



UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

ST. GEORGE FIELD OFFICE

345 E. Riverside Drive

St. George, Utah 84790

Phone (435)688-3200 · Fax (435)688-3252

In reply refer to:

(UT-100)

UTU-75168 (WCWCD)

UTU-80273 (City of St. George)

EA-UT-045-98-02

October 31, 2002

Dear Interested Party:

Accompanying this letter is the Environmental Assessment (EA) for the Santa Clara Pipeline Project and St. George Wells Project (EA-UT-045-98-02). The EA addresses the granting of rights-of-way across public lands administered by the Bureau of Land Management's (BLM) St. George Field Office, and a right-of-way to be granted by the Bureau of Indian Affairs (BIA), at the request of the Shivwits Band of the Paiute Indian Tribe of Utah (Shivwits Band), across the Shivwits Indian Reservation (Reservation), in Washington County, Utah.

The Washington County Water Conservancy District (Conservancy District) has applied for rights-of-way from BLM, and BIA to construct and operate the proposed Santa Clara Project pressurized pipeline from Gunlock Reservoir across the Reservation to Ivins Reservoir. The proposed 8.5 mile pipeline would replace existing diversions and open water delivery systems along the Santa Clara River, conserving the water necessary to

- ◆ Provide additional water to settle water rights claims, pursuant to the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act (Settlement Act).
- ◆ Release sufficient water from Gunlock Reservoir to provide 3 cubic feet per second (cfs) in the Santa Clara River immediately downstream of Gunlock Reservoir to further conservation strategies for the benefit of the Virgin spinedace.

The City of St. George has applied for a right-of-way on BLM-administered public lands to develop two new water wells and associated delivery pipelines in the Gunlock well field, pursuant to the Settlement Act. Since the proposed Well Project is integrally related to the Pipeline Project and the Settlement Act, it is analyzed as a connected action in this EA, consistent with the mandates of the federal National Environmental Policy Act (NEPA).

Visit our website at <http://www.ut.blm.gov> for information about current Utah BLM environmental documents

You are invited to review the EA and provide written comments during a 30 day public review and comment period, which ends on Monday, December 2, 2002. All comments should be mailed to:

USDOI- Bureau of Land Management
ST. GEORGE FIELD OFFICE
345 E. Riverside Drive
St. George, Utah 84790

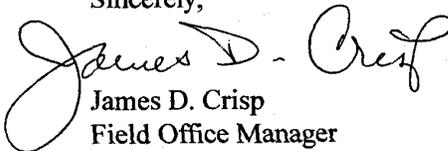
You are also invited to attend public information workshops to learn more about the proposed projects. Representatives from the Conservancy District, the City of St. George, BLM, BIA, and the Shivwits Band will be available to answer questions concerning the proposals and the EA process. These workshops will be held at the following locations:

Nov. 6, 2002, 6:00 p.m. - 8:00 p.m.
Shivwits Band Community Center
Gunlock Highway
Shivwits Indian Reservation

Nov. 7, 2002, 5:00 p.m. - 7:00 p.m.
Washington County Conservancy District Office
136 North 100 East, Suite 1
St. George, Utah 84770
(435) 673-3617

If you have questions or require additional information, please contact Dawna Ferris-Rowley, Asst. Field Office Manager, at (435) 688-3216.

Sincerely,


James D. Crisp
Field Office Manager

Enclosure

CHAPTER 1 - PURPOSE OF AND NEED FOR ACTION

This chapter describes the need for action and the objectives to be met by the proposal.

1.1 INTRODUCTION

Federal actions to be addressed by this Environmental Assessment (EA) are twofold:

- (1) Grants by the Department of the Interior's (DOI) Bureau of Land Management (BLM) of rights-of-way pursuant to the Federal Lands Policy and Management Act (FLPMA), and
- (2) Grant by the DOI's Bureau of Indian Affairs (BIA) of a right-of-way, at the request of the Shivwits Band of the Paiute Indian Tribe of Utah (Shivwits Band), pursuant to United States Code Title 25, Section 324.

On August 18, 2000, the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act (Settlement Act) was signed into law (Appendix A-Public Law 106-263 114 Stat. 737). The Settlement Act ratified and confirmed the water rights of the Shivwits Band *vis-a-vis* several non-Indian settling parties in the Santa Clara River Basin of Washington County, Utah. The terms of the water settlement are set forth in detail in three agreements, one of them being the Santa Clara Project Agreement (Appendix A), executed by the settling parties in January, 2001. Among other things, these agreements provide for settlement of competing claims to water in the Santa Clara River system; prior to the settlement, water rights claims for this system were being adjudicated through the

state administrative and judicial systems, to eventually be approved by a final decree of the Utah courts.

The Federal actions analyzed in this EA arise from the agreement of the settling parties to construct a pipeline from Gunlock Reservoir across the Shivwits Indian Reservation to Ivins Reservoir and to develop wells near the Gunlock Reservoir to provide supplemental water to the Santa Clara Project, pursuant to the terms of the Santa Clara Project Agreement. The Washington County Water Conservancy District (Conservancy District) has applied for rights-of-way to construct and operate a pressurized pipeline, known as the Santa Clara Project (Pipeline Project), across BLM-administered public lands and tribal lands within the Shivwits Indian Reservation. The City of St. George (City) has applied for rights-of-way for two water wells, associated small water pipelines and a power line, to be developed on BLM-administered public land, in association with another water well on lands administered by the State of Utah (Well Project). (The proposed Pipeline Project and Well Project are referred to herein collectively as the "Proposed Action")

The Pipeline Project was initially proposed to meet environmental objectives called for by the Virgin Spinedace Conservation Agreement and Strategy (CA) (Lentsch *et al.* 1995). The CA designated the Santa Clara River between Gunlock Reservoir and the confluence with the Virgin River as a priority area for re-establishing population

maintenance flows for the Virgin spinedace (*Lepidomeda mollispinis mollispinis*). In order to obtain these flows, the proposed Pipeline Project was designed to conserve water from current open-ditch irrigation operations, thereby making water savings available to supply 3 cubic feet per second (cfs) of instream flow below the Gunlock Reservoir. This instream flow is intended to be adaptively managed to stabilize populations and enhance habitat for the Virgin spinedace. The Pipeline Project would also deliver irrigation water to the Shivwits Indian Reservation and to Ivins Reservoir, pursuant to the Settlement Act.

1.2 BACKGROUND INFORMATION

The Virgin spinedace, a small native minnow, is currently identified as a "conservation species" by the State of Utah and listed as a "Special Status Species" on BLM's Sensitive Species List. In 1994, the U.S. Fish and Wildlife Service (USFWS), pursuant to the Endangered Species Act (ESA) of 1973, as amended, proposed listing the species as threatened (59 Fed.Reg. 25875). The CA was developed in 1995 between the USFWS, State of Utah, BLM, National Park Service, and the Conservancy District, and is being implemented, in part, through the Virgin River Resource Management and Recovery Program (Virgin River Program [see List of Acronyms and Abbreviations for list of participants]). The CA was designed to expedite the implementation of several measures, including adaptive management strategies to stabilize populations and enhance habitat, that were needed to ensure the continued existence and future recovery of the species. Subsequently, the USFWS

removed the Virgin spinedace from proposed listing, following a determination that sufficient progress toward recovery was being achieved through implementation of the CA. A copy of the CA is provided in Appendix B of this EA.

Portions of the Santa Clara River system formerly provided habitat for the Virgin spinedace. Today, the lower river is impounded by Gunlock Reservoir and is diverted at seven downstream locations for irrigation and off-stream storage. The City operates a hydroelectric power facility just below Gunlock Dam. Operation of the Gunlock Reservoir, which began in the early 1970s, eliminated instream flows during the late fall and winter months between the Gunlock Dam and the Shivwits Indian Reservation, but provided artificially high flows in this segment of the river during the irrigation months, typically between mid-February and September.

Year-long instream flows are recognized by the USFWS and the Virgin River Program as a critical factor in Virgin spinedace population viability in the Santa Clara River. As outlined in the CA, habitat enhancement goals for the Virgin spinedace would be partially met by maintaining and adaptively managing 3 cfs of instream flows in the Santa Clara River, released below the Gunlock Reservoir and above Winsor Dam. Because Winsor Dam currently forms a barrier to the upstream movement of fish, a population of Virgin spinedace established in this river section would initially be protected from competition with nonnative fish. This protected population could serve as a transplant source for spinedace re-introductions elsewhere in the Virgin River Basin. At a future time, the Virgin River

Program may recommend modifications of Winsor Dam and removal of other diversion structures on the Santa Clara River to allow for enhanced fish movement.

1.3 PURPOSE OF AND NEED FOR ACTION

Highly variable flows, water losses to natural processes (e.g., evapotranspiration, infiltration), and competing water demands often prevent the Santa Clara River from satisfying all resource needs and existing water rights. Water in the Santa Clara River is currently delivered to end users by seven diversions and open canal/ditch delivery systems on the Santa Clara River. The proposed Pipeline Project would replace existing diversions and open delivery systems, conserving the water necessary to:

- ❖ Provide additional water to settle water rights claims, pursuant to the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act (See Appendix A).
- ❖ Release sufficient water from Gunlock Reservoir to provide 3 cfs in the Santa Clara River immediately downstream of Gunlock Reservoir to further conservation strategies for the benefit of the Virgin spinedace.

The Well Project is integrally related to the Pipeline Project and the Settlement Act and, thus, is analyzed as a connected action in this EA, consistent with mandates of the

federal National Environmental Policy Act (NEPA). The City has predicted that municipal water demand will shortly surpass the current capacity of its supplies, thereby impacting its capability to meet both projected user demand and the City's legal obligations under the Settlement Act. The proposed new wells would provide supplemental water to meet these two needs.

1.4 ISSUES AND CONCERNS

Resource issues were identified through a public process that included extensive consultation and coordination among affected parties and the public. After the start of Pipeline Project planning in 1995, representatives of BLM, BIA, the USFWS, the Shivwits Band, the U.S. Department of Justice, the Utah Division of Water Resources, the U.S. Geological Survey (USGS), the Utah State Water Engineer, the City, Washington County, the Conservancy District, academic institutions, and water users along the Santa Clara River met on a regular basis to evaluate options to settle water rights for the Santa Clara River and assist the recovery of the Virgin spinedace. The Pipeline Project and Well Project have been discussed in public meetings of the multi-party Virgin River Program (see Glossary for list of program participants), the Conservancy District and the City. Information on the Proposed Action has been disseminated through local media and published notices.

Public scoping to identify issues was formally initiated by BLM and BIA in 1998, with the on-line posting of the Pipeline Project description on BLM's Electronic NEPA Notification Board. The posting also solicited public input on issues related to the



Proposed Action and provided information on how to comment. Scoping materials and updated information about the proposal have been available to the public through the BLM's St. George Field Office.

Subsequent public notification has included media news releases and public contacts by representatives of the Conservancy District, the City, BLM, and BIA. Chapter 6 of this EA and Appendix G contain additional information on the public outreach, consultation, and coordination conducted for the Pipeline Project, the Well Project, and the EA.

Issues and concerns raised by the public during the initial scoping were considered in the development of the Proposed Action and analyzed in the direct, indirect, and cumulative impacts of the Proposed Action and alternatives. These issues are summarized below:

1.4.1 WATER RESOURCES

Issue: How would the Proposed Action affect the water budget of the Santa Clara River?

Issue: How would the Proposed Action affect the water budget of the aquifer that supplies the Gunlock Well Field?

1.4.2 FLOODPLAIN AND RIPARIAN RESOURCES

Issue: How would the Proposed Action affect floodplain characteristics and riparian habitat?

1.4.3 BIOLOGICAL RESOURCES

Issue: How would Proposed Action impact biological resources, including federal and state listed or sensitive species or their habitats?

1.4.4 LIVESTOCK GRAZING

Issue: Would there be impacts on public land livestock grazing in the Gunlock Allotment as a result of the Proposed Action?

1.4.5 HERITAGE RESOURCES

Issue: Would the Proposed Action affect National Register-eligible or listed properties or resources of concern to the Shivwits Band and the Paiute Indian Tribe of Utah?

1.4.6 RECREATION RESOURCES

Issue: Would there be impacts on recreational opportunities as a result of the Proposed Action?

1.4.7 AREAS OF CRITICAL ENVIRONMENTAL CONCERN (ACEC)

Issue: Would the Proposed Action impact resource values that require special management attention in the BLM-designated Santa Clara/Gunlock ACEC?

Figure 2.1 Proposed Pipeline Project

