

FINDING OF NO SIGNIFICANT IMPACT

EVALUATION AND ACCEPTANCE OF APPLICANT PREPARED ENVIRONMENTAL INFORMATION DOCUMENT

Genesee Wastewater System Improvements Project Water Resources Development Act of 1999, Section 595

City of Genesee Latah and Nez Perce Counties, Idaho

November 2023

The U.S. Army Corps of Engineers, Walla Walla District (USACE) proposes to assist the City of Genesee (hereinafter referred to as City or Non-federal Sponsor), Idaho with its Wastewater System Improvements Project under the authority of Section 595 of the Water Resources Development Act (WRDA) of 1999 (PL 106-53), as amended by PL 108-7, Section 126 (“Section 595”). Section 595 authorizes USACE to participate in water-related environmental infrastructure, resource protection, and development projects in several states including rural Idaho. As a contribution to the City’s Proposed Action Alternative, USACE and the City would share costs for construction of one component of the City’s overall wastewater system improvements – a new tertiary treatment for ammonia removal referred to as the Submerged Aerated Rock Filter (SARF) system, and associated USACE review and coordination. This comprises the “increment of work” as that term is defined in the parties’ Agreement executed on September 15, 2022, and the associated Scope of Work document.

The City is a small community with a population of approximately 1,029 people in 2020 (2020 Census Decennial). The City is located about 18 miles northeast of Lewiston in northwestern Idaho and is approximately five miles due east from the Washington/Idaho border. The City’s Water Resource Reclamation Facility (WRRF) has a history of discharge permit exceedances, primarily of total suspended solids (TSS), E. coli, and 5-day biological oxygen demand (BOD5). A compliance order between the City and the Environmental Protection Agency (EPA) requires completion of a wastewater facility plan and implementation of wastewater collection and treatment system upgrades. In July of 2018, the City received an Idaho Department of Environmental Quality (IDEQ) Wastewater Planning Grant (#WWG-398-2019-1) to conduct the wastewater planning study in accordance with IDAPA 58.01.04, “Rules for Administration of Wastewater Treatment Facility Grants.” The City contracted Mountain Waterworks, Inc. to produce the 2019 *City of Genesee Wastewater Facility Plan* (Facility Plan) which analyzed the existing public wastewater system, identified deficiencies, and provided recommendations to meet current and future water supply and facility needs.

In accordance with 40 Code of Federal Regulations (CFR) 1506.5(b), USACE is authorized to allow applicants to prepare environmental assessment documents as long as USACE performs its own environmental analysis and makes its own findings on potential impacts and compliance with applicable laws and regulations. The City submitted to USACE the *Environmental Information Document¹, 2020 Wastewater System Improvements, City of Genesee Idaho* (hereinafter referred to as the EID), prepared by Mountain Waterworks, Inc. USACE 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. The EID is, therefore, incorporated herein by reference and made a part hereof (Attachment A).

The EID evaluated six treatment facility alternatives based on operations, capital costs and funding availability, and community fit. All alternatives, besides No-Action, focused on bringing the system into compliance with its discharge permit. The City selected Alternative TF-3, Lagoon-Based Treatment at a New Location with Winter Ammonia Removal and Summer Land Application for implementation, which consists of a total of nine components (page 1 of EID in Attachment A) that include two related to wastewater collection system improvements (i.e., Priority 1 improvements: replacement or repair of approximately 3,775 feet of existing pipe and 25 existing manholes identified in the Facility Plan as being of the highest priority; and Chestnut Street Pipe Bursting Project: replacement of 3,200 feet of existing piping via pipe bursting, and replacement of 11 existing manholes) and seven related to wastewater treatment system improvements (i.e., dredging and abandonment of existing lagoons, new three-cell lagoon system on a new site [WRRF relocation], new land application area, new headworks facility, new disinfection facilities, new centralized lift station with flow measurement, and a new SARF).

Since 2021, the City has initiated steps to construct several of these components through funding received from a City bond and from the IDEQ's State Revolving Loan Fund. The funding is being used to replace the collection system and construct a new headworks facility, lagoon system, and ultraviolet disinfection facilities. The City has requested financial assistance from USACE for construction of the SARF system. The SARF system is one of the nine components of the overall wastewater collection and treatment system improvements that is necessary for the system to meet the ammonia limits found in the current Idaho Pollutant Discharge Elimination System Permit (IPDES).

¹ The Idaho Department of Environmental Quality is guided by 40 CFR Part 6 and implements a "National Environmental Policy Act (NEPA)-like" process. An "Environmental information document (EID)" means any concisely written environmental assessment prepared by an applicant or consultant briefly describing the environmental impacts of a proposed wastewater construction project. An EID enables the responsible official to assess the environmental impacts of the proposed project and ultimately determine if a FONSI is warranted, or if the project is not feasible.

As mentioned above, USACE would share costs with the City for Non-federal sponsor (i.e., City) construction of the SARF, and for USACE review and coordination. The City's construction work would include earthwork and installation of concrete structures, piping, valves, liners, aggregate media, aeration system, and all other components necessary for the full functionality of the ammonia reduction system. Non-reimbursable USACE review and coordination costs include preparation of Project Partnership Agreement package, verification of real estate holdings and interests, completion of environmental compliance requirements, engineering design review, process reimbursements, project management, and contingency.

Table 1 summarizes potential effects on resources based on a combination of the analysis presented in the EID that addressed effects of implementing all nine wastewater collection and treatment system components (including the SARF) and on USACE supplemental analyses regarding potential effects of the SARF component on Socioeconomic and Environmental Justice, Climate and Greenhouse Gas Emissions, and Cumulative Effects as described in sections below. There would be no effect from construction and operation of the SARF on Cultural Resources, Coastal Resources, Floodplain Development, Flora and Fauna, Land Use, Socioeconomic and Environmental Justice, Sole Source Aquifer, Water Quality, Wetlands, and Wild and Scenic Rivers. Construction of the SARF has the potential to effect Air Quality, Climate and Greenhouse Gas Emissions, Noise, and Transportation. However, mitigation measures identified in the EID for all nine wastewater collection and treatment system components (including the SARF) would result in insignificant effects to these resources and would also contribute to insignificant Cumulative Effects.

Mitigation measures for construction relevant to all nine components including the SARF would include implementation of the following: best management practices for dust control would be implemented during construction activities; all construction equipment would comply with all applicable emission standards; construction activities would be conducted during defined daylight working hours (7 AM to 5 PM) and comply with City noise ordinances, and clearly-marked traffic detours would be provided along with other traffic management best management practices.

Endangered Species Act: Pursuant to section 7 of the Endangered Species Act of 1973 (ESA), as amended, USACE determined there would be no effect to threatened and endangered species and therefore did not complete a Biological Assessment or consult with the U.S Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS). A USFWS Information for Planning and Consultation (IPAC) species report (Project Code: 2023-0108316, July 24, 2023; Attachment B) identified one threatened flowering plant species (Spalding's Catchfly) and one candidate insect species (Monarch Butterfly) as possibly being present within the SARF construction area. Spalding's Catchfly is an herbaceous perennial that is endemic to the Palouse region of south-east Washington and adjacent Oregon and Idaho, and is disjunct in northwestern Montana and British Columbia, Canada. This species is found predominantly in the Pacific Northwest bunchgrass grasslands and sagebrush-steppe, and occasionally in open-

Table 1-1. Potential Effects of the Proposed Action.

Resources	Insignificant effects	Insignificant effects as a result of mitigation	Resource unaffected by action
Air Quality	-	X	-
Cultural Resources	-	-	X
Coastal Resources	-	-	X
Floodplain Development	-	-	X
Flora and Fauna	-	-	X
Greenhouse Gas Emissions and Climate Change	-	X	-
Land Use	-	-	X
Noise	-	X	-
Socioeconomic and Environmental Justice	X	-	-
Sole Source Aquifer	-	-	X
Transportation	-	X	-
Water Quality	-	-	X
Wetlands	-	-	X
Wild and Scenic Rivers	-	-	X
Cumulative Effects	-	X	-

canopy pine stands. The Monarch Butterfly is found in multiple counties and states including Latah and Nez Perce counties, Idaho. This species requires a milkweed host plant (primarily *Asclepias* spp.) to lay their eggs and provide a larvae food source. USACE biologists analyzed the SARF construction action area and determined that it does not support the habitat requirements necessary for Spalding’s Catchfly or Monarch Butterfly.

Therefore, USACE determined there would be no effect to these species and consultation with the USFWS is not required.

The SARF construction area would be in upland habitat where no species or habitats under NMFS jurisdiction are present. The WWRF discharges into Cow Creek where no listed anadromous salmonids or associated critical habitat are present; however, Cow Creek is identified as Essential Fish Habitat for Pacific Chinook salmon (*Oncorhynchus*

tshawytscha).² The SARF is intended to improve water quality of WRRF discharges into the creek. No construction would occur within the creek and best management practices would minimize the potential for construction stormwater to reach the waterway. Therefore, USACE determined there would be no effect to listed anadromous salmonid species and associated critical habitat, or EFH, and consultation with NMFS is not required.

National Historic Preservation Act: Pursuant to Section 106 of the National Historic Preservation Act (NHPA), the proposed action was reviewed in accordance with the processes established in Section 106 of the NHPA and its implementing regulations, 36 CFR Part 800 to include consultation with the Idaho State Historic Preservation Officer (SHPO) and the Nez Perce Tribal Historic Preservation Officer (THPO). On Aug 12th, 2019, consultation was initiated by the USDA Rural Development (USDA-RD) with the Idaho SHPO, and the Nez Perce THPO. The Idaho SHPO requested an archaeological survey report and pedestrian survey of the area of potential effect. Certified Archeologists Robert Lee Sappington and John C. Bergner IV conducted a cultural resources survey of the area of potential effect and in the corresponding report determined that implementation of the proposed action would result in “no historic properties affected.” Based on results of this survey, the Idaho SHPO determined the proposed undertaking would result in no adverse effect to historic properties (SHPO Review # 2019-919). USACE Cultural Resources Section (Walla Walla District) independently reviewed the proposed action and associated documentation and determined on June 6, 2023, that the Section 106 consultation was sufficient, and no further consultation is required, as well as determined that the USDA-RD documentation and consultation satisfies the requirements of the NHPA (Section 106) and USACE can adopt the same without any need for further supplementation or consultation.

Clean Water Act: Section 402 of the Clean Water Act (CWA) of 1972 is the National Pollutant Discharge Elimination System (NPDES) section that regulates the point and non-point source discharge of pollutants into waters of the United States (WOTUS). Section 402 also regulates storm water runoff from construction activities that generate more than one acre of ground disturbance along with the potential for stormwater runoff into WOTUS. Construction of the SARF itself would be located in upland habitat over 0.25 miles from Cow Creek; therefore, it is unlikely to result in the discharge of pollutants or stormwater into Cow Creek, the nearest WOTUS. However, future non-USACE funded construction components of the City’s water improvements project could contribute stormwater to Cow Creek. The City has been issued a Construction General Permit (CGP) from IDEQ (document ID code: IDR10C0YO) for compliance with Section 402 (stormwater run-off). IDEQ has indicated their awareness of a new discharge point to be located at approximate Latitude 46° 32’ 56”, Longitude -116° 55’ 21. The City is responsible for obtaining authorization from IDEQ to use this new location by requesting IDEQ reissue the City’s existing IPDES permit. IDEQ has also recently notified Mountain

² NMFS Protected Resources App and ESA Critical Habitat Mapper, accessed July 25, 2023, at <https://www.fisheries.noaa.gov/resource/map/protected-resources-app> and <https://noaa.maps.arcgis.com/apps/webappviewer/index.html?id=68d8df16b39c48fe9f60640692d0e318>, respectively

Waterworks (now Merrick) that all effluent must be retained on the land application site per the Idaho Administrative Procedure Act (IDAPA) 58.01.17.500.06. As a result, the drainage ditch identified in the EID Exhibit 3, Alternative 1 and Exhibit 4, Drainage Ditch Within Potential Land Application would no longer be feasible as a recycled water discharge point. The City and Merrick are working to identify all agricultural underdrains within the land application area and assess how to handle all captured flows to be compliant with the IDAPA. Reductions in ammonia levels would result from SARF operations. There would be no discharge of dredged or fill material into WOTUS, therefore, no Section 404 Permit would be required.

Socioeconomic and Environmental Justice: Consistent with Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, EO 13045, *Protection of Children from Environmental Health Risks and Safety Risks*, and other related executive orders, the EJScreen Tool (EPA 2023) and Council of Environmental Quality’s (2023) Climate and Economic Justice Screening Tool (CEJST) were used to determine socioeconomic indicators and presence/absence of disadvantaged communities, respectively, in the proposed action area.

The socioeconomic indicators are as follows: 8% are people of color (1% identify as Asian; 1% identify as Hispanic; and 5% identify as other races); 18% of the population is considered low-income; 4% are unemployed; 0% of the population is linguistically isolated; 5% of the population has less than a high school education, 29% of the population is under age 18; and 18% of the population is over the age of 64 (EPA 2023).

The census tracts within and adjacent to the proposed SARF construction area represent disadvantaged or partially disadvantaged communities because of climate change (95th percentile for projected flood risk), housing (lack of indoor plumbing at 93rd percentile), legacy pollution (94th percentile for proximity to Risk Management Plan facilities and associated socioeconomic thresholds (i.e., 66th percentile for Low Income³)(CEQ 2023; Attachment C). Additionally, the lands of Federally Recognized Tribes cover less than 1% of the census tracts within the proposed action area (CEQ 2023; Attachment C).

Although the new SARF would be located within an area of disadvantaged communities, the intent of installing the new SARF system is to correct deficiencies in the City’s ammonia removal system and to comply with forthcoming ammonia compliance violations. It is expected that all individuals within the City’s Water Resource Reclamation Facility (WRRF) service area would benefit from improved ammonia removal that reduces the risk of infrastructure failure—and corresponding temporary service disruptions and exposure to pathogens—from ammonia-related corrosion. Therefore, the proposed action would not result in disproportionate adverse or beneficial impacts on minority or low-income populations, or children.

³ Low Income is defined as the “percent of a census tract’s population in households where household income is at or below 200% of the Federal poverty level, not including students enrolled in higher education.”

Greenhouse Gas Emissions and Climate Change: Consistent with Executive Order 13990, *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*, the Council on Environmental Quality CEQ has issued interim NEPA Guidance on Consideration of Greenhouse Gas (e.g., carbon monoxide, methane, nitrous oxide, etc.) Emissions and Climate Change. This guidance includes direction for agencies to quantify a proposed action's greenhouse gas emissions and to disclose and provide context for a proposed action's greenhouse gas emissions and climate effects.

There is no known readily available greenhouse gas emissions data for Genesee, Idaho. Only facilities generating greater than 25,000 metric tons of carbon dioxide equivalent (CO₂e) per year must annually report their emissions. In 2021, the reported emissions from 36 facilities in the state of Idaho was 5,228,325 metric tons CO₂e⁴, and from nearby individual emitters was 306,327 metric tons CO₂e in Lewiston, Idaho (reported by Clearwater Paper Corporation) and 62,454 metric tons CO₂e in Pullman, Washington (reported by Washington State University).⁵

Climate change in Idaho in the coming decades is anticipated to result in streams becoming warmer, the frequency of extreme rain events and wildfires potentially becoming more common, and water potentially becoming less available for irrigation (EPA 2016⁶).

Under the proposed action, greenhouse gas emissions would only be increased temporarily during construction from worker commute vehicles and construction equipment operations. The CEQ does not have any thresholds currently established for determining if greenhouse gases that would be released would constitute a significant impact. Increased carbon emissions from construction of the SARF would be localized, temporary, and small (construction emissions estimated to be less than 820 metric tons CO₂e; Attachment D) in comparison to the total constant output of emission sources in the surrounding communities and would not be expected to have any measurable impact on local, regional, or global greenhouse gas emissions. Therefore, the proposed action would have no effect on climate.

The SARF is designed to improve ammonia removal under future climate conditions. Therefore, projected changes from climate change would have no effect on the SARF.

Cumulative Effects: NEPA and CEQ regulations implementing the Act require federal agencies to consider the cumulative impacts of their actions. Cumulative effects are defined as, “the impact on the environment which results from the incremental impact of an action when added to other past, present and reasonably foreseeable future actions regardless of what agency (Federal or non-federal) or person undertakes such other

⁴ Reports by these emitters represent approximately half of total emissions for the State of Idaho since emissions are not reported by the transportation and agricultural sectors and not by facilities whose emissions are below the 25,000 metric ton CO₂e reporting threshold.

⁵ Environmental Protection Agency. 2023. Facility Level Information on Greenhouse gases Tool (FLIGHT) - 2021 Greenhouse Gas Emissions from Large Facilities. <https://ghgdata.epa.gov/ghgp>

⁶ Environmental Protection Agency. 2016. What Climate Change Means for Idaho. Available at <https://www.epa.gov/sites/default/files/2016-09/documents/climate-change-id.pdf>

actions” (40 CFR § 1508.7). Cumulative impacts can result from individually minor, but collectively significant actions taking place over a period of time.

In addition to the proposed action, the City plans to modernize other elements of their wastewater collection and treatment system in order to address existing deficiencies and accommodate reasonably expected population growth. The population in the City’s WRRF service area is forecast to grow from 1,029 individuals (2020) to 1,366 (2040). A new SARF under the proposed action alternative, as well as other planned future WRRF improvements, have been designed to accommodate this minimal population growth and corresponding increases in wastewater influents (e.g., ammonia).

The proposed action, along with other future wastewater system improvement elements, would improve the effectiveness of the City’s wastewater treatment system thereby reducing the potential for aforementioned discharge exceedances. Short-term construction related effects from the proposed action, collectively with other improvement elements, would be minor. As a result, the proposed action would not result in significant adverse cumulative effects but would provide cumulative long-term benefits.

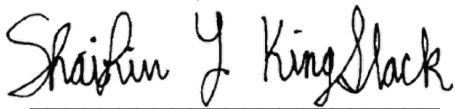
Public Comment/Involvement: Coordination with Federal, state, and local agencies, organizations, the Nez Perce Tribe, and the public was conducted by the consultant, Mountain Waterworks, Inc. Agencies included were the Idaho Department of Environmental Quality, U.S. Army Corps of Engineers-Walla Walla District – Regulatory Division, U.S. Fish and Wildlife Service, Idaho SHPO, and City of Genesee. All agencies, the Tribe, along with the City of Genesee residents, were provided information on the proposed improvements to the WRRF and given an opportunity to comment on the EID to IDEQ through the state of Idaho’s State Environmental Review Process (SERP), “Rules for Administration of Wastewater and Drinking Water Loan Funds” (IDAPA 58.01.12) and “Rules for Administration of Planning Grants for Drinking Water and Wastewater Facilities” (IDAPA 58.01.22). IDEQ received no comments during the 30-day public comment period held in 2020.

NEPA Compliance: In compliance with NEPA, the draft FONSI and all supporting attachments were made available for a 15-day public review and comment period that began on October 18, 2023. Two individuals submitted comments during this period and revisions to this FONSI have been made to include updated contractor construction work hours, and to add information regarding a recently issued Construction General Permit (CGP) for the City’s overall wastewater improvements project and an IDEQ requirement applicable to the City that all effluent must be retained on the land application site.

Having reviewed the EID, I find that the USACE Project is substantially the same action that USACE is authorized and committed to participate in pursuant to Section 595 of the Water Resources Development Act of 1999. Further, the EID provides sufficient discussions on the need for the City’s Proposed Action, alternatives to the Proposed Action, the environmental effects of the Proposed Action and provides a listing of agencies, organizations, and Tribes consulted. After independent review of the EID, USACE has determined the document provides both sufficient evidence and analysis to

meet its requirements pursuant to NEPA, except as supplemented or explained above in this FONSI.

I have determined that the USACE Project would not significantly affect the quality of the human environment, and therefore an Environmental Impact Statement is not required. USACE will proceed to fund the USACE Project under the authority of Section 595 of the Water Resources Development Act of 1999, when funds are made available for that purpose.



SHAILIN Y. KINGSLACK
Lieutenant Colonel, EN
Commanding

Date

Attachment A: Environmental Information Document, 2020 Wastewater System
Improvements, City of Genesee Idaho
(see separate document with file name "2020EID_GeneseeWW.pdf")

Attachment B: USFWS Information for Planning and Consultation Species Report

Attachment C: Socioeconomic and Environmental Justice Data

Appendix D. Estimated Greenhouse Gas Emissions from Construction Equipment within the Proposed Action Area.

Emission Source Data			Emission Factors for Construction Equipment (lbs/hr) ^{1,2}				Daily GHG Emissions from Construction Activities (lbs/day)				
Equipment Type	# Active	Hours per Day	CO	CO ₂	CH ₄	NO _x	CO	CO ₂	CH ₄	NO _x	CO ₂ eq
Worker vehicles	10	2	0.0038	1.1102	0.0000	0.0003	0.076	22.205	0.001	0.007	24.258
Excavator	1	8	0.5097	120	0.0055	0.2821	4.077	956.634	0.044	2.257	1634.258
Rubber Tired Loaders	1	8	0.4340	109	0.0056	0.3467	3.472	868.890	0.045	2.774	1700.115
Backhoe	1	8	0.3593	66.8	0.0033	0.2127	2.875	534.381	0.026	1.702	1045.098
Trencher	1	8	0.4150	58.7	0.0069	0.3876	3.320	469.698	0.055	3.101	1398.406
Compactor	1	8	0.0263	4.3	0.0005	0.0314	0.211	34.510	0.004	0.252	109.780
Graders	1	8	0.5718	133	0.0068	0.4156	4.574	1061.944	0.055	3.325	2058.614
Dump Trucks	2	8	0.5422	260	0.0112	0.5881	8.675	4161.184	0.179	9.409	6978.224
Other	1	8	0.3482	123	0.0044	0.2497	2.786	980.074	0.035	1.998	1579.040
										Total CO₂e (lbs/day)	16527.793
										Total Project CO₂e* (metric tons)	816.1407

CO₂e* = CO₂ + X*CO + Y*NO_x + Z*CH₄³
Where X = 100 Year Global Warming Potential for Carbon Monoxide = 1
Where Y = 100 Year Global Warming Potential for Oxides of Nitrogen = 298
Where Z = 100 Year Global Warming Potential for Methane = 25
References
^{1/} SCAQMD. 2023a. Off-road Mobile Source Emission Factors (Scenario Years 2007 – 2025). http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/off-road-mobile-source-emission-factors
^{2/} SCAQMD. 2023b. On-road Vehicles Emission Factors (Scenario Years 2007 – 2026). http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/emfac-2007-(v2-3)-emission-factors-(on-road)
^{3/} CFR Title 40 Chapter I Subchapter C Part 98: Table A-1 Global Warming Potentials