



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502

C.L. "Butch" Otter, Governor  
Curt Fransen, Director

July 16, 2013

Colvin E. Jergens, Vice President  
Blackhawk Estates Homeowners Association  
8070 Black Hawk Drive  
Idaho Falls, Idaho 83406

RE: Environmental Determination for the Blackhawk Estates Drinking Water Improvements  
(DWG 130-2012-11)

Dear Mr. Jergens:

The Department of Environmental Quality (DEQ) has completed a review of the Environmental Information Document for the Blackhawk Estates Drinking Water Improvements. The potential impacts on a number of environmentally sensitive resources were evaluated in the environmental review. North Wind Consulting, LLC, consulted with a number of appropriate state and federal agencies regarding relevant issues. The project meets state and federal criteria for issuance of a Finding of No Significant Impact (FONSI), since the environmental review process indicated no significant environmental impacts would result from the proposed project.

A FONSI legal notice will be published in the Idaho Falls *Post Register*, newspaper of greatest circulation for the Blackhawk Homeowners Association. DEQ has requested the newspaper publish the legal notice one (1) time, on one (1) day, on Friday, July 19, 2013. The legal notice will explain how the public can obtain a copy of the full FONSI for review and will give instructions on how they can submit comments. A 30 day public comment period will follow the FONSI legal notice publication. Should there be public comments and concerns related to the project or FONSI, DEQ may ask your help in preparing responses.

Following the 30 day public comment period, any significant comments or concerns will be considered and incorporated as appropriate into the *final* FONSI determination for the referenced project. After issuance of the *final* FONSI, and with approval of all technical considerations in the facility plan, DEQ will be able to close the DEQ planning grant and proceed with the State Revolving Fund loan.

William Teuscher, P.E., at the DEQ Idaho Falls Regional Office, (208) 528-2666, is your local DEQ contact on the referenced project. Please keep him informed of progress on the project.

Sincerely,

A handwritten signature in blue ink that reads "Barry N. Burnell".

Barry N. Burnell  
Water Quality Division Administrator

BNB:MLM:dls

Enclosures

c: MaryAnna Peavey, DEQ State Office (TRIM)  
Charlie Parkins, DEQ State Office (TRIM)  
Scott Webster, North Wind Consulting, LLC, ([swebster@northwindgrp.com](mailto:swebster@northwindgrp.com))  
Gerald R. Williams, P.E., Williams Engineering, Inc. ([gwilliams@grwei.com](mailto:gwilliams@grwei.com))  
William Teuscher, P.E., DEQ Idaho Falls Office (TRIM)

## FINDING OF NO SIGNIFICANT IMPACT

**Date:** July 16, 2013  
**To:** All Interested Government Agencies, Public Groups, and Individuals  
**Subject:** Environmental Determination for the Blackhawk Estates Drinking Water Improvements

In accordance with the Rules for Administration of Planning Grants for Drinking Water Facilities (IDAPA 58.01.22) and the Rules for Administration of Drinking Water Loan Program (IDAPA 58.01.20), an environmental review has been performed and a Finding of No Significant Impact (FONSI) has been issued by the Department of Environmental Quality (DEQ) on the project described below:

Project:	Blackhawk Estates Drinking Water Improvements
Location:	Bonneville County, Idaho
DEQ Grant Number:	DWG-130-2012-11
DEQ Grant Costs:	\$19,500
DEQ Loan Number	TBD
Total Loan Project Cost:	\$466,000

### PURPOSE/SUMMARY OF IMPACTS:

**Purpose of Project:** The purpose of the proposed project is to achieve compliance with the Idaho Rules for Public Drinking Water Systems by providing a redundant source and improving fire flows and emergency operations.

**Description of the Project:** The proposed project involves:

- Installation of a pump and auxiliary equipment in Well 1 and replacement of 144 linear feet of pipe;
- Installation of an emergency generator to serve Wells 1 and 2; and
- Installation of a 177,000-gallon storage tank and approximately 235 linear feet of connecting pipe.

**Direct and Indirect Impacts:** An environmental information document (EID) was prepared by North Wind Resource Consulting, LLC (North Wind), consultant for the Blackhawk Homeowners Association (Blackhawk). North Wind and DEQ consulted with the appropriate state and federal agencies regarding relevant environmentally sensitive resources. Based on consultation with agency experts, North Wind and DEQ evaluated the potential short and long term impacts, and the direct, indirect, and cumulative impacts of the drinking water improvement project. The evaluation emphasized site specific components of the environment that are most likely to be impacted by the construction and operation of the proposed improvements. The results of the project evaluation indicate there will be environmental effects from the referenced project as described below.

Short term impacts that may occur during project construction include temporary disruption of the distribution system, increased noise, increased dust pollution, increased potential for stormwater runoff, and disruption of localized traffic conditions. The project contractor is responsible for managing the temporary impacts as follows:

- **Air Quality:** Temporary dust pollution impacts will be controlled as a condition of the construction specifications in accordance with the DEQ Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.651 (rule). The rule states that reasonable precautions for dust control and suppression include using water or chemicals, applying dust suppressants, covering trucks, paving, and removing materials. In addition to the rule requirements, it is recommended that a dust prevention and control plan be implemented during construction of the project that includes DEQ Best Management Practices (BMPs) to minimize dust pollution for fugitive dust control. Emergency generators shall comply with the federal National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (RICE NESHAPS).
- **Cultural Resources:** If archeological artifacts (such as beads, arrow heads, pottery, fabric, grave goods, glass, metal fragments or other human made objects that appear to predate 1960) or human remains (such as bones, bone fragments or teeth) are inadvertently discovered during construction, ground disturbing activities shall cease and the State Historical Preservation Officer (SHPO), the Shoshone-Bannock Tribe and the Shoshone-Paiute Tribe shall be notified at (208) 334-3837, (208) 236-1086 and (208) 759-3100, respectively. Mitigation measures will be implemented as directed by SHPO and the Tribe(s), and work will not resume at the discovery site without their consent. If human remains are discovered, the Bonneville County Sheriff and the Bonneville County Coroner will be contacted at (208) 529-1200 and (208) 533-6999, respectively, and work will not resume until law enforcement has also released the site.
- **Stormwater:** Stormwater runoff shall be handled through an Environmental Protection Agency Stormwater Construction General permit and the development of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP and stormwater BMPs will be implemented prior, during and after project construction to reduce the potential for erosion from runoff.
- Noise impacts from the project construction will be reduced by restricting work hours to reasonable times identified in the construction specifications.
- Any other appropriate BMPs, wherever possible, to avoid or minimize impacts from other construction activities.

Blackhawk will also obtain appropriate permits as required by:

- A Notice of Intent to operate under the Stormwater Construction General Permit, as described above;
- Any other local, state or federal permit required for activities taking place during project construction.

**Beneficial Impacts:** Overall completion of the project will have long-term positive effects through improved public health and safety due to increased potable water flows, improved reliability and increased fire flows.

**Finding:** The review process did not indicate significant environmental impacts would result from the proposed action. Consequently, a preliminary decision has been made that an Environmental Impact Statement does not need to be prepared for the proposed project. Instead, a FONSI is hereby issued by DEQ. This decision is made following a careful review of the December 2012 *Blackhawk Homeowners Association Drinking Water Facility Planning Study* and June 24, 2013 *Environmental Information Document for the Blackhawk Homeowners Association Drinking Water Facility*, and supporting documentation.

**AVAILABILITY OF COPIES:**

Copies of the notice of a FONSI, December 2012 *Blackhawk Homeowners Association Drinking Water Facility Planning Study* and June 24, 2013 *Environmental Information Document for the Blackhawk Homeowners Association Drinking Water Facility*, and supporting documentation upon which it is based are available for public review on the DEQ web site at <[www.deq.idaho.gov/public-comment-opportunities](http://www.deq.idaho.gov/public-comment-opportunities)> or at the following locations:

Department of Environmental Quality State Office  
Division of Water Quality  
1410 North Hilton  
Boise, Idaho 83706  
Grant/Loan SERP Contact: Mike May, (208) 373-0406

Department of Environmental Quality Idaho Falls Regional Office  
900 North Skyline Drive, Suite B  
Idaho Falls, Idaho 83402  
Regional Office Contact: William Teuscher, P.E., (208) 528-2666

The public will be informed about the proposed project and their opportunity for comment through the Idaho Falls *Post Register*, one time in the Friday, July 19, 2013 publication.

**Public Comments:** Comments supporting or disagreeing with this decision must be submitted on the DEQ web site <[www.deq.idaho.gov/public-comment-opportunities](http://www.deq.idaho.gov/public-comment-opportunities)> or addressed to:

Department of Environmental Quality  
Division of Water Quality  
Grant and Loan Program  
1410 North Hilton Street  
Boise, Idaho 83706  
Attention: Mike May, Grant/Loan SERP Staff

All comments must be postmarked or delivered on or before Monday, August 19, 2013. After an evaluation of public comment, DEQ will make a final decision. No administrative action will be taken on the project for at least thirty (30) calendar days after publication of the draft FONSI Notice.



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Barry N. Burnell  
Water Quality Division Administrator

## LEGAL NOTICE OF FINDING OF NO SIGNIFICANT IMPACT

**Date:** July 16, 2013  
**To:** All Interested Government Agencies, Public Groups, and Individuals  
**Subject:** Environmental Determination for the Blackhawk Estates Drinking Water Improvements

In accordance with the Rules for Administration of Planning Grants for Drinking Water Facilities (IDAPA 58.01.22) and the Rules for Administration of Drinking Water Loan Program (IDAPA 58.01.20), an environmental review has been performed and a Finding of No Significant Impact (FONSI) issued by the Department of Environmental Quality (DEQ) for the following project:

Blackhawk Estates Drinking Water Improvements  
Bonneville County, Idaho

This environmental determination was made as a result of the review process indicating no significant environmental impacts would result from the proposed project. There may be several environmental effects from the referenced project as described below.

Short term impacts that may occur during project construction include temporary disruption of the distribution system, increased noise, increased dust pollution, increased potential for stormwater runoff, and disruption of localized traffic conditions. The project contractor is responsible for managing the temporary impacts as follows:

- **Air Quality:** Temporary dust pollution impacts will be controlled as a condition of the construction specifications in accordance with the DEQ Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.651 (rule). The rule states that reasonable precautions for dust control and suppression include using water or chemicals, applying dust suppressants, covering trucks, paving, and removing materials. In addition to the rule requirements, it is recommended that a dust prevention and control plan be implemented during construction of the project that includes DEQ Best Management Practices (BMPs) to minimize dust pollution for fugitive dust control. Emergency generators shall comply with the federal National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (RICE NESHAPS).
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**Beneficial Impacts:** Overall completion of the project will have long-term positive effects through improved public health and safety due to increased potable water flows, improved reliability and increased fire flows.

**Description of the Project:** The proposed project involves:

- Installation of a pump and auxiliary equipment in Well 1 and replacement of 144 linear feet of pipe;
- Installation of an emergency generator to serve Wells 1 and 2; and
- Installation of a 177,000-gallon storage tank and approximately 235 linear feet of connecting pipe.

**Copies Available:** Copies of the *full* FONSI, the facility plan, the Environmental Information Document and supporting documentation upon which it is based are available for public review on the DEQ web site at [www.deq.idaho.gov/public-comment-opportunities](http://www.deq.idaho.gov/public-comment-opportunities) or at the following locations:

Department of Environmental Quality State Office  
Division of Water Quality  
1410 North Hilton  
Boise, Idaho 83706  
Grant/Loan SERP Contact: Mike May, (208) 373-0406

Department of Environmental Quality Idaho Falls Regional Office  
900 North Skyline Drive, Suite B  
Idaho Falls, Idaho 83402  
Regional Office Contact: William Teuscher, P.E., (208) 528-2666

**Public Comments:** Comments supporting or disagreeing with this decision must be submitted on the DEQ website < [www.deq.idaho.gov/public-comment-opportunities](http://www.deq.idaho.gov/public-comment-opportunities) > or addressed to:

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All comments must be postmarked or delivered on or before Monday, August 19, 2013. After an evaluation of public comment, DEQ will make a final decision. No administrative action will be taken on the project for at least thirty (30) calendar days after publication of the draft FONSI Notice.

Barry N. Burnell  
Water Quality Division Administrator



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C. L. "Butch" Otter, Governor  
Curt Fransen, Director

July 16, 2013

Staci Dockery  
Idaho Falls *Post Register*  
[legalnotices@postregister.com](mailto:legalnotices@postregister.com)

RE: Legal Notice Publication: Notification of a Finding of No Significant Impact for the Blackhawk Estates Drinking Water Improvements

Dear Ms. Dockery:

The Idaho Department of Environmental Quality requests the enclosed legal notice be published in your newspaper. This request is to satisfy the state rule requirement that the notice of an environmental determination be given in advance of the intended action. To comply with the aforementioned legal requirements and the dates contained in the legal notice, we hereby request the legal notice be published one time, on one day, on Friday, July 19, 2013.

Please compress the legal notice by eliminating any unnecessary lines and spaces. A formatted legal notice is attached for your convenience. If you are unable to publish on the requested date, please call for further instructions.

Following publication, please send: one (1) affidavit; one (1) proof of publication; and the billing invoice to:

Dawn Shepherd  
Department of Environmental Quality  
1410 North Hilton  
Boise, Idaho 83706

Failure to send the billing invoice to the address and contact person identified above could result in a delay in the processing of your invoice. The DEQ Water Quality Division's account number is 18682.

Thank you for your cooperation in this matter. Please call Mike May at (208) 373-0406 if you have any questions.

MaryAnna Peavey, DEQ Loan Program Coordinator

Enclosure: Formatted Legal Notice