

U.S. Department of the Interior  
Bureau of Reclamation  
Provo Area Office  
Provo, Utah

FINDING OF NO SIGNIFICANT IMPACT

Environmental Assessment Steinaker Dam Right Abutment Slide Repair Project  
Uintah County, Utah

EA-16-010

Recommended by:



Peter Crookston  
Environmental Group Chief

Jan 6, 2017

Date

Concur:



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Water, Environmental, and Lands  
Division Manager

Jan 6, 2017

Date

Approved by:



Wayne G. Pullan  
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06 JAN 2017

Date

## **Introduction**

In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), the Bureau of Reclamation - Provo Area Office has conducted an Environmental Assessment (EA) to determine if the Proposed Action will cause a significant impact to the human environment. Reclamation is the lead agency for the purposes of compliance with the NEPA for this Proposed Action.

The EA was prepared by Reclamation to evaluate the impacts associated with repairing a slope failure in the upstream face of the right abutment of Steinaker Dam. The proposed action includes the following components: removing the existing low-permeability clay blanket; treating the underlying bedrock of the right abutment; rebuilding the clay blanket; and constructing a new zone of coarse-grained soil on the upstream face of the dam to buttress the clay blanket. Construction of the new coarse-grained zone will require removing the existing intake structure, extending the existing outlet works conduit, and constructing a new intake structure. These modifications will prevent additional slope movement, minimize seepage through the right abutment bedrock, and prevent erosion from initiating.

The purposes of the project are to (1) reduce the risk of dam failure and (2) restore full water delivery to municipal, industrial, and agriculture water users dependent on Steinaker Dam and reservoir. Fish, wildlife, and recreation resources are ancillary benefits. Reclamation's objective is to reduce the risk of dam failure in the least costly, technically acceptable manner, with no significant environmental impacts and to restore project primary purposes as soon as possible. The Project is needed because the community depends on the benefits of Steinaker Dam.

## **Alternatives**

The EA analyzed the No Action and the Proposed Action alternatives.

## **Minimization Measures Incorporated into the Proposed Action**

The minimization measures, along with other measures listed under each resource in Chapter 3 and Chapter 4 of the EA, have been incorporated into the Proposed Action to lessen the potential adverse effects.

- The proposed Project construction area would be located in previously disturbed sites; rights-of-ways, existing roads, construction sites, staging areas, and would have as small a footprint as possible.
- Staging and stockpiling areas would be cleared and approved in advance and located where they would minimize disturbance.
- The contractor would be responsible during construction for safety measures, noise and dust control, minimizing air and water pollution and complying with all permit requirements.

- The Proposed Action will be located so as to avoid sensitive features such as, but not limited to, riparian areas and significant cultural resources.

Environmental commitments that are integral to the Proposed Action are as follows:

1. **Standard Reclamation Best Management Practices (BMPs)** - Standard Reclamation BMPs would be applied during construction activities to minimize environmental effects and would be implemented by construction forces, or included in construction specifications. Such practices or specifications include sections in the present EA on geology and soils resources; visual resources; cultural resources; paleontological resources; hydrology; water quality; health, safety, air quality, and noise; waste material disposal; erosion control; flood plains; wetlands, riparian, noxious weeds and existing vegetation; fish and wildlife resources; access and transportation. Excavated material and construction debris may not be wasted in any stream or river channel in flowing waters. This includes material such as grease, oil, joint coating, or any other possible pollutant. Excess materials must be wasted at a Reclamation approved upland site well away from any water channel. Construction materials, bedding material, excavation material, etc. may not be stockpiled in riparian, wetland, or water channel areas. Silt fencing would be appropriately installed and left in place until after revegetation becomes established, at which time the silt fence can then be carefully removed. Machinery must be fueled and properly cleaned of dirt, weeds, organisms, or any other possibly contaminating substances offsite prior to construction.
2. **Cultural Resources** - Any person who knows or has reason to know that he/she has inadvertently discovered possible human remains on Federal land, he/she must provide immediate telephone notification of the discovery to Reclamation's Provo Area Office archaeologist. Work would stop until the proper authorities are able to assess the situation onsite. This action would promptly be followed by written confirmation to the responsible Federal agency official, with respect to Federal lands. The Utah State Historic Preservation Office (SHPO) and interested Native American Tribal representatives would be promptly notified. Consultation would begin immediately. This requirement is prescribed under the Native American Graves Protection and Repatriation Act (43 CFR Part 10) and the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470).
3. **Paleontological Resources** - Should vertebrate fossils be encountered by the proponent during ground disturbing actions, construction must be suspended until a qualified paleontologist can be contacted to assess the find.
4. **Air Quality** - Construction procedures would be followed to mitigate for temporary impact on air quality due to construction-related activities. These may include the application of dust suppressants and watering to control fugitive dust; minimizing the extent of disturbed surface; during times of high wind, restricting earthwork activities; and limiting the use of, and speeds on, unimproved road surfaces.

5. **Fugitive Dust Control Permit** - The Division of Air Quality regulates fugitive dust from construction sites, requiring compliance with rules for sites disturbing greater than one-quarter of an acre. Utah Administrative Code R307-205-5, requires steps be taken to minimize fugitive dust from construction activities.
6. **Flood Plains** - The contractor would be compliant with all rules and regulations of the Federal Floodplain Insurance Program as administered by the local city or county floodplain administrator.
7. **Vegetation** - Design and treatment activities would ensure that vegetation would be protected with no long term adverse effects. Staging areas would be in previously disturbed areas to the extent possible.
8. **Invasive Species** - Appropriate steps would be taken to prevent the spread of, and to otherwise control, undesirable plants and animals within areas affected by construction activities. Equipment used for the Project would be inspected for reproductive and vegetative parts, foreign soil, mud or other debris that may cause the spread of weeds, invasive species and other pests. Such material would be removed before moving vehicles and equipment. Upon the completion of work, decontamination would be performed within the work area before the vehicle and/or equipment are removed from the Project site if work was conducted in an area infested with noxious weeds.

The contractor would make periodic inspections following vegetation of disturbed areas to locate and control populations of noxious weeds, if present. All seed used for restoration would be certified "noxious weed free" before use. If needed, the County Weed Control Department could be contacted to provide services to control the spread of noxious weeds.

9. **Fish and Wildlife Resources** -
  - a. **Fishery Protection** - Precautions will be taken to protect the fishery during construction. If there is an excessive fish kill Reclamation will participate in a 50/50 percent cost share of up to \$89,600 with Utah Division of Wildlife Resources in a restocking program. This effort to restock the reservoir in the event of a fish kill is voluntary by Reclamation and not precedent setting.
  - b. **Migratory Bird Protection**
    - i. Perform any ground-disturbing activities or vegetation treatments before migratory birds begin nesting or after all young have fledged.
    - ii. If activities must be scheduled to start during the migratory bird breeding season, take appropriate steps to prevent migratory birds from establishing nests in the potential impact area. These steps could include covering equipment and structures and use of various excluders (e.g., noise). Prior to nesting, birds can be harassed to prevent them from nesting on the site.

- iii. If activities must be scheduled during the migratory bird breeding season, a site-specific survey for nesting prior to groundbreaking activities or vegetation treatments. Established nests with eggs or young cannot be moved, and the birds cannot be harassed (see b., above), until all young have fledged and are capable of leaving the nest site.
  - iv. If nesting birds are found during the survey, appropriate spatial buffers should be established around nests. Vegetation treatments or ground-disturbing activities within the buffer areas should be postponed until the birds have left the nest. Confirmation that all young have fledged should be made by a qualified biologist.
- c. **Raptor Guidelines** - The contractor would adhere to the U. S. Fish and Wildlife Service Raptor Guidelines by placing seasonal and spatial “no construction” buffers, along with daily timing restrictions around all active raptor nests or winter roosting bald eagles. If unknown nests are located during construction, the same guidelines would be implemented.
10. **Threatened and Endangered Species** - Construction activities would avoid Ute Ladies’-tresses habitat.
11. **Public Access** - Construction sites would be closed to public access. Temporary fencing, along with signs, would be installed to prevent public access.
12. **Disturbed Areas** - All disturbed areas resulting from the Project would be smoothed, shaped, contoured, and rehabilitated to as near the pre-Project construction condition as practicable. After completion of the construction and restoration activities, disturbed areas would be seeded at appropriate times with weed-free, native seed mixes having a variety of appropriate species (especially woody species where feasible) to help hold the soil around structures, prevent excessive erosion, and to help maintain other riverine and riparian functions. The composition of seed mixes would be coordinated with wildlife habitat specialists and Reclamation biologists. Weed control on all disturbed areas would be required. Successful revegetation efforts must be monitored and reported to Reclamation, along with photos of the completed Project.
13. **Additional Analyses** - If the Proposed Action were to change significantly from that described in the EA, because of additional or new information, or if other construction areas are required outside the areas analyzed in this EA, additional environmental analysis including cultural and paleontological analyses would be undertaken, if necessary.

## **Related NEPA Documents**

Environmental Assessments that are related to, but not part of the scope of this EA, include the Final EA Steinaker Reservoir Water Surface Elevation Increase, the Final EA Steinaker Service Canal Modification Project, and the Final EA Steinaker Feeder Canal Dam/Service Canal/Carriage of Non Project Water.

## **Decision and Finding of No Significant Impact**

Based upon a review of the EA and supporting documents, I have determined that implementing the Proposed Action will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the area. No environmental effects meet the definition of significance in context or intensity as defined at 40 CFR 1508.27. Therefore, an environmental impact statement is not required for this Proposed Action. This finding is based on consideration of the context and intensity as summarized here from the EA.

## **Context**

The affected locality is Uintah County, Utah. Affected interests include the Uintah Water Conservancy District (UWCD), shareholders of the UWCD, and Ashley Valley residence.

## **Intensity**

The following discussion is organized around the 10 significance criteria described in 40 CFR 1508.27. These criteria were incorporated into the resource analysis and issues considered in the EA.

1. **Impacts may be both beneficial and adverse.** The Proposed Action will impact resources as described in the EA. Environmental commitments to reduce impacts to cultural and biological resources were incorporated into the design of the Proposed Action. The following short-term effects of the Proposed Action are predicted: temporary traffic delays, noise, potential fish kill and wildlife displacement, and ground disturbance near the dam. No long-term negative effects are predicted. Long-term beneficial effects include securing Central Unit Project, Vernal and Jensen Unit purposes.

None of the environmental effects discussed in detail in the EA are considered significant.

2. **The degree to which the selected alternative will affect public health or safety or a minority or low-income population.** The Proposed Action will have no significant impacts on public health or safety. No minority or low income community will be disproportionately affected by the Proposed Action.

3. **Unique characteristics of the geographic area.** Any fish and wildlife habitat that will be impacted by the Proposed Action will be mitigated as described in the EA. There are no wetlands, park lands, prime farmlands, wild and scenic rivers, or other ecologically critical areas that will be affected by the proposal.

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** Reclamation contacted representatives of other Federal agencies, state and local governments, Indian tribes, public and private organization, and individuals regarding the Proposed Action and its effects on resources. One comment was received. Based on the lack of responses received, the effects from the Proposed Action on the quality of the human environment are not highly controversial.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** When uncertainty about impacts to the human environment was identified in the EA, mitigation and monitoring measures were identified and included in the formulation of the alternatives. There are no predicted effects on the human environment that are considered highly uncertain or that involve unique or unknown risks.

6. **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.** The Proposed Action will not establish a precedent for future actions with significant effects.

7. **Whether the action is related to other actions which are individually insignificant but cumulatively significant.** Cumulative impacts are possible when the effects of the Proposed Action are added to other past, present, and reasonably foreseeable future actions as described under related NEPA documents above; however, significant cumulative effects are not predicted, as described in the EA.

8. **The degree to which the action may adversely affect sites, districts, buildings, structures, and objects listed in or eligible for listing in the National Register of Historic Places.** The State Historic Preservation Officer has concurred with our determination of no adverse effect. Reclamation has a discovery plan in place, which was approved by SHPO, for indirect effects and unanticipated discoveries.

9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** There are no documented occurrences of federally listed threatened, endangered, or candidate species within the project area; therefore Reclamation's finding was No Effect.

10. **Whether the action threatens a violation of Federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment.** The project does not violate any Federal, state, local, or tribal law, regulation, or policy imposed for the protection of the environment. In addition, this project is consistent with applicable land management plans, policies, and programs.