



DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT

BICKNELL TOWN WATER IMPROVEMENT PROJECT

FREMONT RIVER RANGER DISTRICT

FISHLAKE NATIONAL FOREST

WAYNE COUNTY, UTAH

DECISION

This Decision Notice documents my decision and rationale for this decision. The Bicknell Town Water Improvement project purpose and need provides the focus and scope for the Proposed Action and alternatives. Given the purpose and need, I have reviewed the alternatives outlined in the environmental assessment (EA). Feedback from Bicknell Town, State Water Quality Board and other participating agencies in combination with the analysis disclosed in the EA, with supporting documentation, and management direction and policy considerations contributed collectively to determining the selected alternative.

It is my decision to implement Alternative 2 the proposed action as it has been described in the EA. The proposed action involves improvements on BLM and privately administered lands; those actions are disclosed in this Decision Notice in order to provide a full scope of the project, however this Decision Notice only authorizes the actions that would occur on National Forest System lands. The implementation of the proposed action as described in Alternative 2 will ensure adequate water supplies for the residents of Bicknell Town.

Alternative 1 is no action and is not a viable option. If no improvements were made to the water supply system, the system would be inadequate and the users of Bicknell Town's water system currently and in the future would not have a safe and adequate water supply system for fire suppression, and culinary water for indoor and outdoor uses.

INTRODUCTION

Bicknell is a town located between the Dixie National Forest and the Fishlake National Forest in Rabbit Valley, south central Utah. See attached map. The Town of Bicknell owns and operates a public culinary water system that serves residents in Bicknell, Utah. The water sources for the system are six springs. Five of the springs are located on Thousand Lake Mountain, and the other (the Brinkerhoff Spring) is located approximately 1.5 miles southwest of the town and originates from the Awapa Plateau. The water quality of the Brinkerhoff Spring cannot always meet the drinking water standard set forth by the Utah Division of Drinking Water. As a result, the Brinkerhoff Spring is used primarily as a backup to the culinary system. The production of the five springs on Thousand Lake Mountain has decreased from a maximum of 150 gallons per minute (gpm) in the past to a maximum of 80 gpm at the present time. Sunrise Engineering (2012) completed a 5-point analysis of Bicknell Town's water system based on a



projected annual population growth rate of 1% over the next 20 years. The analysis indicates the following:

- The system does not have adequate water sources to meet the current need for culinary water for indoor, outdoor uses and fire suppression water uses.
- The system will not have adequate storage capacity as well as water sources to meet future indoor, outdoor and fire suppression water needs.
- The existing water system does not have the capacity to continuously disinfect the mountain spring water. The existing metering building needs to be replaced with a new chlorination building.
- Within the boundaries of the incorporated Bicknell Town, some distribution lines are too small, and additional valves and hydrants are needed to meet normal water supply and fire suppression requirements.

Bicknell Town has submitted an application to the U.S. Forest Service (USFS)-Fremont River Ranger District for authorization to develop a new spring and redevelop five existing springs that are currently authorized in a Special Use Permit on the Fishlake National Forest and also submitted a ROW application to the U.S. Department of the Interior (USDI) Bureau of Land Management (BLM)-Richfield Field Office for authorization to construct a 250,000-gallon water storage tank adjacent to an existing 35,000-gallon water storage tank on BLM-administered public lands. Additionally, Bicknell Town plans to replace some sections of small diameter distribution pipeline and install valves and hydrants to meet fire suppression needs within the limits of the incorporated Bicknell Town. The project would be partially funded by the Utah Drinking Water Board from the Federal State Revolving Fund Loan.

An Environmental Assessment (EA) has been prepared to evaluate the proposal. The analysis evaluates the following alternatives in detail:

- **Alternative 1 (No Action):** Bicknell Town would continue to operate its current water supply system short of meeting demands for the present and projected fire suppression, and indoor and outdoor uses.
- **Alternative 2 (Proposed Action):** A new spring would be developed and five existing springs would be re-developed on forest land. A new water storage tank and a chlorination building would be constructed on BLM-administered public land. Some smaller diameter distribution pipelines would be replaced, and valves and hydrants would be installed within the limits of the incorporated Bicknell Town.

A copy of the Final EA is available for public review at the following locations:

- **Website:** <http://www.fs.usda.gov/projects/fishlake/landmanagement/projects>
- Fishlake National Forest Supervisor's Office: 115 East 900 North Richfield, Utah 84701
- Fishlake National Forest Fremont River Ranger District: 138 South Main Loa, Utah 84747

Planned Activities for the Selected Alternative

The proposed action, Alternative 2, consists of the following three components:



- **Water Storage Tank and Chlorination Building:** A new 250,000-gallon water storage tank would be constructed adjacent to an existing 350,000-gallon water storage tank on public lands administered by the BLM-Richfield Field Office. The tank would be completely buried using the original soil excavated for the tank construction. The existing metering building that sits near the existing water storage tank would be replaced with a new building that would include chlorination equipment. After the new tank and the new chlorination building are installed and connected to the water supply system, the existing metering building would be disconnected from the supply system and demolished. The existing access road would continue to be used for the site access road to the new and existing tank site. This access road may need to be extended a short distance to reach the new tank site. Short pipelines would also be installed to connect the proposed new and existing tanks and the new chlorination building at the tank site.
- **Spring Development and Redevelopment:** The five existing springs at Thousand Lake Mountain would be redeveloped to improve their production and a new spring would be developed to obtain additional water on the Fishlake National Forest administered by the USFS–Fremont River Ranger District. Approximately 1,300 feet of 4-inch diameter PVC pipeline would also be installed to connect the new spring to the existing pipeline which transmits water from the existing springs to the existing water storage tank.
- **Replacement of Distribution Line and Metering System and Installation of Additional Valves and Hydrants:** Approximately 2,000 lineal feet of 4-inch diameter distribution lines would be replaced with 8-inch diameter PVC pipes and the existing metering system would be replaced with a new system within the boundaries of the incorporated Bicknell Town. Twenty additional valves and 9 hydrants would also be installed in the same area. All work within the Bicknell Town boundaries would be on existing road right-of-ways (ROW).

For more information on the activities of the proposed action see chapter 2 of the EA.

Design Features

The Forest Service will monitor implementation of the selected alternative to ensure the following design features are followed for those project activities that occur on National Forest System lands.

1. The proposed project will be constructed in strict compliance with the Plans and Specifications approved by the Utah Division of Drinking Water.
2. Waste materials including trash, garbage, petroleum products, etc. will be collected and sent for prompt disposal at an appropriate waste disposal site. Accidental fuel/oil spills will be cleaned up immediately, removed from the project area for disposal at an appropriate site.
3. BMPs (e.g., silt fences) will be used to minimize soil erosion and prevent the introduction of non-native invasive weeds on public lands. The Proponent would continue to monitor, control and/or eradicate any non-native invasive weeds on public lands after the project is complete and as long as the project components on public lands are in operation.
4. All project components will be designed and constructed in accordance with pertinent seismic codes and standards (e.g., the International Building Code).
5. Fugitive dust and vehicle emissions will be controlled according to the Utah Department of Environmental Quality requirements for construction projects.
6. Local ordinances will be followed as they relate to public safety and could include a notice of closure of use in the area during construction phases, barricades for open trenches, signing, etc.



7. Implementation of the proposed project will comply with all applicable federal and state laws, and local zoning and building ordinances during all phases of project construction.
8. Excavation activities for construction of the project, including the manner of supporting excavation and provision for access to excavations, would be in strict compliance with the current provisions for access to the excavations, as determined by regulations of the Occupational Safety and Health Administration (OSHA). The maximum amount of open trench in any location would be 500 feet or the amount necessary to accommodate the lineal feet of pipe or cable that can be installed in a single day, whichever is greater.
9. Construction workers and inspectors will be required to wear hearing devices in accordance with OSHA regulations when necessary during the construction phase.
10. Every effort will be made to minimize impacts on the natural landscape, native plants and animal species. All unnecessary destruction or scarring of the natural surroundings in the vicinity of the work would be prevented. Movement of crews and equipment would be limited within the areas defined in the Plans and Specifications.
11. If paleontological resources are discovered during the construction phase, all work in the vicinity of the discovery will immediately cease, and Bicknell Town, BLM or USFS, the Utah State Historic Preservation Office (SHPO) and the Utah Division of Drinking Water notified. Work will not resume in that portion of the project area until the discovery has been professionally evaluated and a "Notice to Proceed" issued by appropriate agencies.
12. Should previously undetected archeological sites or human remains be discovered on public lands during project activities, all work in the vicinity of the discovery would immediately cease and appropriate agencies notified. Work would not resume in that portion of the project area until the discovery has been professionally evaluated, consultations with American Indian Tribes and SHPO conducted, appropriate site treatments completed, and a "Notice to Proceed" issued by appropriate agencies.
13. Flagmen will be provided, if required by the Utah Department of Transportation, to ensure motor vehicle safety during construction activities along public roads and highway.
14. Disturbed areas around each spring development locale will be restored to the natural contour of the land and, where necessary, re-vegetated with a native seed mix approved by a USFS Authorized Officer. Topsoil would be stockpiled for the rehabilitation process.
15. During construction activities, any evidence of the presence of an endangered and/or threatened and/or candidate species or their critical habitat should be brought to the attention of Bicknell Town and appropriate agencies. Construction should be temporarily halted pending the notification process and further directions issued by Bicknell Town and appropriate agencies after consultation with the U.S. Fish and Wildlife Service (USFWS) and the Utah Division of Wildlife Resources (UDWR).
16. Timing of construction activities on USFS lands will be coordinated with the Wildlife Biologist so as to minimize impacts to wildlife.
17. All deep rooted vegetation located outside the project area will be preserved. Deep rooted vegetation with the dimensions of the new proposed spring (60' x 180') will be removed. All springs will be maintained free of deep rooted vegetation consistent with state law and Special Use Permit LOA355.
18. All motorized travel will occur on Forest Service designated routes. Access is granted for vehicles wider than 50 inches to travel on routes designated 50 inches or less. Motorized access is granted for traveling over the existing and proposed pipe line.



PUBLIC INVOLVEMENT

On May 24, 2012 a Public Notice was published in the *Wayne and Garfield County Insider* requesting comments on the proposed action. Only one supportive or informational comments were received.

On September 5, 2012 a scoping letter was mailed to federal, state and local agencies, tribe, and individuals. A list of parties contacted can be found in the EA section 4.1. No opposing comments were received.

On September 9, 2012 the official Notice and Comment period was initiated with a legal notice in the newspaper of record, *The Richfield Reaper*. Additionally a copy of the legal notice was sent to interested persons, groups and agencies requesting comments on the proposed action pursuant 36 CFR 215. No comments were received in response to the Notice and Comment period. A list of entities contacted can be found in section 4.1 of the EA.

DEISION RATIONALE

My conclusion and decision to approve the implementation of Alternative 2, the proposed action, is based upon my review of the project record, relevant scientific information, and analysis summarized in the EA. The decision to implement Alternative 2, the proposed action, is also appropriate because it best meets the purpose and need. Bicknell Town currently has a special use permit to operate and maintain a culinary water system. Redeveloping existing springs and adding an additional spring and pipeline will not cause a substantial impact to the area. By implementing the proposed action Bicknell Town will be able to meet water demands for the present and projected culinary water for indoor and outdoor use and fire suppression activities.

Reason(s) for Not Selecting Other Alternatives

Alternative 1, the no action alternative, was not selected because if no improvements were made to the water supply system, the system would be inadequate and the users of Bicknell Town's water system currently and in the future would not have a safe and adequate water supply system. This alternative does not meet the purpose and need of the project.

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the environmental effects described in the EA and evaluated whether the selected alternative constitutes a significant effect on the quality of the human environment or whether the environmental impacts will be significant based on their context and intensity as defined by the National Environmental Policy Act (NEPA), using the criteria in the implementing regulations (40 CFR 1508.27).

I have determined that the implementation of the selected alternative will not result in any anticipated effects that exceed the level at which a significant effect on the human, biological, or physical environment, in terms of context or intensity, will occur. The effects are not highly uncertain and do not involve unique and unknown risks. The action will not, in relation with other actions, cause cumulatively significant impacts. This determination is based on the environmental assessment process completed for this project and was made considering the following factors:



Context

The setting of this project is localized to the spring sites to be redeveloped and the new spring and pipeline to be developed. Project impacts will be short duration in nature and will be restricted to the local area with limited or no widespread importance. My decision is consistent with the requirements of the Forest Plan and contributes to meeting the goals of the Forest Plan. There will be no short term or long term significant effects from project implementation.

Intensity

Intensity refers to the severity of the expected project impacts as it relates to the following 10 points:

1. Environmental Impacts
This project has no known significant irreversible resource commitments or irretrievable losses of timber production, recreation opportunities, wildlife habitats, or soil productivity. Section 3 in the EA reviews 16 different environmental components and finds that the proposed action has little to no effect in all 16 categories. Both beneficial and adverse effects were considered when making this determination of significance.
2. Public Health and Safety
The project activities will comply with all state and federal regulations protecting public health and safety. During construction activities local ordinances will be followed as they relate to public safety and could include a notice of closure of use in the area during construction phases, barricades for open trenches, signing, etc. as stated in the EA section 2.2 F. The proposed improvements will help the water system comply with state drinking water standards.
3. Unique Characteristics of the Area
Implementation of Alternative 2 will not create significant effects to the unique characteristics of the area such as historic or cultural resources, prime farmlands, wetlands, floodplains or ecologically critical areas. No loss of significant scientific, cultural, or historical resources is foreseen. The area has been historically used for water collection and is prescribed in the Forest Plan as a municipal watershed.
4. Controversy
Only supportive or informative comments were received, and are documented in the project record. The comments and environmental analysis did not identify any substantial controversy over the effects of the proposed action.
5. Uncertainty
The effects analysis in the in section 3 of the EA show the effects are not highly uncertain, and do not involve unique or unknown risks. Any variables in the process of development and redevelopment of the springs and pipeline have been evaluated. This area has been historically used for water collection for Bicknell Town, and the process of collecting water is a common practice. Bicknell Town currently has a special use permit (LOA355) to operate and maintain a culinary water system. The implementation of Alternative 2 would be an amendment to the existing permit as stated on page v of the EA.



6. Precedent

I find the implementation of the selected alternative does not establish a precedent for future actions with significant effects. These actions do not represent a decision in principle about a future consideration.

7. Cumulative Effects

The cumulative effects of Alternative 2, the proposed action, have been evaluated for each resource area in the EA in section 3. No adverse cumulative effects have been identified.

8. Properties on or Eligible for the National Register of Historic Places

Alternative 2, the proposed action, will have no adverse effect on districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic places. The proposed action would have no effect on cultural resources as stated in section 3.4.2.1 of the EA.

9. Threatened, Endangered, and Sensitive Species

On site surveys were conducted for special status plant and wildlife species. Based on the analysis documented in the EA section 3.8, no known threatened or endangered species, or their habitats, are likely to be adversely affected by this decision.

10. Environmental Law Compliance

The action will not violate Federal, State or local laws or requirements for the protection of the environment.

FINDINGS REQUIRED BY THE LAWS AND REGULATIONS

NFMA (Forest Plan)

This action is consistent with the Fishlake National Forest Land and Resource Management Plan (Forest Plan). This project is within Management Prescription 10E-Municipal Watershed and Municipal Water Supply Watershed. Guidance for this prescription is as follows:

“Management emphasis is to protect or improve the quality and quantity of municipal water supplies. Management practices vary from use restrictions to water resource improvement practices, with the primary objective of meeting water quality standards established for the individual watershed. A secondary objective is to manage the watersheds to improve yield and timing of flows, consistent with water quality requirements”. (page IV-157)

Planned activities are in compliance with the Forest Plan goals regarding soil and water management, page IV-4, “Manage municipal watershed to protect quality of water supplies”, and “maintain water quality to meet State standards); and goal regarding Special Uses, page IV-5, “Manage Land Uses to insure permit compliance and resource protection”.

Migratory Bird Treaty Act

This act requires federal agencies to avoid or minimize adverse impacts on migratory bird resources, and ensure that environmental analyses of federal actions required by the National Environmental Policy Act evaluate the effects of actions and agency plans on migratory birds. The potential project impacts were



evaluated in the EA in section 3.8. The decision is in compliance with direction to protect migratory birds.

Clean Water Act

This purpose of this act is to restore and maintain the integrity of waters. This decision has minimal adverse effects on soil and water resources (EA section 3.15.2.3 and section 3.9.2.3.) The proposed Federal action includes the authorization and issuance of any permits required under Section 404 of the Clean Water Act by the US Army Corp of Engineers, a cooperating agency.

Wetlands Executive Order 11990

This order requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. In compliance with this order, Forest Service direction requires that an analysis be completed to determine whether adverse impacts would result. The proposed project activities would not involve any wetlands as concluded in section 3.3.2.3 of the EA.

Floodplains Executive Order 11988

This order requires the Forest Service to provide leadership and to take action to (1) minimize adverse impacts associated with occupancy and modification of floodplains and reduce risks of flood loss, (2) minimize impacts of floods on human safety, health, and welfare, and (3) restore and preserve the natural and beneficial values served by floodplains. The proposed project would not have any direct effects on the floodplains since the proposed project activities would be outside the 100-year flood zone (EA section 3.2.2.2.)

Environmental Justice

The selected alternative will not disproportionately impact any minority or low income population in the immediate area or surrounding counties, nor will implementation negatively impact Americans with disabilities. These effects are expected to be similar for all human populations regardless of nationality, gender, race, or income level. The proposed project would have no cumulative adverse effects on socio-economic/environmental justice (EA section 3.11.2.3.)

National Historic Preservation Act

This act requires Federal agencies to take into account the effects of their undertakings on historic properties. The Selected Alternative will have no adverse effect on districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic places. The proposed action would have no effect on cultural resources as stated in section 3.4.2.1 of the EA.

My decision is also based upon consideration of the best available science. I have reviewed the project records, which shows thorough review of relevant scientific information, consideration of responsible opposing views, and acknowledgement of incomplete or unavailable scientific information, scientific uncertainty, and risk.



IMPLEMENTATION

Implementation of the activities occurring on National Forest System lands as described in the selected alternative, Alternative 2, may occur immediately following the publication of this decision in a Legal Notice in the news paper of record, *The Richfield Reaper* pursuant 36 CFR 215.9(c)(1). Alternative 2 involves improvements on BLM and privately administered lands; those actions are disclosed in this Decision Notice in order to provide a full scope of the project, however this Decision Notice only authorizes the actions that occur on Forest Service administered lands.

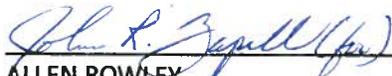
ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

This decision is not subject to administrative review (appeal) pursuant to 36 CFR Part 215.12(e)(1).

CONTACTS

For additional information concerning this decision, contact

Cody Clark - Recreation Manager
Fremont River Ranger District
Fishlake National Forest
138 S. Main
Loa, UT 84747
Ph. 435-896-1023
Fax. 435-836-2366
cclark@fs.fed.us


ALLEN ROWLEY
Forest Supervisor

10/18/2012
Date

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

**Bicknell Town Water
Fishlake National Forest
Fremont River Ranger District**

Legend

- Future Manholes
- Current Manholes
- Future Spring
- Current Springs
- 50' Buffer
- Future Pipeline
- Existing Pipeline
- Land Ownership
- BLM
- Forest Service
- Private

0 0.2 0.4 Miles

Prepared by: Jenneka Knight
Date: 03/02/2012

Fishlake National Forest Vicinity Map

