STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

February 29, 2012

Honorable Don Heiken
City of Dietrich
35 West First Street
Dietrich, Idaho 83324

RE: Environmental Determination for the City of Dietrich Drinking Water Improvements (DWG 108-2011-2)

Dear Mayor Heiken:

The Department of Environmental Quality (DEQ) has completed a review of the Environmental Information Document for the City of Dietrich drinking water improvements. The potential impacts on a number of environmentally sensitive resources were evaluated in the environmental review. The city's project engineer and DEQ 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 *Times-News*, newspaper of record for the City of Dietrich. DEQ has requested the *Times-News* publish the legal notice one (1) time, on one (1) day, on Monday, March 5, 2012. 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 to proceed with the State Revolving Fund loan.

Brian Reed at the DEQ Twin Falls Regional Office is your local DEQ contact on the referenced project. He can be reached at (208) 736-4529 or by mail at Brian.Reed@deq.idaho.gov. Please keep him informed of progress on the project.

Sincerely,

Barry N. Burnell

Barry N. Burnell
Water Quality Division Administrator

BNB:MLM:dls

Enclosures
c: MaryAnna Peavey, DEQ State Office
Brian Reed, P.E., Twin Falls Regional Office Engineering Manager
Justin Walker, P.E., Keller Associates, (jwalker@Kellerassociates.com)
Carolyn Boyer Smith, Shoshone-Bannock Tribes (P.O. Box 306, Fort Hall 83203)

Printed on Recycled Paper

FINDING OF NO SIGNIFICANT IMPACT

**Date:** February 29, 2012

**To:** All Interested Government Agencies, Public Groups, and Individuals

**Subject:** Environmental Determination for the City of Dietrich Drinking Water Improvements

In accordance with the 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) has been issued by the Department of Environmental Quality (DEQ) on the project described below:

| | |
|---|---|
| Project: | City of Dietrich Drinking Water Improvements |
| Location: | Dietrich, Lincoln County, Idaho |
| DEQ Grant Number or DEQ Loan Number: | DWG-108-2011-2 |
| DEQ Grant Amount: | $17,000.00 |
| DEQ Loan Amount: | $1,359,000.00 |

**PURPOSE/SUMMARY OF IMPACTS:**

**Purpose of Project:** The purpose of the proposed project is to provide a redundant water supply, upgrade the distribution and storage facilities to improve reliability, increase fire flow and meet the requirements of the Idaho Rules for Public Drinking Water systems.

**Description of the Project**: The proposed project involves construction of a new well and improvements to the drinking water distribution system, storage tanks, and existing well. Specific components include:

- installing a new pump, standby power and eyewash station at the existing well;
- drilling a new well with standby power;
- installing or upgrading approximately 4,800 linear feet of water mains; and
- as additional funding becomes available, constructing a new 350,000-gallon water tank to supplement existing storage and installing or upgrading approximately 6,700 additional linear feet of water main.

**Direct and Indirect Impacts:** An Environmental Information Document (EID) was prepared by Keller Associates (Keller). Keller consulted with appropriate state and federal agencies regarding environmentally relevant resources. Based on the consultation with agency experts, Keller and DEQ evaluated the potential short- and long-term impacts and the direct, indirect and cumulative impacts of the proposed drinking water system improvements. The evaluation emphasized site-specific components of the environment that are most likely to be affected by the construction and operation of the proposed project. The results indicate there will be environmental effects from the proposed project as described below.

Short-term impacts may occur during project construction that includes temporary disruption of the water distribution system, increased noise, increased dust pollution, increased potential for stormwater runoff, and disturbance of jurisdictional wetlands. No long-term adverse effects were identified. The city and the project contractor are 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 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.

- Cultural Resources: The Shoshone-Bannock Tribe has expressed an interest in having a Cultural Resources Monitor observe excavation in previously undisturbed ground. At least 30 days prior to preparation of a bid package, the city or its engineer shall contact Carolyn Boyer Smith at csmith@sbtribes.com or (208) 478-3707 to work out the details in writing. In addition, if archeological artifacts or human remains are discovered during construction, ground disturbing activities shall cease and the State Historical Preservation Officer, the Shoshone-Bannock Tribe and the Shoshone-Paiute Tribe shall be notified. They may be reached by telephone at (208) 334-3847, (208) 759-3100 and (208) 478-3707, respectively.

- 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.

- Solid Waste: Construction waste shall be disposed of in accordance with IDAPA 58.01.06, Solid Waste Management Rules.

- Noise: Noise impacts from the project construction will be reduced by restricting work hours to reasonable times identified in the construction specifications.

- Utilities: Design and construction of 3-phase power to the new well site must conform to the requirements of the Migratory Bird Treaty Act (MBTA).

- New water pipes on public lands shall be located in previously disturbed areas when possible, and the ground shall be restored as closely to pre-existing conditions as possible. Either a new right of way agreement between the City and the Bureau of Land Management (BLM) or an amendment to the existing agreement BLM right of way will be required before construction of the new water storage tank or its associated pipelines.

- Any other appropriate BMPs, wherever possible, to avoid or minimize impacts from other construction activities.

- Any other local, state or federal permit required for activities taking place during project construction.

The following permits will be required for this project:

- A Clean Water Act Section 404 Permit and permission from the Corps to operate under Nationwide Permit #12, Utility Line Activities.
- A Stream Alteration Permit from the Idaho Department of Water Resources.

**Beneficial Impacts:** Overall, the completion of the proposed project will improve the quantity and reliability of drinking water available to the residents of Dietrich.

**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 February 2012 *City of Dietrich, Idaho Water System Priority Improvements Environmental Information Document* and supporting documentation.

**AVAILABILITY OF COPIES:**

Copies of the notice of a FONSI, the February 2012 *City of Dietrich, Idaho Water System Priority Improvements 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> 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, Twin Falls Regional Office
1363 Fillmore Street
Twin Falls, Idaho 83301
Regional Office Contact: Brian Reed – (208) 736-4259

City of Dietrich
35 West First Street
Dietrich, Idaho 83324
Contact: Mayor Don Heiken – (208) 544-2444

The public will be informed about the proposed project and their opportunity for comment through the *Times-News*, one time in the March 5, 2012 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 > 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 April 5, 2012. 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

LEGAL NOTICE OF FINDING OF NO SIGNIFICANT IMPACT

**Date:** February 29, 2012

**To:** All Interested Government Agencies, Public Groups, and Individuals

**Subject:** Environmental Determination for the City of Dietrich Drinking Water Improvements

In accordance with the 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 Department of Environmental Quality (DEQ) for the following project:

City of Dietrich Drinking Water Improvements
Lincoln County
Dietrich, 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 may occur during project construction that includes temporary disruption of the water distribution system, increased noise, increased dust pollution, increased potential for stormwater runoff, and disturbance of jurisdictional wetlands. No long-term adverse effects were identified. The project contractor or other identified responsible party 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 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.

- Cultural Resources: The Shoshone-Bannock Tribe has expressed an interest in having a Cultural Resources Monitor observe excavation in previously undisturbed ground. At least 30 days prior to preparation of a bid package, the city or its engineer shall contact Carolyn Boyer Smith at csmith@sbtribes.com or (208) 478-3707 to work out the details in writing. In addition, if archeological artifacts or human remains are discovered during construction, ground disturbing activities shall cease and the State Historical Preservation Officer, the Shoshone-Bannock Tribe and the Shoshone-Paiute Tribe shall be notified. They may be reached by telephone at (208) 334-3847, (208) 759-3100 and (208) 478-3707, respectively.

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- Any other appropriate BMPs, wherever possible, to avoid or minimize impacts from other construction activities.

- Any other local, state or federal permit required for activities taking place during project construction.

The following permits will be required for this project:

- A Clean Water Act Section 404 Permit and permission from the Corps to operate under Nationwide Permit #12, Utility Line Activities.
- A Stream Alteration Permit from the Idaho Department of Water Resources.

**Beneficial Impacts:** Overall, the completion of the proposed project will improve the quantity and reliability of drinking water available to the residents of Dietrich.

**Description of the Project:** The proposed project involves improvements to the drinking water distribution system, storage tanks and existing well. Specific components include:

- installing a new pump, standby power and eyewash station at the existing well;
- drilling a new well with standby power;
- installing or upgrading approximately 4,800 linear feet of water mains; and
- as additional funding becomes available, constructing a new 350,000-gallon water tank to supplement existing storage and installing or upgrading approximately 6,700 additional linear feet of water main.

**Copies Available:** Copies of the *full* FONSI, the February 2012 *City of Dietrich, Idaho Water System Priority Improvements 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> or at the following locations:

Department of Environmental Quality, State Office
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1363 Fillmore Street
Twin Falls, Idaho 83301
Regional Office Contact: Brian Reed (208) 736-4259

City of Dietrich
35 West First Street
Dietrich, Idaho 83324
Contact: Mayor Don Heiken (208) 544-2444

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

> Mike May, Department of Environmental Quality, Water Quality Division, Loan Program, 1410 N. Hilton Street, Boise, Idaho 83706.

Such comments must be postmarked or delivered on or before April 5, 2012. 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 thirty (30) calendar days from the date of publication.

Barry N. Burnell
Water Quality Division Administrator

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, ID 83706-1255 • (208) 373-0502

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

February 29, 2012

Ruby Aufderheide
Times-News
legals@magicvalley.com

RE: Legal Notice Publication: Notification of a Finding of No Significant Impact for the City of Dietrich Drinking Water System Improvements

Dear Ms. Aufderheide:

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 Monday, March 5, 2012.

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.

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