



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502  
www.deq.idaho.gov

C.L. "Butch" Otter, Governor  
John H. Tippetts, Director

May 19, 2016

Honorable T. Paul Davids, III  
Mayor, City of Lava Hot Springs  
115 Elm Street  
Lava Hot Springs, Idaho 83246

RE: Draft finding of no significant impact for the City of Lava Hot Springs Water System Improvements DWG-148-2014-5

Dear Mayor Davids:

The Idaho Department of Environmental Quality (DEQ) has completed a review of the environmental information document for the City of Lava Hot Springs Water System Improvements. The potential impacts on a number of environmentally sensitive resources were evaluated in the environmental review. The City of Lava Hot Springs project engineer 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 State Journal*, newspaper of record for the City of Lava Hot Springs. DEQ has requested the *Idaho State Journal* publish the legal notice one time, on one day, on May 20, 2016. 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. If public comments and concerns arise 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 planning document, DEQ will close the DEQ planning grant and proceed with the State Revolving Fund loan.

Andrew Fellows at the DEQ Pocatello Office, (208) 239-5016, is your local DEQ contact on the referenced project. Please keep him informed of progress on the project.



Honorable T. Paul Davids, III  
Mayor, City of Lava Hot Springs  
May 19, 2016  
Page 2

Refer comments regarding the environmental review to Aimee Hill in the State Office at (208) 373-0556 or via e-mail at [aimee.hill@deq.idaho.gov](mailto:aimee.hill@deq.idaho.gov).

Sincerely,



Barry N. Burnell  
Water Quality Division Administrator

BNB:ah:dls

Enclosures

c: MaryAnna Peavey, DEQ State Office  
Charlie Parkins, DEQ State Office  
Andrew Fellows, DEQ Pocatello Office  
Matthew Hill, Keller Associates, [mhill@kellerassociates.com](mailto:mhill@kellerassociates.com)  
Kathleen Lewis, SICOG, [Kathleen@sicog.org](mailto:Kathleen@sicog.org)



## LEGAL NOTICE OF FINDING OF NO SIGNIFICANT IMPACT

**Date:** May 19, 2016  
**To:** All Interested Government Agencies, Public Groups, and Individuals  
**Subject:** Environmental determination for the City of Lava Hot Springs Water System Improvements

In accordance with the State Environmental Review Process (SERP), “Rules for Administration of Planning Grants for Drinking Water Facilities” (IDAPA 58.01.22), and “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 Idaho Department of Environmental Quality (DEQ) for the following project:

City of Lava Hot Springs Water System Improvements  
Bannock County  
Lava Hot Springs, 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.

Short-term and long-term impacts may occur during project construction that 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 disruptions of the system as follows:

- Air Quality: Temporary dust pollution impacts will be controlled as a condition of the construction specifications in accordance with the “Rules for the Control of Air Pollution in Idaho” (IDAPA 58.01.01.651). IDAPA 58.01.01.651 states that reasonable precautions shall be taken for dust control and suppression by using water or chemicals, applying dust suppressants, covering trucks, paving, and removing materials. In addition to the rule requirements, DEQ recommends that a dust prevention and control plan be implemented during construction of the project that includes best management practices (BMPs) to minimize dust pollution for fugitive dust control.
- Cultural Resources: The Shoshone-Bannock Tribes have indicated that additional measures must be taken during work within the City of Lava Hot Springs.
  - All construction personnel are required to receive Tribal cultural awareness training.
  - A cultural resources monitor will be provide the opportunity to be present during any ground disturbance.
  - 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 Tribes Heritage Tribal Office (HeTO), and the Shoshone-Paiute Tribe shall be notified.
  - Construction personnel shall keep all discoveries confidential and shall not touch or pick up discovered items.
  - If artifacts are discovered and mitigation is needed, then the mitigation measures will be implemented as directed by SHPO and the tribe(s), and work will not resume at the discovery site until after the area has been cleared by a qualified archaeologist who meets the Secretary of Interior standards.
- Stormwater: Land disturbance activities associated with the project can potentially impact nearby Fish Creek and the Portneuf River. 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 to, during, and after project construction to reduce the potential for erosion from runoff.

- **Ground Water:** Proposed well locations are located within the designated Grace Nitrate Priority Area. DEQ recommends water quality and quantity be carefully assessed as part of the Well Site Approval process. Two of the well sites are near the former recycled water land application site used by the City.
- **Wetlands:** Fish Creek is located adjacent to the new transmission pipeline. The water line shall be installed as close to the roadway as possible to minimize impacts to Fish Creek. Should the proposed crossings of this waterbody be completed by open trenching or other methods which potentially result in the discharge of dredged or fill material into the creek, a U.S. Army Corps of Engineers Nationwide Permit #12 may be required. Appropriate BMPs will be implemented as required and wherever possible to avoid or minimize impacts to this water.
- **Land use:** A small acreage of land will be converted to that which is necessary for the accommodation of the well house and the required 50-foot minimum easement for the new well.
- **Noise:** Impacts to sensitive receptors in the general vicinity of project construction will be reduced by restricting work hours to reasonable times identified in the construction specifications.
- Implement any other appropriate BMPs, wherever possible, to avoid or minimize impacts from other construction activities.

The following permits may be required for the project:

- Section 404 CWA Nationwide Permit #12 (U.S. Army Corps of Engineers) (where necessary, see above)
- Any other local, state, or federal permit required for activities taking place during project construction.

**Beneficial Impacts:** Overall, the completion of the proposed project will have long-term positive effects to public health and water conservation by rectifying deficiencies in the drinking water system.

**Description of the Project:** The proposed project involves water distribution, treatment, and storage options in an effort to rehabilitate aging infrastructure, reduce operating costs, improve system water flow and production, and meet recommended storage requirements. As a result, the preferred alternatives are to drill a new well and replace the transmission line from the springs, replace problematic sections of the distribution system, replace water meters and implement miscellaneous improvements needed by the water system to address sanitary survey items.

**Copies Available:** Copies of the full FONSI, the *City of Lava Hot Springs Water Facilities Planning Study* (dated May 2015), the *Environmental Information Document for City of Lava Hot Springs Water System Improvements* (dated May 2016), and supporting documentation upon which it is based are available for public review on DEQ's website at [www.deq.idaho.gov/public-comment-opportunities](http://www.deq.idaho.gov/public-comment-opportunities) or at the following locations:

Idaho Department of Environmental Quality  
 Water Quality Division  
 1410 North Hilton  
 Boise, Idaho 83706  
 Grant/loan SERP contact: Aimee Hill (208) 373-0556

Idaho Department of Environmental Quality  
 Pocatello Regional Office  
 444 Hospital Way #300  
 Pocatello, Idaho 83201  
 Regional Office contact: Andrew Fellows – (208) 239-5016

City of Lava Hot Springs  
 115 Elm Street  
 Lava Hot Springs, Idaho 83246

Contact: Mayor T. Paul Davids, III – (208) 776-5820

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

Aimee Hill  
Idaho Department of Environmental Quality  
Water Quality Division, Loan Program  
1410 North Hilton  
Boise, Idaho 83706

Such comments must be postmarked or delivered on or before June 24, 2016. Public comments will be considered in finalizing the planning phase of the project. No administrative action will be taken on the project for at least 30 calendar days from the date of publication.

Barry N. Burnell  
Water Quality Division Administrator



## DRAFT FINDING OF NO SIGNIFICANT IMPACT

**Date:** May 19, 2016  
**To:** All Interested Government Agencies, Public Groups, and Individuals  
**Subject:** Environmental determination for the City of Lava Hot Springs Water System Improvements

In accordance with the State Environmental Review Process (SERP), 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 draft finding of no significant impact (FONSI) is hereby issued by the Idaho Department of Environmental Quality (DEQ).

Project:	City of Lava Hot Springs Water System Improvements
Location:	Lava Hot Springs, Bannock County, Idaho
DEQ Grant Number:	DWG 148-2014-5
DEQ Grant Costs:	\$22,250.00

### PURPOSE/SUMMARY OF IMPACTS:

**Purpose of Project:** The purpose of the proposed project is to rehabilitate aging infrastructure, reduce operating costs, improve system water flow and production, and meet recommended storage requirements within the community of Lava Hot Springs.

**Description of the Project:** The proposed project will drill a new well and replace the transmission line from the springs, replace problematic sections of the distribution system, replace water meters and implement miscellaneous improvements needed by the water system to address sanitary survey items.

**Direct and Indirect Impacts:** An environmental information document (EID) was prepared by Keller Associates (Keller), consulting engineer for the City of Lava Hot Springs (City). Keller and DEQ consulted with the appropriate state and federal agencies regarding relevant environmentally sensitive resources. Based on consultation with agency officials, Keller and DEQ evaluated the potential short-term 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.

Short-term impacts may occur during project construction including 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 is responsible for the implementation of any and all appropriate BMPs, wherever possible, to avoid or minimize impacts to environmentally sensitive elements during construction activities as well as managing the temporary disruptions of the system as follows:

- **Air Quality:** Temporary dust pollution impacts will be controlled as a condition of the construction specifications in accordance with the “Rules for the Control of Air Pollution in Idaho” (IDAPA 58.01.01.651). IDAPA 58.01.01.651 states that reasonable precautions shall be taken for dust control and suppression by using water or chemicals, applying dust suppressants, covering trucks, paving, and removing materials. In addition to the rule requirements, DEQ recommends that a dust prevention and control plan be implemented during construction of the project that includes best management practices (BMPs) to minimize dust pollution for fugitive dust control.

- Cultural Resources: The Shoshone-Bannock Tribes have indicated that additional measures must be taken during work within the City of Lava Hot Springs.
  - All construction personnel are required to receive Tribal cultural awareness training.
  - A cultural resources monitor will be provided the opportunity to be present during any ground disturbance.
  - 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 Tribes Heritage Tribal Office (HeTO), and the Shoshone-Paiute Tribe shall be notified.
  - Construction personnel shall keep all discoveries confidential and shall not touch or pick up discovered items.
  - If artifacts are discovered and mitigation is needed, then the mitigation measures will be implemented as directed by SHPO and the tribe(s), and work will not resume at the discovery site until after the area has been cleared by a qualified archaeologist who meets the Secretary of Interior standards.
  
- Stormwater: Land disturbance activities associated with the project can potentially impact nearby Fish Creek and the Portneuf River. 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 to, during, and after project construction to reduce the potential for erosion from runoff.
  
- Ground Water: Proposed well locations are located within the designated Grace Nitrate Priority Area. DEQ recommends water quality and quantity be carefully assessed as part of the Well Site Approval process. Two of the well sites are near the former recycled water land application site used by the City.
  
- Wetlands: Fish Creek is located adjacent to the new transmission pipeline. The water line shall be installed as close to the roadway as possible to minimize impacts to Fish Creek. Should the proposed crossings of this waterbody be completed by open trenching or other methods which potentially result in the discharge of dredged or fill material into the creek, a U.S. Army Corps of Engineers Nationwide Permit #12 may be required. Appropriate BMPs will be implemented as required and wherever possible to avoid or minimize impacts to this water.
  
- Land use: A small acreage of land will be converted to that which is necessary for the accommodation of the well house and the required 50-foot minimum easement for the new well.
  
- Noise: Impacts to sensitive receptors in the general vicinity of project construction will be reduced by restricting work hours to reasonable times identified in the construction specifications.

The following permits may be required for this project:

- Section 404 CWA Nationwide Permit #12 from U.S. Army Corps of Engineers (if necessary, see above)
- Any other local, state, or federal permit required for activities taking place during project construction.

**Beneficial Impacts:** Overall, the completion of the proposed project will have long-term positive effects to public health and water conservation by rectifying deficiencies in the drinking water system.

**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 May 2015 *City of Lava Hot Springs Water Facilities Planning Study*, the May 2016 *Environmental Information Document for City of Lava Hot Springs Water System Improvements*.

**AVAILABILITY OF COPIES:**

Copies of the full FONSI, the *City of Lava Hot Springs Water Facilities Planning Study* (dated May 2015), the *Environmental Information Document for City of Lava Hot Springs Water System Improvements* (dated May 2016), and supporting documentation upon which it is based are available for public review on DEQ's website at [www.deq.idaho.gov/public-comment-opportunities](http://www.deq.idaho.gov/public-comment-opportunities) or at the following locations:

Idaho Department of Environmental Quality  
Water Quality Division  
1410 North Hilton  
Boise, Idaho 83706  
Grant/loan SERP contact: Aimee Hill – (208) 373-0556

Idaho Department of Environmental Quality  
Pocatello Regional Office  
444 Hospital Way #300  
Pocatello, Idaho 83201  
Regional Office contact: Andrew Fellows – (208) 239-5016

City of Lava Hot Springs  
115 Elm Street  
Lava Hot Springs, Idaho 83246  
Contact: Mayor T. Paul Davids, III – (208) 776-5820

The public will be informed about the proposed project and their opportunity for comment through the *Idaho State Journal* one time in the May 25, 2016 publication.

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

Aimee Hill  
Idaho Department of Environmental Quality  
Water Quality Division, Grant and Loan Program  
1410 North Hilton  
Boise, Idaho 83706

All comments must be postmarked or delivered on or before June 24, 2016. After an evaluation of public comment, DEQ will make a final decision. No administrative action will be taken on the project for at least 30 calendar days after publication of the draft FONSI notice.

 5/19/2016

---

Barry N. Burnell  
Water Quality Division Administrator

