

EVALUATION AND ACCEPTANCE OF APPLICANT ENVIRONMENTAL REVIEW AND FINAL FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Wastewater Improvements Project

**City of Notus
Canyon 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 Notus, Idaho (City) with its Wastewater 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 collection system dating back to 1935. As the City expanded, additional pipe sections were added to the system. Pipes in both initial construction and subsequent expansions were composed of cast-in-place concrete, asbestos, ductile iron, and polyethylene pipe. These pipes have significantly degraded and include collapsed sections and surface erosion is evident. This was verified visually with a system-wide camera inspection survey that provides the location of pipe failures, degraded surfaces, and problematic service connections. In addition, sections of pipe were installed with slopes lower than the minimum standard required for the various pipe sizes. The majority of the components in the collection system are in need of repair or replacement.

The City's existing lagoon treatment system also needs minor improvement to extend the life of the lagoons and improve treatment efficiency in order to uphold compliance with effluent limitations in the current and future National Pollution Discharge Elimination System (NPDES) requirements. Proposed lagoon upgrades involve adding aeration, influent screening, influent/effluent flow measurement, and disinfection.

A Wastewater Facility Planning Study for the City of Notus, was prepared in 2011, updated in the 2013 Addendum Number One and subsequently in 2016 with Addendum Number Two. The Environmental Review (ER) and this FONSI correspond to the 2016 Wastewater Facility Plan Addendum Number Two. The prior documents had recommendations and additional phases of work that proved to be too expensive or not viable and were not evaluated in the ER.

The City's Proposed Action includes collection system repairs, lagoon dredging, seepage testing after dredging, influent screen installation, construction of disinfection system, aeration upgrades, and influent/effluent flow measurement. Collection system repairs are separated into priority 1 and priority 2. Priority 1 repairs consist of major collectors and 1930s era construction and priority 2 repairs consist of 1930 and 1960 era major collectors. Improvements are sized to treat projected community flow demands on the treatment system for the next 20 years and the collection system repairs are sized for 40 years. All proposed wastewater treatment improvements would be contained within the existing

boundaries of the treatment facility. Collection system work would be within existing right-of-ways; no excavation is planned to occur outside of previously disturbed and developed areas.

The Corps is not assisting the City with the entire Proposed Action. The Corps and the City have agreed that the Corps would provide funding to replace the section of the collection system from the north side of Highway 26 to the influent pipe at the eastern corner of the first lagoon. This section would require specialized construction procedures to complete. Jack and bore installation would be used to install a ductile iron carrier pipe (or casing) under Highway 26 and the railroad tracks. A 15-inch high density polyethylene (HDPE) or pressure-rated polyvinyl chloride (PVC) pipe would be installed within the casing. From the termination of the casing south of the railroad tracks to the lagoon, the mainline pipe would be installed with open trenching. An additional 400 feet of 8-inch main pipe would be replaced from the new 15-inch mainline up to the first manhole in the 8-inch pipe. Manholes along both sections of pipe would be replaced, and the slopes of the lines would be adjusted to meet minimum design criteria. The replacement of the pipelines and manholes would collectively be referred to as the "Corps Project" hereafter.

Section 595 of 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, Section 126 of PL 108-7, amended PL 106-53 to include rural Idaho. As a result, the Corps is able to participate in the Notus Wastewater Improvements Project.

II. Applicant Prepared Environmental Review Document

In accordance with 40 Code of Federal Regulations (CFR) 1506.5(b), the Corps is authorized to permit applicants to prepare an environmental document, as long as the Corps performs its own evaluation of the environmental issues and makes its own findings on potential impacts. The City submitted the *Environmental Review (ER), City of Notus, Wastewater Utility*, prepared by Mountain Waterworks, Inc. The Corps had no role in the preparation of the ER, 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 ER is, therefore, incorporated (in its entirety) herein by reference and made a part hereof.

III. Purpose and Need

The purpose of the Corps Project is to assist the City, under Section 595, with upgrading the City's aging wastewater utility by providing funding for construction of pipelines, road crossings, and associated manholes.

The Corps Project is needed because the City's current infrastructure has degraded, and includes collapsed sections where surface erosion is evident. The collection and treatment systems are both nearing their capacity limits and additional capacity is needed to accommodate the growth projections for the City in the next 20 to 40 years. Without improvements the City is not expected to uphold compliance with effluent limitations contained in the current and future NPDES permits.

IV. Project Alternatives

The ER evaluated three alternatives for the City's Proposed Action, which includes the Corps Project. The alternatives are presented in a phased approach to provide immediate compliance with the current NPDES permit while planning for the future land application:

Alternative 1: No Action. Under this alternative, the City would not implement any improvements to the wastewater system. Although this alternative does not meet the stated purpose and need, it was carried forward to serve as the baseline environmental condition for comparison with other alternatives as required by NEPA.

Alternative 2: Phase 1 treatment including priority 1 & 2 collection (Proposed Action). This alternative would involve treatment improvements and collection system upgrades that includes both the priority 1 and priority 2 collection system repairs. Wastewater upgrades have been presented in a phased approach to provide immediate compliance with the current NPDES permit while planning for future land application. Only phase 1 treatment improvements were evaluated in the ER as other phases were determined to be too expensive.

The Proposed Action includes several construction activities:

1. Dredge lagoons 1, 2, and 3.
2. Seepage test lagoons after dredging
3. Install influent screen
4. Construct disinfection system
5. Install lagoon aeration in lagoon 1, and possibly in lagoons 2 and 3
6. Install influent, effluent, and Conway Gulch flow measurement
7. Repair and replace priority 1 and 2 collection system and manholes

Alternative 3. Phase 1 treatment including priority 1 collection: This alternative would involve all of the elements described in the Proposed Action with the exception of the repair and replacement of the priority 2 collection system and manholes

As previously mentioned, the Corps funding would go towards a portion of the collection system and manhole repairs.

V. Environmental Effects

The ER evaluated the effects of the Proposed Action on the following resources:

- Land Use
- General Land Use
- Floodplains
- Wetlands
- Historic Properties
- Biological Resources

- Water Quality
- Socio-Economic/Environmental Justice
- Air Quality & Noise
- Transportation

The analysis did not identify any significant impacts to the human environment should the Proposed Action be implemented. Short-term negative effects that may occur during project construction include temporary disruption of the wastewater systems, increased noise, increased dust pollution, increased potential for stormwater runoff, and disruption of localized traffic conditions. There would not be long-term or cumulative effects as a result of the Proposed Action. The contractor would be responsible for managing the temporary disruptions of the system and implementing Best Management Practices (BMPs) to reduce negative construction effects.

1. **Endangered Species Act.** The Corps obtained a species list from the U.S. Fish and Wildlife Service (USFWS) dated November 3, 2017 (Consultation Code: 01EIFW00-2018-SLI-0102). The USFWS indicated that there is one listed species or critical habitat identified for the vicinity of the Corps Project. The Corps has determined the Corps Project would have no effect on these species (ATTACHMENT B). There are no species under jurisdiction of the National Marine Fisheries Service (NMFS) in the Project area.
2. **National Historic Preservation Act.** Multiple federal agencies are involved in the execution of Section 595 projects. For the current project, the U.S. Department of Agriculture (USDA) was the lead federal agency for Section 106 compliance requirements and consultation. The Corps has reviewed the cultural resources documentation and concurs with all findings. The Corps has determined that the Corps Project would have No Potential to Affect Historic Properties (ATTACHMENT C). This differs from the USDA determination of No Effect to Historic Properties as the Corps determination is for the limited Corps Project, not the City's Proposed Action evaluated in the USDA determination. The Corps determination was based on the fact that all of the proposed Corps Project would take place in previously disturbed areas. As such, the Corps has determined this undertaking would have No Potential to Affect Historic Properties, concluding the requirements of Section 106 of the National Historic Preservation Act and its implementing regulations 36 Code of Federal Regulations Part 800.
3. **Clean Water Act** 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. In a letter dated November 30, 2015 (ATTACHMENT D), the Corps Regulatory Division Office in Boise, Idaho provided comments for the City's Proposed Action. It was noted that at several locations, the sewer collection lines cross an unnamed stream of the Conway Gulch or are located adjacent to a side channel of the Boise River. Should the proposed work result in a discharge of fill below the ordinary high water mark or within wetlands adjacent those waters a permit may be required.

The City's Proposed Action would utilize methods to avoid wetlands in the project area by using the jack and bore method whenever crossing the wetland areas. The Corps Project would not involve these potential crossings, thus neither the City's Proposed Action nor the Corps Project would involve work in areas subject to Corps jurisdiction and a Department of the Army permit is not required.

4. **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. Due to the fact that some of the City's Proposed Action components are located in the mapped flood hazard area of the Boise River, a floodplain development permit would be needed from the Floodplain Administrator for the City of Notus. This permit would have conditions that must be met during the design and construction of the proposed project to mitigate impacts to the floodplain and to the wastewater system from a potential flood. The Corps Project is located outside of the defined floodplain and would not require a floodplain development permit.

VI. Coordination

Coordination with federal, state, local agencies, organizations, and tribes has been conducted by the consultant, Mountain Waterworks, Inc. Those contacted include the State Fire Marshall, Department of Commerce, Idaho Department of Environmental Quality (DEQ) Boise Regional Office, Idaho DEQ State Office, Idaho Department of Water Resources, Idaho Department of Fish and Game, U.S. Department of Agriculture – Natural Resource Conservation Service, Walla Walla District Corps of Engineers Regulatory Office, Bureau of Land Management, Idaho State Historic Preservation Officer, Shoshone-Bannock Tribe, Shoshone-Paiute Tribes of the Duck Valley Reservation, Burns Paiute Tribe, Clearwater Economic Development Association, Canyon County Planning, and the Federal Aviation Administration. Each agency, organization, or tribe was provided information on the proposed improvements to the wastewater system and given an opportunity to comment. Information was also disseminated through City Council meetings and public meetings.

In compliance with NEPA, the Corps distributed the draft FONSI and all attachments for a 15-day public comment period beginning on April 10, 2018 and concluding on April 25, 2018. The Corps received one comment document from the state floodplain coordinator indicating that the City's proposed action could be within the mapped flood hazard area of the Boise River and that it was unclear if the proposed action would be considered a substantial improvement. The Corps Project is not located inside of the defined floodplain and as such would not require a floodplain development permit. Additional information was added to Section V above pertaining to EO 11988: Floodplain Management.

VII. Finding

Having reviewed the ER, I find that the actions covered by the ER 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 ER 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 ER, 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 Corps Project, best scientific information available, public comments, and the information contained in the ER. Based on this information, I have determined that the proposed Corps Project 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.


CHRISTIAN N. DIETZ
Lieutenant Colonel, EN
Commanding

8/27/2018
Date