

**STATE OF UTAH  
DIVISION OF WATER QUALITY  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SALT LAKE CITY, UTAH**

**§401 Water Quality Certification No. DWQ-2020-06001**

Pursuant to §401 of the Federal Clean Water Act(CWA), the Utah Department of Environmental Quality (DEQ), Division of Water Quality (DWQ) certifies that the applicant has provided reasonable assurance that any discharges associated with the proposed project will not violate surface water quality standards or cause additional degradation in surface water not presently meeting water quality standards. In accordance with Section 401(a)(1) of the CWA [33 U.S.C. Sec. 1341(a)(1)], DWQ hereby issues this §401 Water Quality Certification provided any listed conditions are met and included in the corresponding U.S. Army Corps of Engineers (USACE) Section 404 Permit, Rivers and Harbors Act §9 and §10, or Federal Energy Regulatory Commission (FERC) License.

**Applicant:** Questar Gas Company dba Dominion Energy Utah  
Mr. Craig Wagstaff  
PO Box 45360  
Salt Lake City, UT 84145

**Project:** The applicant is proposing to replace a 13-mile segment of Feederline (FL) 43 in 2020. The Feederline (FL) 43 Replacement Project involves installing 13 miles of new 8-inch steel pipe within the existing ROW. It will parallel the existing 4" and 6" pipe, which will remain in place and be converted from a high-pressure to a low-pressure pipeline. Activities will be contained within the UDOT ROW. Construction will involve trenching using a trackhoe or similar equipment. All impacts to wetlands and waterbodies would be temporary. Impacts quantified are based on the 72.31-acre construction workspace shown in the Construction Workspace Figures, and a trench between 2 to 10 feet wide and 6 to 10 feet deep. Backfilling will be completed using a backfilling machine and/or a bulldozer and contours will be restored to pre-construction state. The Duchesne River and the Hancock Lateral Canal will be bored under using horizontal directional drilling (HDD) techniques. The locations of the boring areas are shown on the Construction Workspace Figures. Entry and exit points will not occur in wetlands/waters of the U.S.

**Location:** The FL 43 Project originates at an existing natural gas facility located south of the town of Myton, Utah, continues north to a point where it intersects highway US-40, then follows US-40 east to a point in the town of Roosevelt, Utah. The pipeline then turns east and follows Lagoon Street to its terminal point at an existing natural gas facility located.

**Watercourse(s):** Dry Gulch Creek, Duchesne River, unnamed tributaries of Duchesne River, Dry Gulch Canal, and miscellaneous wetlands.

**Effective Date:** Month, Day, Year

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Erica Brown Gaddis, PhD  
Director, Division Water Quality

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Appendix A: Discharge Location Map(s)

Appendix B: HDD Drilling Location(s)

## **I. Background**

### **A. Other Applicable Permits**

1. USACE 404 Permit (LOP) : SPK-2020-00247

### **B. Project Description/Purpose**

The applicant is proposing to replace a 13-mile segment of Feederline (FL) 43 in 2020. The Feederline (FL) 43 Replacement Project involves installing 13 miles of new 8-inch steel pipe within the existing ROW. It will parallel the existing 4" and 6" pipe, which will remain in place and be converted from a high-pressure to a low-pressure pipeline. This conversion will eliminate the need for above-ground stations currently in use. Activities will be contained within the UDOT ROW. Construction will involve trenching using a trackhoe or similar equipment. All impacts to wetlands and waterbodies would be temporary. Impacts quantified are based on the 72.31-acre construction workspace shown in the Construction Workspace Figures, and a trench between 2 to 10 feet wide and 6 to 10 feet deep. Sections of the new pipe will be lowered in the trench. Backfilling will be completed using a backfilling machine and/or a bulldozer and contours will be restored to pre-construction state. The Duchesne River and the Hancock Lateral Canal will be bored under using horizontal directional drilling (HDD) techniques. The locations of the boring areas are shown on the Construction Workspace Figures. Entry and exit points will not occur in wetlands/waters of the U.S.

The purpose of the project is to meet commitments to the Public Utilities Commission to continue to meet safety standards. With the installation of a new high-pressure natural gas pipeline, existing facilities can be used for low pressure natural gas distribution. This has the additional benefit of allowing for the removal of above-ground structures.

## II. Certification Conditions

### A. Project Specific Conditions

#### 1. Channel Work

- a. In channel work shall be conducted in the “dry” to the maximum extent practicable by diverting flow utilizing cofferdams, berms constructed of sandbags, clean rock (containing no fine sediment), or other non-erodible, non-toxic material. All diversion materials shall be removed at the completion of the work.
- b. In channel structures should not result in a disruption or cause a barrier to the movement of fish or other aquatic life on the downstream side.
- c. If any dredged material is removed from the channel and stored on land, the material must be protected or stored in a way as to prevent reentry into the channel.
- d. Construction machinery used should be clean to prevent the possible transfer of Aquatic Invasive Species.

#### 2. Disturbance Minimization

- a. Clearing, grubbing, and other disturbances to riparian vegetation should be kept to the minimum required for proposed work and native riparian vegetation should be reestablished after work is complete.
- b. Backfill/restoration activities should be accomplished in a manner that stabilizes the streambed and banks to prevent erosion. The stream should be restored to pre-project condition to the extent practicable.
- c. The alignment of the utility line crossings should intersect the stream channels as close to perpendicular as possible.

#### 3. Horizontal Directional Drilling (HDD)

- a. A contingency plan should be in place prior to initiation of HDD drilling in case of inadvertent release of drilling fluids. If inadvertent release occurs, follow spill reporting procedures.

#### 4. Reporting

- a. Photo documentation of completion of crossings and restoration should be sent to the DWQ for our records.

## B. General Conditions

### 1. Good Housekeeping

- a. Applicant and their subcontractors shall ensure that all workers involved are continuously aware of the water quality protection measures before the start and during the construction period.
- b. Retain a copy of this §401 Certification and its affiliated USACE 404 Permit onsite.

### 2. Stormwater and BMPs

- a. Water quality standards in associated water resources could be violated unless appropriate Best Management Practices (BMPs) are incorporated to minimize the erosion-sediment and nutrient load to any adjacent waters during project construction. The applicant shall not use any fill material which may leach organic chemicals (e.g. discarded asphalt), noxious weeds/seeds, or nutrients (e.g., phosphate rock) into waters of the State.
- b. Construction activities that disturb one acre or more, or are part of a common plan of development, are required to obtain coverage under the Utah Pollutant Discharge Elimination System (UPDES) Stormwater General Permit for Construction Activities (Permit No. UTR300000<sup>1</sup>). The permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) to be implemented and updated from the commencement of any soil disturbing activities at the site, until final stabilization of the project. The SWPPP should include, but not limited to, final site maps and legible plans, location of stormwater outfalls/discharges, and information pertaining to any stormwater retention requirements.
- c. Dewatering activities, if necessary during construction, may require coverage under the UPDES General Permit for Construction Dewatering (Permit No. UTG070000<sup>2</sup>). The permit requires water quality monitoring every two weeks to ensure that the pumped water is meeting permit effluent limitations unless water is contained onsite.
- d. A project within a Municipal Separate Storm Sewer System (MS4) jurisdiction, must comply with all the conditions required in that UPDES MS4 Permit and associated ordinances. No condition of this 401 Certification shall reduce or minimize any requirements provided in the MS4 Permit. In the case of conflicting requirements, the most stringent criteria shall apply.

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<sup>1</sup> Link: <https://documents.deq.utah.gov/water-quality/permits/updes/DWQ-2017-003485.pdf>

<sup>2</sup> Link: <https://deq.utah.gov/legacy/permits/water-quality/utah-pollutant-discharge-elimination-system/docs/utg070000.pdf>

- e. Utah Administrative Code R317-2 requires that the Applicant cannot increase water turbidity by 10 NTUs. If violated, Applicant shall immediately notify the DWQ. A fact sheet describing the Utah Department of Environmental Quality's (DEQ) recommended environmental BMPs for construction sites are located on our web site<sup>3</sup>.

### 3. Spills

- a. Refueling equipment and storage of lubricants and fuels will occur at designated staging areas and in state approved containers. The storage and refueling areas will be at least 500 feet from the edge of the nearest waterbody (including wetlands), at least 200 feet from the nearest private water supply well, and at least 100 feet from the nearest municipal water supply well.
- b. Utah Annotated Code 19-5-114 requires that any spill or discharge of oil or other substances which may cause pollution to waters of the State, including wetlands, must be immediately reported to the Utah DEQ Spill Hotline at (801) 536-4123, a 24-hour phone number.

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<sup>3</sup> Link: <https://deq.utah.gov/legacy/businesses/business-assistance/construction/index.htm>

### III. Aquatic Resource Impacts

All Waters of the State of Utah (defined in Administrative Code (UAC) R317-1-1) are protected from pollutant discharges that affect water quality by narrative standards (see UAC R317-2-7.2); broadly, discharges should not become offensive or cause undesirable conditions in human health effects of aquatic life. In addition, some particularly sensitive classes of water are further protected from deleterious effects of specific pollutants by application of numeric criteria to designated (beneficial) uses of that water body. Listed below are the water features within the project area and their associated designated beneficial uses (see UAC R317-2-6):

#### A. Linear Water Features

1. Dry Gulch Creek, Duchesne River, unnamed tributaries of Duchesne River, and Dry Gulch Canal.
  - a. Class 2B: Protected for infrequent primary contact recreation. Also protected for secondary contact recreation where there is a low likelihood of ingestion of water or a low degree of bodily contact with the water. Examples include, but are not limited to, wading, hunting, and fishing
  - b. Class 3B: Protected for Warm water species of game fish and other warm water aquatic life, including the necessary aquatic organisms in their food chain.
  - c. Class 4: Protected for agricultural uses including irrigation of crops and stock watering.

#### B. Impairments and Pollutants of Concern

Results from the current water quality assessment, as documented in Utah's 2016 Integrated Report<sup>4</sup>, indicate that the water quality of Dry Gulch Creek, Dry Gulch Canal, and Duchesne River and its tributaries are considered to be impaired (Assessment Category 5). These waterbodies are impaired for *E. coli*, which impacts infrequent primary contact recreation (Class 2B) beneficial use and Total Dissolved Solids(TDS) and Boron, which impacts agriculture (Class 4) beneficial use.. The CWA directs states to prepare a plan to restore water quality to impaired waters, otherwise known as a total maximum daily load (TMDL) study. A TMDL is required for each parameter and water body to define pollutant reduction requirements necessary for the water body to meet water quality standards. At present, a TMDL has been finalized for the Duchesne River Watershed to address TDS<sup>5</sup>.

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<sup>4</sup> Link: <https://documents.deq.utah.gov/water-quality/monitoring-reporting/integrated-report/DWQ-2017-004941.pdf>

<sup>5</sup> Link: <https://documents.deq.utah.gov/water-quality/watershed-protection/total-maximum-daily-loads/DWQ-2015-006576.pdf>

#### **IV. Antidegradation**

Dry Gulch Creek, Dry Gulch Canal, and Duchesne River and its tributaries are considered Category 3 waters for antidegradation purposes. Category 3 waters in Utah are waters where “*point source discharges are allowed and degradation may occur, pursuant to the conditions and review procedures outlined in Section 3.5*”, as described in Utah Administrative code R317-2-3.4. The antidegradation policy allows for discharges where the water quality effects of the proposed project are determined to be temporary and limited after consideration of the factors identified in Utah Administrative Code R317-2-3.5.b.4., and where best management practices will be employed to minimize pollution effects.

Based on the information provided, an antidegradation level II review will not be required for this project because the effects on water quality of the proposed activity are expected to be temporary and limited, which meets the requirements outlined in UAC R317-2-3.5b. The proposed activities will likely only impact the stream during the proposed work, and the impacts should only be related to sediment and turbidity. Since the channels are to be restored as close to original condition as possible, the impacts should only be temporary.

**V. Modifications**

- A. Without limiting DWQ's discretion to take other actions in accordance with UAC R317-15, and, as applicable, 33 USC 1341, DWQ may modify the Certification to add, delete, or modify the conditions in this Certification as necessary and feasible to address:
1. Adverse or potential adverse project effects on water quality of designated beneficial uses that did not exist or were not reasonably apparent when this certification was issued;
  2. Total Maximum Daily Loads (TMDLs);
  3. Changes in water quality standards;
  4. Any failure of Certification conditions to protect water quality or designated uses when the Certification was issued; or
  5. Any change in the Project or its operations that will adversely affect water quality of designated beneficial uses when this Certification was issued.

## VI. Other Information

### A. Fees

1. The legislatively-mandated fee for the 2020 fiscal year is \$100.00/hour for review and issuance of the §401 Water Quality Certification<sup>6</sup>. A quarterly invoice will be sent once plans have been approved. Your payment is due within 30 days.

### B. Liabilities

1. Applicant must acquire all necessary easements, access authorizations and permits to ensure they are able to implement the project. This §401 Certification does not convey any property rights or exclusive privileges, nor does it authorize access or injury to private property.
2. This §401 Certification does not preclude the applicant's responsibility of complying with all applicable Federal, State or local laws, regulations or ordinances, including water quality standards. Permit coverage does not release the applicant from any liability or penalty, should violations to the permit terms and conditions or Federal or State Laws occur.
3. Please be advised that review of the submitted materials identified that a portion of the project may be on Tribal land and that this 401 Water Quality Certification does not apply to activities undertaken on Tribal lands. Any discharge locations identified in the application that are not included in this Certification and are not on tribal land, will default to the conditions outlined in this Certification.

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<sup>6</sup> Link: <https://documents.deq.utah.gov/admin/2020-fee-schedule.pdf>

## **VII. Public Notice and Comments**

### **A. Public Notice Dates**

1. USACE 404 Permit No. SPK-2020-00247: Letter of Permission (No Public Notice)
2. Utah DEQ Certification No.: DWQ-2020-06001:

### **B. Public Notice Comments/Response**

- 1.

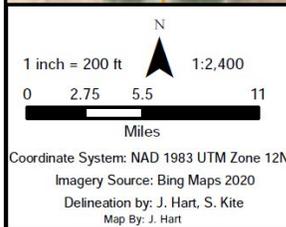
### **C. Changes Made to the Certification after Public Notice**

1. During finalization of the Certification certain dates, spelling edits, and minor language or formatting corrections may have been completed. Due to the nature of these changes they were not considered major and the Certification will not be Public Noticed again.

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**Appendix A: Discharge Location Map(s)**

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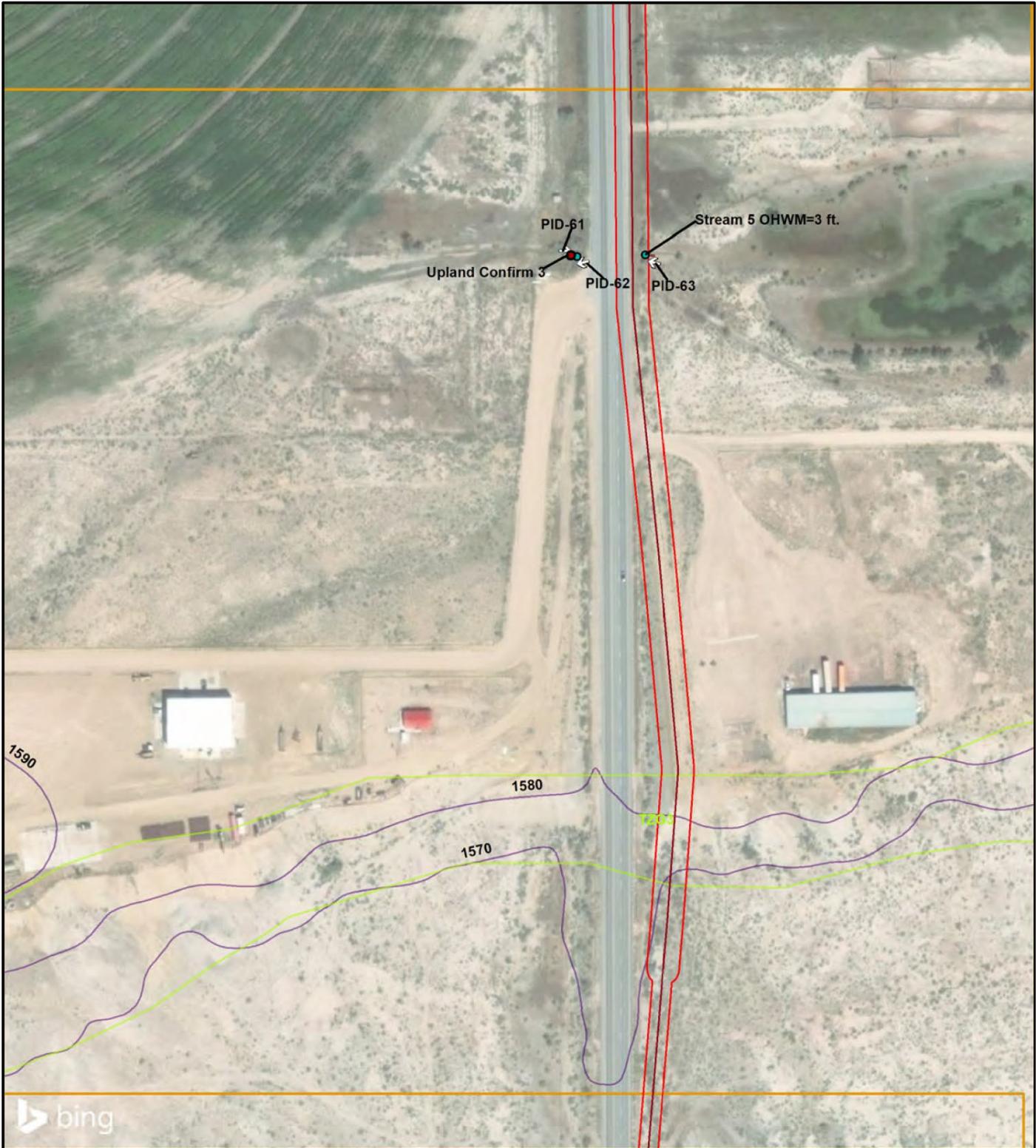
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Imagery Source: Bing Maps 2020  
Delineation by: J. Hart, S. Kite  
Map By: J. Hart



● Determination Plots	■ Construction Workspace	■ Intermittent Stream	□ Canal
● Photo ID and Direction	■ PEMC Wetland	■ Perennial Stream	■ Map Book
● HDD Pit	■ PEMF Wetland	■ Perennial Ditch	■ Soil Map Unit and Symbol
— Pipeline Alignment	■ PSSA Wetland	■ Intermittent Ditch	— 10m Contour
	■ PSSC Wetland	■ Ephemeral Ditch	

Feeder Line 43 Replacement Project  
Attachment E  
Construction Workspace Figures  
Dominion Energy  
Duchesne County, Utah  
Section 31 T2S R1W  
Page 15 of 40  
Map by: J. Hart Date: 4/7/2020

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1 inch = 200 ft 1:2,400

0 2.75 5.5 11 Miles

Coordinate System: NAD 1983 UTM Zone 12N  
 Imagery Source: Bing Maps 2020  
 Delineation by: J. Hart, S. Kite  
 Map By: J. Hart

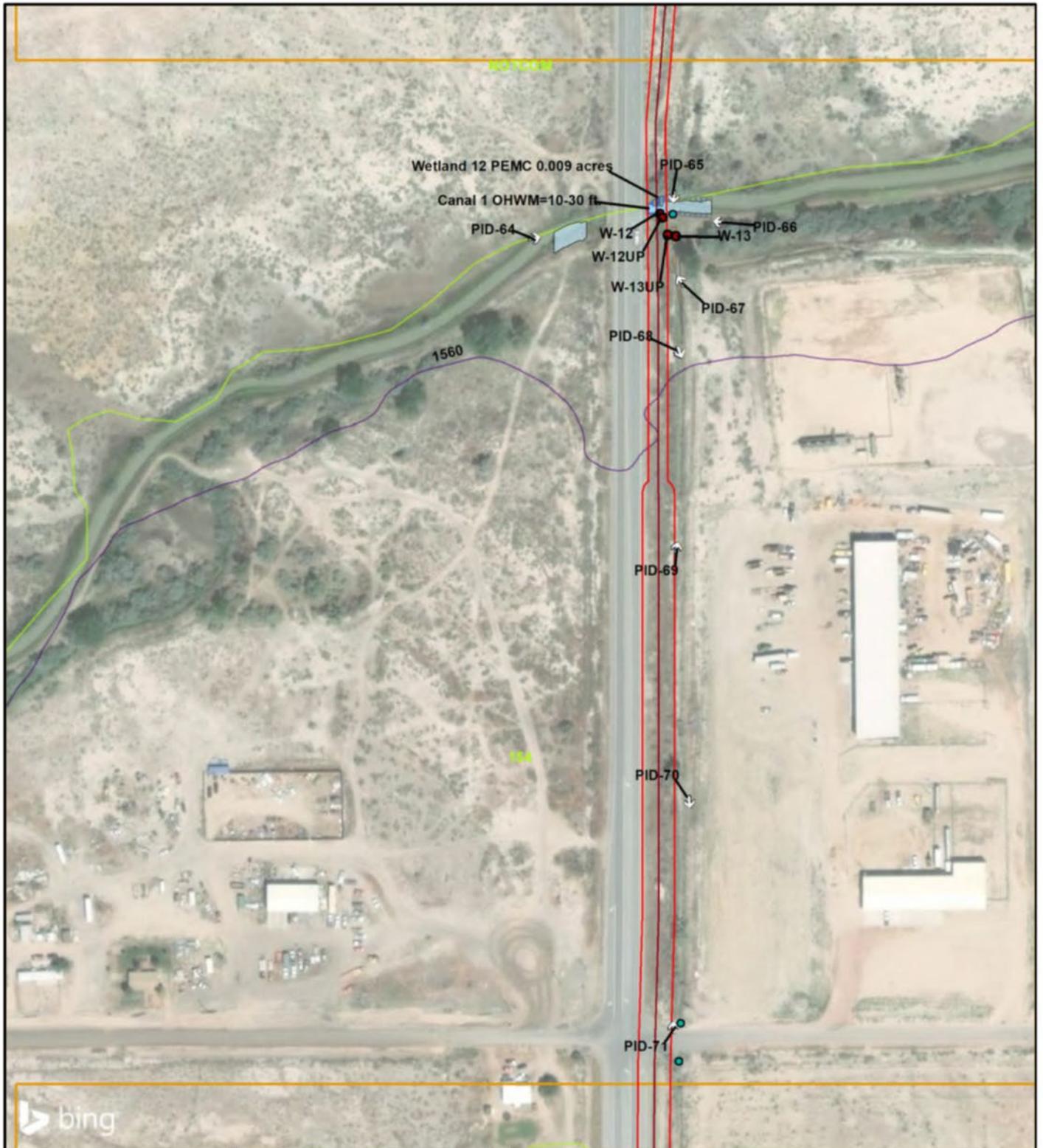


**Legend**

● Determination Plots	▭ Construction Workspace	▭ Intermittent Stream	▭ Canal
● Culvert	▭ PEMA Wetland	▭ Perennial Stream	▭ Map Book
⬆ Photo ID and Direction	▭ PEMF Wetland	▭ Perennial Ditch	▭ Soil Map Unit and Symbol
● HDD Pit	▭ PSSA Wetland	▭ Intermittent Ditch	▭ 10m Contour
— Pipeline	▭ PSSC Wetland	▭ Ephemeral Ditch	
— Alignment			

Feeder Line 43 Replacement Project  
 Attachment E  
 Construction Workspace Figures

**TETRA TECH, INC.**  
 Dominion Energy  
 Duchesne County, Utah  
 Sections 13, 14 T3S R2W  
 Page 28 of 40  
 Map by: J. Hart Date: 4/7/2020



1 inch = 200 ft 1:2,400

0 2.75 5.5 11 Miles

Coordinate System: NAD 1983 UTM Zone 12N  
 Imagery Source: Bing Maps 2020  
 Delineation by: J. Hart, S. Kite  
 Map By: J. Hart



Legend	
● Determination Plots	■ Construction Workspace
● Photo ID and Direction	■ PEMC Wetland
● HDD Pt	■ PEMC Wetland
— Pipeline Alignment	■ PSSA Wetland
■ Construction Workspace	■ Perennial Stream
■ PEMC Wetland	■ Perennial Ditch
■ PEMC Wetland	■ Intermittent Ditch
■ PSSA Wetland	■ Ephemeral Ditch
■ Intermittent Stream	■ Canal
■ Perennial Stream	■ Map Block
■ Perennial Ditch	■ Soil Map Unit and Symbol
■ Intermittent Ditch	— 10m Contour
■ Ephemeral Ditch	

Feeder Line 43 Replacement Project  
 Attachment E  
 Construction Workspace Figures

**Tetra Tech, Inc.**  
 Dominion Energy  
 Duchesne County, Utah

Sections 13, 14, 23, 24 T3S R2W  
 Page 29 of 40  
 Map by: J. Hart Date: 4/7/2020



1 inch = 200 ft 1:2,400

0 2.75 5.5 11

Miles

Coordinate System: NAD 1983 UTM Zone 12N  
 Imagery Source: Bing Maps 2020  
 Delimitation by: J. Hart, S. Kille  
 Map By: J. Hart



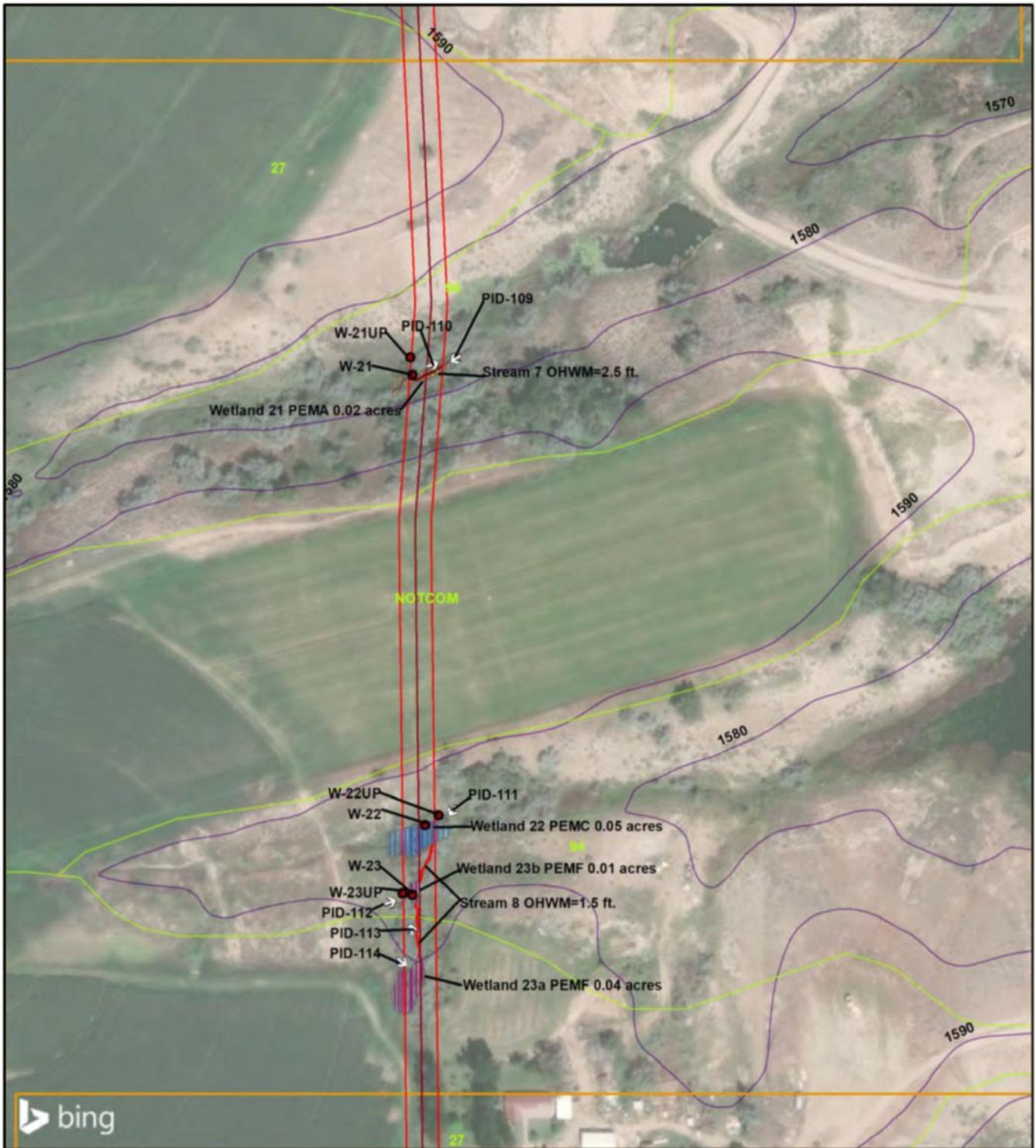
Legend			
● Determination Point	■ Construction Workspace	▨ Intermittent Stream	▭ Canal
● Culture	▨ PSMC Wetland	▨ Perennial Stream	▨ Map Book
○ Photo ID and Direction	▨ PSMC Wetland	▨ Seasonal Stream	▨ Soil Map Unit and Symbol
● HED Pt	▨ PSMC Wetland	▨ Intermittent Ditch	▨ Top Contour
— Pipeline Alignment	▨ PSMC Wetland	▨ Intermittent Ditch	
	▨ PSMC Wetland	▨ Seasonal Ditch	

Feeder Line 43 Replacement Project  
 Attachment E  
 Construction Workspace Figures  
 Dominion Energy

**TETRA TECH, INC.**

Duchesne County, Utah  
 Section 35 T3S R2W  
 Page 37 of 40

Map by: J. Hart Date: 4/7/2020



1 inch = 200 ft 1:2,400

0 2.75 5.5 11 Miles

Coordinate System: NAD 1983 UTM Zone 12N  
 Imagery Source: Bing Maps 2020  
 Delineation by: J. Hart, S. Kite  
 Map By: J. Hart



Legend

Determination Photo	Construction Workspace	Intermittent Stream	Canal
Culvert	PEMA Wetland	Perennial Stream	Map Book
Photo ID and Direction	PEMC Wetland	Stream	Map Book
SHD Pit	PEMF Wetland	Perennial Ditch	Soil Map Unit and Symbol
Pipeline Alignment	PSSA Wetland	Intermittent Ditch	10m Contour
	PSSC Wetland	Ephemeral Ditch	

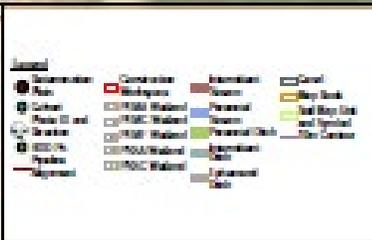
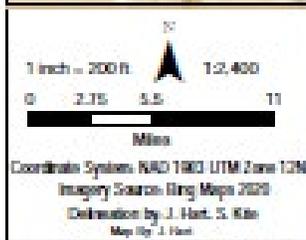
Feeder Line 43 Replacement Project  
 Attachment E  
 Construction Workspace Figures

**TETRA TECH, INC.**

Dominion Energy  
 Duchesne County, Utah  
 Section 35 T3S R2W  
 Page 38 of 40  
 Map by: J. Hart Date: 4/7/2020

**Attachment B: HDD Drilling Location(s)**

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C:\43\FeederLine43\Drawings\CD\43-TERRAIN\FIG\902841.dwg 30/07/2020 10:59:52