

## **Finding of No Significant Impact for the Environmental Assessment on the Tibble Fork Dam Rehabilitation Project**

### **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 has completed an environmental review of the following **proposed action**. The proposed action includes the rehabilitation of the Tibble Fork Dam which is located within the American Fork-Dry Creek Watershed on U.S. Forest Service (USFS) lands in Utah County, Utah. The dam is operated and maintained by the North Utah County Water Conservancy District (NUCWCD).

### **II. NRCS DECISION TO BE MADE**

As the delegated Responsible Federal Official for compliance with NEPA, I must make the decision regarding whether the proposed action will or will not be a major Federal action significantly affecting the quality of the human environment. The Environmental Assessment (EA) accompanying this finding has provided the analysis needed to assess the significance of the potential impacts from the proposed action. 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 project is to rehabilitate Tibble Fork Dam in order to meet current NRCS and Utah Dam Safety regulations and engineering standards. The project is needed to reduce the risk of loss-of-life and flooding associated with a potential dam failure. The rehabilitated dam will continue to provide the primary authorized objective of flood prevention and sediment retention, as well as provide a newly authorized objective of agricultural water management. In accordance with the provisions of NRCS's Small Watershed Program, Tibble Fork Dam is eligible for rehabilitation funding due to its high hazard class and outdated infrastructure.

A full project description and conceptual design plans are included in the completed Final Plan EA (January 2015) which was prepared by NRCS in coordination with USFS and NUCWCD.

### **IV. ALTERNATIVES CONSIDERED IN THE FINAL PLAN EA**

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

**Alternative 1:** The No Action alternative assumes that no Federal funds will be used, and the NUCWCD will operate the dam as is until Utah Dam Safety mandates rehabilitation.

**Alternative 2:** The Dam Rehabilitation—Spillway Replacement alternative will rehabilitate the dam to meet current NRCS and Utah Dam Safety regulations and engineering standards. The dam crest, auxiliary spillway and principal spillway structures will be replaced and raised in order to provide a total reservoir capacity of 384 acre-feet; the low-level outlet and embankment conditions will be improved; and additional improvements will be made for impacts to recreation. A detailed list of the rehabilitation activities is included 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 the Dam Rehabilitation—Spillway Replacement alternative as NRCS's proposed action. I have taken into consideration all of the potential impacts of the selected alternative, incorporated herein by reference from the Final Plan EA, and balanced those impacts with considerations of NRCS's purpose and need for the action.

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, NRCS's proposed action (Dam Rehabilitation—Spillway Replacement) will result in an overall net beneficial impact to the human environment based on all factors considered. NRCS has preliminarily determined, based upon the evaluation of impacts in the Final Plan EA, attached hereto and made a part hereof, and for the reasons provided below, that there will be no significant individual or cumulative impacts on the quality of the human environment as a result of implementing the Dam Rehabilitation—Spillway Replacement alternative.

## VI. FINDING OF NO SIGNIFICANT IMPACT

To determine the significance of the action analyzed in the Final Plan EA, NRCS is required by NEPA Regulations at 40 CFR Section 1508.27 and NRCS regulations at 7 CFR Part 650 to consider the context and intensity of the proposed action. Based on the Final Plan EA, a review of the NEPA criteria for significant effects, and based on the analysis in the Final Plan EA, I have determined that the Dam Rehabilitation—Spillway Replacement alternative, will not have a significant effect upon the quality of the human environment. Therefore, preparation of an environmental impact statement (EIS) on the proposed action is not required under section 102(2) (c) of the NEPA, CEQ implementing regulations (40 CFR Part 1500-1508, Section 1508.13), or NRCS environmental review procedures (7 CFR Part 650). This finding is based on the following factors from CEQ's implementing regulations at 40 CFR Section 1508.27 and from NRCS regulations at 7 CFR Part 650:

- 1) The Final Plan EA evaluated the beneficial and adverse impacts of the Dam Rehabilitation—Spillway Replacement alternative. The alternative is expected to result in long-term beneficial impacts on recreation and economic resources. It is anticipated that the alternative will have no significant direct or indirect adverse impacts on environmental resources (i.e., soil, air, water, animals, plants, and human resources). As a result of the analysis (discussed in detail in the Final Plan EA and incorporated by reference), it has been determined that the Dam Rehabilitation—Spillway Replacement alternative will not result in significant impacts to the human environment, particularly when focusing on the significant adverse impacts which NEPA is intended to help decision makers avoid, minimize, or mitigate.
- 2) The Dam Rehabilitation—Spillway Replacement alternative will not significantly affect public health or safety. Public safety will be improved as a result of rehabilitating the existing dam so that it meets current USDA-NRCS and Utah Dam Safety regulations and engineering standards.
- 3) The Dam Rehabilitation—Spillway Replacement alternative will not result in significant effects to unique characteristics of the geographic area, such as: historic or cultural resources, threatened and endangered species, migratory birds, natural areas, park lands, prime farmlands, floodplains, wetlands, wild and scenic rivers, or ecologically critical areas. NRCS regulations (7 CFR Part 650) and policy (Title 420, General Manual, Part 401), require that NRCS identify, assess, and avoid effects to unique characteristics of the geographic area. In accordance with these requirements, it is not anticipated that implementing the preferred alternative will have adverse effects on these resources.

- 4) The Dam Rehabilitation—Spillway Replacement alternative will not result in adverse effects to the quality of the human environment and is not considered controversial. Eleven comments were received during two public meetings; the comments were reviewed, addressed, and deemed not controversial.
- 5) The Dam Rehabilitation—Spillway Replacement alternative is not considered highly uncertain and will not involve unique or unknown risks.
- 6) The Dam Rehabilitation—Spillway Replacement alternative will not establish a precedent for future actions with significant adverse effects and will not represent a decision in principle about future considerations.
- 7) The Dam Rehabilitation—Spillway Replacement alternative will not result in cumulative significant adverse impacts when considered with other actions that also individually have insignificant impacts. Cumulative impacts of the preferred alternative were determined to be not significant.
- 8) The Dam Rehabilitation—Spillway Replacement alternative will not adversely affect districts, sites, buildings, structures, or objects listed in or eligible for listing in the National Register of Historic Places or cause the loss or destruction of significant scientific, cultural, or historical resources.
- 9) The Dam Rehabilitation—Spillway Replacement alternative will have no effect on threatened or endangered species, or critical habitat.
- 10) The Dam Rehabilitation—Spillway Replacement alternative will not threaten to violate Federal, State, or local law or requirements imposed for the protection of the environment.

Based on the information presented in the attached Final Plan EA, I find in accordance with 40 CFR Section 1508.13 that the rehabilitation of Tibble Fork Dam (Dam Rehabilitation—Spillway Replacement alternative) is not a major Federal action significantly affecting the quality of the human environment requiring preparation of an EIS. Therefore, I have made the decision that a Finding of No Significant Impact is approved for the proposed action.

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Natural Resources Conservation Service

Attachment: Final Supplemental Watershed Plan No. 10 and Environmental Assessment for the  
Rehabilitation of Tibble Fork Dam