

Environmental Assessment, Finding of No Significant Impact

Watershed Plan For Corn Creek Watershed Millard County, Utah

Agency Role and Responsibility

United States Department of Agriculture (USDA) – Natural Resources Conservation Service (NRCS). In accordance with the NRCS regulations (7 CFR 650) and CEQ regulations (40 CFR 1500-1508) implementing the National Environmental Policy Act (NEPA), NRCS has prepared an environmental review of the Proposed Action. This environmental document was initiated using the 40 CFR 1500-1508 (May 1, 2024) and 7 CFR 650 regulations. These regulations have recently been rescinded and replaced with USDA regulations found under 7 CFR 1b. However, in a good-faith effort to fulfill NEPA’s requirements, including Congressional timeline and considerations of fiscal restraints, the agency decided to continue to use 40 CFR 1500-1508 (May 1, 2024) and 7 CFR 650. This is permissible per the USDA policy guidance issued in the Interim Final Rule’s preamble. The Federal Register notice said: “To ensure an orderly transition without undue impact on the USDA mission, USDA subcomponents have discretion to continue using the versions of USDA and agency-specific NEPA regulations in place before publication of this interim final rule, as well as the 2020 version of the CEQ NEPA regulations, where it makes sense for proposals that are at a certain stage in the applicable NEPA process (categorical exclusion, environmental assessment, or environmental impact statement).” 90 FR 29644 (July 3, 2025). In the NRCS’s expert opinion, it has thoroughly considered the factors mandated by the statute and the regulatory frameworks it used; and that, in the responsible federal official’s judgment, the analysis contained herein is adequate to inform and reasonably explain findings regarding the proposed action and selected alternative.

The Proposed Action includes implementing flood prevention and agriculture water management improvements at eight locations in the Corn Creek Watershed as described below. Project implementation is anticipated to begin in Fall 2026.

- Site 1 (Corn Creek Dam & Debris Basin): The current debris basin would be removed and a new dam & debris basin constructed downstream that would have an updated alignment slightly farther downstream and a taller embankment.
- Site 2 (Primary, Secondary, Emergency & Auxiliary Spillways): Construction of four new spillways to replace the existing structures which do not meet current standards.
- Site 3 (Pipe Network/Secondary System): A gravity pipe system to reduce seepage and evaporation losses would be constructed for the Corn Creek Irrigation Company (CCIC) and Kanosh Band of Paiute Indians.
- Site 4 (Berm & Channel Modification): Installation of channel improvements & other flood control infrastructure to prevent flood damages in Kanosh Town.
- Site 5 (Pond Relocation & Kanosh Band Secondary System): As part of construction, the town secondary pond would need to be replaced. As a cost saving measure, the Town and Tribe ponds will be combined.

NRCS Decision to be Made

As the delegated Responsible Federal Official for compliance with NEPA, I must make the following decision:

I must determine if the agency's Proposed Action (Action Alternative) will or will not be a major Federal action that requires the issuance of an Environmental Impact Statement. The Corn Creek Watershed Plan-Environmental Assessment (EA) accompanying this finding has provided the

analysis needed to assess the significance of the potential impacts from the selected alternative. As per NEPA (Public Law 91–190 As Amended Through P.L. 118–5) all supporting data leading to this decision is incorporated by reference and presented in the Corn Creek Watershed Plan-EA.

Conclusion

Based on the information incorporated by reference and presented in the attached Corn Creek Watershed Plan-EA, I find in accordance with NEPA, that the selection of the agency Proposed Action is not a major Federal action significantly affecting the quality of the human environment requiring preparation of an Environmental Impact Statement. Thus, a Finding of No Significant Impact has been created for this Federal action.

For information regarding this finding, contact: Catherine Magee, Acting State Conservationist, U.S. Department of Agriculture, Utah Natural Resources Conservation Service, 125 South State Street, Room 6416, Salt Lake City UT 84138; (801)-524-4550.

Signed,

Catherine Magee
Acting State Conservationist

Date