EVALUATION AND ACCEPTANCE OF APPLICANT ENVIRONMENTAL INFORMATION DOCUMENT (EID) AND DRAFT FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Blackfoot Wastewater System Improvements

City of Blackfoot
Bingham County, Idaho

August 2018

I. Introduction and Background Information

The U.S. Army Corps of Engineers, Walla Walla District (Corps) proposes to assist the City of Blackfoot, Idaho (City) with a phased wastewater collection and treatment improvement project under the authority of Section 595 of the Water Resources Development Act (WRDA) of 1999 [Public Law (PL) 106-53], as amended in 2003 by PL 108-7, Section 126 to include rural Idaho. The City currently owns and operates a municipal wastewater collection, pumping, and treatment system that serves approximately 14,054 persons in and around the existing city limits, to include the Groveland Sewer District and Moreland Sewer District.

The City has had several National Pollutant Discharge Elimination System (NPDES) violations since 2012 and seven homes and businesses flooded with raw sewage in 2013 when a 24-inch sewer line collapsed and became blocked from the main line. The City hired J-U-B Engineers, Inc. in 2014 to create plans for correcting these deficiencies. The plans were approved by Idaho Department of Environmental Quality (IDEQ) and the City moved forward with a phased approach. Phase 1 was completed using non-Federal funds in the summer of 2017.

The Corps and the City have agreed the Corps would provide $600,000 in funding for the construction design of Phase 2. Non-reimbursable costs (Project Partnership Agreement package preparation, process reimbursements, design review, the Corps National Environmental Policy Act (NEPA) compliance, and project management, travel, and contingency) total $50,000. The Corps is also funding design reimbursement costs. Phase 2 elements are separable from the larger project and have independent utility.

Phase 2 includes the improvement designs for: Riverton Sewer, headworks upgrades, aeration upgrades, ultraviolet (UV) disinfection upgrades, repairing a hydraulic bottleneck between secondary clarifiers and UV disinfection system, thermophilic digester cover repair, and headworks odor control system.

II. Applicant Prepared Environmental Assessment

In accordance with 40 Code of Federal Regulations (C.F.R.) 1506.5(b), the Corps is authorized to permit applicants to prepare an environmental assessment, as long as the agency performs its own evaluation of the environmental issues and makes its own findings on potential impacts. The City submitted the *Environmental Information Document (EID), City of Blackfoot Environmental Report for Wastewater System Improvements Project,* prepared by J-U-B Engineers. The Corps had no role in the preparation of the EID, but did undertake an independent review of the document and determined the information contained therein is accurate and satisfies the requirements of the NEPA, except as supplemented or explained below in Section V. The EID is, therefore, incorporated (in its entirety) herein by reference and made a part hereof, as Attachment A.

III. Purpose and Need

The Corps is proposing to assist the City with the design of Phase II wastewater collection and treatment improvements under the authority of Section 595 of WRDA 1999 (PL 106-53), as amended. The purpose of the proposed action is to design upgrades to the wastewater treatment facilities in the city of Blackfoot, Idaho by addressing reliability, capacity, operation, and maintenance concerns. The proposed action is needed because components of the wastewater treatment facility are at or near the end of their useful life and need to be upgraded or replaced to maintain the required level of service. Furthermore, wastewater treatment capacity needs to increase due to residential and industrial growth in and around the City. The City has had several NPDES violations in the past and now the City must comply with a more stringent NPDES permit issued in September 2013 with lower limits for nutrients and total suspended solids discharged into the Snake River.

IV. Project Alternatives

The EID evaluated four options for Phase 2: (1) The No Action Alternative, (2) Address Critically Overloaded Components Only, (3) Address Critically Overloaded Components and Probable Permit Violations, and (4) Upgrade All Components with Noted Operational or Capacity Deficiencies.

The City selected Alternative 4, Upgrade All Components with Noted Operational or Capacity Deficiencies, after considering input from the public, J-U-B Engineers, Inc., City staff, regulatory considerations, development of treatment alternatives, cost considerations, and environmental impacts and concerns. Alternative 4 was selected because it meets the need to maintain the facility at an acceptable level of service and addresses increasingly stringent permit requirements. Alternative 4 also provides a plan with the flexibility necessary to implement specific projects as needed over the next 20 years.

V. Environmental Effects

The EID evaluated the effects of design and construction of Alternative 4 (including Phase 2 components) on the following resources:

- Physical Aspects (Topography, Geology, and Soils)
- Climate
- Population, Economic, and Social Profile
- Land Use
- Floodplains and Wetlands
- Wild and Scenic Rivers
- Cultural and Historic Resources
- Flora and Fauna
- Recreation and Open Space
- Agricultural Lands
- Air Quality and Noise
- Water Quality, Quantity, and Sole Source Aquifers
- Public Health
- Solid Waste/Sludge Management/Land Application
- Energy
- Regionalization

The analysis concluded there would be no significant impacts to the human environment resulting from implementation of Alternative 4. Short-term effects that may occur during project construction include temporary disruption of the collection and treatment systems, increased noise, increased dust pollution, increased potential for stormwater runoff, and disruption of localized traffic conditions. The project contractor would be responsible for managing the temporary disruptions of the system and implementing Best Management Practices (BMPs) to reduce construction-related effects. Construction based on the design is expected.

Endangered Species Act (ESA). The Corps obtained a species list from the U.S. Fish and Wildlife Service (USFWS) on August 15, 2018 (Consultation Code: 01EIFW00-2018-SLI-1728) that indicated the project location overlaps with critical habitat for the yellow-billed cuckoo (*Coccyzus americanus*). The Corps has determined the proposed design and subsequent construction would have no effect on the yellow-billed cuckoo (Attachment B). There are no species under jurisdiction of the National Marine Fisheries Service (NMFS) in the proposed action area.

National Historic Preservation Act (NHPA). The Corps reviewed the cultural resources work performed in association with the proposed action and made a determination of "no historic properties affected" (Attachment C). The determination was based on the fact that the Idaho State Historic Preservation Office (SHPO) determined there are no historic properties within the area of potential effect and that all of the proposed work would take place in previously disturbed areas. Additionally, efforts made by the Idaho Department of Environmental Quality to consult with the Shoshone-Bannock Tribes, Shoshone-Paiute Tribes are sufficient to meet the requirements of Section 106 of the NHPA and its implementing regulations 36 CFR Part 800.

Clean Water Act (CWA). Section 404 of the Clean Water Act (33 U.S.C. 1344) requires a Department of the Army permit be obtained for the discharge of dredged or fill material into waters of the United States. Based on information provided to the Corps of Engineers

Boise Regulatory Office in March 2014, it was determined that proposed project area would not involve work in areas subject to the Corps jurisdiction and that a 404 permit is not required. The Corps Regulatory Office determined there are "no waters of the United States, including wetlands, within the City of Blackfoot's existing Wastewater Treatment Facility," which is also the location of the proposed improvements (Attachment D).

Because the construction of the project would disturb more than one acre of ground and there is the potential for stormwater runoff to enter surface waters, a Section 402 Construction General Permit from the Environmental Protection Agency (EPA) and the preparation of a Stormwater Pollution Prevention Plan (SWPPP) would be required. BMPs would be implemented to minimize turbidity and stormwater runoff.

Executive Order 11988: Floodplain Management. This EO requires Federal agencies to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (Appendix B of the Attached EID), the majority of the Blackfoot area is determined to be outside the 0.2 percent annual chance (20 year) flood plain. The Idaho Department of Water Resources State Floodplain Coordinator established a Base Flood Elevation varying from 4,469 feet - 4,467 feet. A portion of the action area including the wastewater treatment facility is located within the Special Flood Hazard Area (SFHA). Any further development within the identified SFHA or 1% annual chance of flooding (100-year flood) area would require a floodplain development permit from Bingham County.

During flood events, such as the 100-year flood, the existing wastewater facility is generally protected from the river flooding by a dike. However, the high water level in the river does impact the hydraulic capacity of the ultraviolet disinfection and secondary clarification systems due to flooded weirs. This condition would likely continue with the implementation of the proposed improvements; however, the City does have measures in place such as bypass pumping that can be implemented if necessary to maintain operations during a flood event. Proposed improvements to the wastewater facility would be designed to be protected from flood damage and to minimize or eliminate infiltration of flood waters and discharges from the systems into flood waters. Improvements would also meet the community's specific ordinance and requirements regulating development in the SFHA.

It has been determined that no long term impacts to floodplains are expected. Any potential short term impacts identified during final design or construction would be mitigated via BMPs and any necessary permits would be obtained.

VI. Coordination

The project has been coordinated with the: Bureau of Land Management, Environmental Protection Agency, Federal Emergency Management Agency, Idaho Department of Agriculture, Idaho Department of Commerce, Idaho Department of Environmental Quality, Idaho Department of Fish and Game, Idaho Department of Lands, Idaho Department of Transportation, Idaho Department of Water Resources, Idaho State Historic Preservation Officer, Idaho Southeast District Health Department, National Marine Fishery Service, National Park Service, Shoshone-Bannock Tribes, Shoshone-Paiute Tribes, U.S. Department of Agriculture-Natural Resource Conservation Service, U.S. Department of Agriculture-Rural Development, U.S. Fish and Wildlife Service, Walla Walla District Corps of Engineers, and Bingham County.

Each agency or organization was contacted and provided information on the proposed improvements to the wastewater system. Public notices were also distributed in The Morning News (the City of Blackfoot's newspaper), City of Blackfoot website (www.cityofblackfoot.org), Blackfoot City Hall, Blackfoot Library, and Blackfoot City Council Meetings. The Corps distributed this draft FONSI for a 30 day public comment period.

VII. Finding

Having reviewed the EID, I find that the actions covered by the EID are substantially the same actions that the Corps is authorized and committed to participate in pursuant to Section 595 of WRDA 1999 with the City. Further, the EID provides sufficient discussions on the need for the proposal, alternatives to the proposal, the environmental impacts of the proposed action and the alternatives, and a listing of agencies and persons consulted. Finally, after an independent review of the EID, the Corps has determined the document provides both sufficient evidence and analysis to meet its requirements pursuant to NEPA, except as supplemented or explained above.

I have taken into consideration the technical aspects of the project, best scientific information available, public comments, and information contained in the EID. Based on this information, I have determined that the Corps proposed action would not significantly affect the quality of the human environment, and therefore an environmental impact statement is not required. The Corps will proceed to fund the proposed Corps project under the authority of Section 595 of the Water Resources Development Act of 1999, when funds are made available for that purpose.

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CHRISTAIN N. DIETZ Date
Lieutenant Colonel, EN
Commanding

Attachment A: Environmental Information Document (EID), City of Blackfoot Environmental Report for Wastewater System Improvements Project

Attachment B: Endangered Species Determination and U.S. Fish and Wildlife Service Species List dated August 15, 2018

Attachment C: Cultural Resources Record of Internal Review

Attachment D: U.S. Army, Corps of Engineers Regulatory Letter

ATTACHMENT A

Environmental Information Document

ATTACHMENT B

Endangered Species Determination and U.S. Fish and Wildlife Species List

ATTACHMENT C

Cultural Resources Record of Internal Review

ATTACHMENT D

U.S. Army, Corps of Engineers Regulatory Letter