

EMIGRATION IMPROVEMENT DISTRICT

BOARD OF TRUSTEES

SPECIAL PUBLIC HEARING - ENVIRONMENTAL ASSESSMENT

THURSDAY, AUGUST 30, 2001

CAMP KOSTOPULOS, 2500 EAST EMIGRATION CANYON ROAD

SALT LAKE CITY, UTAH

Board Members in Attendance: Fred A. Smolka, Bill Bowen, Mike Hughes

Ex Officio: Don Barnett–Barnett Intermountain Water Consulting, Gerald H. Kinghorn–Legal Counsel, Dan Woodbury–Carollo Engineers, Craig Ellsworth, SWCA Environmental Consultants

Public in attendance: Ron Draughn, Cricket Braun, Amy Cutting, Margot McCallum, Kent Law, Randy Block, Kennard Machol, Scott Lee, Tom Johnson, Joe Sargent, Nanette Kunkel-Dudley, Jim Karkut, David Crompton, Jim Davis (Utah Open Lands), Coty Evans, Kathy Christensen (ECCC), Ellen Wilson

Board Chairman Fred A. Smolka called the meeting to order at 7:05 p.m. Mr. Smolka asked Mr. Kenneth Wilde of the Utah State Division of Drinking Water to introduce the topic of hearing - the Environmental Assessment “EA” .

Kenneth Wilde explained the requirements of the environmental clearance process. He explained the objectives and timing of the study.

Chairman **Smolka** then provided background on the history of the District, and stated the mission or goal of the District - to provide water and sewer services to the Emigration Canyon community. He then described problems with water quality and quantity that have been experienced by many canyon residents that led to two areas of the canyon petitioning the District to consider providing their areas with water services. The two areas are Young Oaks/Little Oaks subdivisions and Killyon/Lower Burr Fork area. The present water system for Emigration Oaks has also been deemed to be inadequate both as to source and as to storage. The District is contractually obligated to correct these deficiencies but has the promise of the Boyer Company to help by providing some funds for the improvements. The District had considered these issues for several years without taking any action. This new Board felt that it was time to take action and launched a study of how to best help these homeowners.

After considering several alternatives, the Board decided to pursue the present proposed project of expanding the Emigration Oaks water system to include all of these areas with the understanding that all areas would benefit from participation by the others in helping to spread the costs of new source and storage facilities over more homes. He then referred to a large map which showed what the project would include and explained the scope of the project. In order to make the proposed plan feasible, additional sources (wells) and an additional storage reservoir would be required with pipe lines to connect the facilities and provide distribution system. Financing would be required. The State of Utah, Division of Drinking Water has given approval to purchase revenue bonds bearing interest at a rate of 2.01% from

the District to finance the project. Since the funds come in part through a federal government program, an environmental assessment is required.

The State of Utah is conducting the environmental assessment with the assistance of the District and their professional advisors. The EA is an ongoing process. The goal of the project is to determine what the environmental consequences of the project are and if the effects are considered acceptable, then a "Finding of No Significant Impact" (FONSI) would be issued and the project can move ahead. The goal is not to produce a report, although the EA ends up in report form.

A copy of the draft of the document that is being created through this process had been provided to each of those in attendance. Mr. Smolka commented that the document in their hands was not a final product, but a working copy and several things will be added to the document, including comments from this meeting. The time was then turned over to the professional advisors to explain the findings to date in some detail.

Dan Woodbury, an engineer with Carollo Engineering was the first speaker. Mr. Woodbury explained what had been done to meet the NEPA requirements. He discussed the alternatives that had been considered and their feasibility. He said it would be far more expensive to do a number of smaller systems or to attempt to hook into the Salt Lake City water system because of the large pumping costs required to lift the water to high altitudes in the canyon. He felt that a Salt Lake City alternative would be four to five times more expensive than the proposed alternative. Mr. Woodbury answered further questions.

Don Barnett, P.E., a hydrological engineer with Barnett Intermountain Water Consulting spoke next. He described the canyon geology and the impact it had on choosing from various sources to provide water for culinary use in the canyon. He explained also some of the hydrology of the canyon and the fact that wells near the streams communicate with the streams and tend to take away from the flows in the streams. He feels that public wells located somewhat away from the streams would enhance stream flows because of the combination of two factors: 1) the direct effect of larger wells located away from the streams would have minimal effect on stream flows, and 2) eliminating much of the use out of the wells along the streams would increase stream flows. The public wells would be limited in the amount of water that they could provide since there is only so much water in the aquifer. Mr. Barnett said that if he had a choice, his first option would be to drill in the Nugget formation because the sandstone formation might produce up to 100 gallons per minute of water and would have a very minimal effect on stream flow. However, if the wells along the stream are no longer pumped or pumped at a substantially reduced rate, then the stream flows would probably increase, producing a net increase in stream flows.

An attendee asked if the District intended to use the springs above Pinecrest as a water source. Mr. Smolka suggested that he would like to use the springs, but stated that spring sources could not be included in this project because of the additional prohibitive costs. Questions relating to spring use do not apply to this project. Mr. Barnett mentioned that the District might consider using the springs in some future project and that it has been monitoring flows and purity of several springs high up above the Pinecrest area over several years. Thomas and Secret Springs provide a substantial flow of about 100 gallons per minute during the dry period of the year. However, recent work by a local resident resulted in Thomas Spring being subjected to the influence of surface water which would make it difficult to meet the protection zone requirements as a public source of water. Therefore, work would be required to correct the drainage problem before it could be used. Interestingly, flows from Secret Spring go back

underground before they reach Burr Fork Stream and the effects of using this spring would have to be researched further before any decision for use could be made. Mr. Barnett mentioned that one of the primary objectives of the District is to maintain a flow in the streams of the canyon during at least 75 % of the dry seasons of the year. Future project spring use would probably be limited to the times of the year when there is more than enough water in the streams (late fall through late spring season). Pumping of well water during dry periods would allow all of the flows from the springs to go into the streams to

enhance stream flow during dry periods. A monitoring program would have to be developed to eliminate adverse effect on stream flows resulted from their spring use.

Mr. Barnett said due to many factors, the first well planned for drilling would be in Brigham Fork on the Creamer property. The Second well would be in the Nugget formation probably in the Burr Fork area.

Craig Ellsworth, of SWCA, Environmental Consultants, Inc. then addressed the group regarding the work they had done in studying available information about flora, fauna and wildlife in Emigration Canyon followed up by on-site investigations. He reported that they had obtained a list of possible sensitive species in the area from the National Heritage Foundation, "NHF" and used the list reflected on page 13 of the EA as a starting place for of their study. The "Bonneville Cutthroat Trout" in Emigration Creek have a purity of over 99% which makes them a "core" population and important to preserve. He said the main population of the trout is in Emigration Creek. This population may even be used to introduce the specie to other streams. He said that their study reflected that this was the major concern for environmental impact that could be caused by the expansion project. Although there were many other species present, none of them would be adversely affected. The main stream crossing over the Cosgrave property was addressed and SWCA felt that the plan for crossing as proposed could be made without significant impact on the Bonneville Cutthroat Trout.

A member of the public asked Mr. Ellsworth what the effects of crossing the stream (to provide service to many of the homes that were across the creek from the road where the line would run) would be on the Trout. Mr. Ellsworth was not aware of the individual service connection crossings and therefore could not comment. EID had planned to leave the individual crossings up to the homeowners since it would be on their property. Districts are normally only responsible for providing service to the property line of the user. Ken Wilde of the State of Utah suggested that under the circumstances EID should be in charge of all of these crossings. Based on that suggestion, EID agreed to look into the matter by visiting the sites and reviewing the crossings required and then come up with a plan for the crossings. They would then have SWCA go back up the canyon and analyze the effects of these crossings. Their findings will be included in the EA.

Mr. Wilde mentioned that he had not received a copy of the SWCA report and wondered where it was. Mr. Woodbury explained that a separate report had not been done, but that SWCA had actually written the portion of the text of the EA that was included. Mr. Wilde requested that a separate report be prepared by SWCA under their signature similar to the report that Don Barnett had prepared on the hydrology and that the SWCA report be included in the appendix to back up the text within the report.

An attendee read an excerpt from a response letter in the EA from the Division of Wildlife Resources and asked if the District had responded to their concerns. Mr. Woodbury explained that the letter was part of the assessment process. The District is doing its best to respond and design the project in such a

way as to minimize intrusiveness. Some work still remains to respond to all of their concerns. The process of understanding the concerns then reacting by adapting the project is part of the reason for the EA. Mr. Wilde will provide copies of the EA to “cross-cutters” so they might further analyze proposed plans.

Jim Davis, Utah Open Lands, reminded the District that they had placed an Conservation Easement over several segments of land in the canyon. The proposed project calls for crossing one of these easements in the Northern spur of the pipeline that connects the Nugget well with the storage reservoir. Mr. Smolka reported that the Trustees of the District had spoken with Wendy Fisher about the project several months earlier and agreed that before any work proceeded across the easement the necessary paper work and approvals would be obtained from Open Lands. It was unfortunate that Wendy Fisher was out of town when staff members of Open Lands got word of the project and this hearing.

Some attendees stated that SWCA had missed some species such as the flying squirrels in Pinecrest. Some also felt that one visit to the canyon was insufficient to form an opinion as to the effect of the project of the environment. SWAC relied to some extent on the work of NHF and others who have done work in the canyon and will make additional trips to the canyon to analyze the effects of the individual connection crossings. However, their overall opinion is that the project is not very invasive and should not have a substantial effect on wildlife.

An attendee asked what the financial impact would be on the individuals living in the area. Mr. Wilde reported that he had done some preliminary estimates, but it was the Districts responsibility to inform the residents of costs. The EID responded that costs will be provided to residents prior to the time that they need to make final decisions as to whether or not to use the water services. More definitive estimates will be available in the near future and will be shared with residents. If the costs are too high, residents will not sign up and the project will not go forward.

Mr. Wilde stated that the State of Utah, Division of Drinking water would prefer to see the project go forward because of concerns for health and safety of the public. He also cautioned the prospective water users to read and understand the agreements they would be asked to sign and understand their obligation. He thought that the District should hold another public hearing after several of the issues discussed tonight were resolved.

Several other items contained in the draft EA were discussed at some length.

The meeting of the Emigration Improvement District adjourned at approximately 9:30 p.m.

Minutes Approved