

# SPK-2008-00354, Lake Powell Pipeline Project,

**Comments Period: December 18, 2018 – January 21, 2019**

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Lake Powell Pipeline project, which would result in impacts to approximately 10.54 acres / 51,636 linear feet of waters of the United States, including wetlands, in or adjacent to Lake Powell and the Virgin River. This notice is to inform interested parties of the proposed activity and to solicit comments.

**AUTHORITY:** This application is being evaluated under Section 10 of the Rivers and Harbors Act of 1899 for structures or work in or affecting navigable waters of the United States and Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**APPLICANT:** Utah Division of Water Resources, Attn: Mr. Eric Millis, 1594 West North Temple, Salt Lake City, Utah 84116

**LOCATION:** The approximately 150-mile-long project site is located in parts of Coconino and Mohave counties, Arizona, and Kane and Washington counties, Utah. The latitude/longitude of the approximate center of the pipeline alignment is 39.9892°N, -112.4276°W. The Lake Powell Intake would occur in Section 24, Township 41 North, Range 8 East of the Gila and Salt River Meridian, AZ. The terminal point of the pipeline at Sand Hollow Reservoir would occur in Section 30, Township 42 South, Range 13 West of the Salt Lake Meridian, UT. The project location can be seen on the Little Creek Mountain, The Divide, Smithsonian Butte, Lost Spring Mountain East, Colorado City, Maroney Well, Pipe Valley, Pipe Spring, Clear Water Spring, Shinarump Point, Muggins Flat, Johnson Lakes, Petrified Hollow, Pine Hollow Canyon, Eightmile Pass, Fivemile Valley, West Clark Bench, Bridger

Point, Glen Canyon City, Lone Rock, Ferry Swale, and Page USGS Topographic Quadrangles.

**PROJECT DESCRIPTION:** The Lake Powell Pipeline (LPP) Project would deliver a portion of the State of Utah's Colorado River water from Lake Powell to the service areas of Washington County Water Conservancy District (WCWCD) and Kane County Water Conservancy District (KCWCD), and would include energy recovery through hydropower generation (Figure 1-1). The Applicant's proposed project would include six lateral intake tunnels from Lake Powell, 140 miles of a 69-inch-diameter steel pipeline (starting at Lake Powell and terminating at Sand Hollow Reservoir), a forebay, an afterbay, hydro stations, booster pump stations, a regulating tank, and a power transmission line (including substations and switch stations). Based on the available information, the overall project purpose is to construct a water conveyance and hydroelectric system spanning from Lake Powell's Glen Canyon Dam in Page, Arizona, to water storage facilities near St. George, Utah, to bring a necessary second source of water to Washington and Kane Counties to meet future water demands through 2060. The applicant believes that LPP will diversify the regional water supply portfolio and enhance its reliability, while also generating electric supplies. The LPP will supply up to 86,249 acre-feet of existing Colorado River water rights to Washington County (82,249 acre-feet) and Kane County (4,000 acre-feet), while supplying water to operate the proposed hydroelectric developments at multiple points along the pipeline. The applicant believes there is a need to bring a necessary second source of water to Washington and Kane Counties to meet future water demands through 2060 and to diversify the regional water supply portfolio and enhance its reliability, while also generating electric supplies. The attached drawings provide additional project details.

**ADDITIONAL INFORMATION:**

**Environmental Setting.** There are approximately 10.54 acres of ephemeral, intermittent, and perennial streams within the project area, as

well as a small portion of Lake Powell. The site is characterized by Mojave Desert uplands that are drained by numerous ephemeral and washes. Several riparian areas also exist in the vicinity of the project, and support riparian vegetation such as saltcedar (*Tamarix ramosissima*), narrowleaf willow (*Salix exigua*), Russian olive (*Elaeagnus angustifolia*), Fremont cottonwood (*Populus fremontii*), rough cocklebur (*Xanthium strumarium*), and pale spikerush (*Eleocharis macrostachya*). One wetland area was identified in the project area.

**Alternatives.** The applicant has provided information concerning project alternatives, which are discussed in the attachments to this notice. Additional information concerning project alternatives may be available from the applicant or their agent. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

**Mitigation.** The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The applicant has proposed to avoid any impacts to wetlands and implement construction best management practices, including minimizing clearing of riparian vegetation, working in dry or low-flow conditions, stockpile native substrates from impacted waters and restore temporarily impacted areas to approximate pre-project conditions wherever practicable. The applicant's proposed mitigation for unavoidable impacts to approximately 4.21 acres/32,540 linear feet of dry ephemeral drainages that would be filled or flooded as a result of the project includes 1) conducting a functional assessment of the drainages that would be lost and ensuring that the forebay and afterbay would provide some replacement functions, 2) establishment and enhancement of riparian vegetation along the Virgin River, and 3) construction of replacement ephemeral drainages.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Utah Division of Water Quality and the Arizona Department of Environmental Quality is required for this project. The applicant has not indicated they have applied for certification. Projects are usually certified where the project may create diffuse sources (non-point sources) of wastes which will occur only during the actual construction activity and where best management practices would be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Ms. Jodi Gardberg, Utah Division of Water Quality, P.O. Box 144870, Salt Lake City, Utah 84114-4870, or email [jgardberg@utah.gov](mailto:jgardberg@utah.gov) on or before **January 21, 2019**.

**HISTORIC PROPERTIES:** Potentially eligible cultural resources may be affected by the proposed project. The Corps has designated the Federal Energy Regulatory Commission (FERC) as lead Agency for Section 106 National Historic Preservation Act compliance. Cultural resources coordination for the project are ongoing.

**ENDANGERED SPECIES:** The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat. The Corps has designated FERC as lead Agency for Section 7 Endangered Species Act compliance. As lead Agency, FERC is consulting with the U.S. Fish and Wildlife Service for Endangered Species Act compliance.

**ESSENTIAL FISH HABITAT:** The proposed project would not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act.

The above determinations are based on information provided by the applicant and our preliminary review.

**EVALUATION FACTORS:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative

impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**SUBMITTING COMMENTS:** Written comments, referencing Public Notice SPK-2008-00354 must be submitted to the office listed below on or before **January 21, 2019**.

Matt Wilson, Project Manager  
US Army Corps of Engineers, Sacramento District  
Bountiful Regulatory Office  
533 West 2600 South, Suite 150  
Bountiful, Utah 84010-7744  
Email: [Matthew.S.Wilson@usace.army.mil](mailto:Matthew.S.Wilson@usace.army.mil)

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or Corps project manager Matt Wilson, (801)295-8380, ext. 8311, [Matthew.S.Wilson@usace.army.mil](mailto:Matthew.S.Wilson@usace.army.mil).

Attachments:

[1 - Application Narrative](#)

[2 - Drawings](#)

[3 - Tables](#)