

**NORTH FORK SIPHON REPLACEMENT PROJECT
FINDING OF NO SIGNIFICANT IMPACT**

Utah Reclamation Mitigation and Conservation Commission

November 2017

Recommended by:

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11/29/17

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FINDING OF NO SIGNIFICANT IMPACT

North Fork Siphon Replacement Project

The Utah Reclamation Mitigation and Conservation Commission (Mitigation Commission), the Central Utah Water Conservancy District (District); and the U.S. Department of the Interior, Central Utah Project Completion Act Office (CUPCA Office), as Joint Lead Agencies, prepared an Environmental Assessment (EA) to analyze the environmental impacts of replacing the North Fork Siphon. The North Fork Siphon is a component of the Strawberry Aqueduct and Collection System (SACS) of the Bonneville Unit of the Central Utah Project (CUP). In accordance with Section 102(2)(c) of the National Environmental Policy Act (NEPA), as amended, the Council of Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), and the Mitigation Commission's NEPA Rule (43 CFR 10010), the Mitigation Commission finds that the Proposed Action analyzed in the EA would not significantly affect the quality of the natural or human environment. Therefore, the actions outlined for the Proposed Action in the EA can be implemented as set forth herein without providing more detailed analysis in an Environmental Impact Statement.

Study Area and Withdrawn Lands

The proposed improvements to the North Fork Siphon are located in the canyon of the North Fork of the Duchesne River, approximately 40 miles northwest of Duchesne City, Utah. The project area is within the Ashley National Forest boundaries but are contained completely within a block of lands that have been withdrawn for use by the U.S. Department of the Interior for water resource development (see Figure 1-1 in the EA). The Reclamation Act of 1902 (32 Stat. 388), and the Sundry and Civil Expenses Appropriation Act (41 Stat. 202) govern the Secretary of the Interior's (Secretary) authority on withdrawn lands. Where conflicting authorities exist, the Sundry and Civil Expenses Appropriation Act establishes the paramount authority of the Secretary to so deal with such lands. Although the project study area is within the Ashley National Forest boundary where a roadless area designation has been established, the purpose of the withdrawn lands necessitates establishment and maintenance of roads to provide access for Operation, Maintenance, and Replacement (OM&R).

Project Need

The Proposed Action is needed to address the operation, maintenance, and replacement needs of the North Fork Siphon to maintain its integrity, safety, efficiency, and reliability in order to continue to meet the objectives of the SACS and the Bonneville Unit of the CUP. The North Fork Siphon was built between 1984 and 1987 and is constructed of pre-stressed concrete cylinder pipe (PCCP). At the time the siphon was designed, PCCP was considered a cost effective solution ideally suited for high pressure piping situations. However, recent history has shown that this type of pipe has an increasing incidence of failure, which has the potential to cause a great deal of damage. A report from 2008 states that since 1955, there have been nearly 600 independent failures or loss of service resulting from PCCP failures in North America. Based on increasing concerns regarding knowledge of PCCP failure the District began performing specific condition assessments in 2004. Multiple inspections and reports indicate that the North Fork Siphon needs to be replaced for the following reasons:

- Cracks (joint, spigot, circumferential, multiple, longitudinal)
- Spalling Areas (cracks and bulges that cause concrete to dislodge or break away)
- Hollow areas in the PCCP as described in Section 1.5 of the EA

It is critical to keep the North Fork Siphon operational to meet the objectives of the SACS and the Bonneville Unit of the CUP and therefore the deficiencies of the North Fork Siphon must be addressed.

PROPOSED ACTION

The Proposed Action described in the EA has been selected for implementation and includes the following improvements:

- Replacing the North Fork Siphon – Installation of a new siphon (up to 90-inches in diameter) adjacent to and approximately 60 to 80 feet north of the existing 72-inch North Fork Siphon. Upon completion of the new siphon, the existing siphon would be abandoned in place. Regular inspections would take place to check for change in surface elevations over the abandoned pipeline. If changes are observed, measures would be taken to remediate surface impacts.
- Replacing the North Fork Pipeline – Replacement of the existing 90-inch North Fork Pipeline within same footprint and unimproved access area. The pipeline would retain its current 90-inch diameter and be extended farther north to account for the shift of the North Fork Siphon.
- Reconstructing the Hades Feeder Pipeline connection and North Fork Siphon blow off structure – Shifting the North Fork Siphon 60 to 80 feet north would require a new connection to the Hades Feeder Pipeline and reconstruction of the North Fork Siphon blow off structure on the west side (currently on east side) of the North Fork of the Duchesne River.
- Reestablishing access to the Hades Tunnel Inlet Portal – To allow for access during construction and future District maintenance of the North Fork Siphon and Hades Tunnel, the Hades Tunnel inlet portal access road would be reestablished. This access road was reclaimed and allowed to return to a natural state following original installation of the pipeline.
- Improving access across the North Fork of the Duchesne River – To allow for access during construction and future maintenance of the new North Fork Siphon and Hades Feeder Pipeline and North Fork Blow Off Structure, removal and replacement of the existing crossing structure over the North Fork of the Duchesne River would be completed.

FINDINGS

This Finding of No Significant Impact is based on the analysis presented in the EA and as summarized below in Table 1.

Table 1. Summary of Impacts Resulting from the Proposed Action

Subject	Impacts Resulting from the Proposed Action
Air Quality	<ul style="list-style-type: none"> • Temporary and localized impacts to air quality would be expected during construction in the form of fugitive dust (PM₁₀ and PM_{2.5}) and construction vehicle and equipment emissions (CO and ozone). • No air quality impacts from pipeline operation. • No long-term adverse impacts on air quality.
Threatened and Endangered Species	<ul style="list-style-type: none"> • No Effect to any of the federally-listed Endangered Species Act species as there is no suitable habitat, they are not known to occur, and are not expected to be present in the study area.

Subject	Impacts Resulting from the Proposed Action
Wildlife	<ul style="list-style-type: none"> • Temporary and short-term construction impacts for Utah Sensitive Species, U.S. Forest Service (USFS) Sensitive Species, general wildlife, migratory birds (including raptors) and their habitats due to higher than usual noise levels, proximity of construction equipment, and other construction-related activities. • Temporary impacts to aquatic habitat in the North Fork of the Duchesne River during construction of the pipeline and removal/replacement of the river structure crossing. No effects to water quality expected with proper implementation of Best Management Practices (BMPs). • Upon completion of construction, habitat conditions would be very similar to existing conditions, not diminishing the ability of wildlife species to frequent the area. • No permanent impacts to suitable habitat for mule deer and elk, or any other wildlife species. • Mature trees and shrubs would be removed or trimmed during construction. Permanent impacts to migratory bird nesting, feeding, roosting, and hiding cover habitat would be minimal.
Water Resources and Wetlands	<ul style="list-style-type: none"> • Temporary impacts to the North Fork of the Duchesne River during construction of the pipeline, removal of the existing river crossing, and installation of the new river crossing structure. Minimal and temporary impacts to water quality expected with proper implementation of BMPs. • Upper Stillwater Reservoir levels would be lowered and water would be moved through the SACS or Rock Creek during construction. This would dewater the Upper Stillwater Tunnel and the North Fork Pipeline and Siphon allowing for construction of all necessary pipeline connections. • Approximately 0.01 acres of wetlands impacts from construction and alignment of the North Fork Siphon.
Water Quality	<ul style="list-style-type: none"> • Minimal and temporary impacts to water quality expected with proper implementation of BMPs during construction activities at North Fork of the Duchesne River. • Minimal and temporary impacts to surface water quality expected during construction with implementation of Storm Water Pollution Prevention Plan (SWPPP) BMPs. • New river crossing structure has potential to improve current erosion conditions of the North Fork of the Duchesne River as it would allow uninhibited flow beneath the structure.
Floodplains	<ul style="list-style-type: none"> • Temporary impacts to the North Fork of the Duchesne River floodplain during construction of the siphon. • New river crossing structure over the North Fork of the Duchesne River designed for greater than the 100-year flood event.
Agricultural Resources	<ul style="list-style-type: none"> • No change in the delivery of water to agricultural users. • Daily operations of the current facility would be maintained during construction with improvements ensuring components of the SACS remain operational into the future. • Temporary and minimal construction impacts to current grazing activities would be anticipated. Construction crews would coordinate with grazing permittees to ease impacts to cattle.
Roadless Areas	<ul style="list-style-type: none"> • Removal of the 27.95 acres of -withdrawn lands within the study area from USFS-designated Roadless Area to avoid future confusion.

Subject	Impacts Resulting from the Proposed Action
Soils and Geotechnical	<ul style="list-style-type: none"> • Soil disturbance would increase the potential for erosion during and after construction. • The Hades Inlet Portal access road would be placed on steep slopes that have the potential for landslides and erosion. • BMPs would be utilized in order to prevent soil erosion from occurring.
Cultural Resources	<ul style="list-style-type: none"> • No Historic Properties Affected.
Indian Trust Assets	<ul style="list-style-type: none"> • No tribal representatives responded to scoping invitations and no ITAs were identified.
Visual Resources	<ul style="list-style-type: none"> • Temporary impacts to the viewshed are anticipated from construction disturbance. • The new river crossing structure over the North Fork of the Duchesne River and access road to reach the Hades Tunnel Inlet Portal would cause a minor visual change. • Approximately 804 trees would be removed on the new alignment. • Overall appearance of the corridor would appear similar to existing conditions; vegetated areas on the existing alignment that are having erosion issues would be stabilized and revegetated with appropriate native species and the new disturbance area would be maintained similar to existing conditions with minimal vegetation.
Recreation	<ul style="list-style-type: none"> • Temporary, short-term delays to recreation access would occur with construction related traffic delays on North Fork Road (also known as Forest Service Road 144 or County Road #7). • Upper Stillwater Reservoir water levels would be lowered temporarily during construction to allow for necessary pipeline connections. • No impacts to recreation once the facility is operational.
Noise and Vibration	<ul style="list-style-type: none"> • Temporary increase in noise and vibration levels associated with construction activities would be expected. Due to sensitivity of maintaining the functionality of the adjacent pipeline during construction, vibration impacts to neighboring properties is unlikely. • Temporary noise and vibration impacts to recreation activities, hunters, wildlife and migratory birds are anticipated.
Transportation	<ul style="list-style-type: none"> • Improved facility maintenance access to west side of canyon and new North Fork Siphon Blow Off structure expected following removal and replacement of crossing structure over the North Fork of the Duchesne River. • Reconstruct previously reclaimed road for future access to Hades Tunnel Inlet Portal and maintenance of the North Fork Siphon. • Adjustment of USFS-designated Roadless Area within the study area. • Travel delays may occur on surrounding roads during construction due to moving equipment and transport of construction materials. • Potential impacts to North Fork Road due to heavy machinery. The District is working on an agreement with Duchesne County and the USFS to address repairs to the North Fork Road as mitigation.

Subject	Impacts Resulting from the Proposed Action
Vegetation and Invasive Species	<ul style="list-style-type: none"> • Removal of shrubs, bushes, approximately 804 trees, and other vegetation would be required. • Overgrown vegetation would be removed during reconstruction of the previously reclaimed road to be used for future maintenance access to Hades Tunnel Inlet Portal. • Ground disturbance has potential to allow for establishment or spread of invasive and noxious weed species. • Vegetated areas on the existing alignment that are having erosion issues would be stabilized and revegetated with appropriate native species. The new alignment would be seeded with native grasses and erosion control measures would be put in place to prevent the incursion of invasive weed species while still complying with U.S. Bureau of Reclamation (Reclamation) and District standards regarding allowable vegetation. • After construction, the District would comply with its Integrated Pest Management Program.
Utilities	<ul style="list-style-type: none"> • Temporary relocation of some existing utilities may be required, but would be restored with little to no disruption of service.

The Proposed Action does not violate Federal, state, or local laws or requirements imposed for protection of the environment. The Proposed Action does not have highly controversial effects, or highly uncertain and potentially significant effects. It does not establish a precedent for future actions or represent a decision in principle about future action with potentially significant environmental effects. The Proposed Action is not directly related to other actions with cumulatively significant environmental effects. The Mitigation Commission analyzed the environmental effects of the alternatives described in the EA, public comments, and finds that the Proposed Action meets the purpose and need described in the EA with no significant impacts to the human environment.

DECISION

The Joint Lead Agencies have decided to implement the Proposed Action as described in the EA. The Mitigation Commission’s decision is documented by this FONSI. The District and CUPCA Office’s decision is documented in a separate FONSI.

ENVIRONMENTAL COMMITMENTS

Implementation of the Proposed Action would require the permits within Table 2.

Table 2. Required Permits

Permit	Granting Agency	Applicable Portion of Project
Section 402 Permit (UPDES)	Utah Department of Water Quality (UDWQ)	Stormwater quality during construction
Stream Alteration Permit	State Engineer	Work within the North Fork of the Duchesne River
Flood Zone Development Permit	Duchesne County	Work within the regulatory floodplain
Road Encroachment Permit	Duchesne County	Roadway use

Other environmental commitments identified in the EA include:

Air Quality

BMPs would be implemented during construction to mitigate for temporary impacts on air quality due to construction related activities. The BMPs would include:

- Applying dust suppressants and watering to control fugitive dust
- Minimizing the extent of disturbed surfaces
- Restricting earthwork activities during times of abnormal high wind
- Limiting the use of and speeds on unimproved road surfaces

Additionally, the Joint Lead Agencies would adhere to the following standards and specifications:

- **Abatement of Air Pollution:** The Joint Lead Agencies would utilize reasonable methods and devices to prevent, control, and otherwise minimize atmospheric emissions or discharges of air contaminants. Equipment and vehicles that show excessive emissions of exhaust gases would not be allowed to operate until corrective repairs or adjustments are made to reduce emissions to acceptable levels.
- **Dust Control:** The Joint Lead Agencies would comply with all applicable federal, state, and local laws and regulations, regarding the prevention, control, and abatement of dust pollution. The methods of mixing, handling, and storing cement and concrete aggregate would include means of eliminating atmospheric discharges of dust.

Wildlife

Tree removal would be performed outside of the nesting season to avoid the potential for impacts to migratory bird nests or fledglings. If it is necessary to remove vegetation during the migratory bird nesting season (nesting season runs February 1 through August 31), a qualified biologist would conduct nesting surveys, prior to construction activities, to verify that no migratory birds are nesting in the vegetation to be removed. These pre-construction nesting bird surveys would be conducted for the construction footprint and 100 feet on either side of the footprint. The survey area for active bird nests would include areas where vegetation removal and disturbance would be necessary. These surveys would be conducted in consultation with the U.S. Fish and Wildlife Service (USFWS).

If occupied raptor nests are located, construction activities would not occur within the species-specific spatial and seasonal buffer zones as outlined in the Utah Field Office Guidelines for Raptor Protection from Human and Land Use Disturbances. Coordination with USFWS and Utah Division of Wildlife Resources (UDWR) would also be reinitiated to discuss monitoring and reporting.

Water Resources and Wetlands

The Proposed Action would impact less than 1/10th acre of wetlands; therefore, the project qualifies under a non-reporting Section 404 Nationwide Permit 12. This means that coordination with the U.S Army Corps of Engineers (USACE) is not required, but the project must comply with all of the general conditions of Nationwide Permit 12.

Construction activities that disturb more than one acre of land require a SWPPP to comply with the Utah Pollutant Discharge Elimination System (UPDES). The SWPPP may include such measures as using silt fences, fiber rolls, check-dams, or other techniques to minimize impacts to receiving waters. The project would be constructed in compliance with the District's typical specifications for drainage, sediment control, and environmental. BMPs would be in place to prevent sedimentation or other impacts to water quality in the North Fork of the Duchesne River. See the Construction Section of the EA.

Mitigation measures would also include obtaining a Stream Alteration permit from the Utah Division of Water Rights for work within the North Fork of the Duchesne River.

Water Quality

Construction activities that disturb more than one acre require the use of a SWPPP to comply with the UPDES. The SWPPP may include such measures as using silt fences, fiber rolls, check-dams, or other techniques to minimize impacts to receiving waters. The project would be constructed in compliance with the District's standards and specifications for Drainage and Sediment Control.

Agricultural Resources

Mitigation would involve coordination with the USFS and its permittees regarding construction activities and the implementation of safety measures (i.e., temporary fencing, etc.) to prevent livestock from straying too close to construction areas and being injured. Further, cattle guards will be maintained during construction.

Soils and Geotechnical

During construction, BMPs would be utilized in order to prevent soil erosion from occurring. Further, construction activities that disturb more than one acre require the use of a SWPPP to comply with the UPDES. The SWPPP may include such measures as using silt fences, fiber rolls, check-dams, or other techniques to minimize impacts to receiving waters. The project would be constructed in compliance with the District's standards and specifications for Drainage and Sediment Control.

All areas disturbed by construction activities would be restored post-construction. The new alignment would be seeded with native grasses and erosion control measures would be put in place to prevent the incursion of invasive weed species while still complying with Reclamation and District standards regarding allowable vegetation. The new pipeline would be located approximately 60 to 80 feet north of the current alignment, which would result in a new area that would need to be kept free of deep-rooted vegetation. The old alignment would be abandoned in place and the swath that had been kept free of deep-rooted vegetation along the existing alignment would be allowed to return to its natural state. De-vegetation activities would cease. See the Vegetation and Invasive Species section of the EA for more information.

Cultural Resources

During construction there is the potential to discover previous, unknown, cultural resources and Native American artifacts. In the event of cultural resources and Native American artifacts being discovered during

construction, all work would cease until a qualified archaeologist was able to evaluate the site, document cultural resources, and coordinate with the State Historic Preservation Office (SHPO).

Visual Resources

In coordination with the USFS, areas of the previous North Fork Siphon alignment that are having erosion issues, as well as areas of the new siphon alignment disturbed by construction activities, would be stabilized and revegetated with appropriate native species.

Recreation

Travel in the area to and from recreational facilities or for other public purposes would be maintained throughout construction. Prior to construction, a Traffic Control Plan would be developed to address traffic concerns. Hunter access to suitable areas surrounding the study area would be maintained during construction, although not within the construction area itself.

Noise and Vibration

The contractor would be required to comply with applicable federal, state, and local laws, orders, and regulations concerning the prevention, control, and abatement of excessive noise and vibration. The Joint Lead Agencies would monitor construction noise levels within the construction area. Mufflers on construction equipment would be checked regularly to minimize noise. During construction, the contractor would comply with the Duchesne County Noise Ordinance (3-1-4), which prohibits noise from the “use of any mechanical device, operated by compressed air, steam, gasoline or otherwise, unless the noise created is in connection with work being done by authorized agencies or an agricultural activity and/or is effectively muffled between the hours of nine-thirty o’clock (9:30) P.M. and seven o’clock (7:00) A.M.”

Transportation

Travel in the area to and from private property, recreational facilities or for other public purposes would be maintained throughout construction. Prior to construction, a Traffic Control Plan would be developed to address traffic concerns. The District is working on an agreement with Duchesne County and the USFS to address repairs to the North Fork Road (also known as Forest Service Road 144 or County Road #7) to mitigate for impacts due to heavy machinery. Further, a Road Encroachment Permit would be obtained for the North Fork Road from the Duchesne County Public Works Department before commencing construction.

Vegetation and Invasive Species

Vegetated areas on the existing alignment that are having erosion issues would be stabilized and revegetated with appropriate native species. The new alignment would be seeded with native grasses and erosion control measures would be put in place to prevent the incursion of invasive weed species while still complying with Reclamation and District standards regarding allowable vegetation.

After construction, the District would comply with its Integrated Pest Management Program, which requires ongoing monitoring for invasive species and noxious weeds and treatment on lands administered by the District.

Utilities

Coordination and cooperation with utility companies (STRATA and Moon Lake Electric Association, Inc.) would be conducted prior to and during construction. Utilities would be avoided to the extent possible or relocated. Minimal disruptions would occur during tie-ins of new connections.

REVIEW OF PUBLIC COMMENTS AND REVISIONS TO THE EA

To announce the review and comment period for the EA, letters were sent to nearby property owners, agencies, and organizations and an ad was placed in local and statewide papers. The EA was available for review beginning October 6, 2017 and comments were due by November 10, 2017. Two comment letters were received during the public review of the EA. See comments and responses in Table 3.

Table 3. Comments and Responses on the EA

Comments	Responses
Property Owner	
<p>I am one of the landowners in the small development immediately north of the study area of the proposed project. My primary concerns with the project pertain to long-term visual impacts primarily for the new siphon alignment and reconstruction of the Hades Tunnel Access Road. With the new alignment, the already notable scarring will be made significantly worse, particularly for the next several years. The access road reconstruction will also negatively impact the view from my property and the road and river. I request that more proactive measures be implemented in reclaiming the old alignment where deep-rooted vegetation will again be allowed. I request that native trees and bushes be planted along the old alignment and that in all areas of reclamation that sufficient maintenance is performed to ensure that the new vegetation survives long-term and is replanted as needed to achieve this. Finally, I am concerned about the condition of Forest Service Road 144 both during and after the project. It is important that this road is properly maintained during and after the project and that the road be improved during the project to allow for concurrent use of heavy equipment and private vehicles to the extent possible.</p>	<p>Impacts to the viewshed and the proposed mitigation measures are discussed in Section 3.13 Visual Resources in Chapter 3 of the EA. The Joint Lead Agencies (CUPCA Office, District, and the Utah Reclamation Mitigation and Conservation Commission) agree that the viewshed in the study area would be impacted under the Proposed Action.</p> <p>However, in coordination with the U.S. Forest Service (USFS), areas of the previous North Fork Siphon alignment that are having erosion issues, as well as areas of the new siphon alignment disturbed by construction activities, would be stabilized and revegetated with appropriate native species. This would help minimize the visual impacts resulting from the Proposed Action. In addition, large woody vegetation would be allowed to grow on the existing North Fork Siphon alignment. The cut/fill slopes of the Hades Inlet Portal access road would also be reseeded with a native vegetation mix (the access road would remain unvegetated). The Joint Lead Agencies believe that the visual impacts would be mostly temporary due to construction activities and with the mitigation outlined in Section 3.13 would be minimized.</p> <p>Potential impacts to the North Fork Road (also known as Forest Service Road 144 or County Road #7) as a result of construction activities are discussed in Section 3.16 Transportation in Chapter 3 of the EA. The District is working on an agreement with Duchesne County and the USFS to address repairs to the North Fork Road to mitigate for impacts due to heavy machinery.</p>

Duchesne County	
Page 1-2, Section 1.4: "...establishes the paramount authority of the Secretary to so to deal with such..."	Made grammatical correction.
Page 2-11, Section 2.5, Table 2-1 (Floodplains): This project location is now within a regulatory floodplain since Duchesne County joined the National Flood Insurance Program on March 30, 2017.	On Page 2-11, Section 2.5, Table 2-1 (Floodplains) changed to: Removed the word "non-regulatory" and changed to, "Temporary impacts to the <u>North Fork of the Duchesne River regulatory</u> floodplain during construction of the siphon."
Page 2-12, Section 2.5, Table 2-1 (Transportation): The table should recognize the county's concerns about heavy loads on the County Road and the road repair agreement that is being negotiated (see Page 3-41 of the EA).	Added to Page 2-13, Section 2.5, Table 2-1 (Transportation): <u>Potential impacts to North Fork Road due to heavy machinery. The District is working on an agreement with Duchesne County and the USFS to address repairs to the North Fork Road as mitigation.</u>
Page 3-3, Section 3.1 (Land Use Plans and Policies): The paragraph should mention that the proposed action is compliant with the Duchesne County General Plan and County Resource Management Plan. Also, in this paragraph, the word "Ashley" is misspelled.	Added to Page 3-3, Section 3.1 (Land Use Plans and Policies): <u>Further, the Proposed Action is also consistent with the Duchesne County General Plan and the County Resource Management Plan.</u> Corrected spelling of Ashley.
Page 3-5, Section 3.2 (Air Quality - Affected Environment): Please clarify that wintertime ozone issues are currently being experienced only during periods of snow cover. Also, please note that the Utah DEQ has delineated ozone impact areas to be below 6,000 feet in elevation. The project location is above 7,000 feet in elevation and not subject to winter time inversion conditions that lead to ozone issues.	Added to Page 3-5, Section 3.2 (Air Quality - Affected Environment): <u>The wintertime ozone issues in the Basin are currently being experienced only during periods of snow cover and ozone impact areas have only been delineated below 6,000 feet in elevation.</u>
Page 3-6, Section 3.2 (Air Quality – Ozone): Please clarify that wintertime ozone issues are currently being experienced only during periods of snow cover. Also, please note that the Utah DEQ has delineated ozone impact areas to be below 6,000 feet in elevation. The project location is above 7,000 feet in elevation and not subject to winter time inversion conditions that lead to ozone issues.	Changed on Page 3-6, Section 3.2 (Air Quality – Ozone): Further, construction would occur in the months of May through October <u>and the project area is above 7,000 feet in elevation; therefore, the project would not likely affect</u> the wintertime ozone issues currently being experienced in the Uintah Basin.
Page 3-8, Section 3.3, Table 3-1 (T&E Species – Canada lynx): "Typically found above 8,000 feet. Only a few species individuals have been documented..."	Corrected Page 3-8, Section 3.3, Table 3-1 (T&E Species – Canada lynx) to: Typically found above 8,000 feet. Only a few <u>individuals</u> have been documented..."
Page 3-9, Section 3.3, Table 3-2 (T&E Species – Canada lynx): "Only a few species -individuals have been documented..."	Corrected Page 3-9, Section 3.3, Table 3-2 (T&E Species – Canada lynx) to: Typically found above 8,000 feet. Only a few <u>individuals</u> have been documented..."
Pages 3-13 and 3-15, Section 3.4, Tables 3-3 and 3-4 (Amphibians – Western Boreal Toad): The table on Page 3-13 [Table 3-3] indicates that suitable habitat for the toad is present in the project area; however, the table on Page 3-15 [Table 3-4] states that suitable habitat for the toad is not present in the project area.	Corrected Table 3-4 Page 3-15, Section 3.4 to indicate that suitable habitat is present in the project area. Changed the "No" in the last column to "Yes."

<p>Page 3-20, Section 3.5 (Stream Alteration Permit): Somewhere in this section it should be mentioned that a Flood Zone Development Permit will be required by Duchesne County (that requirement is not mentioned currently until Table 3-9).</p>	<p>Page 3-28, Section 3.7 (Floodplains): The requirement for a Flood Zone Development Permit is now included in Section 3.7 (Floodplains) on Page 3-28 of the EA.</p>
<p>Page 3-27, Section 3.7 (Floodplains - Affected Environment): Somewhere in this section it should be mentioned that Duchesne County participates in the National Flood Insurance Program and that a Flood Zone Development Permit will be required by Duchesne County (that requirement is not mentioned currently until Table 3-9).</p>	<p>Added to Page 3-28, Section 3.7 (Floodplains): <u>Further, a Flood Zone Development Permit would be obtained from Duchesne County in connection with work within the North Fork regulatory floodplain.</u></p>
<p>Page 3-27, Section 3.7 (Floodplains – Environmental Effects (Proposed Action Alternative)): The proposed action is now within a regulatory floodplain, since Duchesne County joined the National Flood Insurance Program on March 30, 2017. Thus, effects would occur within a regulatory floodplain.</p>	<p>Changed Page 3-27, Section 3.7 (Floodplains – Affected Environment) to: <u>Duchesne County joined the National Flood Insurance Program on March 30, 2017.</u> The Proposed Action would be located within the regulatory floodplain of the North Fork of the Duchesne River.</p> <p>On Page 3-27, Section 3.7 (Floodplains – Environmental Effects (Proposed Action Alternative)) removed: The Proposed Action is not located within a regulatory floodplain; therefore, no effects would occur to a regulatory floodplain.</p>
<p>Page 3-37, Section 3.14 (Recreation – Affected Environment): “...horseback riding, and other <u>motorized and non-motorized outdoor activities.</u>”</p>	<p>Added on Page 3-37, Section 3.14 (Recreation – Affected Environment): “<u>motorized and</u>”</p>
<p>Page 3-39, Section 3.14, Figure 3-11 (Recreation – Affected Environment): Several roads in the area are depicted in this figure as trails. Several recreation facilities are not shown, including the Iron Mine USFS Campground and the Mill Flat dispersed camping areas located near the wilderness boundary to the northwest of the Defa Dude Ranch. The North Fork Road also provides access to the Grandview trailhead that provides access to the popular Granddaddy Basin wilderness trails. Please consult with the Ashley National Forest and update the figure accordingly.</p>	<p>Page 3-39, Section 3.14, Figure 3-11 (Recreation – Affected Environment): Figure 3-11 was updated as requested.</p>
<p>Page 3-40, Section 3.15 (Noise and Vibration): This section should include reference to the Duchesne County Nuisance Ordinance, which regulates construction noise. Such noise is permitted between the hours of 7:00 AM and 9:30 PM unless a waiver to allow longer working hours is granted by the Duchesne County Sheriff or his designee.</p>	<p>Added to Page 3-41, Section 3.15 (Noise and Vibration): <u>During construction, the contractor would comply with the Duchesne County Noise Ordinance (3-1-4), which prohibits noise from the “use of any mechanical device, operated by compressed air, steam, gasoline or otherwise, unless the noise created is in connection with work being done by authorized agencies or an agricultural activity and/or is effectively muffled between the hours of nine-thirty o’clock (9:30) P.M. and seven o’clock (7:00) A.M.”</u></p> <p>Also added same statement to the Construction Section 3.22, page 3-51 and the Summary of Mitigation Commitments Section 3.23, page 3-58.</p>

Page 3-41, Section 3.16 (Transportation): This section should note that a Road Encroachment Permit from the Duchesne County Public Works Department must be obtained before work commences within County Road #7 (the North Fork Road). The requirement is mentioned later in the document in Table 3-9.	Added to Page 3-42, Section 3.16 (Transportation): Further, a Road Encroachment Permit for the North Fork Road would be obtained from the Duchesne County Public Works Department before commencing construction.
Page 3-43, Section 3.17, Table 3-8 (Vegetation): The deciduous tree “Gambelle Oak” should be “ <u>Gambel</u> Oak.	Page 3-43, Section 3.17, Table 3-8 (Vegetation): Spelling corrected.
Page 3-58, Section 3.18 (Utilities): Moon Lake Electrical is actually the <u>Moon Lake Electric Association, Inc.</u>	Page 3-59, Section 3.18 (Utilities): Name of the electrical company corrected in this section and throughout the chapter.
Page 4-3, Section 4.1, Table 4-1 (Comments Received During Scoping): Erik Wilcker is actually Erik <u>Wilcken</u> .	Page 4-3, Section 4.1, Table 4-1 (Comments Received During Scoping): Spelling corrected.

The comments received were carefully considered and reviewed by the Joint Lead Agencies together with the information contained in the EA in determining whether to issue a FONSI. The EA and the District-CUPCA Office FONSI are available at www.cupcao.gov or <http://northfork.cuwcd.com>. The Mitigation Commission’s FONSI is available at www.mitigationcommission.gov or <http://northfork.cuwcd.com>.