal lands thus helping to keep the cost of the project down.

**Skull Valley Goshutes EWP Project**

This project is located on the Skull Valley Reservation of the Skull Valley Band of the Goshutes in Tooele County. Following the Patch Spring fire which burned over 31,000 acres in the watershed above the reservation, summer monsoonal thunderstorms resulted in flooding and debris flows that reached the Skull Valley community. Floods destroyed an irrigation structure that diverted water from the Indian Hickman structure into a pipeline that supplied water for fire suppression in the community and dust suppression at a nearby landfill.

The tribe requested EWP funds from NRCS, but unfortunately funds were not available at the time. In order to re-establish the water supply in the community, the Bureau of Indian Affairs (BIA) agreed to fund the work needed to refurbish an existing well and construct a pipeline; NRCS provided engineering services and construction management for the project. Representatives of the tribe, BIA, and NRCS met on the reservation to assess the damage and coordinate efforts.

It was agreed that BIA would do protection work around the community. Since there were no NRCS EWP funds at the time, the project was placed on the “waitlist” in 2013. However, the need to re-establish the water supply was becoming critical and since NRCS still did not have EWP funding, the BIA agreed to transfer money to NRCS to get water to the pipeline and NRCS agreed to supply the engineering and contracting. In consultation with the tribe it was decided to refurbish a well and pump and construct a pipeline to tie the pump back to an existing pipeline near the community.
Congress established the Emergency Watershed Protection (EWP) program and provides funding for it. Please know that eligibility for the program does not depend upon the declaration of a national emergency.

Through EWP, the NRCS may pay up to 75 percent of the construction costs of emergency measures. Ninety (90) percent may be paid for projects within limited-resource areas as identified by U.S. Census data. The remaining costs must come from non-federal local sources and can be made in cash or in-kind services.

All EWP projects must reduce threats to lives and property; be economically, environmentally, and socially defensible; be designed and implemented according to sound technical standards; and conserve natural resources.

All projects undertaken through EWP, with the exception of the purchase of floodplain easements, must have a project sponsor. Sponsors must be a legal subdivision of the state, such as a city, county, or an Indian Tribe or Tribal organization as defined in Section 4 of the Self-Determination and Education Assistance Act. Sponsors are responsible for:

- Providing land rights to do repair work;
- Securing necessary permits;
- Furnishing the local cost share;
- Accomplishing the installation of work; and
- Performing any necessary operation and maintenance.

**Type of Work Authorized**

As mentioned above, the EWP program addresses watershed impairments. The following are practices that are typically used to address the impairment:

- Debris Removal
- Bank Stabilization
- Restore Hydraulic Capacity
- Wildlife Rehabilitation
- Levee Repair
- Watershed Structure Repair
- Purchase Floodplain Easements

Floodplain easements for restoring, protecting, maintaining, and enhancing the functions and values of floodplains, including associated wetlands and riparian areas, are available through EWP. These easements also help conserve fish and wildlife habitat, water quality, flood water retention, and groundwater recharge, as well as safeguard lives and property from floods, drought, and erosion. EWP work is not limited to any one set of measures.

NRCS completes a Damage Survey Report that provides a case-by-case investigation of the work necessary to repair or protect a site. NRCS will only provide funding for work that is necessary to reduce applicable threats.

Sponsors that want to increase the level of protection in a particular project are responsible for paying 100 percent of the costs of the desired upgrade and additional work.

Additional information about federal assistance programs, safety tips, and updates about USDA’s disaster relief efforts are posted on the Web at [www.usda.gov/disaster](http://www.usda.gov/disaster).

Natural Resources Conservation Service
125 S. State St., Room 4010, Salt Lake City, UT 84138; 801-524-4550

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