U.S. DEPARTMENT OF THE INTERIOR

Bureau of Land Management

DOI-BLM-UT-C010-2020-0012-EIS

March 2026

Pine Valley Water Supply

Record of Decision

Contents

Final Agency Action ii
Right of Appeal iii
1. Introduction 1
1.1 Purpose and Need 1
1.2 Conformance with Land Use Plans 1
1.3 Consistency with other plans, statutes, and objectives 2
1.4 Project Description 3
2. Decision 3
3. Rationale for Decision 4
3.1 Alternatives Considered in Detail 5
3.2 Alternatives Considered but Eliminated from Detailed Analysis 6
4. Public Involvement 6
5. Consultation and Coordination 7
5.1 Cooperating Agencies 7
5.2 Endangered Species Act Section 7 Consultation 7
5.3 State Historic Preservation Office Consultation 7
5.4 Tribal Consultation 7
Appendix A: Project Map A-1

FINAL AGENCY ACTION

Issuance of Right-of-Way Grant and Temporary Use Permit

The National Environmental Policy Act (NEPA) process concluded when the Bureau of Land Management (BLM) published the Pine Valley Water Supply Final Environmental Impact Statement (EIS) (DOI-BLM-UT-C010-2020-0012-EIS). I have reviewed the environmental analysis in the Final EIS and supporting documentation and have considered all relevant information raised in the NEPA process.

It is therefore my decision to approve the Proposed Action as described in Sections 2.2.2 and 2.2.3 of the EIS—including all design features described in EIS Appendix C, ROW stipulations described in EIS Appendix E, and the adaptive management measures identified in EIS Appendix F—and to approve the issuance of temporary and long-term right-of-way (ROW) grants for the purposes of constructing, operating, and maintaining a water transfer pipeline, production and monitoring wells, storage tanks, and associated facilities across BLM-managed land within the Cedar City Field Office. This decision will allow the BLM to fulfill the requirements of the Federal Land Policy and Management Act, as amended (43 U.S.C. 1701 et seq.) in responding to a properly submitted application for use of federal lands by Central Iron County Water Conservancy District (CICWCD). This decision is issued in full force and effect pursuant to 43 C.F.R. 2801.10(b).

Decision by:

THOMAS HEINLEIN Digitally signed by THOMAS HEINLEIN
Date: 2026.03.02 10:13:21 -07'00'

Thomas A. Heinlein Date
State Director, Acting
Bureau of Land Management, Utah

RIGHT OF APPEAL

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of Hearings and Appeals, in accordance with the regulations contained in 43 CFR Part 4. The notice of appeal must be filed no later than 30 days after the date of receiving notice of this decision. Any notice of appeal must be filed with the IBLA and must include a copy of the decision being appealed, a statement of standing, and a statement of timeliness.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must show sufficient justification based on the criteria at 43 CFR 4.405(b).

The appellant must serve a copy of the notice of appeal and any accompanying documents on the office of the officer who made the decision, each person or entity named in the decision, and the appropriate Office of the Solicitor at the time of filing with IBLA (see 43 CFR 4.403(b); 4.407(b)). Parties must serve the Office of the Solicitor at the address shown on Form 1842-1. Service on a party known to be represented by an attorney or other designated representative must be made on the representative. If a statement of reasons for the appeal is not included with the notice of appeal, it must be filed within 30 days after the record on appeal is filed with the IBLA. Failure to file a statement of reasons within the time required will subject the challenged decision to summary affirmance (see 43 CFR 4.412(a)).

1. INTRODUCTION

This Record of Decision (ROD) documents the Bureau of Land Management's (BLM) decision and rationale for authorizing two right-of-way (ROW) grants resulting in up to 273 acres of disturbance across Iron and Beaver counties within the Cedar City Field Office. This decision is made pursuant to the Federal Land Policy and Management Act of 1976, as amended (FLPMA; 43 U.S.C. 1701 et seq.) and the ROW regulations contained in 43 Code of Federal Regulations (CFR) Part 2800.

On July 10, 2019, the Central Iron County Water Conservancy District (CICWCD) applied for a long-term and short-term ROW to construct and operate infrastructure for transporting water from the Pine Valley Basin to the Cedar City Valley Basin. The CICWCD manages water resources for municipal and other uses in central Iron County, Utah, serving the communities of Cedar City, Enoch, and Kanarraville.

The CICWCD's objective in applying for the ROW grants is to develop and convey acquired and permitted water rights issued by the State of Utah (Water Right 14-118) to supply water to Iron County users that existing aquifers in Cedar City Valley cannot provide in perpetuity. The CICWCD applied for the water rights in 2006, with a final settlement completed and rights acquired in 2019.

The CICWCD's need for additional water arises from the lack of sufficient existing water resources within the overdrawn Cedar City Valley basin to respond to growing population needs and the gradual implementation of the Cedar City Valley Groundwater Management Plan that will affect the CICWCD's ability to extract groundwater from the basin. The Cedar City Valley basin is currently overdrawn, and the Utah State Engineer has adopted a Groundwater Management Plan that will impose phased reductions in depletions until the basin is back within safe yield estimates. Based on an analysis of the Cedar City Valley basin demand and projected savings from conservation efforts by the CICWCD, conservation alone cannot overcome the current deficit.

1.1 Purpose and Need

The purpose of the federal action is to respond to the ROW applications for the Pine Valley Water Supply Project (Project). The need for the federal action is established by the BLM's responsibility to respond to a ROW application under FLPMA and the ROW regulations contained in 43 CFR Part 2800.

1.2 Conformance with Land Use Plans

This decision complies with the Cedar City Field Office's Cedar/Beaver/Garfield/Antimony Resource Area Resource Management Plan (RMP) (1986), the Pinyon Management Framework Plan (1983), the Fillmore Field Office's Warm Springs Resource Area RMP (1986), and the Ely District's Ely District Approved RMP (2008).

Portions of the Project are within greater sage-grouse (GRSG) priority habitat management areas (PHMA) as detailed in the 2015 Utah GRSG Approved Resource Management Plan Amendment (2015 ARMPA) and ROD (BLM 2015). The Project must comply with the applicable plan objectives and management decisions. The Project's approach, which is in compliance with the 2015 ARMPA and includes applicant-committed design features to enhance GRSG habitat, is

discussed in detail in the Greater Sage-Grouse Net Conservation Gain Analysis associated planning document available at the BLM ePlanning site for the Project.

The Project was expected to publish a Final EIS in Fall 2025, but this was delayed to early 2026 because of a 43-day government shutdown. As the Final EIS and ROD were nearing completion, the BLM signed the 2025 Greater Sage-Grouse Approved RMP Amendment and ROD for Utah in December of 2025 (BLM 2025). The BLM acknowledges that the timing of the Pine Valley Water Supply Final EIS and ROD are exempted from the requirements of the 2025 GRSG ARMPA based on the following language from that decision:

> To maintain the orderly administration and management of the public lands, the BLM will be consistent with the Approved RMP Amendment unless the BLM has a Draft EIS or Environmental Assessment for the project before the publication of the Approved RMP Amendment. The decision for such projects and any subsequent authorizations associated with the approval (such as the issuance of a ROW authorized by a decision) may be exempted from the requirements of this effort's approved GRSG planning decision. The BLM has the discretion to apply the Approved RMP Amendment to projects that are substantially underway and will seek input from the project proponent prior to exercising such discretion. (BLM 2025).

For information about the applicable decisions in the Management Framework Plan and the RMPs, see Section 1.4 of the Final EIS.

1.3 Consistency with other plans, statutes, and objectives

The Iron County RMP was completed in June 2017 and outlines Iron County positions and policies regarding resource management and coordination with resource management agencies (Iron County 2017). The Iron County RMP highlights the groundwater withdrawal rates for the Cedar Valley and Escalante Valley that exceed basin recharge rates and discusses the initiation of the Cedar City Valley GMP (Iron County 2017). Under "Future Plans for Groundwater Recharge," the Iron County RMP specifically supports the "West Desert Pipeline Project," which is a precursor to the Pine Valley Water Supply Project (Iron County 2017). The goal is to provide water from a basin open to new appropriation to Iron County users to reduce withdrawals within the Cedar City Valley basin.

The Beaver County RMP outlines land use policies and serves "as a basis for communicating and coordinating with the federal government on land and resource management issues" (Beaver County 2019). The Beaver County RMP discusses the fact that the Utah State Engineer manages potential drawdown of groundwater resources and that sections of western Beaver County are open to new appropriation (Beaver County 2019). It also highlights the dependence of many natural resources on groundwater and expresses concern regarding the "dependability of long-term supply, depletion of groundwater storage, reductions in streamflow, potential loss of groundwater-dependent ecosystems (GDE), and changes in groundwater quality" (Beaver County 2019). Beaver County's land-use policy guideline 18.h states that BLM land use planning should "provide for the protection of existing water rights and the reasonable development of additional water rights" (Beaver County 2019). Groundwater objectives include "to preserve, improve, and develop groundwater resources for the use of man while supporting multiple use/sustained yield principles"

and "to recognize humans as a subset of groundwater dependent fauna, and development of resources for their use should be given priority" (Beaver County 2019).

The Millard County RMP prepared under Utah Code 17-27a-40 includes a county policy to "retain and preserve groundwater resources in the basin of origin" (Millard County 2017). The groundwater modeling performed for the Project action alternative found that drawdown in the groundwater levels in a portion of Millard County would eventually occur, although it is predicted to be less than levels that can be distinguished from ambient fluctuations.

Tied to the county RMPs, the Utah State Resource Management Plan (SRMP) is an aggregation of the land-use decisions and directives that emerge from county plans. The Utah SRMP supports maximized land use for its citizens, industries, and government purposes.

1.4 Project Description

On June 15, 2017, the CICWCD applied for long-term and short-term ROWs across BLM-administered lands in Beaver and Iron counties, Utah. The Project would develop and convey up to 15,000 acre-feet of groundwater, as permitted by the State of Utah, from Pine Valley in Beaver County to the Cedar City Valley in Iron County. The Project includes up to 15 production wells (up to 10 on BLM-administered lands); an estimated seven new monitoring wells (all on BLM-administered lands); up to 70 miles of underground main, lateral, and up to 42.6 miles of transmission pipeline on BLM-administered lands; and up to 11.7 miles of above-ground power lines (up to 11 miles on BLM-administered lands). The ROW would be 50 feet wide, for a term of 30 years. During construction, there would be an additional 70-foot-wide short-term ROW. There are also eight existing monitoring wells on BLM-administered lands drilled under a previous authorization that would be included in a new 30-year ROW grant. Additionally, the Project includes an ancillary solar energy field on private land and a 10-million-gallon underground water storage tank.

The Project would allow CICWCD to exercise groundwater rights previously approved by the State of Utah and to convey water to the Cedar City Valley to support municipal and regional water supply needs. The ROW grants will include design features, monitoring requirements, and operational constraints intended to avoid, minimize, and mitigate environmental impacts to groundwater resources, wildlife habitat, cultural resources, and other affected values. The BLM will also require ongoing coordination, reporting, and adaptive response should monitoring indicate impacts deviating from those analyzed in the Final EIS.

2. DECISION

After extensive review of the Pine Valley Water Supply Final EIS (DOI-BLM-UT-C010-2020-0012-EIS) that analyzed the impacts and mitigation measures associated with the Project, and in accordance with 43 CFR Part 2880, it is the decision of the BLM to select the Proposed Action and grant a long-term ROW UTUT106089002 and the associated short-term ROW UTUT106782297 for the construction, operation, maintenance, and termination of the Proposed Action as described in the Final EIS for the Pine Valley Water Supply Project across BLM-managed lands.

The long-term ROW grant will be for the route and facilities described in Sections 2.2.2 and 2.2.3 of the Final EIS and will include all design features described in EIS Appendix C, ROW

stipulations described in EIS Appendix E, and the adaptive management measures identified in EIS Appendix F. Specifically, the BLM has decided to:

- Grant a long-term ROW authorizing the construction, operation, and maintenance of up to 15 production wells and 70 total miles of pipeline alignment, including both main lines and lateral pipelines, plus other appurtenant Project facilities on BLM-managed lands. The term of the grant is thirty (30) years with the right of renewal. The width of the long-term ROW would be 50 feet wide.

- Grant a short-term ROW authorizing the use of temporary workspace outside of the long-term ROW during the construction of the project. A 70-foot-wide temporary construction ROW encompasses approximately 643 acres. The term of the short-term ROW grant will be up to 10 years with a right of renewal.

Both ROW grants will be issued under authority of the FLPMA, as amended (43 U.S.C. § 1701 et seq.). Under FLPMA, the BLM has significant discretion to approve or deny potential uses of the public lands in the course of managing those lands under principles of multiple use and sustained yield. See 43 USC 1732(a)-(b). The BLM's broad discretion under FLPMA extends specifically to its consideration of proposed ROWs under Title V of FLPMA and its implementing regulations, which authorize the BLM to grant, grant with modifications, or deny proposed ROWs over areas of public lands. *See* 43 USC 1761(a); 43 CFR 2802.10.

The BLM's federal action is limited to authorization of the ROWs on BLM-administered lands and does not include approval of water rights, which were granted by the Utah State Engineer in 2019 pursuant to a settlement agreement.

3. RATIONALE FOR DECISION

The BLM has selected the Proposed Action as described in Sections 2.2.2 and 2.2.3 of the Pine Valley Water Supply Final EIS because it supports the responsible development of valid existing water rights to meet regional water supply demands, is consistent with the BLM land use plans applicable to the federal lands where the Project is proposed, and the use meets Project objectives while minimizing adverse environmental impacts. I have determined that the Proposed Action is in the public interest and will not result in unnecessary or undue degradation of the public lands.

Due to overallocation in past years, the water rights in the Cedar City Valley aquifer (Basin 73) are subject to the approved Cedar City Valley Groundwater Management Plan, which was adopted in January 2021. Under this plan, the Utah Division of Water Rights (DWRi) will begin to curtail the use of water rights, starting with the most junior, to depletion and recharge, and bring the basin back to safe yield as determined by the Utah State Engineer. The current average depletion rate from the groundwater basin is estimated to be 28,000 acre-feet per year (afy), and it is estimated that average actual depletion must be reduced by 7,000 afy to balance recharge and depletion amounts in this groundwater basin (UTDNR 2021). The Groundwater Management Plan outlines a schedule for reaching the estimated safe yield of 21,000 afy by 2080. Over that same general time period, Iron County's population is expected to grow to between 94,290 and 169,658 by 2075, with a projected CICWCD service area population of 86,162 to 155,034 (Carollo 2023).

The demand of the CICWCD and key municipal and agricultural customers is anticipated to grow from 13,205 afy in 2025 to 36,472 afy by 2075 without factoring in further conservation enhancements (Carollo 2023). The net result is that demand within the basin is anticipated to eclipse the total available senior groundwater rights within the Cedar City Valley basin that will not be subject to phased reductions in depletions under the Groundwater Management Plan.

Existing CICWCD conservation programs, existing recharge projects, planned reuse projects, and meeting future statewide conservation targets are all current and anticipated future conditions that are incorporated into all alternatives analyzed in the Final EIS. Based on a review of the Cedar City Valley demand and projected savings from conservation efforts to meet or exceed these targets, the CICWCD assessed that conservation alone cannot overcome the current deficit (CICWCD 2020b). A review of the population growth scenarios shows that consumptive water usage would need to be reduced to somewhere between 62 gallons per capita per day (gpcd) and 112 gpcd, depending on the growth estimate used.

The CICWCD's Pine Valley Water Supply Project would facilitate conveyance of up to 15,000 afy with existing water rights that were acquired through approval by the State of Utah and a settlement agreement that was reached in 2019.

The Proposed Action is selected because it meets the BLM's responsibility to respond to a ROW application under the FLPMA and the ROW regulations contained in 43 CFR 2800 Title V. The Proposed Action effectively balances the anticipated socioeconomic and natural resource impacts. This decision is supported by a comprehensive evaluation of the environmental considerations detailed in the Final EIS, reflecting collaboration with various state and local agencies.

While the construction and operation of the Project may result in some adverse impacts, most of these are expected to be temporary or short-term, with some long-term effects on groundwater-dependent vegetation and springs. With the implementation of the avoidance, minimization, and other mitigation measures, including the Adaptive Management, Monitoring, and Mitigation Program (Final EIS Appendix F), the Project is expected to result in substantially minimized environmental impacts. Furthermore, no alternative method or route offers a significant environmental advantage over the Proposed Action. Therefore, the BLM concludes that issuance of the ROW grants is justified, as it aligns with Project objectives while effectively addressing environmental considerations.

3.1 Alternatives Considered in Detail

The BLM analyzed in detail two alternatives in addition to the Proposed Action. Table 1 compares the pipeline lengths, disturbance acres, resource and design factors, and estimated cost by alternative.

Under the No Action alternative, the BLM would not approve the ROWs and associated infrastructure or ground disturbance. CICWCD would need to pursue other water source alternatives including those described in 2.2.1 of the EIS.

The No Action alternative would prevent the CICWCD from exercising groundwater rights previously approved by the State of Utah and would not support municipal and regional water supply needs related to the existing water deficit in the Cedar City Valley.

Under the Adaptive Northern Well Sites (ANWS) alternative, the BLM would grant the CICWCD the authorization to construct the associated wellfield, pipelines, and other supporting

infrastructure as described in Section 2.2.2 of the Final EIS but would require the wellfield construction to be expanded farther north within Pine Valley to decrease aquifer stress in the southern area of Pine Valley as described in 2.2.4 of the Final EIS.

The additional seven miles of pipeline and associated infrastructure under the ANWS alternative increase the amount of disturbance, and associated impacts to socioeconomic and natural resources, without substantially reducing the effects of groundwater drawdown when compared to the Proposed Action.

Table 1. Comparison of Alternatives Considered in Detail

Alternative	Water Provision (AFY)	Pipeline Length (miles)	Disturbance (total acres/ PHMA* acres)	Resource and Design Factors	Estimated Cost ($ million)
No Action Alternative	-	-	-	-	$247
Proposed Action	15,000	70.0	1,307 / 536	Minimizes total ground disturbance	$309
ANWS Alternative	15,000	77.3	1,457 / 536	Decreases aquifer stress in the southern portion of Pine Valley	$357

*PHMA – Priority Habitat Management Area for greater sage-grouse, covering Federal and non-Federal lands

3.2 Alternatives Considered but Eliminated from Detailed Analysis

Five additional alternatives were identified during Project scoping and considered in the Final EIS. These alternatives were eliminated from further analysis for the reasons explained in EIS Section 2.2.5.

4. PUBLIC INVOLVEMENT

The BLM posted a Notice of Intent to prepare an EIS in the Federal Register on July 15, 2020 (85 FR 42914) followed by a 35-day public scoping period ending on August 19, 2020. Agencies and private landowners crossed by the alignment were mailed a scoping letter, including 12 mailings to ROW holders and 20 mailings to grazing permittees. The BLM hosted an online public scoping meeting on August 5, 2020, with approximately 40 members of the public in attendance.

A total of 98 comment letters were received from the public, agencies, and Tribes during the public scoping period, including 11 from federal, state, or local agencies or elected officials; 3 from Tribes; 11 from non-governmental organizations; and the remaining 83 from private landowners or citizens. A scoping report summarizing the pertinent comments within these submissions and the public scoping process is available on the project website.

The BLM published the Notice of Availability (NOA) of the Draft EIS in the Federal Register on January 7, 2022, which initiated a 45-day public comment period. At the request of commenters, the BLM extended the public comment period to March 11, 2022, for a total duration of 63 days. An online public meeting was held by the BLM on Wednesday, February 9, 2022, during which the BLM summarized the Proposed Action, alternatives, and the findings of the environmental

analysis and encouraged the public to submit comments on the Draft EIS. The BLM received a total of 6,183 submitted comment letters and/or emails on the Draft EIS. Summary statistics of the public comments received and the BLM response to each comment are included in Appendix G of the EIS. Where multiple comments were received that pertained to the same concern, the BLM summarized the comments in a single "issue statement" and provided a single response.

5. CONSULTATION AND COORDINATION

5.1 Cooperating Agencies

The following entities contributed to the development of this EIS as cooperating agencies: United States Geological Survey, United States Fish and Wildlife Service (USFWS), Utah's Public Lands Policy Coordinating Office, Utah State Historic Preservation Office, Utah Trust Lands Administration, Nevada Department of Wildlife, Enoch City, Iron County, Beaver County, Millard County, Juab County, Tooele County, White Pine County, Paiute Indian Tribe of Utah, and the Indian Peaks Band of Paiutes.

Cooperating agencies attended online informational meetings hosted by the BLM and reviewed administrative drafts of the Draft EIS and/or Final EIS prior to publication.

5.2 Endangered Species Act Section 7 Consultation

Section 7(a)(2) of the Endangered Species Act (ESA) requires that each Federal agency ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. If an action agency determines a proposed action may affect listed species or designated critical habitat, consultation between that agency and the USFWS is required under section 7 of the ESA.

The BLM prepared a Biological Assessment to analyze potential effects of the Project on the Utah prairie dog and transmitted it to the USFWS on April 6, 2020. On May 20, 2020, the USFWS concurred with a Not Likely to Adversely Affect determination for the Utah prairie dog. The USFWS issued a second concurrence letter confirming the Not Likely to Adversely Affect determination on August 8, 2024, after reviewing an updated Biological Assessment prepared for the Final EIS, which addressed issues raised during public comment.

5.3 State Historic Preservation Office Consultation

The BLM completed compliance with Section 106 of the National Historic Preservation Act (NHPA). Cultural Resources Inventory Reports were submitted on June 23, 2020, and October 20, 2020, to the Utah State Historic Preservation Office. Concurrence of the BLM's determination of eligibility and the BLM's finding of no adverse effect were received on June 24, 2020, and October 26, 2020.

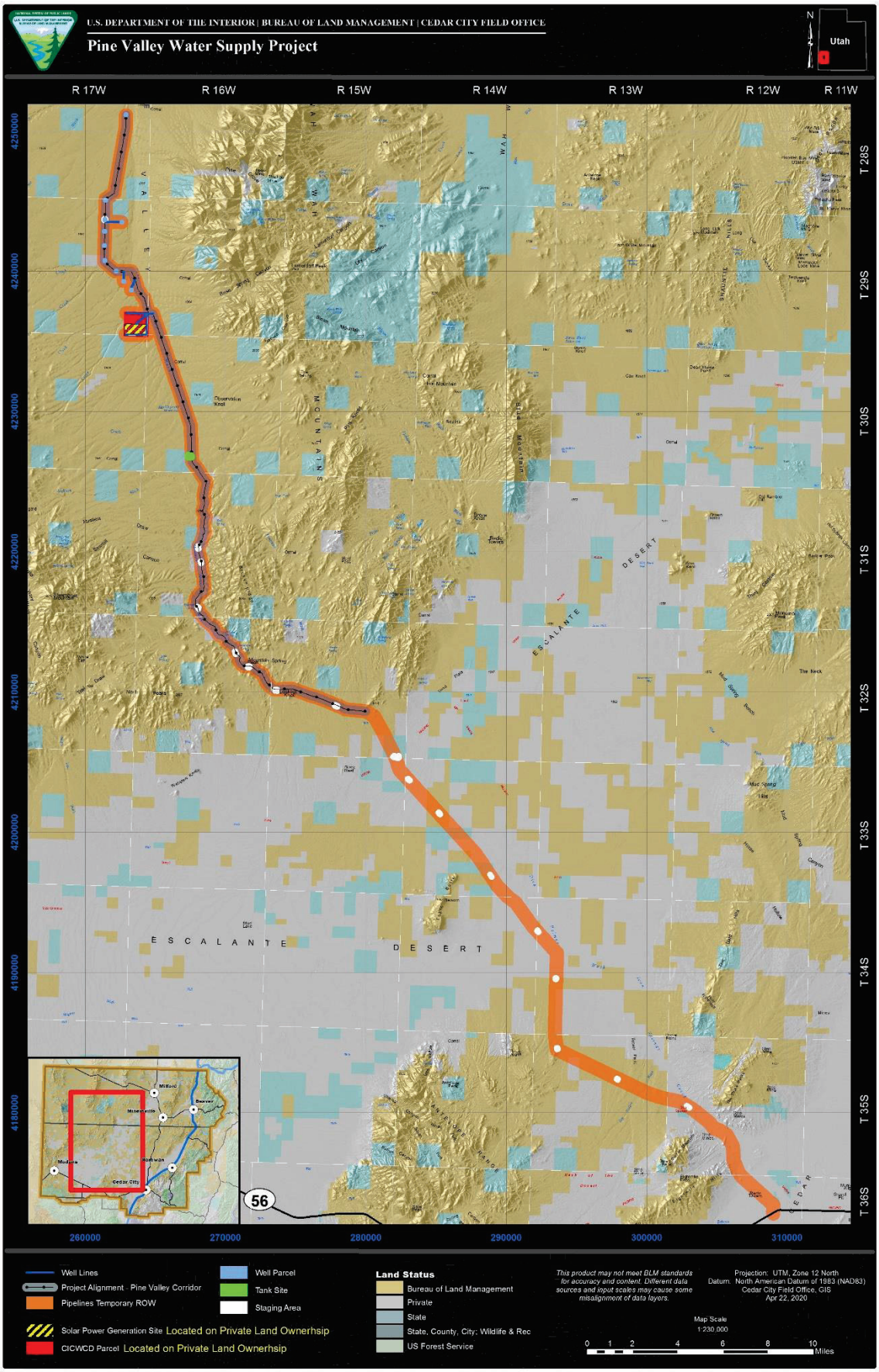
Traces of the Old Spanish National Historic Trail are avoided by a reroute of the pipeline that became part of the Proposed Action and ANWS Alternative. The BLM consulted with the National Park Service regarding the Cultural Resources Inventory report for the Trail in June of 2020. The National Park Service responded on July 1, 2020, with no additional comments or concerns.

5.4 Tribal Consultation

Fifteen Tribes or Bands were sent letters on September 3, 2020, inviting them to participate in government-to-government consultation including: Cedar Band of Paiutes, Kanosh Band of Paiute

Indians, Indian Peaks Band of Paiutes, Moapa Band of Paiutes, Paiute Indian Tribe of Utah, Shivwits Band of Paiutes, Ute Indian Tribe, Kaibab Band of Paiute Indians, Pueblo of Zuni, Confederated Tribes of the Goshute Reservation, Hopi Tribe, Navajo Nation, San Juan Southern Paiute Tribe, Southern Ute Indian Tribe, and Ute Mountain Ute Tribe. Prior to the September 3, 2020, letter, the Kanosh Band of Paiutes, Cedar Band of Paiutes, and the Confederated Tribes of the Goshute Reservation had already provided comments during the scoping period from July 15 to August 19, 2020. Government-to-government consultation efforts have been ongoing throughout the preparation of the EIS and are described in detail in Section 4.3 of the Final EIS.

Appendix A:
Project Map


U.S. DEPARTMENT OF THE INTERIOR | BUREAU OF LAND MANAGEMENT | CEDAR CITY FIELD OFFICE
Pine Valley Water Supply Project
Utah
R 17W
R 16W
R 15W
R 14W
R 13W
R 12W
R 11W
T 28S
T 29S
T 30S
T 31S
T 32S
T 33S
T 34S
T 35S
T 36S
4250000
4240000
4230000
4220000
4210000
4200000
4190000
4180000
260000
270000
280000
290000
300000
310000
ESCALANTE DESERT
56
Milford
Beaver
Minersville
Modena
Parowan
Cedar City
Well Lines
Project Alignment - Pine Valley Corridor
Pipelines Temporary ROW
Solar Power Generation Site Located on Private Land Ownerhsip
CICWCD Parcel Located on Private Land Ownerhsip
Well Parcel
Tank Site
Staging Area
Land Status
Bureau of Land Management
Private
State
State, County, City; Wildlife & Rec
US Forest Service
This product may not meet BLM standards for accuracy and content. Different data sources and input scales may cause some misalignment of data layers.
Projection: UTM, Zone 12 North
Datum: North American Datum of 1983 (NAD83)
Cedar City Field Office, GIS
Apr 22, 2020
Map Scale
1:230,000
0 1 2 4 6 8 10
Miles