

DRAFT
EVALUATION AND ACCEPTANCE OF APPLICANT ENVIRONMENTAL
ASSESSMENT (EA) AND FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Hagerman Wastewater System Improvements

City of Hagerman
Gooding County, Idaho

I. Background

The U.S. Army Corps of Engineers, Walla Walla District (Corps) proposes to assist the city of Hagerman, Idaho (City) with its Wastewater System Improvements Project under the authority of Section 595 of the Water Resources Development Act (WRDA) of 1999. The City currently owns and operates a municipal wastewater system that includes collection lines, three lift stations, two partially-aerated lagoons, and a chlorine disinfection system. Treated effluent discharges into the Snake River under a National Pollutant Discharge Elimination System (NPDES) permit regulated by the U.S. Environmental Protection Agency. After several NPDES permit non-compliance occurrences over the past several years, the City was fined in April 2014. Two of the existing lift stations are 40 years old and declining rapidly. The City's proposed project includes replacing Lift Station 1, replacing and relocating Lift Station 2, installing new 8-inch gravity sewer main and 6-inch pressure sewer main, constructing a flow meter for Lift Station 3, constructing two additional winter storage lagoons, and discharging effluent to a slow-rate land application site to irrigate crops. All actions would take place within the City.

The Corps is not assisting the City with the entire proposed project. The Corps and the City have agreed the Corps would provide funding to assist with preliminary and final design, environmental documentation, construction administration, and construction costs to replace Lift Stations 1 and 2, install the sewer main, and construct the Lift Station 3 flow meter. These are separable elements of the larger project and have independent utility. Section 595 of the WRDA 1999 [Public Law (PL) 106-53], authorized the Corps to participate in water-related environmental infrastructure and resource protection and development projects in rural Nevada and Montana. In 2003, PL 108-7, Section 126 amended PL 106-53 to include rural Idaho. As a result, the Corps is able to participate in the Hagerman Wastewater System Improvements Project.

II. Applicant Prepared Environmental Assessment

In accordance with 40 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*

Hagerman 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 National Environmental Policy Act (NEPA) regulations, 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.

III. Purpose and Need

The purpose of the project is to upgrade the City's aging and undersized wastewater system to bring the facilities into compliance with its NPDES permit, a provision of the Clean Water Act. The improvements would allow the City to provide collection and treatment capacity for current and future demands on the system and meet compliance requirements.

The project is needed because the City has concerns regarding the age, condition, and capacity of their wastewater infrastructure, as well as its ability to comply with their NPDES permit. Recently the City received a Notice of Intent to File Administrative Complaint for Violation of the Clean Water Act (Notice of Violation) due to non-compliance with their NPDES permit. If the City fails to make system improvements it could face additional fines, civil or criminal penalties, and a potential moratorium on new growth.

IV. Project Alternatives

The EID evaluated four options for addressing the lift stations: No Action, replace Lift Stations 1 and 2, rehabilitate the existing three lift stations, and extend sewer mains for Lift Station 2. The City elected the option of replacing Lift Stations 1 and 2 as this would result in lift stations with a longer service life and would provide sewer service to a larger area of the community. This option includes replacing Lift Station 1 immediately adjacent to its current location, relocating Lift Station 2 one quarter mile west of its current location to provide service to an additional area northwest of the City, constructing a new 8-inch gravity sewer main and 6-inch pressure sewer main for Lift Station 2, and installing a new flow meter and vault for Lift Station 3.

V. Environmental Effects

The EID evaluated the effects of the proposed project on the following resources:

- Land Use/Important Farmland/Formally Classified Lands
- Floodplains
- Wetlands
- Historic Properties
- Biological Resources
- Water Quality Issues
- Coastal Resources

- Socio-economic/Environmental Justice Issues
- Air Quality
- Transportation
- Noise

The analysis concluded there would be no significant impacts to the human environment resulting from implementation of the selected alternative. 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 storm water 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 to reduce construction effects.

(a) Endangered Species Act. The Corps obtained a species list from the U.S. Fish and Wildlife Service (USFWS) July 20, 2016 (Consultation Code: 01EIFW00-2016-SLI-0888). Bliss Rapids snail (*Taylorconcha serpenticola*) is the only species included on the list for the project area. The Corps has determined the proposed action will have no effect on the Bliss Rapids snail (Attachment A).

(b) National Historic Preservation Act. The Corps reviewed the cultural resources work performed in association with the proposed project and made a determination of “No Historic Properties Affected” (Attachment B). The determination was based on the fact that all of the proposed work would take place in previously disturbed areas and that efforts to consult with the Shoshone-Paiute Tribe, the Shoshone-Bannock Tribes, and the Idaho State Historic Preservation Office (SHPO) are sufficient to meet the requirements of Section 106 of the NHPA and its implementing regulations 36 CFR Part 800.

(c) Clean Water Act (CWA). The Corps Regulatory Division determined most of the project area is non-wetland that can be developed without a Department of Army CWA Section 404 permit. However, discharge of fill below the ordinary high water mark of the Big Bend and/or Buckeye Ditches would likely require a permit. The City anticipates boring beneath any ditches and not placing fill in the ditches when constructing the 6-inch pressure main for Lift Station 2, therefore a Section 404 permit would not be needed.

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 water, 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. Implementation of best management practices (BMPs) would be implemented to avoid turbidity and storm water runoff.

VI. Coordination

The project has been coordinated with the Shoshone-Bannock Tribes, Shoshone-Paiute Tribe, USFWS, U.S. Department of Agriculture-Natural Resource Conservation Service, Walla Walla District Corps of Engineers Regulatory Division, Idaho Department of Fish and Game, Idaho Department of Environmental Quality, Idaho SHPO, Idaho Department of Water Resources, Idaho Department of Transportation, and Idaho Department of Labor. Each agency or organization was contacted and provided information on the proposed improvements to the wastewater system. Project information was also disseminated through City Council meetings and Public Open Houses. The Corps is distributing the draft FONSI for a two week public comment period. Any comments received will be addressed in the final FONSI, if the Corps determines a FONSI is appropriate.

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 the Water Resources Development Act of 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 the 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 project under the authority of Section 595 of the Water Resources Development Act of 1999, when funds are made available for that purpose.

Date

Damon A. Delarosa
Lieutenant Colonel, Corps of Engineers
District Commander