CITY OF TETONIA, IDAHO

2011 Drinking Water Facility Planning Study:

Environmental Information Document

Williams Engineering, Inc.
343 E 4th N, Suite 117
Rexburg, Idaho 83440-6003
208-359-5353

March 2013

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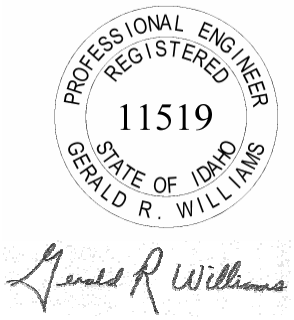
CD of Files (with WEI-furnished hard copied of the report)



March 15, 2012

Executive Summary

The City of Tetonia's water system does not meet DEQ and fire code regulations. System deficiencies include having only one water source rather than the required minimum of two, having only a small tank that in conjunction with the well cannot meet maximum daily flows with fire flow. Furthermore, the system cannot deliver fire flows to all existing hydrants, let alone to all existing dwellings in the service area that do not even have hydrants. Moreover, there are several lines that are too shallow, thus running and wasting water in the winter time is required to avoid freezing.

The purpose of the Water Facility Plan study is to evaluate a cost effective and environmentally acceptable approach to meeting agency requirements. Including the null, 13 alternatives were evaluated resulting in 11 conforming solutions. The recommended Alternative #2 has a capital cost only $32,000 or 2.1% over the lowest cost conforming alternative. Alternative #2 also has the lowest annual O&M cost that is $11,000 or 17.2% less than the next lowest cost conforming alternative, and the lowest present worth cost over a 45 year period that is $285,879 or 9.7% less than the next lowest cost conforming alternative. The recommended alternative adds only one well to the system, meeting DEQ redundant source requirements, and with only one additional well it minimizes the number of penetrations and locations where groundwater contamination can occur. The recommended alternative adds one tank to efficiently provide water for fire flows and to meet diurnal patterns of water use, filling during the night and being drawn down during the day, allowing existing used water right draw rates to be adequate for the system. The proposed system addresses all engineering requirements and, it is believed, is an environmentally acceptable approach as well.

But there is a huge challenge, one which reminds of the Aesop fable of belling the cat. It seems the mice were gathered to discuss how they might protect themselves from the devastation inflicted by the cat. Many ideas were put forth, but none were considered effective. Finally a young mouse suggested putting a bell on the cat's neck so that when it was approaching, they would hear in time to scamper for safety. The throng of mice all cheered, recognizing that this truly would solve their problem. But, asked the sage, who will bell the cat?

The solution presented in this and in the *Engineering Report*, like the bell around the cat's neck, will work well in meeting technical requirements and provide a good system for the community, but how will it be paid for? A solution is really not a solution unless it can be implemented. Unlike belling the cat, there can be a funding mechanism for implementing the recommended improvements, but it will not be simple, it will be challenging for citizens, and it will no doubt involve a creative financing package involving federal dollars.

Preliminary discussions were held with DEQ, USDA-RD, and ECIPDA (The Development Company). An ECIPDA representative met with City Council to discuss options. Preliminarily considerations are presented in the *Engineering Report* pages 18-21 and 23-24. Median household income (MHI) will likely preclude grant money. Low interest loans through DEQ appear to be the most attractive, but still there must be the ability to pay off debt burden. The best scenario Tetonia can probably hope for is a 0% interest loan with some debt forgiveness. Monthly residential service fees, using 0% loan interest, would be $77 if there was no loan forgiveness, down to $53.47 if there was loan forgiveness to the maximum limit where residential fees still meet or exceed 1.5% of MHI.

INTRODUCTION

WATER SYSTEM DEFICIENCIES

The City of Tetonia is a small community in Teton County in Southeastern Idaho. A vicinity Map is provided on Figure 1, and a local aerial map on Figure 2A.

As is typical with most small community water systems, the City of Tetonia's water system is functional and serves the community fairly well despite deficiencies because of limited available funds. One significant deficiency is that the system does not meet current requirements for having at least two water supply sources. The system also does not have adequate pumping and water storage to meet current fire code. Under present conditions, there would need to be 382,000 gallons of water storage available, but instead there is only 100,000 gallons. Also, distribution lines cannot convey required fire flow to all existing hydrants, let alone to all areas where fire hydrants should be located as per fire code spacing. Furthermore, some hydrants are on 4 inch lines. Moreover, some lines are very shallow and subject to freezing. Exhibit 1A shows the proposed project planning area and improvements.

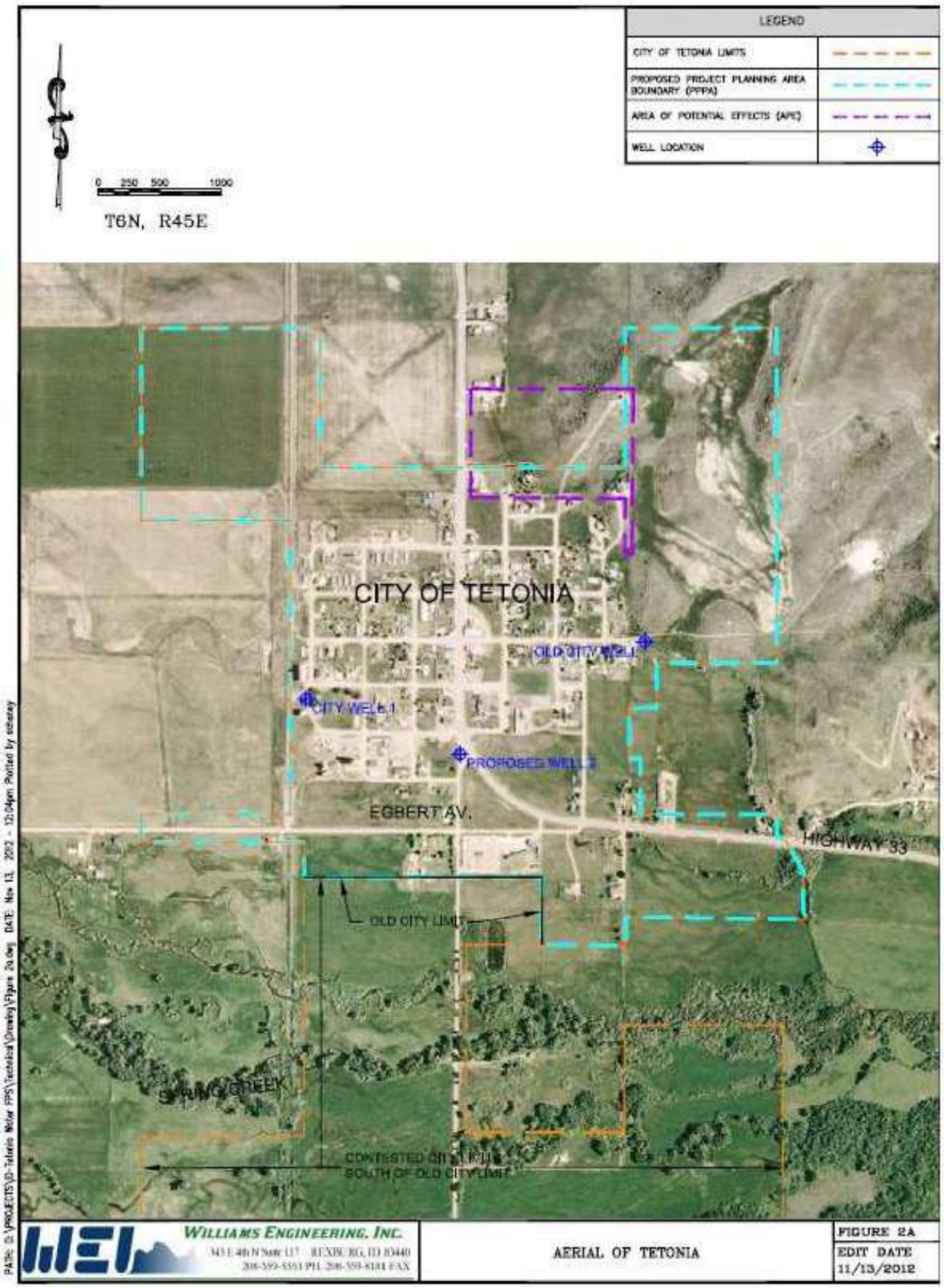
Thus far the City has been able to get by with the existing system, but there have been times when the situation was precarious. The City now has a standby well pump and motor in City shops, but even so, the current average daily water usage (and it would be higher during the summer) is 120,000 gallons per day (GPD), meaning that if the well was down, the existing tank has less than an average day of water use without rationing. That is not a desirable situation.

REPORT FORMAT OF THIS FACILITY PLANNING STUDY

The complete City of Tetonia Drinking Water Facility Planning Study consists of the Schiess & Associates limited ***2008 Drinking Water Facility Planning Study***, this ***2011 Drinking Water Facility Planning Study: Environmental Information Document*** and the ***2011 Drinking Water Facility Planning Study: Amended Engineering Report.*** None of these documents stand alone, nor do they supersede each other. The intent is that together, the S&A Study and the WEI study and reports make a complete DEQ required Facility Planning Study. **Both of the other reports are provided in PDF format on a CD inside the back cover of WEI furnished hard copies of this report.**

For convenience in verifying completeness of the contents, the balance of this report will follow the checklist format of the DEQ Form 5-B Environmental Information Document.

Warm River
Ashton
Marysville
20
Squirrel
Drummond
St Anthony
Twin Groves
20
Willford
Teton
Newdale
Sugar City
Clementsville
Felt
Tetonia
PROJECT
LOCATION
Driggs
Two Forks
26
WILLIAMS ENGINEERING, INC.
217 NORTH 2nd EAST REXBURG, ID 83440
208-359-5353 PH. 208-359-8181 FAX
VICINITY MAP
FIGURE 1
EDIT DATE
06/10/2011


LEGEND
CITY OF TETONIA LIMITS
PROPOSED PROJECT PLANNING AREA BOUNDARY (PPPA)
AREA OF POTENTIAL EFFECTS (APE)
WELL LOCATION
0 250 500 1000
T6N, R45E
CITY OF TETONIA
OLD CITY WELL
CITY WELL 1
PROPOSED WELL 3
EGBERT AV.
HIGHWAY 33
OLD CITY LIMIT
SPRING CREEK
CONTESTED CITY LIMITS
SOUTH OF OLD CITY LIMIT
WILLIAMS ENGINEERING, INC.
343 E 4th N Suite 117 REXBURG, ID 83440
208-359-5553 PH. 208-359-6181 FAX
AERIAL OF TETONIA
FIGURE 2A
EDIT DATE
11/13/2012

Applicant/Borrower **City of Tetonia**

National Environmental Policy Act (NEPA) Reviewer _____

Date _____

A. COVER SHEET

A.1 Applicant Name and Project The applicant is the City of Tetonia, PO Box 57, Tetonia, ID 83452. The current mayor is Gloria Hooper, and the current clerk is Samantha Robles. The City phone number is 208.456.2249 and City email is tetoniagov@silverstar.com. The project consists of adding, for redundancy and fire flow capability, a 400 gpm well to the sole existing 400 gpm well in the system, adding next to the existing 100,000 gallon storage tank a supplementary 222,000 gallon tank to have adequate fire flow duration, and enlarging and extending various waterlines and hydrants to be able to convey fire flows.

A.2 Project Consulting Engineer Contact Person is Gerald R. Williams, P.E., 343 E 4th N, Suite 117, Rexburg, Idaho 83440-6003. His email address is GWilliams@grwei.com.

A.3 Project Cost and Funding Estimated project costs are as follows:

- Transmission and distribution system $1,690,000
- Treatment $0
- Storage $269,000
- Source (new well facilities and backup power for the existing well) $282,000
- **Total** **$2,241,000**

Funding is anticipated to be by low interest loan from DEQ for the total amount.

Project funding is still a mystery. The *2011 Drinking Water Facility Planning Study: Amended Engineering Report* (*Engineering Report*) discusses this issue in Section III.L on pages 18 through 21, and again in Section IV.C pages 23 and 24, and information is also provided in Table 8 of the *Engineering Report*. Summarizing, the median household income (MHI) is high enough that grant monies will not likely be available, and even using low interest loan money through DEQ at 2.25% will not make it work. The most apparent means of achieving financial feasibility is to have even lower interest rates and possibly some loan "forgiveness." For special considerations to be an option, the monthly fee rates must meet or exceed the DEQ threshold of 1.5% of MHI (see IDAPA 58.01.20.021.01). The most recent 5 year MHI for Tetonia is $42,778, for which 1.5% would be $53.47 per month. Most residences have a ¾" service fee currently at a cost of $25 per month. Thus, if the monthly fee rose $28.47 to $53.47 per month, then possibly down to a 0% interest loan might be available and the project funding feasible. Table 8 shows total required monthly service fees for operation and maintenance (O&M), refurbishment/rehabilitation and replacement (R&R), and debt service costs with both a 2.25% and 0% loan, which is $89 and $77 per month, respectively. Table 8 also shows that with a 0% interest loan, the monthly fee would still meet the 1.5% threshold of $53.47 per residence per month if there was up to $1,593,252 in loan forgiveness. That

amount is unlikely, but it does provide a hoped for monthly service fee range, if 0% interest is granted, of $53.47 on the low end to a high of $77 without any loan forgiveness. For convenience, Table 8 of the *Engineering Report* is copied below.

Table 8 - Loans and Service Rates		
Monthly User Rates to Cover O&M and R&R[1]		
Description		**Cost**
Equivalent dwelling units (EDUs) currently being serviced:[2]		190
Amount of proposed total annual sinking fund for Alt. 2A per Table 5:[3]		$52,937
O&M and R&R annual expenses funded this past year:[4]		$11,000
Add'l funds needed to cover O&M and R&R annual expenses:		$41,937
Add'l EDU monthly service fee needed to cover O&M and R&R costs:[5]		$19
Current monthly service fee for other coverages:[6]		$25
Total Monthly EDU Rate to Cover All "Non-Debt Service" Costs		$44
Monthly User Rates to Cover Debt Service		
Description	**2.25% Loan[7]**	**0% Loan[8]**
Total loan amount:[9]	$2,241,000	$2,241,000
Total City monthly debt service amount:[10]	$8,628	$6,225
Monthly debt service fee spread over EDUs currently being serviced:	$46	$33
Total Monthly EDU Rate to Cover All Costs		
Current and add'l O&M & R&R, and debt service costs per EDU:[8]	**$90**	**$77**
Amt of loan forgiveness with 0% interest to have service fee not exceed 1.5% MHI:[8]		**$1,593,252**
Footnotes		
1) O&M is operation and maintenance, and R&R is refurbishment or rehabilitation and replacement.		
2) Each residential service counts as 1 EDU.		
3) For a 45 year LCCA analysis period. Covers tank and well O&M and R&R and not other items.		
4) Based on City 2011 budget for tank and well O&M ($5000 operator, $1500 repairs, and $4500 power)		
5) Add'l EDU monthly service fee needed to cover O&M and R&R costs divided by the number of EDUs serviced.		
6) This covers everything else required in the system that is currently being covered that is NOT associated with tank and well O&M and R&R.		
7) The median household income (MHI) for the Planning Area is $42,778, which is assumed to be above the threshold for grant money assistance, which was $36,997 two years ago. Thus, grant monies are not likely available, and the lowest typical loan rates are through DEQ at 2.25% over 20 or 30 years.		
8) If the required monthly service fee is more than 1.5% of the service area MHI, or more than $53.47 per EDU, then the DEQ rate of 2.25% might be able to be reduced. Maximum reduction is to 0% interest, at which point there possibly could even be some loan "forgiveness" as well.		
9) Capital cost of Alternative 2A, all three phases, from Table 6.		
10) Based on a 100% loan over 30 years.		

A.4 Format of EID The EID is this document under separate cover from the *Engineering Report*, but it is not a stand alone document in the full sense, because it supplements and references the other document so as not to duplicate or be redundant.

A.5 Estimated User Costs This information is provided in Table 8 above, but information per the Form 5-B checklist are repeated here.

Description	Loan Interest Rate (30 yr) and Loan Forgiveness (LF)		
	2.25% w/o LF	0% w/o LF	0% w/ $1,593,252 LF
Current average monthly user charge per EDU	$25.00	$25.00	$25.00
Change in O&M and R&R monthly charge per EDU	$19.00	$19.00	$19.00
Change in debt service monthly charge per EDU	$45.00	$33.00	$9.47
Future average monthly user charge per EDU	$89.00	$77.00	$53.47

A.6 Abstract of EID See the Executive Summary at the beginning of this report.

B. PURPOSE AND NEED FOR THE PROPOSED PROJECT

System deficiencies are noted in the first three paragraphs of this document. With respect to public health and water quality problems, the biggest issue is the current potential for loss of pressure and backflow into the system. The following was noted in the Letter of Interest furnished to DEQ.

> With only one well, no backup power supply, and a limited capacity storage tank, it is not a matter of if but when the system will be out of water and pressure. With the substantial leakage points in the system, water pressure loss may reverse the process from leaking or exfiltrating to inflow or infiltrating into the water lines, which is of water quality concern, especially considering that the potential number of backflow places into leak points likely exceeds the potential backflow locations through water services and irrigation facility connections. In conjunction with the leak tests, having recommendations for proposed replacements and improvements not only for capacity but also water quality protection is desired by the City.

C. ALTERNATIVES INCLUDING THE PROPOSED ACTION

C.1 Alternative Descriptions Twelve alternatives were evaluated that result in system conformance to DEQ and fire code regulations. For engineering purposes there were also four options that applied to all but one alternative, but options and scenarios are not pertinent to the EID. If one want to know more about them, reference is made to the *Engineering Report* Section III C through E, pages 10-13, Section IV B, pages 22-23, and Tables 1, 2, and 9 at the back of the *Engineering Report* narrative. Added to the 12 alternatives were the "no action" or null alternative.

From the *Engineering Report* is the following: "the City has only one well with 400 gpm capacity and only one tank with 100,000 gallons capacity, which is not sufficient to meet DEQ and fire code requirements. There are two extreme approaches to obtaining conformance: add no wells and increase storage capacity to meet requirements; and add no storage and add wells to meet requirements. These two extremes and conforming combinations evaluated in between are referred to herein as alternatives. Alternative 1 adds no wells but adds a large tank. Alternative 2 adds one well and a smaller tank. Alternatives 3 through 7 add two wells of varying capacity and thus different associated required tank sizes. Alternatives 8 through 10 add three wells, with various tank sizes for Alternatives 8 and 9, and a tank is not required with Alternative 10. Alternatives 11 and 12 add four wells, Alternative 11 with a small tank and Alternative 12 with no tank.

Alternatives are described more fully in the *Engineering Report* Section D pages 11 and 12 and shown in Tables 1 and 2 therein.

Sometimes there are optional ways to address a deficiency, which situations lend themselves to alternatives as noted above for tanks and wells to address flow rate and capacity, redundancy, and fire flow issues. However, there are other deficiencies that are needed for which there are not much in the way of options. For example, if there is no waterline or it is too small for fire flows and code, an adequate line size is simply required. This is the case with all the distribution system improvements proposed as listed in Table 6 of the *Engineering Report,* and thus they will not be considered in alternative analysis—they are common to all alternatives.

C.2 Low Cost Alternative The capital, O&M, and present worth costs are provided for all 46 improvement scenarios, which is summarized in Table 9 of the *Engineering Report*. The selected Scenario 2A is NOT the lowest present worth cost alternative, but it is the lowest cost scenario that is not shortsighted. Scenario 1A and 1C have lower present worth costs, but they do not involve a second well or redundant source. Because all City drinking water sources (the single well) were constructed before July 1, 1985, per IDAPA 58.01.08.513 the system is acceptable with the single source unless and until, after July 2002, the system is substantially modified. Once substantially modified, a second water source per 501.17 is required. Preliminary indication from DEQ is that adding a tank and other facilities to meet fire code and other DEQ requirements would be considered a substantial modification, which means that Scenarios 1A and 1C would not be allowed by DEQ. Thus, Scenario 2A, which was selected by the City, is the lowest allowed long term cost scenario other than the do nothing or null scenario.

C.3 Environmental Impacts of Alternatives For a detailed discussion of why the various alternatives were considered to meet engineering requirements, or why for engineering purposes Alternative 2 was selected, reference is made to the *Engineering Report*: Sections III and IV; Tables 1 through 9 (4, 5, and 8 pertain only to Alternative 2); and Exhibit 1 therein.

The four options are neutral environmentally, and Option A is clearly the best option for the City given all considerations and what is in their control, so we will assume Option A is used and look further only at the alternatives. With respect to the number of wells, the fewer wells the better, as each penetration to the groundwater aquifer provides another potential source of contamination. Alternative 1 has no new wells, but as noted in C.2 above, that is not really an allowed or at least good management alternative. Thus, if new wells are considered, Alternative 2 is the best environmentally because it is the only one involving just one new well. With respect to water storage, a tank is required for all alternatives except Alternatives 10 and 12. But these alternatives add either 4 wells or 3 if flow capacities greater than anticipated are available in each new well. Adding an additional tank at the same tank site results in aesthetic issues, but should not excessively impact the environment, and certainly not as much as two or three additional wells. Construction phase environmental efforts are minimal either way, and are addressed with the minimum requirements for standard NPDES construction activity permit best management practices. As can be observed from Table 9 of the *Engineering Report*, of allowed alternatives, Alternative 2 (Scenario 2A) has the second lowest ***capital*** cost (it exceeds the Alternative 12 four-well cost by 2%). It also has the lowest O&M cost of allowed alternatives and the lowest present worth cost. Consequently, while ***none*** of the

alternatives have high or even moderate environmental impact, the selected Alternative 2 is cost effective and environmentally preferred.

Table C.3 summarizes relevant engineering and cost information from the *Engineering Report*, and also adds in matrix format environmental comparisons as well. Of DEQ and fire code conforming alternatives, best conditions were rated with "green light" shading, least favorable alternatives with "red light" shading, and those in between with "yellow light" shading. With the color coding in Table C.3, at a glance one can see that whether the focus is environmental or cost, the best alternative is the same—Alternative 2.

C.3 Alternative Comparisons								
Alternative #	Null	1	2	3 through 7	8 & 9	10	11	12
Added Wells	0	0	1	2	3	3	4	4
Added Tanks	0	1 Large	1 Large	1 Medium	1 Medium	0	1 Small	0
Conformance Issues								
Meets DEQ and Fire Code?	No	No	Yes	Yes	Yes	Yes	Yes	Yes
Environmental Issues								
D.6.a Physical Aspects (topo, geology, and soils)	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact
D.6.b Climate	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact
D.6.c Population	No impact	No moratorium	No moratorium	No moratorium	No moratorium	No moratorium	No moratorium	No moratorium
D.6.d Economics & Social Profile	Moratorium	No moratorium	No moratorium	No moratorium	No moratorium	No moratorium	No moratorium	No moratorium
D.6.e Land Use	Moratorium	No moratorium	No moratorium	No moratorium	No moratorium	No moratorium	No moratorium	No moratorium
D.6.f Floodplain Development	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact
D.6.g Wetlands	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact
D.6.h Wild & Scenic Rivers	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact
D.6. I Cultural Resources	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact
D.6. j Flora and Fauna	No impact	Minimal--tank site	Minimal--tank and 1 well	Medium--tank and 2 wells	High--tank and 3 wells	Medium--3 wells	Highest--tank and 4 wells	High--4 wells
D.6.k Recreation & Open Space	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact
D.6.l Agricultural Lands	No impact	No impact	No impact	No impact	Small well site	Small well site	Large well site	Large well site
D.6.m Air Quality	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact
D.6.n Energy	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact
D.6.o Regionalization	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact
D.6.p Water Quality	No impact	Lowest groundwater contamination risk, visual	Lower groundwater contamination risk, visual	Medium groundwater contamination risk, visual	Higher groundwater contamination risk, visual	Higher groundwater contamination risk, visual	Highest groundwater contamination risk, visual	Highest groundwater contamination risk, visual
Cost Issues (Option A)								
C.3.a System Capital Cost: Min.	0	$2,024,000	$2,191,000	$2,251,000	$2,299,000	$2,204,000	$2,294,000	$2,159,000
C.3.a System Capital Cost: Max				$2,341,000	$2,309,000			
C.3.b Enviro Impact Cost	0	Construction BMPs - minimal	Construction BMPs - minimal	Construction BMPs - minimal	Construction BMPs - minimal	Construction BMPs - minimal	Construction BMPs - minimal	Construction BMPs - minimal
C.2.c O&M Cost: Min.	0	$41,886	$52,937	$63,839	$74,828	$77,258	$85,993	$87,862
C.2.c O&M Cost: Max.				$66,657	$77,261			
C.2.d Present Worth of Cost: Min.	0	$2,271,869	$2,667,857	$2,953,736	$3,229,439	$3,184,793	$3,455,768	$3,359,512
C.2.d Present Worth of Cost: Max.				$3,102,139	$3,289,853			
Overall Rating			**Best**	**Intermediate**	**Worst**	**Worst**	**Worst**	**Worst**

C.4 Selected Alternative Detailed Alternative 2 involves a proposed second well and second tank, with a backup power generator for both the existing and proposed well. Each well site would have space for treatment if and when needed, but currently there is no need for treatment. The new well site would be in a small City park created on recovered road right-of-way, and the second tank would be adjacent to the existing tank. All proposed waterlines and appurtenances would be in existing rights-of-way along streets except the redundant supply line proposed northeast of town shown on Exhibit 1A. Also, a number of water distribution lines and facilities that are needed regardless of the water source and supply alternative. All proposed facilities, both from the selected alternative and other facilities, are summarized in table C.4 below.

Table C.4 Selected Alternative and Balance of Project Proposed Facilities		
Description	**Unit**	**Quantity**
Alternative 2 Facilities		
400 gpm well (includes generator)	EA	1
2nd tank (222,000 gallon)	EA	1
Non-Alternative Project Facilities		
Generator for Well 1	EA	1
Pipeline in R-O-W	LF	10940
Pipeline outside of R-O-W (Undisturbed soil alignment)	LF	1200
Pipeline protected from freeze	LF	3000
Valves	EA	48
Fire hydrants	EA	25
Meter pits (freeze protected) and meters (radio read)	EA	146

C.5 Is the Recommended Scenario the Most Cost-Effective One? As per C.3 above, yes.

D. AFFECTED ENVIRONMENT

D.1&2 Project Planning Area Map Exhibit 1A shows the project planning area, City lots (typically a home site occupies several lots), streets and names, contours, and the entire water system. The City has no high density areas as can be seen on the previously presented Figure 2A, and no high rise buildings. The population distribution is fairly uniform. Figures 3 and 4 show the Comprehensive Plan and Zoning Map.

The City does not have a legally accepted impact area, so the City limit is the extent of its legal influence. The exhibit also shows the Project Planning Area southern boundary inside of the City limits shown because the change in City limits that added the area to the south is in litigation. It was determined appropriate to limit the Planning Area to a boundary that was not contested and which is likely a long term development limit.

Comprehensive Plan Land Use Map

FIGURE 3

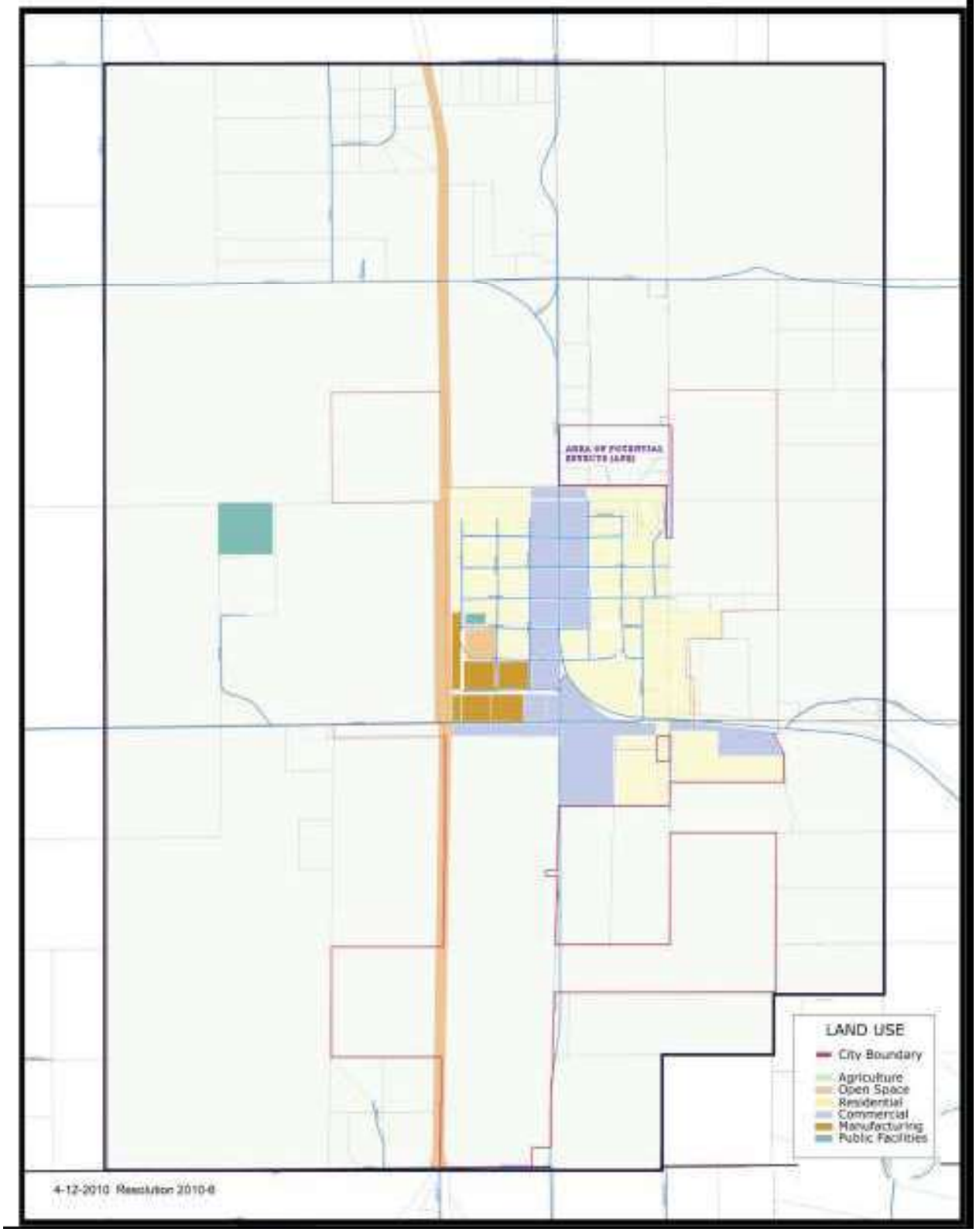
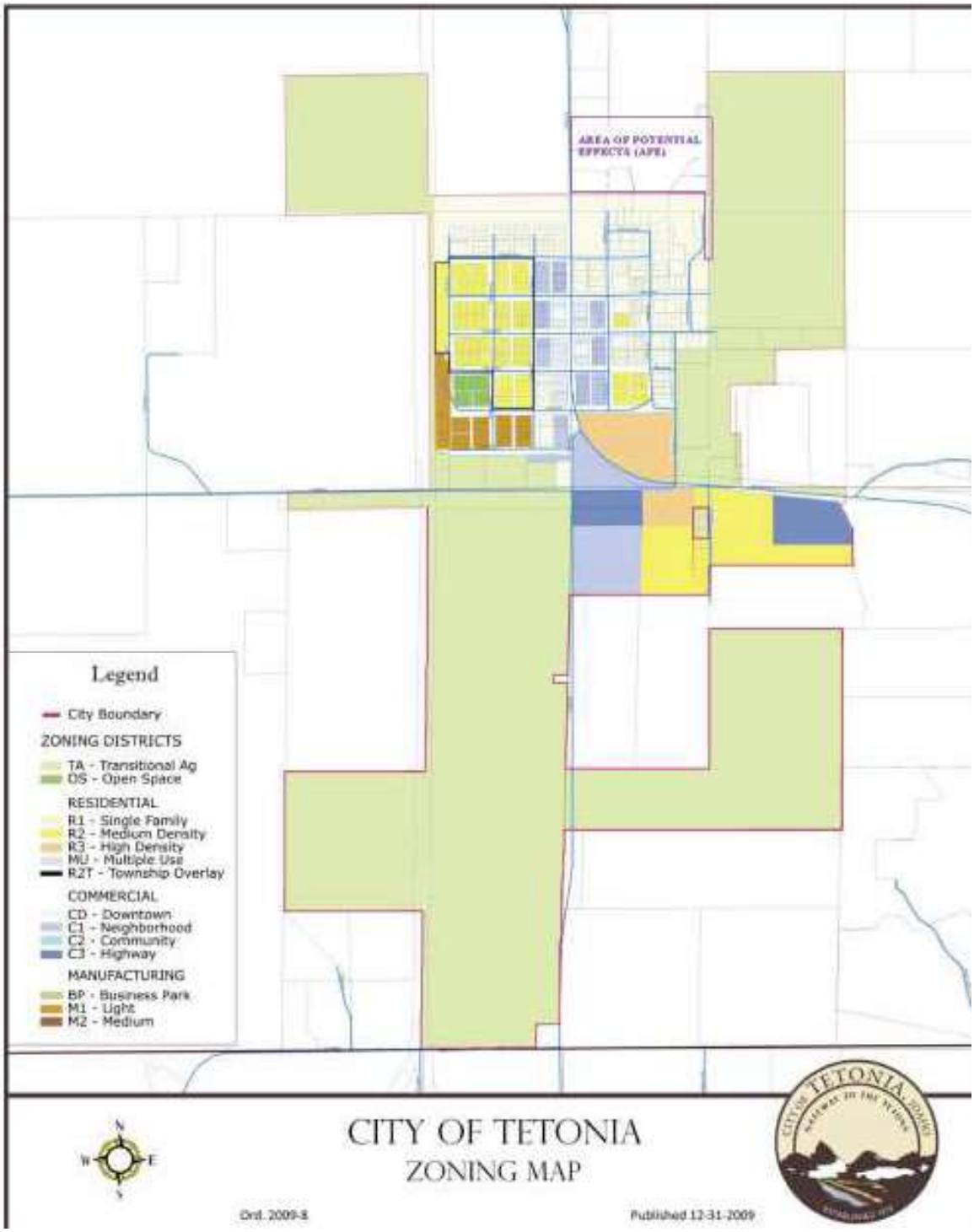


FIGURE 4


AREA OF POTENTIAL EFFECTS (APE)
Legend
City Boundary
ZONING DISTRICTS
TA - Transitional Ag
OS - Open Space
RESIDENTIAL
R1 - Single Family
R2 - Medium Density
R3 - High Density
MU - Multiple Use
R2T - Township Overlay
COMMERCIAL
CD - Downtown
C1 - Neighborhood
C2 - Community
C3 - Highway
MANUFACTURING
BP - Business Park
M1 - Light
M2 - Medium
N
W
E
S
CITY OF TETONIA
ZONING MAP
Ord. 2009-8
Published 12-31-2009
TETONIA

D.3 Area of Potential Effects (APE) The proposed project has little potential for effects outside of the project planning area. The proposed additional well will not come with additional water rights, but only the potential for a different point of diversion not far away and in the same aquifer. Thus, there should be no impact to the overall Teton River and Upper Snake River aquifers. The proposed well would add another location for potential groundwater contamination, but the new well would be constructed according to DEQ requirements having surface water protection and appropriate seals and backflow protection. Consequently, it should not be of paramount concern. The additional tank will have 50,000 gallons storage capacity for additional population as is required by DEQ in 20 year facility planning, but the extra foot of tank height and extra seven foot of tank diameter is not significant. There may be those concerned with minimizing all growth that could consider the new system, or at least the extra 50,000 gallons, as an undesirable and adverse impact, but again, having capacity for the 20 year projection is a DEQ requirement and only represents good asset management by the City.

Approximately 1200 feet of secondary waterline line from the City to the tanks and a storage tank would be constructed outside of existing rights-of-way. Most of the proposed facilities will be constructed in street rights-of-way throughout town. Without mitigation, runoff during construction periods could be laden with sediment and adversely affect downhill areas. The area of potential effects is shown on Figures 2A, 3, 4, and Exhibit 1A.

D.4 Major Project Features

a) **Distribution Lines** Ductile iron pipe as follows: 1800 feet of 6 inch, 6480 feet of 8 inch, and 3860 feet of 12 inch, and associated valves and fittings.
b) **Wells and Equipment** One well, 322 feet deep, 300 feet of 12 inch casing, 60 feet of temporary 16" casing, seal, 20 foot screen, 40 hp pump motor and 400 gpm vertical turbine pump, well house and appurtenances and controls, backup power generator, and site work. Also, for the existing well site, add generator.
c) **Storage Facilities, Pumping Stations, and Fire Flow Requirements** One steel storage tank having 222,000 gallons volume (48 foot diameter by 18 feet high), and 25 fire hydrants.
d) **Treatment Facilities** None.
e) **Other Facets** There will be 200 feet of 12 inch boring and casing for 6 and 8 inch lines, and 100 feet of 16 inch boring and casing for 12 inch line. There will also be approximately 3000 feet of 4 foot wide and 2 inch think insulation board for freeze protection.
f) **Regional Plan** The only water system anywhere near Tetonia is in Driggs, but that is 8 miles away. Distribution between the two would not be practical, and storage tanks are needed locally anyway to provide fire flows. Having an independent system that only needs upgrading makes sense over a regional solution. Consequently, there is no planned regional water plan.
g) **Schedule of Construction** Given funding challenges, there currently is no known construction schedule.

D.5 Flow Projections Fire flow is based on adopted fire code and building materials type and size. Reductions up to 75% can be made if fire suppression sprinklers are used. Currently, the largest required fire flow in the City is 2000 gallons per minute (gpm). Going

forward, the City will require new construction to be such that required fire flows do not exceed that amount, which is very realistic using sprinklers, and therefore the highest fire flow rate will not change. Residential and commercial flow projections are per DEQ requirements, the only variable being the population growth.

Population growth is based on the ***2008 Drinking Water Facility Planning Study*** prepared by Schiess & Associates. As explained in the *Engineering Report,* there were, in 2008, developments already at various stages in the City development approval process, that once completed and populated, would add 200 equivalent dwelling units EDUs to the system that currently has only 190. With the recession, all of those projects were withdrawn. So what is an appropriate population growth estimate going forward? Is it the zero growth experienced in Tetonia over the last several decades. Or how about the District growth rate over twenty years of 105%? Using any of these projections is meaningless, because for decades there has been no growth, but had the economy not crashed, there likely would be a change from 190 EDUs to 390 EDUs already, an increase of 205%. The fact is, with small communities, a small change can make a sizable percent difference, and if the city is within or on the outskirts of a high growth area, as exemplified by the local experience of having 200 EDUs in the development process, big changes can occur.

For purposes of evaluating the environmental effects of a project financed by the State Revolving Fund (SRF), the population growth stimulated by the project would be considered excessive if *both* of the following were true: (a) projected population growth exceeds the current 20-year statewide growth projection of (cumulatively) 35.3% (IHS Global Insight, *Idaho Population Projection 1961-2042,* October 15, 2012) by 25%, and (b) more than 500 residential units are projected to be added. For this project, projected growth from 190 equivalent dwelling units (EDU) to 390 would exceed the first criterion, but not the second. Therefore, the population growth is not excessive by the SERP criteria. WEI believes using the Schiess & Associates projected increase of 200 EDUs is justifiable, and was recommended in the *Engineering Report* and approved by the City and DEQ engineering.

More information regarding population growth and flow estimated can be found in the *Engineering Report,* such as on page 6 paragraph 1, and page 26 paragraph C.1.

D.5a **O&M Changes** What is proposed is an increase in quantity of facilities, but not in type or complexity. For example, the City operates and maintains a vertical turbine well pump, and a new one is proposed not only of the same type, but even the same model. The City has a steel water tank and another steel water tank is proposed, The City has water distribution lines and more are proposed. There are two differences. One is that there would be a backup power generator at each well site. These would be programmed to essentially function automatically, both with respect to exercise runs and automatic transfer of power supply for the well pump from and to the power grid. The second difference is the maintenance schedule outlined in the study report is per more common practice which exceeds that which typically has been performed by the City due to budget restraints. But all this has been included in funding evaluations.

D.5b **Customer Characterization and Flow Monitoring** As of September 2, 2011 there are 114 residential services, 18 commercial services, and zero industrial services, for a total

of 132 services. All are metered with two exceptions. One is to the Fire Hall, and the other is to George Rammell. The reason there is no meter to George is that when he sold the land to the City for the water tank, the agreement was that he would receive an unmetered service. Why there is no service to the Fire Hall was not disclosed. Contrary to what the DEQ 2010 Sanitary survey indicates on page 4, the Main Street Park is metered and the Rodeo Grounds is not even on the City water system. There is a known non-functioning water meter that serves Dave's Pub, and it is under the sidewalk and inaccessible after ITD last did road improvements. Rather than go through the effort to change all that, the pub simply pays a flat monthly rate. The rest of the meters accurately work per City knowledge.

D.5c **Related Problems** It is unclear what is being asked by this question, but system deficiencies and problems known to City personnel have been discussed with the engineer and were considered throughout the study. With respect to the meters, it is a challenge to keep them from freezing in the winter, they cannot be read through the winter so estimates are made and adjustments made in the spring, and the meters are nearly all very old. The City wants to have all old meters replaced with new meters that can be radio read and remotely monitored. This will allow for better resource management.

D.6 **Environmental Features Identified** Appendix A documents notification to and solicitation from agencies regarding the proposed project and provides a list of agencies and organizations specifically invited to comment and their response. Appendix B is a compilation of responses received, and this document responds to anticipated and noted environmental impacts.

a) **Physical Aspects (topography, geology, and soils)** The proposed water tank is on a hill, more or less on the top, but there is slope in the area (see photo next page). However, a foot or so down is rhyolite bedrock, which will provide a sure foundation for the tank, and slope stability and soil shrink-swell should not be a problem. A 12" waterline will be constructed from the tank going down the hill, but the line will be more or less perpendicular to the grade, the slope is not that steep, and again, while being able to excavate and get depth will be a challenge, there should be no associated stability problems. The waterlines throughout town will also not present a problem. There are also no observed or known geological features that may make development in the planning area unsuitable or hazardous, or conditions which may be adversely affected by potential development or construction of the project.

Existing tank, with area to the north (left and background) for the proposed tank (view northeast)

b) **Climate** The DEQ Form 5-B Checklist asks for unusual or special meteorological constraints that may affect the proposed project. The project consists of a tank, a well, and waterline upgrades and extension, and some existing lines and meter pits that are shallow. Cold is the only constraint that can feasibly affect the project. Protection requires heaters in well houses and power therefor, which is allowed for in cost estimates. Tanks in the region, including the existing one in Tetonia, do not need to be insulated to protect against freezing, so there are no climate constraints for tanks. The City requires new waterlines to be constructed with a minimum of six feet of bury cover so as to be below freeze level per DEQ requirements, so the only issue on the distribution system is to protect existing lines that are shallow and meter pits and meters that are not adequately freeze protected, which is also provided for in the project. For specific climate information, the most relevant data can be found at the following: http://www.wrcc.dri.edu/cgi-bin/cliMAIN.pl?idteto. General data from the Tetonia Experimental Station nearby is provided on page 19.

c) **Population** growth was discussed in D.5 above. As for having sufficient extra capacity, most of the project pertains to meeting current requirements for the existing population and fire flow. That which goes beyond that, as discussed in paragraph D.3 above, is an extra 50,000 gallons in the storage tank. That is adequate for potential population growth as discussed D.5 above.

d) **Economics and Social Profile** The project was not conceived to match citizen economic capabilities or to disproportionately benefit any particular landowner, but rather to meet minimum DEQ and fire code requirements in the best way. Paragraphs A.3 and A.5 already discussed the financial challenge this project would present. It will be difficult for the populace to build and maintain without special considerations such as lower than normal low interest loans and even partial loan forgiveness. That is a challenge the City council will have to come to grips with and make hard decisions about, which no doubt will involve substantial consideration for the economic limitations of the citizenry. The project, however, is fair and equitable,

planned to address deficiencies in the lowest cost way, as evaluated with a dozen conforming alternatives, and all of which are in conformance with the City Comprehensive Plan. No part of the project is proposed or laid out to unequally benefit any property owner over another, although in the course of taking fire flow capacity to existing dwellings currently in the City and on City water, there are increased capacities that do benefit adjacent property owners, which is unavoidable and even appropriate. But there is no inequality, bias, or favoritism involved in the layout.

e) **Land Use** All proposed facilities are compatible with zoning and the comprehensive plan with the exception of the tank that is proposed to be beside the existing tank, which is in an open space zone. Reference is made to the previously shown photo and Figures 3 and 4. But the new tank would not represent a change of use. No inhabited areas will be adversely affected by proposed facilities except for the necessary inconvenience during construction and the aesthetics of an additional tank on the horizon next to the existing tank. Additional capacity at the south end of town could encourage development in that area that is currently agricultural land, but that is the main area of growth targeted by the Comprehensive Plan and Zoning Map, and even without the proposed line, this was the area of all the development interest and plans that were at various stages just prior to the economic turn-down. Consequently, while the waterline capacity increase south of town may accommodate growth in that area, it does not change what was planned. And again, the increased capacity is proposed to meet requirements for existing dwellings in the area.

f) **Floodplain Development** FEMA prepared floodplain mapping for rivers and creeks where near population centers in the Teton Basin, which includes Tetonia. The mapping was published in 1988. This mapping was performed notwithstanding no agency at that time was in the National Flood Insurance Program (NFIP). The City is situated at the base of a small hill and is not subject large watershed runoff and has no flood level drainageway passing through it. As such the City and the proposed project planning area are not in a FEMA floodplain. Not being in a floodplain was acknowledged by Mary McGown of the State NFIP office, which is provided on page B-7 of the Appendix.

g) **Wetlands** There are two freshwater ponds and two freshwater emergent areas within the Planning Area, all south of town as shown on Exhibit 2A. However, none of the proposed project is in or nearby the wetland areas. A response letter was received from James Joyner of the Army Corp of Engineers indicating that "it appears the proposed project will not involve work in areas subject to our jurisdiction" (see Appendix B-1). However, Michael May of DEQ indicated that "indirect effects of development south of Egbert Avenue could affect wetlands and ponds."

h) **Wild and Scenic Rivers** As noted in (f) above, the planning area is located at the base of a hillside that blocks upland flows from the east and is not in any floodplain. Also, Figure 5A at the end of Section D and the map on Appendix C-15 show the USGS quadrangle mapping with no streams through the planning area. Furthermore, Figure 2A presents an aerial photo where it can readily be observed that there are no rivers or streams in the Planning Area. Nonetheless, apparently that is inadequate, as we have been instructed by Michael May of DEQ that we need to "consult an official source." So, while there are no waterways in Tetonia, the official list of wild and scenic rivers in Idaho was checked and it does not list any rivers in or around the Project Planning Area, as can be seen at http://www.rivers.gov/rivers/idaho.php. As

stated in the original version of this report, the Planning Area does not contain a wild and scenic river.

i) **Cultural Resources** We have worked with Ester Ceja of DEQ who indicated that she would work directly with the Tribal historic preservation officers (THPOs). There was no response. The SHPO requested that a site survey be performed, which was completed October 27, 2011 by Stephanie Crockett of Cultural Resource Consulting. The completed report is entitled *Archeological and Historic Sites Inventory Report,* a copy of which is presented in Appendix C. The Area of Potential Effects (APE) that the study was based on was the route of any potential construction outside of existing rights-of-way that have roads and various utilities already in them. That is, it covered the two waterline routes up the hillside northeast of the city and to and around the existing and proposed water tank, as per the original APE for this EID. That is still the only location where construction and project disturbance would affect cultural resources, notwithstanding the expansion of the APE in this version of the EID per Michael May's request to expand the APE downslope to the west because of potential impacts if construction Best Management Practices (BMPs) were not effective. Thus, for the purposes of the cultural resources study, the APE used is still acceptable.

   After presenting all research "conducted and documented according to the Secretary of the Interior's Standards and guidelines," Stephanie concludes that "no previously recorded cultural properties were encountered within the APE for the Tetonia Water System Improvements Project" (both quotes are on page 5 of the report or page C-6 in the Appendix.) The above report was sent in advance to SHPO for review and comment. The response back from Susan Pengilly of SHPO was that the report was acceptable and that "no historic properties will be affected within the project area" (see Appendix B-18)

j) **Flora and Fauna** Information regarding the project from the US Fish and Wildlife was received in a second round solicitation effort, and their response as species profiles are included in Appendix D.

   The general list for Teton County, which is provided in Appendix D, lists the Canada lynx and grizzly bear as threatened, and the North American wolverine and whitebark pine as candidate species. However, the more detailed evaluation by the US Fish & Wildlife (see Appendix D) came back with the following:

   - Listed Threatened – grizzly bear;
   - Candidate Species – Yellow-billed cuckoo, greater sage grouse, and North American wolverine.

   There were no other species listed, so these are the ones to further address.

   Before looking at each species individually, it may be well to reflect on the site conditions, which are well depicted in Figure 2A presented earlier. All proposed facilities are within City limits and either in or immediately adjacent to the developed area. Even the existing and proposed tanks are within 700 feet of housing, and it and lines from it are on a hill that is without trees and not forested. The entire hill itself is surrounded on the north by Badger Creek, the south by Spring Creek, and the east and west by valleys that are a mix of development and agricultural use. The rather barren hill is not a likely habitat for most species.

Grizzly Bear In a 11/13/2012 phone conversation with David Klampwerth of the US Fish & Wildlife, there really is not much to do with respect to the grizzly bear except to be aware of the potential presence and to be wise and safe in all activities. Accordingly, Melanie Cota who prepared the US Fish & Wildlife evaluation under David's direction, included a one page *Tips for Residents in Grizzly Country.* It provides advice on how to not attract bears and other measures to reduce the risk of problems with bears. It makes reference to food products garbage, fruit trees, vegetable and flower gardens, composting, livestock and poultry feed, dogs, sheep, pigs, bee hives, bird feeders, and children. Inasmuch as none of these should be involved in constructing a pipeline and water storage tank, these are not risk generating activities, and precautions would mostly involve being alert and attentive.

Yellow-Billed Cuckoo From the species profile (see Appendix D), we looked at several habitat conservation plans to learn of the natural habitat. There were no plans in the Idaho area, but the habitat listed in the region were similar, listing cottonwood, willow, and honey mesquite trees, cattail marsh, aquatic (open water, backwaters) areas, riverine areas, riparian and upland habitat associated with the river's 100-year floodplain. None of these conditions exist in the area of proposed work, including at and near the tanks that are slightly detached from the housing area of town. It is not thought that the project will impact the habitat of the yellow-billed cuckoo.

Greater Sage Grouse The species profile (see Appendix D) references two conservation plans, one for the habitat in parts of two counties in Washington where shrub-steppe is the habitat, and the other in Utah where sagebrush is the habitat. There is scattered sagebrush on the hill where the tank is proposed, along with a spattering of prickly pear cactus. Consequently, sign of the grouse should be looked for and if observed, the US Fish & Wildlife contacted for advisement.

North American Wolverine From the species profile is the following: "Wolverines do not appear to specialize on specific vegetation or geological habitat aspects, but instead select areas that are cold and receive enough winter precipitation to reliably maintain deep persistent snow late into the warm season (Copeland et al. 2010, entire). The requirement of cold, snowy conditions means that, in the southern portion of the species' range where ambient temperatures are warmest, wolverine distribution

is restricted to high elevations…Deep, persistent, and reliable spring snow cover (April 15 to May 14) is the best overall predictor of wolverine occurrence in the contiguous United States (Aubry et al. 2007, pp. 2152-2156; Copeland et al. 2010, entire)."

In an 11/13/2012 phone conversation with David Klampwerth, he indicated that he would be surprised if the wolverine were at that low of elevation because of the lack of deep snow cover. That suspicion is supported by phone report on 11/20/2012 from Mitch Smaellie, the public works director who services the tank. He has lived there all his life, and said that the southwest facing hillside slope exposed to the sun and wind only in rare short term conditions may have 3 feet of snow, and generally much less throughout winter and even less in spring. Per the above, this is not a conducive habitat for the wolverine.

The information provided below is from the Tetonia Experimental Station that is the closest weather station to the city and which is at a similar altitude and latitude. It can be seen that snow depths and daily temperatures are not indicative of deep snows winter or spring, and thus it is not likely that the area of the proposed project will be the habitat of North American wolverines. However, in the event that evidence of wolverines (including scat or tracks) is observed on the site, the sighting will be reported to Idaho Fish and Game using the observation form atfishandgame.idaho.gov/species/observations/add#speciesid=80612, and photos will be included, if possible.

TETONIA EXPERIMENT STN, IDAHO (109065)
Period of Record Monthly Climate Summary
Period of Record : 4/ 1/1950 to 9/30/2012

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	27.8	32.3	39.4	49.9	61.5	70.4	80.6	79.1	69.5	56.3	39.5	29.4	53.0
Average Min. Temperature (F)	6.0	8.8	15.9	25.6	33.3	39.8	45.5	43.6	35.8	27.2	16.8	8.2	25.5
Average Total Precipitation (in.)	1.86	1.17	1.11	1.36	2.07	1.86	1.03	1.05	1.27	1.35	1.11	1.57	16.78
Average Total SnowFall (in.)	9.6	3.1	2.1	1.0	0.4	0.0	0.0	0.0	0.2	0.6	3.8	7.2	28.0
Average Snow Depth (in.)	2	2	1	0	0	0	0	0	0	0	0	2	1

Percent of possible observations for period of record.
Max. Temp.: 90.9% Min. Temp.: 90.6% Precipitation: 94.1% Snowfall: 64.1% Snow Depth: 60.2%

The US Fish and Wildlife Service proposed on February 4, 2013 (78FR7864) to change the status of the North American wolverine (*Gulo gulo luscus*) to "threatened" in Idaho and certain other states. However, the proposed rule states that critical habitat is undeterminable at this time. In addition, the proposal includes a "Section 4(d) special rule" providing that incidental take from otherwise legal transportation corridor and urban development activities conducted in accordance with applicable State, Federal, tribal and local laws and regulations will not be a violation of Endangered Species Act section 9. Trapping, hunting, shooting, capturing, pursuing or collecting wolverines would still be prohibited. The proposed project is compatible with the proposed wolverine rule.

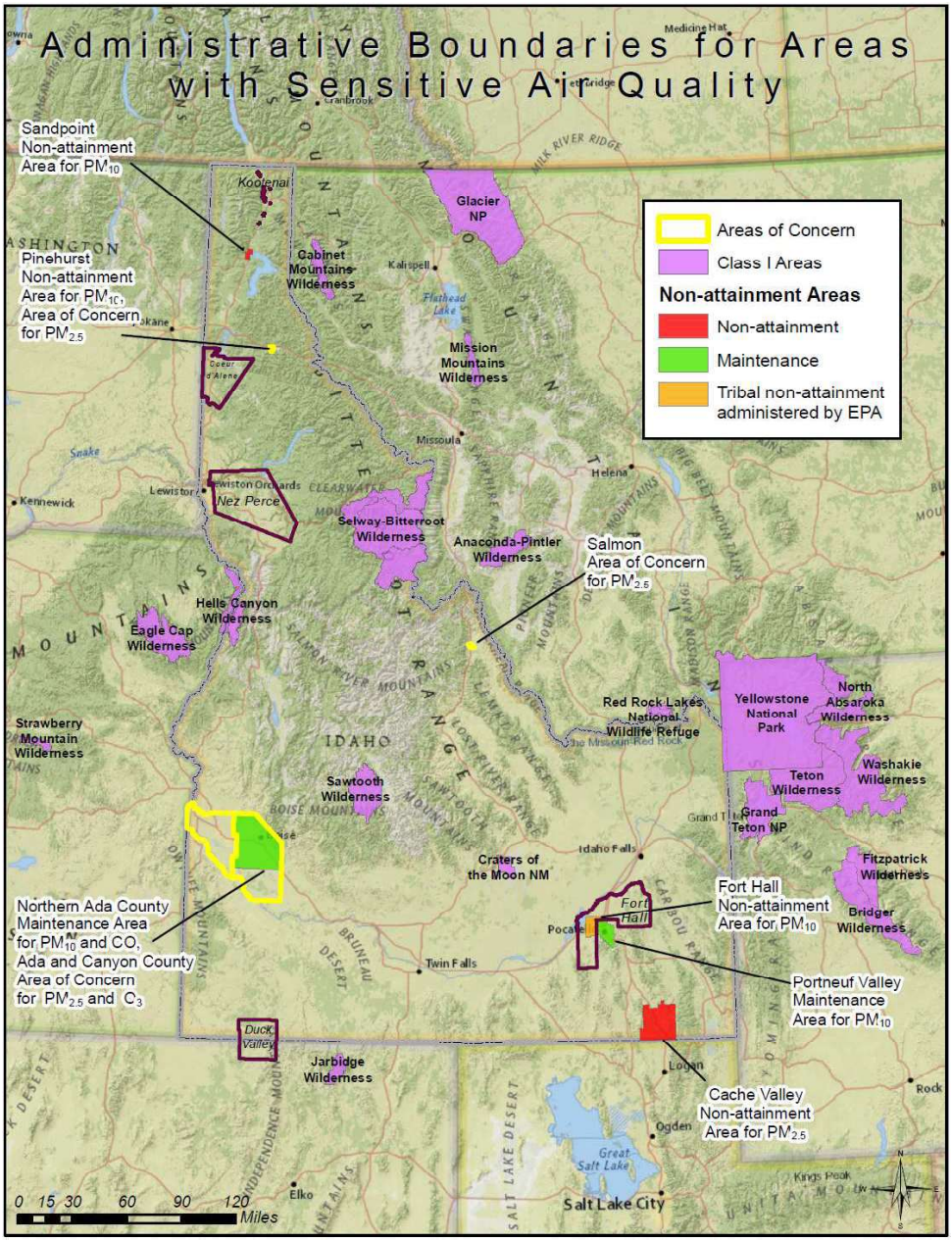
k) **Recreation and Open Space** The well and well house are proposed in a strip park along the highway where right of way was reclaimed. The well house would be where there currently is no landscaping at the narrow south end of the "park." It would be located approximately where the closest dirt pile is shown in the photo below and just behind and left of it. Only the tank and well house are not pipelines in right of way, and so the opportunity to combine the project with recreational trails and facilities is not there.

Well site (view north along South Main Street)

l) **Agricultural Lands** Figure 2A has an aerial background that reveals agricultural lands. Within the Project Planning Area, which covers the 20 year service area, there are approximately 26 acres of active pasture land and 63 acres of actively farmed non-pasture agricultural land. There is currently a 1.5" waterline to the northeast corner of the developed city area near an agricultural field that, with proposed waterline capacity improvements, could support development and conversion of agricultural property. Likewise, there is a lower pressure 6" waterline in Egbert Avenue at the south end of town that, with proposed waterline improvements, would also support development and conversion of agricultural property. However, the improvements as proposed are what is required to serve current water users according to current standards.

A specific request for comments was sent to the Natural Resources Conservation Service (NRCS). A response was received from Francine Lheritier (see copy on page B-37 of Appendix B) who indicated that "based on the details you provided, the proposed project does not contribute to the irreversible conversion of farmland to non-farmland." It appears the project has their approval.

m) Air Quality Tetonia is in an unclassified area with respect to air quality (see Appendix D). Proposed facilities will involve construction activity where dust abatement will be required and construction equipment operated in conformance to regulations, and the generators must also be manufactured to meet federal and state air quality regulations. However, regulations and standard work specifications and practices of construction should mitigate effects enough to not create a problem the project area, which is not in a classified sensitive air quality area as shown below.



n) **Energy** Through alternative analysis we have identified various ways of meeting criteria and selected the lowest cost method, which means that the cost of materials and long term operation and maintenance are lowest. This translates to lower energy consumption. The conceptual design is to use elevated water storage as much as possible to meet criteria, which is also an energy efficient approach. Beyond that, energy consumption savings is available through high efficiency pumps and generators, but that gets into construction document specifications which are beyond this study.

o) **Regionalization** To our knowledge, no inter-jurisdictional agreements have been signed or discussed. As for regionalization, reference is made to the discussion in paragraph D.4.f. As for disputes, there is currently litigation regarding the city limits on the south side of town, but everything proposed is within both the old and uncontested City limits.

p) **Ground Water Quality** Checklist subquestions are of two types. The first relates to affects to water quantity consumption and water rights. Under current and the 20 year projected scenario, water demand would not exceed the water rights the City has and is currently using. This project does not propose to change any quantity or right usage. It only proposes to meet DEQ requirements to have a second source, and thus the recommendation to apply for a point of diversion and to be able to pull water from either one of two locations, at the existing well and at the proposed well. The system design, controls, and management would disallow the pumping from both wells simultaneously except under low pressure fire flow conditions, for which water rights are not required. Again, the project does not involve a change in water consumption or water rights!

The second issue is water quality. It was already discussed in section C.3 above, how DEQ requires at least one more source of water (a well), but Scenario 2 is the only scenario involving new wells that has ***only one*** new well. Thus, there really is not a better option with respect to impacts to groundwater. However, aside from the one new well alternative, there is location and depth that can be considered. First we discuss location, and then depth.

In order to not waste resources, it is best to have the new well located south of or in the south portion of town to balance the system, as the existing well is on the west and the tank is on the northeast. Also, in order to increase the likelihood of obtaining sufficient water with only one well, the new well should be located south of or in the south portion of town (per telephone conversations with well drillers and Tom Woods of Clearwater Sciences, who has a PhD in hydrogeology, is a professional geologist, and a noted groundwater hydrologist in the region). It would have been nice to be far enough south to be outside of the source water area of the existing well, and that is feasible. (See Figure 5A on the next page from the City of Tetonia Source Water Assessment Final Report, which report is included on a CD provided in the back of hard copy versions of this report). The computer modeling as presented to DEQ technical staff for review is based on the new well discharge entering the system in the vicinity of Main Street and Egbert Avenue, but the actual well location could be further south. However, the latest version shows the new well to be at a city park within the existing well source water area for several reasons:

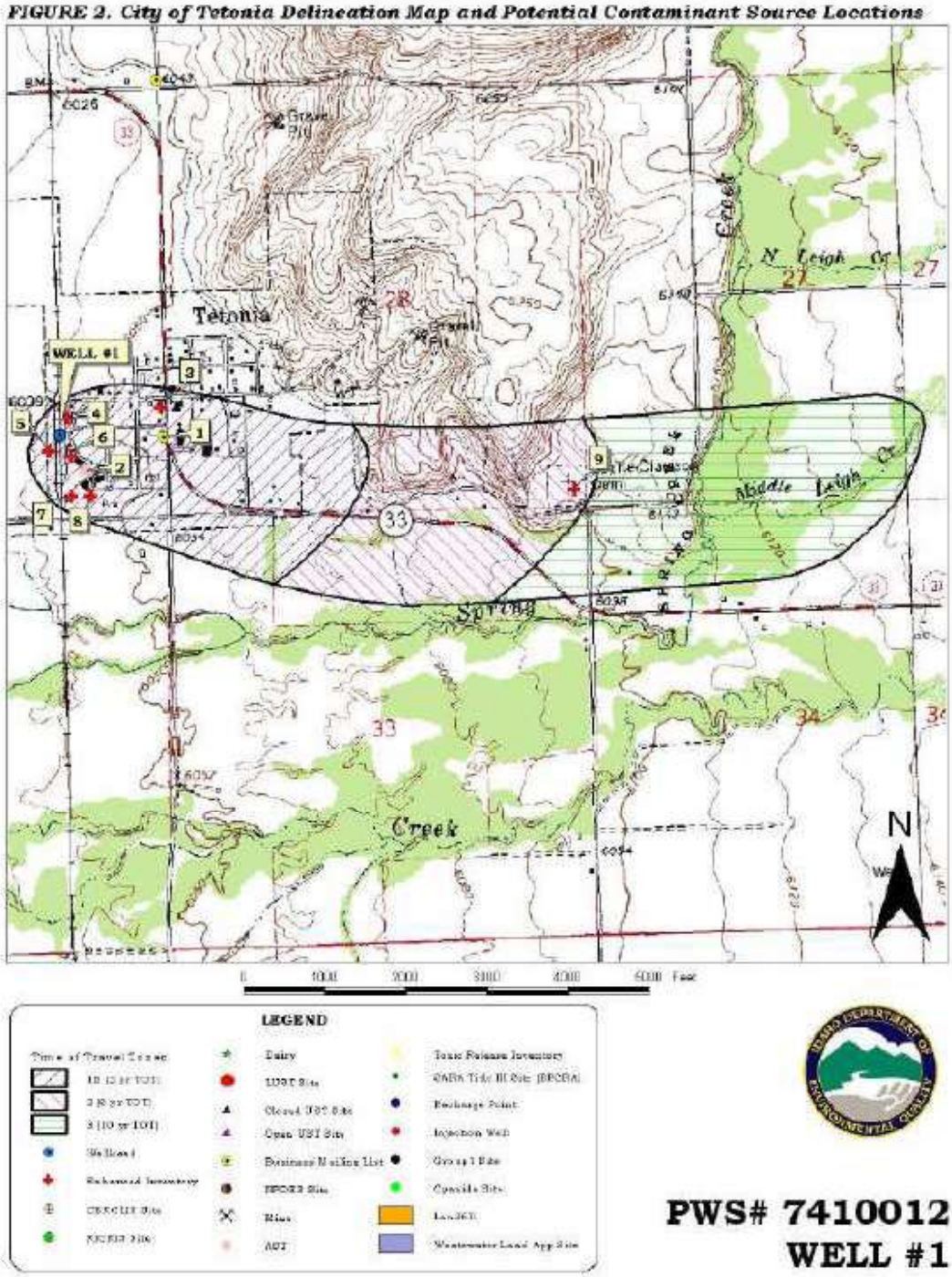
- There is no cost of land;

- There is elimination of supply pipeline (cost and resources);
- There is no exactly known limit to the existing well source area, so to be sure to be out of it to the south would put it closer to Spring Creek with more potential for adverse water quality impacts both directions, and it would require a more lengthy line with associated disruption;
- Land to the south is currently involved in litigation that could muddy the waters of making legal arrangements and obtaining approvals for moving forward; and
- The risk of both wells becoming contaminated, if the new well is located at the city park as proposed, is not deemed to be that high.

If the new well is located at the city park, what both wells would be more susceptible to are inorganic contaminants (IOCs) such as nitrates from fertilizers, and synthetic organic contaminants (SOCs) such as pesticides and herbicides. Volatile organic contaminants (VOCs) such as petroleum products would more likely affect the existing well than the proposed well, because the groundwater flow direction is from east southeast to west northwest, and with the new well located more or less directly south of the VOC sources, it is unlikely that VOCs would reach the new well—they would be traveling away from it.

Hydrologic sensitivity is considered high because vadose zone soils are sand and gravel which facilitates the downward movement of contaminants. The existing well draws from approximately 300 feet, and there is no low permeability layer between the surface and the draw level. But what about the new well? As currently proposed, the new well would be just like the existing well. Why? It reduces capital cost and resources consumed, and it reduces ongoing O&M costs allowing pumping from a shallower level through less pipe. It is also anticipated that the new well pump and motor can be the same as in the existing well, allowing for interchangeability and reduction of spare parts. But if risk of contamination was deemed to be of sufficient concern to offset exploratory costs and additional short and long term costs, if even an option, there could be a deeper test well drilled to investigate if there is, as noted on page 10 in the Source Water Assessment, the apparent "alternating layers of clays and sands" which would allow constructing a well such that it is sealed off from the vadose zone, with the draw from a lower aquifer more protected from contamination.

Figure 5A Existing Well Source Water Area
(City of Tetonia Source Water Assessment Final Report)



E. MAPS, CHARTS, AND TABLES

E.1 Clarifying Maps, Charts, and Graphic Materials Provided Figures 1 through 5, photos, and at the back of this report two exhibits, are provided to help discernment of project features.

E.2 Graphics Labeled and Referenced Yes.

F. ENVIRONMENTAL IMPACTS OF PROPOSED PROJECT

Section D.6 provides discussion by environmental concern. Here we elaborate a little by facility.

- **Generator at Well 1** This will require a concrete slab located adjacent to the well house on which a self-contained unit with all weather and sound attenuated housing will be placed. There will be two underground conduits, one for control and one for power supply. During construction, this will involve a minimal amount of soil disruption which standard sediment control BMPs like a silt fence or sediment trap will address. Per DEQ regulation, there must be spill containment, so contamination by fuel spill is unlikely. Post construction, the generator will need to run during power outages and periodically to keep lubricated and in good condition. Typically an exercise run is scheduled for 30 minutes once per week. Regarding noise, the housing controls noise output to 75 dba maximum. As for exhaust pollution, currently the EPA requires a Tier 3 pollution rating, which goes to Tier 4 July 1, 2013, which would be before any construction. The main thing here is that large generators are EPA regulated, and this being an unclassified area with respect to air quality, such regulation should be sufficient. Thus, with adequate specifications, control during construction, an EPA required project Storm Water Pollution Prevention Plan (SWPPP), and proper O&M, both short and long term impact to the environment should be minimal.
- **Well Site 2, Well, and Generator** This is proposed in abandoned right-of-way at the location shown in the photo in D.6.k on page 17. During well drilling is when there is significant potential for environmental impact. Through City specifications and regulation of discharge waters, and also though use of standard sediment BMPs such as silt fence or sediment trap, this can be mitigated. Standard sediment BMPs should also suffice during construction of a small well house that likely will be 8 or 10 feet wide and 12 feet long. Other than heating and occasional lighting and ancillary use, the second well should not result in more power use or increase development because the well is not for pumping more water, but rather to provide a redundant source of water that will alternate with Well 1. Insulating the walls should mitigate most of the noise from the pump motor and electrical equipment. As for the generator, impact will be as noted in the preceding paragraph. Post construction, vegetation would be restored in the "park" and erosion mitigated. Thus, with adequate specifications, control during construction, SWPPP, and proper O&M, both short and long term impact to the environment should be minimal.
- **Tank Site** The tank site is shown in a photograph in D.6.a on page 14. A second tank is proposed adjacent to the existing tank on the north side. It will not require a new road, but only leveling and a gravel base for the foundation of a 40 foot diameter

tank. There will be a runoff diversion on the uphill side during construction to control erosion on disturbed surfaces. This should be easy to accomplish as there is a natural swale heading south just uphill to the east of the proposed waterline, as can be seen by the contours shown on Exhibit 1A. The natural swale also results in a very small area for runoff accumulation, this reducing erosion potential. Downslope of the construction site, sediment control from the minor onsite runoff will be required. Fiber rolls or silt fencing can control sediment, and disturbed sloped surfaces can be seeded and covered with erosion control blankets. Construction debris control will also need to be controlled through good housekeeping specifications in the construction documents. Post construction, environmental threats are limited to erosion in case of leaks, but the City would be self-served to promptly fix leaks, and from products and by products when cleaning and painting, both of which can be controlled through appropriate housekeeping specifications. Thus, with adequate specifications, control during construction, SWPPP, and proper O&M, both short and long term impact to the environment should be minimal.

- **Distribution System** Nearly all of the proposed waterlines and all appurtenances of fire hydrants and meters will be in existing roadway rights of way. During excavation, there will be potential for both water and wind erosion and sediment transport, both of which can be mitigated by standard BMPs required by EPA during construction activity, such as by minimizing runoff over disturbed areas through diversion, erosion control practices, and sediment control, the latter involving silt fences or preferably downslope sediment traps. The more significant activity for which close attention is needed is when constructing the waterlines on the hillside to the tanks. Bedrock is shallow and will likely require some blasting which will need to be performed with caution, but such is already covered by regulations. Runoff diversion, erosion control, and sedimentation control will also be required to prevent sedimentation impact downslope of the trench, with reseeding to provide recovery. Options include diversion to prevent erosion, erosion control through slope protection erosion control blankets, and sediment control using fiber rolls and silt fences. Again, such are standard environmental practices required by the EPA as part of a construction activity SWPPP, which must be prepared prior to construction. WEI always includes temporary and permanent erosion control BMPs as part of the construction drawings and specifications, but at this point it is unknown who will be involved with the design. Even so, EPA regulations are in place to mitigate construction and recovery phases, regardless of who is involved in the design and construction.

The thrust of the project is to meet DEQ and fire flow regulations, not to expand the system for future development. However, as noted earlier, it does allow for 200 more EDUs. How will that, long term, affect the environment? Such development would be along proposed water service lines, which are all in areas of existing rights of way and along at least limited existing development. Overall impact is not considered to be significant.

G. MEANS TO MITIGATE ADVERSE ENVIRONMENTAL IMPACTS

Most means of mitigating environmental impacts will be at the design and construction phase rather than this facility planning phase. What are means at this stage are having the

minimal number of allowed wells, which is the selected alternative, and the planned depth of the well, which can easily be changed at the design stage, but at this stage the estimated cost is the only real factor. A deeper well will consume more resources initially and in the long term, and potentially allow for contamination of two aquifers rather than one, but it would also better protect the City source of water from contamination. There are environmental trade-offs, depending upon the perspective.

As for specific mitigative measures for project impacts on the environment, reference is made to the preceding Section F.

H. PUBLIC PARTICIPATION

H.1 30 Day Public Review No categorical exclusion was assumed. Public notice was given of a public hearing to go over the water facility planning study, with copies of the report available thereafter for review within 30 days of the public hearing meeting. Reference is made to Appendix A for a copy of the notice.

H.2 Meeting and Notification Dates Dates pertaining to notifications and solicitation for comments from the public and agencies are as follows:

- 6/2/2011 Public notice of a 6/13/2011 public hearing meeting to go over the Water Facilities Planning study, with a 30 day comment period following that date;
- 6/13/2011 The public hearing meeting was held where the engineer furnished copies of the study report to council members and City Clerk, and had additional copies available for public attendees, but the only other persons present were there for a proposed church parking lot and street improvement project, which persons did not look at the report nor make comments after the engineer presented the study and impacts, including the financial impacts, to the community. There were no public comments at the meeting;
- 7/15/2011 The City sent an mail to the engineer that they received no comments from the public;
- 7/20/2011 At a public meeting, the City Council unanimously adopted the engineer-recommended Scenario 2A;
- 8/30/2011 Engineer sent out completed DEQ form letter of notification and solicitation regarding the project to everyone on the DEQ furnished list, except that Ester Ceja of DEQ was going to work directly with the tribes.
- 8/31/2011 Ester Ceja requested, and engineer submitted, a single exhibit that contained all requested graphic information.
- 8/31/2011 Notifications and solicitations were also sent to the following environmental groups in Teton Valley: Valley Advocates for Responsible Development (VARD); Friends of the Teton River (FTR); and the Teton Land Trust.
- 9/30/2011 All comment periods are completed except for the tribes (Ester had not sent it yet) and the State Historical Society (SHPO) (a Site Survey is being prepared that will be submitted for review);
- 10/3/2001 Ester Ceja submitted the notifications and solicitations to the tribes.

- 11/2/2011 The 30 day comment period for the tribes is over, and there was no comment.
- 12/9/2011 The Archeological and Historic Sites Inventory Report was submitted to SHPO.
- 12/12/2011 SHPO returned response. All comments are back.

H.3 Substantive Issues Presented All responses and comments are presented in Appendix B.

H.4&5 Substantive Issues Addressed Discussion regarding the agency comments are presented below. Numbering corresponds to the number order on the notification list presented in Appendix A.

1) **USACE Wetlands** Response was that no permit was required. There is nothing to address.
2) **US F&W** Response received and covered in subsection D.6.j.
3) **IDEQ Water Quality** No response.
4) **IDEQ Air Quality** Response was advisement of fugitive dust control and no open burning. These pertain to the construction phase and not this study phase. There is nothing to address.
5) **US EPA Region 10 NPDES Unit** No response.
6) **US EPA Region 10 Office of Environmental Assessment** Response was that once we have a project (construction drawings and specifications) and federal funding therefor, we will need to submit information per the Sole Source Aquifer Checklist. Since we are only at the study phase, there is nothing to address.
7) **US EPA Idaho Operations Office** No response.
8) **USDA-NRCS** No response.
9) **IDWR-NFIP** Response was that Tetonia is not in a flood hazard. There is nothing to address.
10) **IDWR-Water Rights and Well Permitting** Response was about the need for filing for a point of diversion to apply for a new permit, both of which were discussed in the report. Implementation pertains to a later phase of the project than this study phase. There is nothing to address.
11) **Idaho Dept of Fish and Game** Response was a statement of no comment. There is nothing to address.
12) **Idaho Dept. of Agriculture** Response was a statement of no comment. There is nothing to address.
13) **Eastern Idaho Public Health Dept.** No response.
14) **Dept. of Lands** No response.
15) **USDA-RD** Response was a statement that solicitation from the tribes is necessary, and also that if USDA-RD funding is sought, the EID must also address USDA requirements. There is nothing to address.
16) **Idaho Dept. of Commerce** Response was a statement of no comment. There is nothing to address.
17) **Idaho State Historical Society (SHPO)** The initial response was a request for photos of the proposed well and tank sites, which were furnished. The next response was that an archeological site survey was required, which was performed and submitted to SHPO. The final response was that no additional information was needed and that the project can proceed.
18) **Shoshone-Bannock Tribes** No response.

19) **Shoshone-Paiute Tribe** No response.
20) **NOAA-National Marine Fisheries** No response.
21) **DEQ-Environmental** Sent to Ester Ceja FYI and for her to use to work directly with the tribes. Response was that the archeological site survey needs to be sent to SHPO and their comments thereon received in advance of completing the EID. This was done, but nothing needs to be addressed herein.
22) **Valley Advocates for Responsible Development (VARD)** There were multiple rounds of information exchanges and conversations. Anna Trentadue then submitted a formal response which, along with all others, is provided in Appendix B. The letter is 4 pages, but a good summary was provided by her in the email to which the formal letter was attached. Her email summary comments are as follows:

> As we discussed on the phone, VARD's concern involves Tetonia's apparent failure to use and defend their existing water rights, while instead brokering a deal to annex landowners south of town in order to hopefully use their late priority irrigation rights as a secondary source for the city. The annexed lands in question include over 260 acres of sensitive habitat and the Spring Creek wetlands that would double the size of this tiny town. Not only would this arrangement involve amending almost all of the elements for this irrigation right and then transferring it into the city, Tetonia would also have to drill a pipeline into town at its own expense. Because of great concerns over the cost and viability of this venture, as well as concerns for protecting the Spring Creek wetlands, the voters of Tetonia de-annexed this property via referendum on May 25, 2010. (I have attached a map of this annexation so you can appreciate its size and scale.)
>
> In designing this new city water system, my organization would like to see Tetonia make the most efficient use of their own existing water rights and not be dependent on annexing large swaths of wetlands in the hopes of accessing outside sources of water. I have cc'd contacts at DEQ and IDWR to apprise them of this information as well.

The above summary and the letter pertain to two issues. One is the water rights issue, and the other is the proposed new well location. These will each be discussed in order.

WEI is of the opinion that neither the annexation dispute that is in litigation where the City and VARD are on opposing sides, nor the water rights issue, are matters pertinent to the scope of this water facility planning study. The fact of the matter is, while WEI agrees with VARD that the City would be wise to maintain and utilize its water rights as recommended by VARD in their March 8, 2010 Tetonia Water Rights Action Plan memorandum and in their response letter, WEI's study shows that the water rights the City is using are sufficient to supply the City's domestic water needs through the 20 year projection period, and all proposed alternatives, including the recommended one, are based on no new water rights and no use of the Egbert property agricultural well referred to by VARD. In other words, the water rights issue, as important as it is with respect to the City's long term security and wise asset management, is a moot issue with respect to this study, in WEI's opinion.

The second issue pertains to the proposed well location. Initially WEI showed and modeled it schematically on the south side of Egbert Avenue, with the intent that the well could move east or west to a small degree from Main Street, but it also could be near Egbert Avenue or some distance south of Egbert Avenue so long as the interconnecting line from the well to the water main in Egbert Avenue was of sufficient size to minimize pressure losses, which would not be difficult to

accomplish. However, after a phone call suggestion from VARD to move the well north of the contested Egbert property so as to avoid the potential issues with which they have concerns, WEI spoke with the City's public works personnel as to options and was pleased to learn that in the vicinity of need—that is, on the south side of town and along the Main Street corridor, the City owns a small park formed after the abandonment of right-of-way through a realignment procedure, which would be very suitable for the well. The park location would allow the well to be in the area where it needs to be, it is on City property, and it would eliminate need for a transport line to the system. In summary, it saves costs, resources, and would function equally well in supporting system needs. Thus, maps and costs have been revised to reflect the new location. This information was conveyed back to VARD, and is referred to in their comments as the in-town option of two proposed locations. However, at this point only the in-town park location is recommended in the study.

23) **Friends of the Teton River (FTR)** The response letter is five pages long, and the full version is provided in Appendix B. Replies to the response follow the three enumerated issues of concern presented in the letter from FTR.

(1) **Ground (Drinking) Water Quality** Concern for groundwater quality was expressed, especially with the proposed location being as close as approximately 300 feet south of a gasoline station (even so, the FTR commended the change from the previous location in concert with VARD and for the same reasons). FTD then provided five bulleted recommendations as protective measures. However, FTD's concerns are not unique, and in fact legitimate concerns are already provided for in state regulations pertaining to wells and public water sources, in initial and ongoing testing, in construction standards, and in source water protection. Following the regulations in place is a requirement and is considered appropriate to safeguard the water system, which should adequately address the concern.

(2) **Injury to Senior and Junior Water Users** The apparent concern is that the City will violate state law and exceed their water right rate, and a recommendation is made to not violate water right limits. However, the law already prohibits exceeding water use, and nothing can be or is proposed that would violate the water rights. The system would be designed to only pump at the allowed rate for normal conditions. Under fire flow conditions, both wells would be allowed to operate at one time, but that is not in violation of state law as water rights are not needed for fire flow. FTR also reiterates VARD's recommendations regarding utilization of City water rights that have not been in use—again, a good suggestion, but not anything to further address here.

(3) **Injury to the Environment and Environmental Flows** The concern expressed here is that groundwater withdrawals could adversely affect aquatic species and the stream/riparian system. The recommendation is to heed the recommendations given under (2) above so as not to exceed allowed water use. Again, the law already provides for that limitation, and no more need be said here regarding that.

The above commentary on the FTR response may appear "unresponsive," but that is not the intent. It is just that the proposed project and any future system evaluations,

designs, and O&M will of necessity be in conformance with state regulations and law, which conformance should address the concerns expressed, and thus there does not appear to be anything more to say at this point.

24) **Teton Regional Land Trust** The response was essentially that they had no comment on the proposed project, and therefore there was nothing to address.

I. REFERENCES CONSULTED

The following documents were reviewed as part of preparing the facility planning study:

- Sanitary Survey Results for the City of Tetonia Public Water System (PWS) #7410012, May 21, 2010, DEQ, Rochelle Mason;
- Water Line Leak Location Project Final Report, November 8, 2010, Utility Services Associates, Rob Meston;
- International Fire Code 2006, International Council Council, 2006, Appendix B & C;
- Municipal Code, Chapter 2 Water Cross Connection, 2008, City of Tetonia
- FY 2011 Complete Breakdown Budget, Water System, City of Tetonia (2009 to 2011);
- Department of Environmental Quality Drinking Water PLANNING GRANT or Drinking Water LOAN LETTER OF INTEREST, Submitted by WEI for the City of Tetonia, January 12, 2010
- Telephone Conversations with City Regarding Deficiencies, between Gerald Williams of WEI and Charlie Robinson and Carol Lenz, January 2010;
- Resolution No. 2010-8 Water, Sewer, General and Land Use Application Fees, City of Tetonia, 2010;
- City Water System WaterCAD Files;
- *City of Tetonia 2008 Drinking Water Facility Planning Study*; 2008 Schiess and Associates: and
- *2011 Drinking Water Facility Planning Study: Amended Engineering Report,* September 2011, Williams Engineering, Inc (WEI), Gerald Williams.

J. AGENCIES CONSULTED

Agencies included were all those specified by DEQ and the three environmental groups known to be in Teton County and whom they referred to; namely, the Valley Advocates for Responsible Development (VARD); Friends of the Teton River (FTR); and the Teton Regional Land Trust. These are all listed in the spreadsheet in Appendix A. WEI also spoke with several company representatives regarding water well capacities and agricultural well conversion: Tom Wood, PhD., P.G. of Clearwater Geosciences (208-589-5555); Dan and Jody Denning, Denning Well Drilling (208-523-4600); Joe Vollmer, Vollmer Well Drilling (208-552-0236); Roger Buchanan, Andrew Well Drilling (208-522-2794); and Dennis Dunn, IDWR (208-525-7161). WEI also spoke with several agency public works personnel regarding O&M costs and schedules: John Millar, City of Rexburg (208-359-3020); David Richards, City of Idaho Falls (208-612-8414); Craig Sturman, then with the City of Ucon (208-523-3971); Greg Lanning, City of Pocatello

(208-243-6189); and Mitch Smaellie, City of Tetonia (208-446-2249).WEI also spoke with several water tank manufacturers and rehabilitation companies: name unknown, Superior Tank, Manufacturing Division (1-800-221-8265); Steve Bishop, Superior Tank Coating Division (310-629-0547); name unknown, Columbian Tech Tank (661-636-1316); and Michael, Pittsburg Tank (270-826-9000).

K. MAILING LIST

As noted in Section J above, Appendix A provides a list of all who were sent information regarding the proposed project and a solicitation for comments. It includes the complete DEQ furnished list and three local environmental groups. There were no Tetonia citizens other than elected officials and staff at the public hearing meeting, but only a WEI representative and out of town persons there to discuss a development project, and there was no comments received by WEI or the City from citizens (see email in Appendix B from the City). Correspondence information is provided in Appendix A.

L. LIST OF PREPARERS

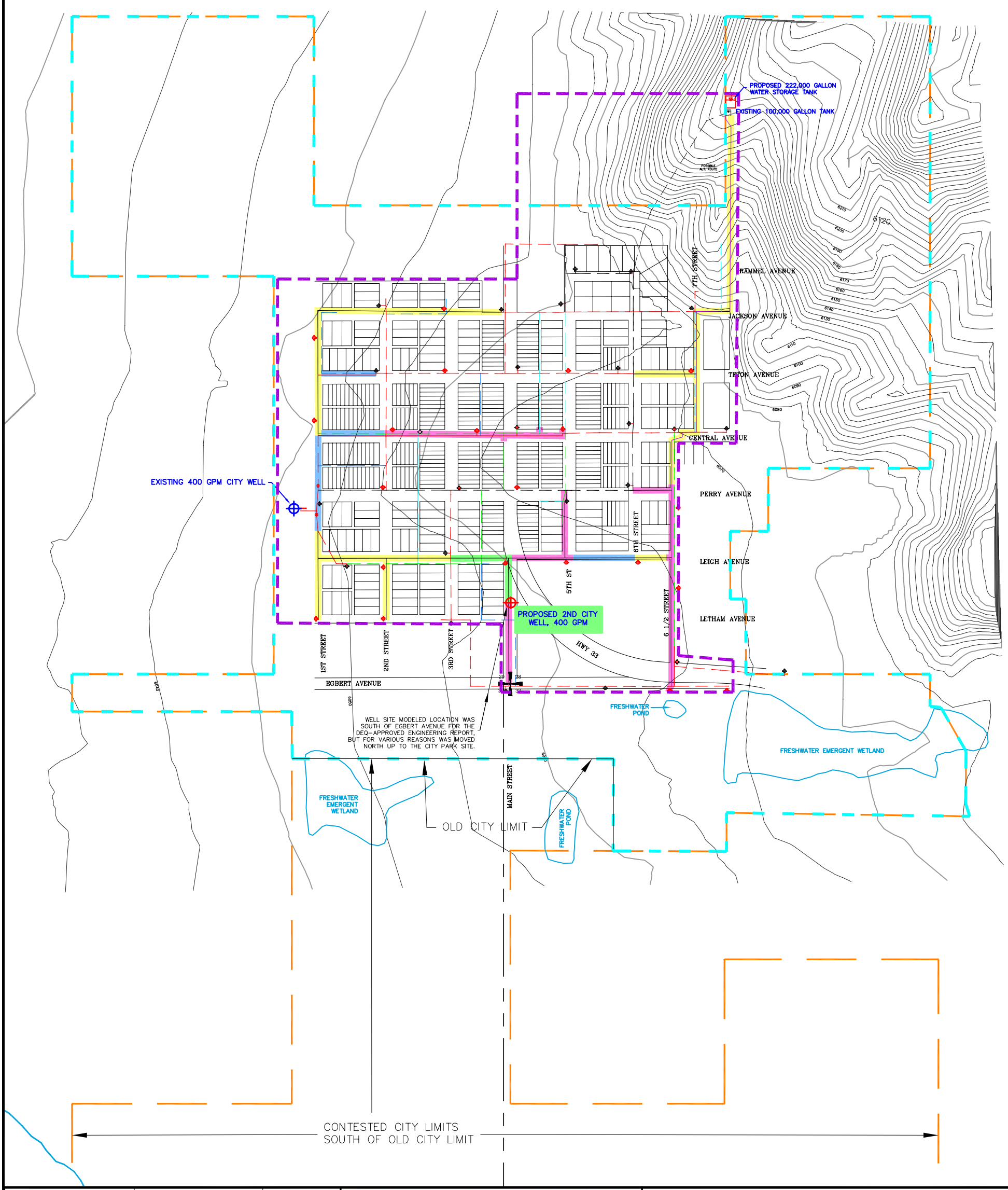
Gerald R. Williams, P.E., President of Williams Engineering (WEI), was the sole preparer of this report.

LEGEND

FACILITY	EXISTING	PROPOSED	REMOVE & REPLACE	WATERLINE	EXISTING	PROPOSED
CITY OF TETONIA LIMITS				1.5 INCH		
PROJECT PLANNING AREA				2 INCH		
AREA OF POTENTIAL EFFECTS				4 INCH		
FIRE HYDRANT				6 INCH		
ISOLATION VALVE				8 INCH		
WELL				12 INCH		
STORAGE TANK						

PHASE	SYMBOL	DESCRIPTION
I		2ND WELL, CRITICAL 2ND SOURCE, AND TIE-IN
II-A		ADDS FIRE FLOW RATE CAPACITY TO CRITICAL AREAS: A.1 – SCHOOL AND CHURCH, AND ALSO TO A COMMERCIAL AREA WHERE THERE IS NO FIRE HYDRANTS; A.2 – LESS CRITICAL BUT IMPORTANT COMMERCIAL AND RESIDENTIAL AREA, CONSTRUCTED WHILE A.1 PIPE BORING CONTRACTOR IS ON THE JOB; A.3 – LESS CRITICAL FIRE FLOW CAPACITY TO SOUTHEAST PORTION OF CITY, INTERCONNECT TO LINE IN EGBERT CONSTRUCTED WHILE A.1 PIPE BORING CONTRACTOR IS ON THE JOB. PROVIDES REGULATORY FIRE FLOW RATE TO ALL AREAS CURRENTLY SERVED WHEN BOTH WELLS ARE ON, AND EVEN WITH ONE WELL OFF EXCEPT AT HYDRANTS H-9 AND H-12, WHERE PRESSURES DROP BELOW 20 PSI BUT REMAIN ABOVE MINIMUM REQUIRED TO SUPPLY A FIRE PUMPER TRUCK.
II-B		II-B.1 THROUGH II-B.4 PROVIDE ADEQUATE FIRE FLOW RATE CAPACITY TO ALL EXISTING BUILDINGS SERVED, EVEN WITH ONE WELL DOWN, AS REQUIRED BY DEQ AND FIRE CODE. II-B.5 PROVIDES A SECOND TANK SO THAT FIRE CODE FLOW DURATION AND VOLUME REQUIREMENTS ARE MET.
III		NOT REQUIRED TO MEET DEQ OR FIRE FLOW REQUIREMENTS, BUT STILL BENEFICIAL IMPROVEMENTS. III-A PROVIDES MISCELLANEOUS LOOPING AND SECONDARY LINES AND LOWERS A KEY SUPPLY LINE THAT IS SHALLOW AND SUBJECT TO FREEZING. III-B ADDS INSULATION OVER SHALLOW LINES IN THE SYSTEM TO PROTECT AGAINST FREEZING. III-C REPLACES ALL METERS AND PITS WITH FREEZE PROTECTED UNITS THAT ALLOW FOR REMOTE METER READING AND FLOW MONITORING.

TOWNSHIP 6N, RANGE 45E



GRAPHIC SCALE:	FILE NAME:	EDIT DATE:		
0 150 300 600	TETONIA BASE A.DWG	01/23/2013	WILLIAMS ENGINEERING, INC. 217 NORTH 2nd EAST REXBURG, ID 83440 208-359-5353 PH. 208-359-8181 FAX	EXHIBIT 1A WATER SYSTEM MAP

U.S. Fish and Wildlife Service

National Wetlands Inventory

Dec 8, 2011

Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

EXHIBIT 2A

APPENDICES

A Notifications and Solicitations

B Agency Responses

C Archeological and Historic Sites Inventory Report

D Endangered and Threatened Species

APPENDIX A

Notifications and Solicitations

From: City of Tetonia [tetoniagov@silverstar.com]
Sent: Friday, May 27, 2011 3:44 PM
To: office@tetonvalleynews.net
Cc: Gerald Williams
Subject: Public Hearing Notice

Hi Roan:
Please publish the attached as a legal notice in the June 2, 2011 TVN. Please acknowledge receipt.
Thanks - have a great MD!

Carol Lenz
City Clerk/Treasurer
3192 Perry Ave
PO Box 57
Tetonia ID 83452
208.456.2249
tetoniagov@silverstar.com

PUBLIC HEARING NOTICE

FACITIES PLANNING STUDY: WATER
CITY COUNCIL
TETONIA, IDAHO

Pursuant to established procedure, NOTICE IS HEREBY GIVEN that the Tetonia City Council is conducting a public hearing to review findings, recommendations, and to answer initial questions on the City's DRAFT Facilities Planning Study: Water. The hearing will be held at Tetonia City Hall, 3192 Perry Ave, Tetonia, Idaho, on Monday, June 13, 2011 starting at 7:00 pm.

A thirty-day comment period will follow the public hearing to receive written comments on the DRAFT Facilities Planning Study: Water. Comments should be sent to Tetonia City Hall, PO Box 57, Tetonia, Idaho 83452. You may also FAX your written response to 208.456.2249, or e-mail to tetoniagov@silverstar.com.

Dated this 27th day of May, 2011
Published June 2, 2011
Carol Lenz, Tetonia City Clerk

City Council Minutes
Regular Meeting
May 9, 2011

Regular meeting opened at 7:22 p.m.

Pledge of Allegiance with roll call by City Clerk Lenz

Mayor: Rex Jardine; Council President: Matt Berry; Councilmember: Tom Abbott, Bucky Matkin; Bart Birch, City Attorney; Citizens: see sign-in

Mayor Jardine welcomed Tanner & Braiden Klingler who were attending as a component of receiving a Scout merit badge.

Consensus reached by Council to rearrange the order of the agenda to accommodate visitors.

New Business

- **Tetonia LDS Church: Parking & Street (Ron Berry/Brent Robson)**
    - Berry spoke of the Church's intention to create a parking lot on the land purchased across the street from the Church to the north. Plans also include paving the road between the new lot and the Church. Discussion has also been held to pave 5th Street between the Church and Tetonia Elementary School.
    - Robson confirmed that a verbal commitment has been received from the School District for "financial support" of the proposed 5th Street paving
    - The Church is seeking support from the City for the project as well. A letter of support would be appreciated outlining financial ("Not a lot") and/or in-kind
    - Mayor Jardine noted that "next year would be better for the City"; he explained that the City is having a transportation study done this fiscal year which will help the City be eligible to apply for transportation grant funds in future fiscal years.
    - Berry assured the Mayor & Council that the project would be built to City specifications. The Church's engineer would be required to contact the City allowing the City to submit questions/red flags to its engineer of choice for review
    - A letter of support from the City will be provided

- **FY 2010 Audit Presentation (Sheri Poulsen)**
    - Unqualified opinion
    - **Financial Highlights as of September 30, 2010**
        - Net assets increased approximately $400,000 from sewer project
        - Cash balances as a whole decreased $3,000. Cash balances for all funds totaled $283,000
        - General Fund revenue increased $13,000 over the previous year; $8,500 derived from Centennial activities

City Council Minutes
Public Hearing & Regular Meeting
June 13, 2011

Public Hearing: Facilities Planning Study – Drinking Water

Public Hearing opened at 7:03 pm

Gerald Williams, Williams Engineering, reviewed the DRAFT Facilities Planning Study – Water. He discussed the current issues with the City's water system. He then went on to discuss a variety of ways in which the City can meet DEQ and Fire Flow requirements.

Per Williams' review, Scenario 2A is the "best option" for the City and the one that Williams Engineering "recommends." Scenario 2A would involve adding one (1) 400 gpm well. The estimated well and pump house capital costs would be $237,000. A total upgrade to the City's water delivery system is estimated to cost $1.556 Million. A total upgrade is estimated to require a minimum of a $35 per EDU increase each month. Funding a total upgrade would be difficult to obtain due to: small number of accounts, increased competition for funding, limited available Federal funding, high median household income for the Tetonia area, & limited reserves/monthly income of the City.

After his report, Mr. Williams noted that there is a 30-day comment period, which will run from June 14 – July 13, 2011. Once the comment period is over, a required environmental study will be conducted prior to completion of the City's Facilities Planning Study – Drinking Water.

Call for questions = none; public comment: For = none; neutral = none; against = none.

Public Hearing closed at 7:35 p.m.

Regular meeting opened at 7:36 p.m.

Pledge of Allegiance with roll call by City Clerk Lenz

Mayor: Rex Jardine; Council President: Matt Berry; Councilmember: Tom Abbott, & Bucky Matkin; Bart Birch, City Attorney; Citizens: see sign-in sheet

Consent Agenda

- **Amend Agenda** according to IC 67-2343:
  - **No amendments. Order of the agenda was adjusted to accommodate guests.**

- **Minutes**:
  - May 9, 2011, Regular Meeting
    - **Abbott moved to accept the minutes as corrected. Berry seconded. Motion carried unanimously.**
  - May 9, 2011, Pre-termination Hearing
    - **Matkin moved to accept the minutes as presented. Berry seconded. Motion carried unanimously.**
  - June 2, 2011 Special Meeting: Roads Work Session (NO QUORUM)
    - **Matkin moved to accept the minutes as presented. Berry seconded. Motion carried unanimously.**

City Council Minutes
Special Meeting
July 20, 2011

Special meeting opened at 6:36 p.m.

Pledge of Allegiance with roll call by City Clerk Lenz

Mayor: Rex Jardine; Council President: Matt Berry; Councilmember: Tom Abbott, Gloria Hoopes, & Bucky Matkin; Bart Birch, City Attorney; Citizens: Orville Armstrong

- **FY 2012 Budget Work Session**
  - Anticipated FY 2012 revenue was discussed based on information received from the Association of Idaho Cities – budget was entered at 85% of anticipated funding. Water & Sewer rates were based on increases of < 5% which does not require a public hearing per *Idaho Code 63-1311*. No new fees were added.
  - Expenditures were based on year-to-date data and anticipated increases in insurance, power, and personnel [benefits & salary] costs. Also anticipated capital expenditures in FY 2012.
  - **Matkin moved to adopt the preliminary FY 2012 Budget as drafted [draft #3]. Abbott seconded. Motion carried unanimously.**

- **City Hall Remodel: EECBG, USDA, 3D Decker Bid**
  - Lenz reported that a third and final extension has been requested from the Office of Energy Resources for the EECBG funds. The extension was requested to October 31, 2011.
  - 3D Decker has been asked to extend its bid for an additional 60 days. Stacey at 3D, is checking subcontractors for extensions too.
  - If both extensions are received, 3D Decker's bid will be submitted to USDA for final approval.

- **Facilities Planning Study: Drinking Water – Official Option**
  - **Matkin moved to adopt Scenario 2A, at an anticipated cost of $1.556 Million, as the City's official water facility option, based on data provided by Williams Engineering in its FPS: Drinking Water. Hoopes seconded. Motion carried unanimously.**

- **Tetonia Summer Event**
  - To be held 9/17/11 at Ruby Carson Memorial Park; 1-4 p.m.
  - "Best of Tetonia" is one idea being tossed around; entertainment; pot luck with meat provided [Mayor Jardine offered to cook]; open microphone for Tetonia history
  - Invitations will be delivered to Tetonia residents (by council members?)
  - #1 comment from last year's Centennial was appreciation for the relaxed, casual atmosphere with time to talk & visit
  - Possibility of a raffle

- **Lagoon VFD Financing**
  - A Variable Frequency Drive (VFD) would reduce the work of the pump for land application at the lagoon. Financing the cost (estimated at $3,500) from the Sewer Fund would be difficult. The Council can obligate the City for a term of one year or less without voter approval. The Development Company would charge at least $500 to provide short term financing.
  - Lenz will investigate whether or not the General Fund can provide a loan to the Sewer Fund with repayment budgeted in FY 2012. If not possible, bank financing will be investigated.
  - No action at this time. Will be brought back to Council in August.

- **Adjourn Meeting**
    - **Abbott moved to adjourn. Matkin seconded. Motion carried unanimously.**

Meeting Adjourned at 9:35 p.m.

_____ _____

Rex Jardine, Mayor Date

_____ _____

Carol Lenz, City Clerk/Treasurer Date

- **May Claims and Revenue**
  - **Abbott moved to accept claims and revenue as presented. Berry seconded. Motion carried unanimously.**
    - Water/Sewer Delinquencies reviewed by account number only.
      - Follow-up of payment agreement for account(s) 20-0026 & 20-0027 revealed 50% NSF payment. Council requested that account holder(s) be sent a 10-day payment letter conforming to signed proposal.
      - Account 02-0098 is shut-off at the meter. Council requested that billing be discontinued without abandoning the service. Past due amount will be adjusted off, with unlock fee due once service is re-established by the present owner. If sold, balance written off will be requested at time of sale.

New Business

- **City Council Open Seat**
  - Mayor Jardine introduced Gloria Hoopes who spoke of her residency and belief in the community. Jardine recommended Hoopes for the open City Council Seat.
  - **Berry moved to appoint Gloria Hoopes to the open 2013 City Council Seat. Abbott seconded. Motion carried unanimously**. City Clerk Lenz administered the Oath of Office. To remain on the Council, Hoopes will be required to run for the remaining two years of the 2013 term at the next City Election.

Old Business

- **City Hall Remodel Bid Opening: Round 2**
  - Sealed Bid Packets were opened, read allowed, and reviewed by Council
    - Eagle Rock Timber $No Itemization with quote
    - Harold L Harris Construction $60,700.00
    - 3D Decker Construction $54,941.00 (apparent low bidder with responsive bid)
  - All bids received were above budget; however, Mayor Jardine and Clerk Lenz will review the apparent low bid for completeness. Bid may be brought back to Council for further consideration.

- **Acceptance of FY 2010 Audit**
  - **Hoopes moved to accept the FY 2010 Audit as presented to the Council in May. Berry seconded. Motion carried unanimously.**

- **Tetonia LDS Church: Street**
  - Allan Christean spoke as representative for the Church. He outlined the planned renovations to the existing Church building and establishment of a parking lot on the land north of the Church. Additional funding has been set aside to pave Perry Ave between the Church and its new parking lot. Church officials have considered including 5th Street and Leigh Avenue, which surround the Church – the paved road(s) would become the City's responsibility once the project completes
  - School District 401 representatives have expressed interest in having 5th Street, between the Tetonia Elementary School and the Church paved at the same time. Funding has been offered toward this project.
  - Concerns expressed by the City: (1) Timing for City – budget, public hearing & bidding requirements, (2) scope of proposed project – if too expensive, would prefer that Leigh Avenue not be considered, (3) depth of sub-grade and paving, (4) approach heights vs. paving, (5) drainage, (6) water line/meter at 5th St between School & Church
  - Consensus reached by Christean & Council to proceed cautiously. Church with engineering for paving road(s) – City with reviewing engineering/costs for 5th Street water line. Christean should work with Mitch Smaellie, Public Works Director for the City, should questions arise.

- **Egbert Lawsuit**
  - City Attorney Birch reported (1) Original four (4) interveners in the lawsuit have requested a judicial review of the judge's denial for standing, If the denial is affirmed, VARD lawyers have

stated that the denial will be appealed to the Idaho Supreme Court. Birch questions whether the case would be appealable to the Supreme Court at this time (2) Enclaved landowner's hearing was held with Birch arguing that landowner's should not be allowed to join the suit just because their respective property abuts the annexed land. Neither enclaved landowner is a resident of Tetonia and the annexation was a legislative act

- **Summer Event**
  - **Will be brought back to Council in July. Hoopes agreed to "form a committee" and "bring some ideas back." Matkin stated that he "liked last year's event." He thought the timing was good. Berry outlined the requirements to hold a one-day softball tournament.**

New Business

- **Council Sub-Committee Water/Sewer Rate Review Report**
  - Council members Abbott & Matkin outlined suggestion of the sub-committee. Suggestions will be discussed in greater depth at the Council's FY 2012 budget work session.
  - **Berry moved to required all water/sewer utility accounts to remain in the landlord's name, effective immediately. Hoopes seconded. Motion carried unanimously.**

8:45 p.m. **Abbot moved to take a short recess. Matkin seconded. Motion carried unanimously**.
8:50 p.m. Regular session was rejoined.

- **Set July Work Session(s) for FY 2012 Budget**
  - Consensus was reached by Council to hold a Special Meeting on July 20, 2011 at 6:30 p.m. as a work session for the FY 2012 Budget.

- FY 2011 Audit Engagement Letter
  - Clerk Lenz reported that two audit engagement proposals were received by the City. One from Jensen Poulsen and one from Upper Valley CPA (unsolicited). Ben Clark from Upper Valley was present and outlined the advantages his firm could provide to the City.
  - **Berry moved to engage Upper Valley CPA to conduct the City's FY 2011 annual audit at a cost of $3,500 + out-of-pocket costs (none expected). Matkin seconded. Motion carried unanimously**.

- **TRPTA Funding Request**
  - TRPTA is requesting a $5,000 commitment for its 2012 fiscal year from the City. Consensus by the Council was that there are not funds available in the City's current budget. The request will be considered for inclusion in the 2012 FY budget.

Departmental Reports

- **Planning & Zoning** (Emily Nichols, Chair)
  - Minutes from P&Z's June 6th 2011 regular meeting were included in the Council's packet. P&Z minutes reflected the Commissioners'' recommendation for approval by the City Council of the design plans for the new LDS Church Parking lot.
  - **Berry moved to approve P&Z's plan review of the proposed LDS Church parking lot. Abbott seconded. Motion carried unanimously.**
- **Jan Gallup**, Planning Consultant
  - **Abbott moved to approve Jan Gallup's attendance at quarterly Teton County Planners' meetings on behalf of Tetonia. Matkin seconded. Motion carried unanimously.**

- **Public Works Department**
  - **Sewer Lagoon Dumping**
    - PWD Smaellie reported that dumping was not going well at the lagoon lift station because of thick sludge. He recommended not continuing the practice, especially once

the lagoon freezes. In the interim, a direct discharge will be done into lagoon #1 via 100' of 6" sewer pipe provided by Valley Septic. Direct discharge does not appear to have had any effect on the lagoon's liner.
    - Land application was started earlier in the day with pressure holding at about 62#. The end gun is not on.

  - **Flood Watch**
    - Old Tetonia Canal (SE, private) is the main concern in/around Tetonia
    - One yard of sand was ordered to fill available sand bags. Available at no cost to Tetonia residents.

- **City Clerk**
  - **CD Renewals**
    - The Water & Sewer funds each have a CD that matures 6/22/11. The best rate found for renewal was 0.5% for 11 months @ Bank of Commerce.
    - Consensus was reach to not renew the water CD.
    - **Abbott moved to renew the sewer fund CD at 0.5% for 11 months, designating this CD, #39120000144, a reserve for the City's current sewer bond. Matkin seconded. Motion carried unanimously.**

- **Adjourn Meeting**
  - **Abbott moved to adjourn. Berry seconded. Motion carried unanimously.**

Meeting Adjourned at 10:40 p.m.

_____ _____
Rex Jardine, Mayor Date

_____ _____
Carol Lenz, City Clerk/Treasurer Date

        - General Fund expenditures were $62,000 of which approximately $6,000 were from Centennial activities. Redistribution of Public Works salary increased expenditures by $5,200; however, a decrease in Clerk salary offset this amount. Street expenditures were up $6,500.
        - Fund balance in the General Fund increased $3,900 ending at $102,000
        - General Fund cash increased $5,000 over last year
        - The Water Fund reported a net income of $5,000
        - Water Fund cash increased $14,000 from the prior year
        - The Sewer Fund reported consumer revenues of $89,000 and expenses, including interest, of $106,000; resulting in a net loss of $17,000
        - The Sewer Fund cash position decreased nearly $22,000, ending with a balance of $83,000 as of September 30, 2010
        - The current rate of $60, which does not fund depreciation, does not allow the City to supplement its cash reserves. The only way to build cash reserves will be a reduction of O&M expenses. The City will have to closely monitor the sewer budgets to ensure preservation of cash balances
        - The annual debt service payments for the Sewer Fund are $62,364
    - **Recommendations**
        - Designate a sewer reserve and transfer $6,236 into the account until the balance equals one annual payment. This is stipulated in the bond covenants
        - Implement a written procurement policy
        - Consider consolidating the operating checking accounts into one account

- **Williams Engineering: Water Study (Gerald Williams/Ted Hendricks)**
    - Williams walked the Council through multiple handouts outlining options for upgrading the City's water system; total estimated cost for a complete system upgrade was $1.663 million; the least expensive option to add a second well was estimated to cost $250,000
    - Discussion focused on meters in place; current water line depths; lack of "as builts" for most of the system
    - Discussion will continue with review of the final report once it is completed
    - Hendricks then addressed the Council about financing options; he recommended completing the entire project – "buying the Cadillac"
    - Hendricks went on to explain that funding agencies will support projects up to the capabilities of the City noting that agencies (and he) are not in favor of "downsizing a project"
    - Grant funding is harder to come by now; stimulus funding will not be available; Hendricks also stated that the City's current water charge was "too low" at $25 per month especially when considering the 10,000 (20,000 winter) base given to each account every month, "it is not uncommon for each [water/sewer] to be at $50 each month"

- Hendricks recommended that the City complete its water study with Williams and then conduct "informational" meetings for the public to "get the pulse of public opinion"
- The City won't be eligible for grant funding until the 2013 cycle but the city can "be as close to ready as can be. If something happens to the well, it can act quickly."
- Williams ended the presentation by requesting a public hearing be scheduled for June 13. He will finish the environmental component of the study after the public hearing's 30-day comment period is over

- **Idaho Rural Water Association (IRWA): Groundwater Protection Grant (Melinda Harper)**
  - Harper introduced herself. She explained that the City of Driggs has submitted a Source Water Protection Grant application which may be expanded to include Victor and the Darby Canyon area. Friends of the Teton River may be involved too. She questioned whether Tetonia would be interested in something similar?
  - Congratulated Teton County for having such a high participation rate of large landowners in conservation efforts; concern is for smaller landowners which is less than 1%
  - Harper offered IRWA review of water system recommendations/plans once finalized

- **City Council Open Seat** – no response. Will be brought back in June

Consent Agenda

- **Amend Agenda** according to IC 67-2343:
  - **No action.**

- **Minutes**:
  - April 11, 2011, Regular Meeting
    - **Matkin moved to accept the minutes as presented. Abbott seconded. Motion carried unanimously.**

- **April Claims and Revenue**
  - **Abbott moved to accept claims and revenue as presented. Berry seconded. Motion carried unanimously.**
    - Water/Sewer Delinquencies reviewed by account number only.
      - No action taken.

Berry moved for a recess. Abbott seconded. Motion carried.

The meeting was recessed at 9:10 p.m.
The meeting resumed at 9:20 p.m.

Old Business

- **City Hall Remodel Bid Opening**
  - Councilman Matkin recused himself.
  - Bids were unsealed by Mayor Jardine

(1) DR Concrete	$3,880.00	Not Qualified: Bid is for concrete only
(2) Walker Custom Cabinets	$59,753.36	Not Qualified: no bid bond or itemized listing of materials/components

  - Consensus was reached to re-bid; Lenz will check on advertising prices with Teton Valley News, Valley Citizen, Jackson Daily, Standard Journal, & Post Register for display & legal ads
  - Council acknowledged that short time frame may forfeit use of EECBG funds

- **Egbert Lawsuit**
  - Two hearing dates are coming up: (1) May 20th is a hearing asking the judge to certify the denial of the original petitioners to intervene, certification would allow an appeal to the Supreme Court – at least a year process; and (2) June 3rd to consider the petition of the two landholders whose land would be "enclaved" by the annexation

- **Summer Event**
  - No action taken. Will be brought back to Council in June

Departmental Reports

- **Planning & Zoning** (Emily Nichols, Chair) – No report
  - **Jan Gallup**, Planning Consultant - No report

- **Public Works Department**
  - **Well #1 Leak/Clay Valve**
    - Lenz reported that the Driggs Public Works crew will be in Tetonia on May 12th to help with the leak on the east side of the well house. The only cost to the City will be lunch for the crew
    - Clay valve repair brought back before Council. No action taken as the valve "appears to be working fine now"

  - **Public Works Position**
    - **Abbott moved to enter Executive Session per IC 67-2345(a) for consideration of possible hire. Berry seconded.** Councilman Matkin recused**.** Question called by roll: **Abbott – aye; Berry – aye; Motion carried unanimously.**

Executive session was entered at 10:00 p.m.

Executive session exited at 10:10 p.m.

- **Abbott moved to hire Mitch Smaellie as the City's Public Works Director, effective May 10th, 2011 under terms discussed. Berry seconded. Motion carried unanimously.**

- **City Clerk**
  - No report.

- **Adjourn Meeting**
  - **Abbott moved to adjourn. Matkin seconded. Motion carried unanimously.**

Meeting Adjourned at 10:20 p.m.

_____ _____

Rex Jardine, Mayor Date

_____ _____

Carol Lenz, City Clerk/Treasurer Date

Gerald Williams

From: Gerald Williams [gwilliams@grwei.com]

Sent: Tuesday, August 30, 2011 11:12 AM

To: 'James.M.Joyner@usace.army.mil'; 'willie.teuscher@deq.idaho.gov'; 'rensay.owen@deq.idaho.gov'; 'eastman.susan@epa.gov'; 'werntz.james@epa.gov'; 'Lindsay.Markegard@id.usda.gov'; 'Mary.McGown@idwr.idaho.gov'; 'dennis.dunn@idwr.idaho.gov'; 'Tom.Bassista@idfg.idaho.gov'; 'Gary.Bahr@agri.idaho.gov'; 'keager@phd7.idaho.gov'; 'khouston@idl.idaho.gov'; 'Julie.Neff@id.usda.gov'; 'Dennis.Porter@commerce.idaho.gov'; 'suzi.pengilly@ishs.idaho.gov'; 'Bill.Lind@noaa.gov'; 'Ester.Ceja@deq.idaho.gov'; 'Clay_Fletcher@fws.gov'

Cc: 'City of Tetonia'; 'rjardine@silverstar.com'

Subject: Environmental Review Comments Requested for DEQ EID

Attached is a memorandum regarding the desire of the City of Tetonia to upgrade their water system. We hereby solicit your comments as part of the environmental information document. Please see the attached memorandum, figures, and exhibit A. Response is requested within 30 days. Thank you.

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,

WILLIAMS ENGINEERING, INC.

208 359-5353 Voice
208 313-5383 Cell
208 359-8181 Fax
GWilliams@grwei.com

343 E 4th N, Ste 117
Rexburg, ID
83440-6003
www.grwei.com

Gerald Williams

From: Gerald Williams [gwilliams@grwei.com]
Sent: Wednesday, August 31, 2011 11:03 AM
To: 'anna@tetonvalleyadvocates.org'; 'info@tetonwater.org'; 'chet@tetonlandtrust.org'
Cc: 'Ester.Ceja@deq.idaho.gov'
Subject: Request for Environmental Review and Comment

Please see the attached memorandum and exhibit.

As you are probably are aware, the City limits shown on the exhibit is in litigation, but that is really a side issue. Please focus on the project planning area and the proposed project. Thank you.

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,

WILLIAMS ENGINEERING, INC.

208 359-5353 Voice
208 313-5383 Cell
208 359-8181 Fax
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MEMORANDUM

To: Environmental Review Agencies as per DEQ

From: Gerald R Williams, P.E., President

Gerald R Williams

Date: August 31, 2011

Re: City of Tetonia Improvement Project – Request for Comments for Preparation of an Environmental Information Document

The City of Tetonia is preparing a facility planning document to identify and make necessary improvements to their drinking water system that are cost effective and environmentally sound. The facility plan for this project is being funded 50% by a Department of Environmental Quality (DEQ) planning grant which requires compliance with the Rules for Administration of Planning Grants for Drinking Water Facilities, IDAPA 58.01.22. The grant requires compliance with the Idaho DEQ State Environmental Review Process the state's National Environmental Policy Act like process.

The proposed project consists of improvements to meet DEQ and fire code requirements. The project involves adding a 400 gpm well to the sole existing 400 gpm well in the system, adding next to the existing 100,000 gallon storage tank a supplementary 222,000 gallon tank to have adequate fire flow duration, and enlarging and adding various waterlines and hydrants to be able to convey fire flows to existing dwellings. No new water rights will be obtained, only a transfer of rights so that either one of the wells can be used to supply water to the City, thus providing supply redundancy as per DEQ requirements. For code required fire flow, an additional 172,000 gallon tank is required, but adding 7 feet to the diameter and 1 foot to the height provides an additional 50,000 gallons of water storage that would meet DEQ's funding requirement that when upgrading a system, to plan and be prepared for potential needs 20 years ahead.

Again, the project is being proposed to meet current DEQ redundancy requirements and fire code. Enclosed are maps of the proposed project planning area that depict the proposed project improvements and area of potential effect for all construction activities.

We request that you advise us of any comments that you may have regarding this project within 30 days, so the City of Tetonia can proceed with the completion of the Environmental Information Document.

If you have any questions concerning this proposed project or if you need any further information, please feel free to contact me at your convenience.

Phone: 208.359.5353 **Fax:** 208.359.8181 343 E 4th N Ste. 117, Rexburg ID 83440-6003 mail@grwei.com www.grwei.com

Agency Contacts for DEQ Grant and Loan Environmental Reviews - Idaho Falls Region

as of March 2011

List No.	Name	Representing	Environmental Resource Associated with Contact Agency	Address	City	State	Zip	Phone / E-Mail	Email	Date Sent	Reply Rec'd
1	James Joyer	US Army Corps of Engineers	Wetlands, 404 Permits, Flood plains	900 N. Skyline Dr., Suite A	Idaho Falls	ID	83402-1718	208-522-1676	James.M.Joyner@usace.army.mil	8/30/2011	9/23/2011
2	SE Idaho Supervisor, Snake River Fish and Wildlife Office	US Fish and Wildlife Service	Threatened, Endangered Species, other wildlife and flora	1387 South Vinnell Way, Room 368	Boise	ID	83709	208-237-6975 x105	david_kampwerth@fws.gov	8/30/2011	
3	Willie Teuscher	Idaho Falls Department of Environmental Quality	Water Quality	900 N. Skyline, Suite B	Idaho Falls	ID	83402	208-528-2650	willie.teuscher@deq.idaho.gov	8/30/2011	
4	Rensay Owen	Idaho Falls Department of Environmental Quality	Air Quality	900 N. Skyline, Suite B	Idaho Falls	ID	83402	208-528-2650	rensay.owen@deq.idaho.gov	8/30/2011	8/31/2011
5	Mike Lidgard, Manager, NPDES Unit	EPA Region 10	Projects discharging to waters of the US	1200 6th Avenue, OWW 130	Seattle	WA	98101	208-553-1755	ligard.michael@epa.gov		
6	Sue Eastman, Hydrogeologist	EPA Region 10, Office of Environmental Assessment (OEA-095)	For any project located over a Sole Source Aquifer or Streamflow Source Area	1200 6th Avenue, OWW 136	Seattle	WA	98101	206-553-6249	eastman.susan@epa.gov	8/30/2011	8/31 through 9/6 2011
7	James Werntz	U.S. EPA, Idaho Operations Office	Water Quality, Air Quality	1435 North Orchard	Boise	ID	83706	208-378-5746	werntz.james@epa.gov	8/30/2011	
8	District Conservationist - go to: ftp://ftp-fc.sc.egov.usda.gov/ID/contact/directory.pdf or: http://www.scc.state.id.us/pdf/2008DirectoryFinal.pdf	USDA-NRCS	Prime Agricultural & Rangelands, Soil Surveys for Wetlands& Flood plain assistance					208-354-2680	Lindsay.Markegard@id.usda.gov	8/30/2011	
9	Mary McGown, State NFIP Coordinator	Idaho Dept. of Water Resources	Floodplain management, maps, general program assistance	322 East Front Street PO Box 83720	Boise	ID	83720-0098	208-287-4928	Mary.McGown@idwr.idaho.gov	8/30/2011	9/8/2011
10	Dennis Dunn	Idaho Dept. of Water Resources, Eastern Region	ONLY IF decommissioning or drilling new drinking water well	900 N. Skyline Dr., Suite A	Idaho Falls	ID	83402	208-525-7161	dennis.dunn@idwr.idaho.gov	8/30/2011	8/30/2011
11	Regional Nongame Biologist Tom Bassista	Idaho Dept. of Fish and Game, SE Region	Biological resources, non game plant and animal species		Idaho Falls	ID	83204	208-232-4703	Tom.Bassista@idfg.idaho.gov	8/30/2011	8/302011
12	Gary Bahr	Idaho Department of Agriculture	Important Farmland	P.O. Box 790	Boise	ID	83701	208-332-8500	Gary.Bahr@agri.idaho.gov	8/30/2011	9/6/2011
13	Kellye Eager, Environmental Health Director	District 7 Health Department	Solid Waste	254 "E" Street	Idaho Falls	ID	83402	208-523-5382	keager@phd7.idaho.gov	8/30/2011	
14	Kurt Houston	Department of Lands	Land use	300 N. 6th Street, Ste. 103 P.O. Box 83720	Boise	ID	83720-0050	208-334-0200	khouston@idl.idaho.gov	8/30/2011	
15	Julie Neff/Sid Curnow, Rural Development Specialist	USDA-RD	If funding is being requested from USDA-RD.	725 Jensen Grove Dr., Suite I	Blackfoot	ID	83221	208-785-5840	Julie.Neff@id.usda.gov	8/30/2011	9/2/2011
16	Dennis Porter, State Program Manager	Idaho Dept of Commerce	If funding is being requested for a Idaho Community Development Block Grant	700 West State Street, PO Box 83720	Boise	ID	83720	208-334-2470 Ext 2140	Dennis.Porter@commerce.idaho.gov	8/30/2011	9/1/2011
17	Suzi Pengilly, Deputy SHPO	Idaho State Historical Society	Historic and archaeological sites and sensitive areas	210 Main Street	Boise	ID	83702	208-334-3847	suzi.pengilly@ishs.idaho.gov	8/30/2011	9/22/2011
18	Carolyn Boyer Smith, Cultural Resources Coordinator	Shoshone-Bannock Tribes	Historic and archaelogical and sensitive religious sites in any county in Pocatello Region	P.O. Box 306	Fort Hall	ID	83203	478-3707			
19	Ted Howard, Cultural Resources Program	Shoshone-Paiute Tribe	Historic and archaelogical and sensitive religious sites in any county in Pocatello Region	PO Box 219	Owyhee	NV	89832	775-757-3161 ext 243 or 208-759-3100	howard.ted@shopai.org		
20	Bill Lind	NOAA - National Marine Fisheries Service	Bill should be consulted if the project will be taking place in salmon/steelhead locations and/or critical habitat. Also any project within Custer and Lemhi county where Essential Fish Habitat for salmon has been identified.	10095 W. Emerald Street	Boise	ID	83704	208-378-5696	Bill.Lind@noaa.gov	8/30/2011	
21	Ester Ceja (for tribes)								Ester.Ceja@deq.idaho.gov	8/30/2011	Varies
22	VARD							208-354-1707	anna@tetonvalleyadvocates.org	8/31/2011	9/29/2011
23	Friends of the Teton River							208-354-3871	info@tetonwater.org	8/31/2011	9/28/2011
24	Teton Regional Land Trust								chet@tetonlandtrust.org	8/31/2011	9/1/2011

APPENDIX B

Agency Responses

Page(s)	Agency	Contact
B-1	USACE	James Joyner
B-2	DEQ Air Quality	Maria Miles
B-3 to B-8	US EPA X SSA	Susan Eastman
B-8	IDWR NFIP	Mary McGown
B-8 to B-10	IDWR Wells & GW	Dennis Dunn
B-10	ID F&G	Tom Bassista
B-11	ID Ag	Gary Bahr
B-12 to 13	US Ag RD	Julie Neff
B-14	ID Commerce	Sharon Deal
B-14 to 16	ID Historical	Shelby Day
B-17 to 18	DEQ Env	Ester Ceja
B-19 to 28	VARD	Anna Trentadue
B-29 to 34	Friends of T.R.	Sarah Rupp & Adonia Ripple
B-35	Teton Land Trust	Chet Work
B-36	City of Tetonia	Clerk
B-37	NRCS	Francine Lheritier

DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
IDAHO FALLS REGULATORY OFFICE
900 NORTH SKYLINE DRIVE, SUITE A
IDAHO FALLS, IDAHO 83402-1718

REPLY TO
ATTENTION OF:

September 23, 2011

Regulatory Division

SUBJECT: NWW-2011-00448-I02

Gerald Williams
Williams Engineering, Inc
343 E 4th Ste 117
Rexburg, ID 83440-1621

Dear Mr. Williams

This is in response to your 29 August 2011 letter requesting our comments on your proposed Drinking Water System Improvement project located in Tetonia, Idaho. 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. This includes most perennial and intermittent rivers and streams, natural and man-made lakes and ponds, and wetlands, as well as irrigation and drainage canals and ditches that are tributaries to other waters. Activities regulated under Section 404 include excavation and mechanized landclearing activities which result in the discharge of dredged material and destroy or degrade waters of the United States.

Based on the information provided, it appears the proposed project will not involve work in areas subject to our jurisdiction and a Department of the Army permit will not be required. If you have any questions concerning these regulatory matters, please contact Timm Kennedy at 208-522-1645 or timm.a.kennedy@usace.army.mil

Sincerely,

James M. Joyner

James M. Joyner
Regulatory Project Manager

Printed on Recycled Paper

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

900 North Skyline Drive, Suite B • Idaho Falls, Idaho 83402 • (208) 528-2650

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

August 31, 2011

Gerald R. Williams, P.E., President
Williams Engineering, Inc.
343 E 4th N, Ste 117
Rexburg, ID
83440-6003

Subject: City of Tetonia Improvement Project – Request for Comments for Preparation of an Environmental Information Document

Dear Mr. Williams:

The Idaho Department of Environmental Quality (DEQ) has reviewed the information submitted regarding the City Tetonia' project involving improvements to the drinking water system with respect to Air Quality impacts in the region. DEQ appreciates your efforts to apprise our agency of the planned project activity.

Please be advised that control of fugitive dust at all phases of the project is required under Idaho law. Additionally, construction debris and other wastes are strictly prohibited from open burning and need to be properly disposed in a certified landfill. These are aspects that typically present minor to significant problems in the Idaho Falls region that are closely monitored and strictly enforced.

If you have further questions concerning this or other matters in our region, please call me at (208) 528-2650.

Sincerely,

Maria Miles

Maria Miles
Air Quality Analyst
Idaho Falls Regional Office

MM:lc

Ec: TRIM

Rensay Owen – Idaho Falls Regional Air Quality Manager

Correspondence with Susan Eastman, EPA, is in chronological order rather than in normal email thread reverse order.

From: **"Gerald Williams" <gwilliams@grwei.com>**
To: **Susan Eastman/R10/USEPA/US@EPA**,
Cc: "'City of Tetonia'" <tetoniagov@silverstar.com>, <rjardine@silverstar.com>
Date: 08/30/2011 10:14 AM
Subject: Environmental Review Comments Requested for DEQ EID

Attached is a memorandum regarding the desire of the City of Tetonia to upgrade their water system. We hereby solicit your comments as part of the environmental information document. Please see the attached memorandum, figures, and exhibit A. Response is requested within 30 days. Thank you.

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,

From: Eastman.Susan@epamail.epa.gov
[mailto:Eastman.Susan@epamail.epa.gov]
Sent: Wednesday, August 31, 2011 1:26 PM
To: Gerald Williams
Subject: Re: Environmental Review Comments Requested for DEQ EID

Please complete the attached checklist and submit for approval from the Sole Source Aquifer (SSA)Program IF your project is receiving federal funding. The SSA program only has the statutory authority to approve projects that are both located within the federally designated SSA AND are receiving federal funding. If your project does not meet both these criteria I do not review the project.

(See attached file: R10 Sole Source Aquifer Checklist.doc)

Susan Eastman, Environmental Scientist
EPA Region 10
1200 Sixth Ave. Suite 900, OWW-136
Seattle, WA. 98101
SDWA Tribal & CWA Indian Set Aside Program, Sole Source Aquifer Program, Source Water Protection and ID 106

206-553-6249
EASTMAN.SUSAN@EPA.GOV

From: **"Gerald Williams" <gwilliams@grwei.com>**
To: **Susan Eastman/R10/USEPA/US@EPA**
Date: 08/31/2011 12:58 PM (After the above email—time zones must come into play here)
Subject: RE: Environmental Review Comments Requested for DEQ EID

We are currently at the study level without any design drawings. There is hope to be able to obtain federal funding, or at least low interest

funding that involves federal funding, but at present it is unknown what any will be.

That said, do I fill out the form the best I can, guessing on the construction items and indicating "unknown" on the types of funding involved?

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,

-----Original Message-----
From: Eastman.Susan@epamail.epa.gov
[mailto:Eastman.Susan@epamail.epa.gov]
Sent: Wednesday, August 31, 2011 1:52 PM
To: Gerald Williams
Subject: RE: Environmental Review Comments Requested for DEQ EID

No, when you have, or it looks like you will have, the federal funding and are further along with the project submit the checklist

If it doesn't look like you will be able to obtain federal funding there is no need to submit the checklist.

From: "Gerald Williams" <gwilliams@grwei.com>
To: Susan Eastman/R10/USEPA/US@EPA
Date: 08/31/2011 01:27 PM
Subject: RE: Environmental Review Comments Requested for DEQ EID

Am I correctly assuming that the low interest loans through DEQ classify as federal funding?

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,

Susan Eastman, Environmental Scientist
EPA Region 10
1200 Sixth Ave. Suite 900, OWW-136
Seattle, WA. 98101
SDWA Tribal & CWA Indian Set Aside Program, Sole Source Aquifer Program, Source Water Protection and ID 106

206-553-6249
EASTMAN.SUSAN@EPA.GOV

If the low interest loans are via the state SRF program than yes we do consider that federal funding....

unless the state specifically identifies the funds as state funds...gets a little murky given that the "seed" money for the SRFs are given to the states by EPA as Capital Funding grants every year and some money gets paid back to the state....with interest, so the state

can continue to "revolve" the program in perpetuity.... at least that's the idea.

Seems to me you need to flesh this project out a bit first anyway. Once you know what your doing submit the checklist for review.(See attached file: R10 Sole Source Aquifer Checklist.doc)

Susan Eastman, Environmental Scientist
EPA Region 10
1200 Sixth Ave. Suite 900, OWW-136
Seattle, WA. 98101
SDWA Tribal & CWA Indian Set Aside Program, Sole Source Aquifer Program, Source Water Protection and ID 106

206-553-6249
EASTMAN.SUSAN@EPA.GOV

Subsequent to the above DEQ indicated that we must have the completed SSA even though that is an EPA thing and they said the project was not at that stage yet. Gerald Williams then called Susan Eastman and she called back leaving a message that if it was required, send her the completed SSA filled out the best possible with notation that it is preliminary and subject to change, if needed, in the future.

Sole Source Aquifer Checklist

1. Location of Project and name of Sole Source Aquifer. *Water System Improvements in the city of Tetonia, Tetonia County, Idaho, located in the Upper Snake River Aquifer*

2. Project description and federal funding source (e.g., Federal Highway Administration, Housing and Urban Development etc) *The project will involve adding a second well, a second tank, and waterline extensions and line size upgrades to meet fire code and DEQ redundancy and other requirements for public water systems. The funding source is yet unknown, but preliminary investigations point towards a low interest loan through IDEQ, as other sources are at higher interest rates and appear to be without any grant monies.*

3. Is there any increase of impervious surface? If so, what is the area? *There will be a well house that would likely be in the range of 100 square feet, and also a tank in another area that would have an area of approximately 1775 square feet. There will be no other impervious surface created by the project, and these additional areas will not be directly connected to any other impervious areas.*

4. Describe how storm water is currently treated on the site? *The proposed well site is fixed but is assumed at his point to be drilled at a City park. Runoff flows west*

onto private property in its historic flow pattern. The proposed tank is at the top edge of a hill where surface runoff flows down the hill to the west onto private property. Proposed facilities will add impermeable surface and be protected as required from surface drainage, but will not change the flow patterns of runoff to the offsite areas.

5. How will storm water be treated on this site during construction and after the project is complete? *Construction drawings and specifications have not been started and who will prepare them is unknown. However, the EPA SWPPP will require BMPs during construction to address that phase. If we are involved in the project, being a CPESC and CPSWQ and experienced in this line of work, the BMPs will mostly be of the permanent type that places priority on intercepting runoff, then preventing erosion, and lastly on sediment control as opposed to the reverse priority followed by most. There will be no increase in runoff to private property as a result of the project, accomplished through an onsite retaining swale on the park site and retention storage area or other means on the tank site.*

6. Are there any underground storage tanks present or to be installed? Include details of such tanks. *There will be no underground storage tanks of any kind.*

7. Will there be any liquid or solid waste generated? If so how will it be disposed of? *Drilling of the well will generate both liquid and solid waste. The liquid waste will be disposed of in accordance with the well drilling permit and other regulations. The solid waste is soil, which can be disposed of at any acceptable location. Construction of the tank site or outfall wateline therefrom will likely involve excavation of some bedrock that will have to be hauled and disposed of at an acceptable location. The tank itself will be a bolted steel tank. Construction debris such as shipping materials must be properly disposed of, as would be required by law and construction specifications. Basically, regulations already in place cover this, so I am not sure why the additional focus.*

8. What is the depth of excavation? *Waterlines must have 6 foot of cover for freeze protection, so they will have 7 foot of excavation depth. The well depth is anticipated to be 320 feet, but that is only an estimate pending what is found. The tank site has approximately 10 inches of topsoil over bedrock, so the topsoil will be removed and likely just a gravel based added thereon as a leveling course.*

9. Are there any wells in the area that may provide direct routes for contaminates to access the aquifer and how close are they to the project? *The City has one existing well at the west side of town near proposed waterline upgrades, and the project involves another well to be drilled, with connecting waterlines and nearby well house. The existing well does, and proposed well will, conform to DEQ requirements of having the surface drain away from wells and also having the well closed at the surface, with 58 feet of seal as per specifications. Once again, existing regulations cover the concern for water well protection, and this being a*

City project for the City water system, no one is more concerned about this issue than they are.

10. Are there any hazardous waste sites in the project area....especially if the waste site has an underground plume with monitoring wells that may be disturbed? Include details. *No.*

11. Are there any deep pilings that may provide access to the aquifer? *No.*

12. Are Best Management Practices planned to address any possible risks or concerns? *Yes, as required by the EPA SWPPP process and DEQ well site requirements..*

13. Is there any other information that could be helpful in determining if this project may have an affect on the aquifer? *The proposed second well is not for the purpose of drawing more water volume or for a greater withdrawal rate, but rather to provide the City with a redundant water source. Consequently, there should be no impact to the aquifer by the project except for during a fire flow condition when both wells will be allowed to pump. Given the short duration and infrequency of this condition, the overall effect should not be significant.*

14. Does this Project include any improvements that may be beneficial to the aquifer, such as improvements to the wastewater treatment plan? *No.*

The above answers are provided to the best of my ability at this planning stage. Obviously there is the possibility of changes, such as finding an insufficient water supply at the City park and needed to drill at another location, or the inability to acquire additional land adjacent to the existing water tank for the second tank, etc. We understand that if there is significant change to what is proposed, then this checklist response will need to be updated and resubmitted for review.

From: Susan Eastman [Eastman.Susan@epamail.epa.gov]
Sent: Tuesday, December 20, 2011 12:22 PM
To: Gerald Williams
Subject: Re: Tetonia Idaho water system SSA WITH ATTACHMENTS

Thank you for submitting your project for review. We have reviewed the information provided and find that the project will not have a significant adverse impact on the Eastern Snake River Plain Sole Source Aquifer and therefore the funding may proceed.

EPA reviews federally financially assisted projects that are proposed in federally designated Sole Source Aquifer review areas to determine if the projects have a potential to contaminate the aquifer through a recharge zone so as to create a significant hazard to public health. Such projects are submitted to EPA by federal, state, and local governments, and by the public.

This correspondence only addresses the Sole Source Aquifer Program, any other federal environmental requirements are your responsibility to ensure compliance. Please retain this email for your records.

Thank You,

Susan Eastman, Environmental Scientist

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

From: McGown, Mary [Mary.McGown@idwr.idaho.gov]
Sent: Thursday, September 08, 2011 10:19 AM
To: Gerald Williams
Subject: RE: Environmental Review Comments Requested for DEQ EID

Gerald,

I reviewed the information you provided about the water system improvements in Tetonia. The City of Tetonia is not in the National Flood Insurance Program and there is no Federal Emergency Management Agency mapped flood hazard area in the city limits. Consequently, I have not identified flood hazard concerns based on the NFIP or the Flood Insurance Rate Map for Teton County.

Mary G. McGown, Ph.D., CFM
State Floodplain Coordinator
Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4928
(208) 287-6700 fax

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

From: Dunn, Dennis [Dennis.Dunn@idwr.idaho.gov]
Sent: Wednesday, August 31, 2011 1:36 PM
To: Gerald Williams
Subject: RE: Environmental Review Comments Requested for DEQ EID

Just make sure to design the second well large enough with extra capacity in the screen so that when the city needs additional water to handle growth they do not need a third well. It is cheaper up front.

From: Gerald Williams [mailto:gwilliams@grwei.com]
Sent: Wednesday, August 31, 2011 8:43 AM
To: Dunn, Dennis

Cc: 'City of Tetonia'; rjardine@silverstar.com; mitchjuli@silverstar.com
Subject: RE: Environmental Review Comments Requested for DEQ EID

Dennis:

Thanks for the reply. The selected alternative 2A involves a second 400 gpm well. The intent is to file for a transfer of diversion and to be able to divert from either location, as per your described Option 1 below. Both the existing and proposed well could only pump 400 gpm (the approved water right) at normal operating pressures, and both would be able to pump up to 500 gpm at the lower fire flow system operating pressures.

Once the project becomes a reality and there is intent to go forward with the second well, the City will need to do as you have suggested and file for a transfer (in addition to getting a well permit).

Thanks for your response.

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,
208 359-5353 Voice 343 E 4th N, Ste 117
208 313-5383 Cell Rexburg, ID
208 359-8181 Fax 83440-6003
GWilliams@grwei.com www.grwei.com

-----Original Message-----
From: Dunn, Dennis [mailto:Dennis.Dunn@idwr.idaho.gov]
Sent: Tuesday, August 30, 2011 2:31 PM
To: Gerald Williams
Subject: RE: Environmental Review Comments Requested for DEQ EID

August 30, 2011

Re: City of Tetonia

Depending on what they want to do the City of Tetonia needs to file an Application for Transfer, with IDWR, to add an additional point of diversion and/or a new Application for Permit.

The first option would allow the city to add a point of diversion to the current system. It would allow them to use either well to divert the Cities' water right. The city could not however exceed their licensed diversion rate unless it was for actively fighting a fire.

The second option allows the City to pump additional water under a new permit using both wells as points of diversion. However in this scenario only the new water right would be allowed to be pumped from both wells.

The City of Tetonia really should file a transfer for the additional point of diversion and an application for a new permit. They could them pump their water from either well and have enough water to meet future growth.

Dennis M. Dunn
Sr. Water Resource Agent

IDWR
(208) 525 7161

Dennis.Dunn@idwr.idaho.gov

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

From: Bassista,Tom [tom.bassista@idfg.idaho.gov]
Sent: Tuesday, August 30, 2011 1:09 PM
To: Gerald Williams
Cc: Schmidt,Steve
Subject: RE: Environmental Review Comments Requested for DEQ EID

Dear Mr. Williams:

The Idaho Department of Fish and Game has reviewed a request by the City of Tetonia to make improvements to their drinking water system.

We have no comments concerning the project.

Please let me know if I can be of any further assistance in this matter.

Tom P. Bassista
Environmental Staff Biologist

Idaho Department of Fish and Game
Upper Snake Region
4279 Commerce Circle
Idaho Falls, ID 83401
208.525.7290

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

STATE OF IDAHO

C. L. "BUTCH" OTTER
GOVERNOR
CELIA R. GOULD
DIRECTOR

September 6, 2011

Gerald Williams
Williams Engineering, Inc.
343 E 4th N Ste. 117
Rexburg, ID 83440-6003

Dear Mr. Williams:

Thank you for inquiring with the Idaho State Department of Agriculture (ISDA) with regards to your work with the City of Tetonia Improvement Project. The public works project being proposed will be an important project for the citizens of that area.

We have reviewed the planning documents provided to us. Your documents appear to be professional and informative. At this time we do not have comments or questions related to this project.

Thank you for contacting our agency. Feel free to contact us in the future (main number - 208-332-8500, my number - 208-332-8597).

Sincerely,

Gary Bahr

Gary Bahr

Water Quality Programs

PC: Water Program File

2270 Old Penitentiary Road • P.O. Box 790 • Boise, Idaho 83701 (83712 for physical address) • (208) 332-8500 • www.agri.idaho.gov

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Mr. Williams,

Please see the attached letter.

The following is a link to access the USDA Rural Development (RD) Environmental Reference Manual for use by Engineers working on projects to be funded by RD.
http://www.rurdev.usda.gov/id/RUSmanuals.htm

For further information about RD Water and Environmental Programs, please visit our website http://www.rurdev.usda.gov/UWEP_HomePage.html or feel free to give me a call.

Sincerely,

Julie Neff | Area Specialist – Community Programs
Rural Development
U.S. Department of Agriculture
725 Jensen Grove Drive, Suite 1, Blackfoot, ID 83221
Phone: 208.785.5840 ext 115| Fax: 208.785.6561

United States Department of Agriculture
Rural Development
Eastern Idaho Area Office

September 2, 2011

Gerald R. Williams, P.E., President
Williams Engineering, Inc.
217 North 2nd East
Rexburg, ID 83440-1621

SUBJECT:
USDA Rural Development comments for the City of Tetonia water system EID.

Per your request, with this letter we are providing comments regarding your preparation of an environmental information document for the water system upgrades proposed for the City of Tetonia in Teton County, Idaho.

The Idaho State Office of USDA, Rural Development (RD) has developed an Environmental Reference Manual for use by Engineers working on projects partially or wholly funded by RD. The Manual contains guidance on developing environmental reports for water and waste projects. The Manual is available at http://www.rurdev.usda.gov/id/RUSmanuals.htm.

Preparers of environmental documents shall consult with appropriate Federal, State, and local agencies to obtain information for assessing potential environmental impacts.

In Teton County, consultation regarding cultural and religious sites with the Shoshone Bannock Tribes, and the Shoshone-Paiute Tribes is necessary. Contact information is:

Shoshone-Bannock Tribes	Shoshone-Paiute Tribes
Carolyn Boyer Smith	Ted Howard, Director
Cultural Resources Coordinator	Cultural Resource Program
Phone: 208-478-3707	Phone: 702-757-3161

We appreciate the opportunity to provide comment and will be happy to work with the City of Tetonia to assist with project funding. Please call 208-785-5840 ext. 115 or email julie.neff@id.usda.gov .

Sincerely,

JULIE NEFF
Area Specialist – Community Programs

CC: City of Tetonia

725 Jensen Grove Drive, Suite 1, Blackfoot, Idaho 83221
Phone: (208) 785-5840 • Fax: (208) 785-6561 • Web: http://www.rurdev.usda.gov/id

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From: Sharon Deal [Sharon.Deal@commerce.idaho.gov]
Sent: Thursday, September 01, 2011 9:42 AM
To: gwilliams@grwei.com
Subject: RE: Environmental Review Comments Requested for DEQ EID
Good morning Gerald,

At this time the Department of Commerce as no comment in regards to the Tetonia water system improvement project.

Thank you

Sharon Deal
Community Development Specialist
Idaho Department of Commerce
208-334-2650 ext 2137
www.gemstateprospector.com

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

From: Shelby Day [Shelby.Day@ishs.idaho.gov]
Sent: Thursday, September 01, 2011 12:10 PM
To: Gerald Williams
Subject: RE: Environmental Review Comments Requested for DEQ EID
Hi Gerald,

No, unfortunately we need to review the project plans and comment as the project as a whole. Without knowing the tank site or the other sites, we wouldn't be able to offer any more than a letter requesting additional information. With that said though, we don't need to know the exact location down to the inch. If you have a 'general' idea, for instance somewhere near the current tank, just send us photos of the area. We may be able to comment on the project at that point, depending on what we see in the photos. For instance, if the ground near the existing tank is highly disturbed, there would be little likelihood for intact archaeological remains. There are numerous variables and numerous outcomes though. I won't know more until I begin the review. Please hard copy mail the items you sent in the previous email along with photos so we can get this rolling.

Thank you,

Shelby

From: Gerald Williams [mailto:gwilliams@grwei.com]
Sent: Thursday, September 01, 2011 11:16 AM
To: Shelby Day
Cc: 'City of Tetonia'; rjardine@silverstar.com
Subject: RE: Environmental Review Comments Requested for DEQ EID

Shelby:

We know where the proposed tank would go because it will be located next to the existing tank. However, the proposed well is simply schematic at this point (we are only at the study level). There has been no site investigations, permits sought, or property purchased. We can furnish photos of where we conceptually think it could be, but it is very doubtful that when all is said and done that it will be where we, at this stage, guess it may be.

As for the well, couldn't there be general statements made at this point as to ISHS requirements and concerns, which would be further reviewed and approved during later stages of the project?

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,
208 359-5353 Voice 343 E 4th N, Ste 117
208 313-5383 Cell Rexburg, ID
208 359-8181 Fax 83440-6003
GWilliams@grwei.com www.grwei.com

-----Original Message-----
From: Shelby Day [mailto:Shelby.Day@ishs.idaho.gov]
Sent: Thursday, September 01, 2011 9:12 AM
To: gwilliams@grwei.com
Subject: RE: Environmental Review Comments Requested for DEQ EID

Hi Gerald,

We need to receive all Section 106 review files via hard copy, so if you have not already done so, please mail this information to my attention at the address below. Also, I did quickly glance through the information you provided. I can see a few more items that we will need to begin our review. We will need photos of the areas of new construction (new wells, tanks) so we can determine the level of previous ground disturbance.

Thanks you,

Shelby Day

Shelby Day
Compliance Review Officer

shelby.day@ishs.idaho.gov
(208) 334-3847 ext. 109

Idaho State Historical Society
State Historic Preservation Office
210 Main St.
Boise, Id 83702
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Office: (208) 334-2682
Fax: (208) 334-2774

Membership and Fund Development
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 514-2310
Fax: (208) 334-2774

Historical Museum and Education Programs
610 North Julia Davis Drive
Boise, Idaho 83702-7695
Office: (208) 334-2120
Fax: (208) 334-4059

State Historic Preservation Office and Historic Sites
Archeological Survey of Idaho
210 Main Street
Boise, Idaho 83702-7264
Office: (208) 334-3861
Fax: (208) 334-2775

Statewide Sites:
• Franklin Historic Site
• Pierce Courthouse
• Rock Creek Station and
• Stricker Homesite

Old Penitentiary
2445 Old Penitentiary Road
Boise, Idaho 83712-8254
Office: (208) 334-2844
Fax: (208) 334-3225

Idaho State Archives
2205 Old Penitentiary Road
Boise, Idaho 83712-8250
Office: (208) 334-2620
Fax: (208) 334-2626

North Idaho Office
112 West 4th Street, Suite #7
Moscow, Idaho 83843
Office: (208) 882-1540
Fax: (208) 882-1763

Historical Society is an Equal Opportunity Employer.

DATE: December 12, 2011
TO: Gerald Williams, Williams Engineering
FEDERAL AGENCY: EPA
PROJECT NAME: Tetonia Water System Improvements, Teton County, Idaho; Archaeological Report by Stephanie Crockett, Victor, Idaho, dated 27 October 2011

Section 106 Evaluation

X	The field work and documentation presented in this report meet the Secretary of the Interior's Standards.
X	No additional investigations are recommended. Project can proceed as planned.
	Additional information is required to complete the project review. (See comments below.)
	Additional investigations are recommended. (See comments below).

Identification of Historic Properties (36 CFR 900.4):

X	No historic properties were identified within the project area.
X	Property is not eligible. Reason: Lack of subsurface deposits, disturbed.
	Property is eligible for listing in the National Register of Historic Places.
	Criterion: _ A _ B _ C _ D Context for Evaluation:
X	*No historic properties* will be affected within the project area.

Assessment of Adverse Effects (36 CFR 800.5):

	Project will have *no adverse effect* on historic properties.
	Property will have an *adverse effect* on historic properties. Additional consultation is required.

Comments:

Work should halt and your archaeologist contacted immediately if archaeological remains are discovered during construction.

Susan Pengilly

Susan Pengilly, Deputy SHPO
State Historic Preservation Office

December 12, 2011
Date

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Correspondence between Ester Ceja and Gerald Williams is presented in chronological order rather than in normal email reverse order.

From: Ester.Ceja@deq.idaho.gov
Sent: Tuesday, August 30, 2011 12:27 PM
To: gwilliams@grwei.com
Subject: RE: Environmental Review Comments Requested for DEQ EID

Gerald,

Good afternoon. I wanted to follow up on your email below. The consulting agency is looking for two things…(1) project description through your letter and (2) a map identifying the proposed project planning area and the location of the specific system improvements.

In the future you may want to reduce the number of maps that send out with your agency consultation letter.

I will need you to provide me with one updated map (it could be the aerial map) with a legend, the proposed project planning area, and the specific system improvement locations within the proposed project planning area boundary. I will need that updated map for my consultation with the Tribes.

Let me know if you have any questions.

Thanks,

Ester Ceja
Sr. Water Quality Analyst
1410 North Hilton
Boise, Idaho 83706
Phone (208) 373.0585
Fax (208) 373.0576
Ester.Ceja@deq.idaho.gov

Gerald Williams to Ester on September 30, 2011

Ester:

On August 30, we emailed to you information regarding the proposed Tetonia water project to gather information as part of the EID. You responded that we needed to combine information onto a single map, which we furnished August 31. Today is the 30th day since then. Do you or the tribes that you were going to coordinate with have any comments?

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,
208 359-5353 Voice 343 E 4th N, Ste 117
208 313-5383 Cell Rexburg, ID
208 359-8181 Fax 83440-6003
GWilliams@grwei.com www.grwei.com

From: Gerald Williams [mailto:gwilliams@grwei.com]
Sent: Thursday, December 08, 2011 8:35 AM
To: Ester Ceja
Cc: 'City of Tetonia'
Subject: Tetonia Water Facility Planning Study Environmental Report

Ester:

Several months ago I sent you information and a request for environmental comments. I received nothing back from you or from the tribes through you. Were there no comments?

Also, Stephanie Crockett, Cultural Resource Consulting, prepared an Archeological and Historic Sites Inventory Report. She sent me 4 copies, one bound for me as her client and three unbound which her cover letter says are for SHPO. My intent was to have a copy as Appendix B in my EID report. Do you also want some separately, and if so in advance of the EID or with the EID?
Thanks.

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,
208 359-5353 Voice 343 E 4th N, Ste 117
208 313-5383 Cell Rexburg, ID
208 359-8181 Fax 83440-6003

From: Ester.Ceja@deq.idaho.gov
Sent: Thursday, December 08, 2011 1:15 PM
To: gwilliams@grwei.com
Cc: tetoniagov@silverstar.com
Subject: RE: Tetonia Water Facility Planning Study Environmental Report

Mr. Williams,

A letter was sent to the Shoshone Bannock Tribe and the Shoshone Paiute Tribes the week of October 3, 2011. The tribes have 30 days to comment on the proposed project and have not done so.

Please make sure that you submit a copy of the Archeological survey to Suzi Pengilly at SHPO. Once you have received a letter from SHPO regarding their review of the survey you submitted, please include a copy of the survey as you indicated below and their response letter. Please make sure that if the survey identifies mitigation measures or if SHPO's letter identifies mitigation measures that they are included in the mitigation measures section of the EID.

Let me know if you have any other questions.
Thanks,
Ester Ceja

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

From: Anna Trentadue [anna@tetonvalleyadvocates.org]
Sent: Tuesday, September 06, 2011 4:25 PM
To: Gerald Williams
Subject: Re: Request for Environmental Review and Comment

Hi Gerald -

Is there any chance that I can call you tomorrow? I'm in meetings with ED candidates all afternoon. I did read over that summary of water rights – so strange. That's only a small portion of what I submitted to the city (probably totaling 100+pages). I have a copy of the binder if you'd like to see it. I also wrote the attached action plan which I think outlines the options available to the city.

--

Anna Trentadue
Program Director and Staff Attorney
Valley Advocates for Responsible Development (VARD)
P.O. Box 1164
Driggs, ID 83422
(208) 354-1707
Fax: (208) 354-1709
anna@tetonvalleyadvocates.org
http://www.tetonvalleyadvocates.org

On 9/2/11 11:39 AM, "Gerald Williams" <gwilliams@grwei.com> wrote:

See comments in blue text below.

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,

208 359-5353 Voice 343 E 4th N, Ste 117
208 313-5383 Cell Rexburg, ID

208 359-8181 Fax 83440-6003
GWilliams@grwei.com www.grwei.com <http://www.grwei.com/>

-----Original Message-----
From: Anna Trentadue [mailto:anna@tetonvalleyadvocates.org]
Sent: Friday, September 02, 2011 10:44 AM
To: Gerald Williams
Subject: Re: Request for Environmental Review and Comment

See attached agreement. **Thanks.** My 2 clients have petitioned the district court to throw out this agreement. As you can see, it guarantees no water for the city. Even if they do get water, it's at the landowners discretion – it could be 20 years from now. **I was and am not aware of all the details of the Egbert issue, of course, but I knew enough that I could not have my water study and the City's future rely on it, and thus is doesn't.**

Can you send me a copy of my water rights work that Scheiss received from the city? **See attached.** The last time I saw the binder I prepared for them, it had been drastically altered -not

sure by whom. I am concerned as to the accuracy of the information Scheiss received regarding my work on the city's other rights... Has the city sent you anything else? **Only Schiess' study.** I'd really like to know.

Also, the voters de-annexed this property back in May 2010. We'll talk Tues! **That would be great, but given that my study and recommendations are completely independent of the Egbert property, well, water rights, development, and I believe litigation outcome, that is not where I need or want to spend my time. I'm trying to get a backup water supply to the City, with sufficient pumping and storage to meet prudent DEQ and fire code requirements for existing water customers and infrastructure with the DEQ-required and common sense good management practice of looking ahead for needs in the future, wherever and however they come. I will keep my focus in that direction and not the other quagmire that I doubt will ultimately have bearing on what is needed. My efforts regarding the Egbert issue will only be to continue to help city citizens (City officials, staff, and general public) to understand the need to move on and not consider the Egbert issue as part of the solution.**

On 9/2/11 10:17 AM, "Gerald Williams" <gwilliams@grwei.com> wrote:
See comments below in blue text.

Also, I sent the narrative of the report but not the exhibit and tables. See attached.

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,

208 359-5353 Voice 343 E 4th N, Ste 117
208 313-5383 Cell Rexburg, ID

208 359-8181 Fax 83440-6003
GWilliams@grwei.com www.grwei.com <http://www.grwei.com/>
-----Original Message-----
From: Anna Trentadue [mailto:anna@tetonvalleyadvocates.org]
Sent: Friday, September 02, 2011 9:09 AM
To: Gerald Williams
Subject: Re: Request for Environmental Review and Comment

This is great. Thanks Gerald. I will probably look into this more in depth next Monday. Before I write up comments, is it alright if I call you to discuss over the phone? **That would be great!** Many of my concerns have to do with the logistics of the following:

- The decreed elements of this groundwater right (low volume, irrigation, late priority, place of use, etc) **Which water right are you referring to (by the way, I have the Schiess report that has an appendix that provides your pro bono work you refer to below, and I have looked through it—several times even—thanks)**
- Lack of a transfer application to IDWR **The need for this is known, and the feasibility to obtain almost sure, but premature at this point)**
- The cost hurdles of re-drilling this marginal irrigation well **(again, which one)** and building a pipeline (and pump?) to the city. **If you are referring to our proposed 400 gpm well south of Egbert Avenue, this has nothing to do with the Egberts or their irrigation well. But the location along Egbert Avenue adjacent to existing water line infrastructure on the south side of the water**

system is good. There it would augment the current City well supplying water from the west and the tanks supplying water from the northeast, providing system balance and allowing for smaller waterlines; hence the proposed location.

- The annexation agreement between the Egberts and Tetonia appears to be written **(I've never been able to get any information on this, and the City personnel have been vague and inconsistent in what they have told me. Could you send me a copy?)** so as to not guarantee that there will ever be water available for the city from this well or the right itself. **You obviously know, as do I, of the City's interest in the Egbert well. To me it is of no value because the cost to convert to a drinking water well is likely as high as drilling a new well and the ability to do so is not even a sure thing. The water right can certainly be of value, but at this point, and as projected for the DEQ required 20 year planning period, the 400 gpm right the City is using is plenty adequate.**
- The fact that the Egberts no longer own this property **I heard that yesterday. But again, my study is not based on anything related to the (former) Egbert property well, because the cost and ability to convert is simply not attractive, the right is not needed (but of course would be nice if available), and as you know there has been way too much uncertainty in the whole thing. So again, the Egbert deal is not a part of what is proposed in my report.**
- The status of this property is now the subject of 2 District Court lawsuits and 1 appeal to the Idaho Supreme Court **Ditto. And as far as location, we can put the well east or west of where it is schematically shown on our exhibit, and even on the north side of Egbert Avenue where I understand the City owns property (in the triangle). So any uncertainties relating to the Egbert property are not an issue in what I have proposed. That said, that may not be what remains in the heads of people over there.**

Also, just as an FYI, I did some water rights work (pro bono) for the city back in 2007-early 2008. They have two water rights in the SRBA which the mayor and city council have declined to defend. I tried to convince them of the value of these rights. They are tremendous assets to the city which should be protected and most importantly, utilized. **ABSOLUTELY!** It perplexes me that they continue to set their sights on the Egbert well when they have 2 other rights at their disposal that will not cost all of this money and create so much uncertainty. **I certainly have not figured out, nor have I tried, what all the fascination is with the Egbert deal. I'm certain it is a conglomerate of issues and water is only one of them. I stay out of all the politics and keep my focus on the technical aspects.**

So if there is time to chat on the phone next week, that would be great. **Sounds great! I am generally open.**
Anna

--
Anna Trentadue
Program Director and Staff Attorney
Valley Advocates for Responsible Development (VARD)
P.O. Box 1164
Driggs, ID 83422
(208) 354-1707
Fax: (208) 354-1709
anna@tetonvalleyadvocates.org
http://www.tetonvalleyadvocates.org

Did you know that you can raise money for VARD just by searching the Internet with GoodSearch.com <http://www.goodsearch.com/?charityid=928518> or shopping online with GoodShop.com <http://www.goodshop.com/?charityid=928518> ?

On 9/2/11 8:36 AM, "Gerald Williams" <gwilliams@grwei.com> wrote:
Attached is the DEQ-approved engineering report, minus the appendices. If there are any of those you want, let me know.

Though environmental issues were considered in the course of the engineering work, by DEQ policy the more detailed environmental investigation occurs only after the completion of the engineering report and its public presentation, 30 day public comment period, and official agency adoption of an alternative. Once an alternative is chosen by the City, one goes forward with the details of environmental evaluation for the chosen alternative and presents it in the Environmental Information Document (EID). The EID is what I am working on, for which comments are requested.

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,

208 359-5353 Voice 343 E 4th N, Ste 117
208 313-5383 Cell Rexburg, ID

208 359-8181 Fax 83440-6003
GWilliams@grwei.com www.grwei.com <http://www.grwei.com/>
-----Original Message-----
From: Anna Trentadue [mailto:anna@tetonvalleyadvocates.org]
Sent: Thursday, September 01, 2011 2:26 PM
To: Gerald Williams
Subject: Re: Request for Environmental Review and Comment

Yes, please send me that engineering report.

Thanks!

On 9/1/11 1:51 PM, "Gerald Williams" <gwilliams@grwei.com> wrote:
Comments go to me, and they will be packaged with everyone's comments in what I send to DEQ. You have 30 days to respond.

You indicated that you have a lot of comments. Have you even seen the engineering report we prepared? I can furnish that if you like.

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,

208 359-5353 Voice 343 E 4th N, Ste 117
208 313-5383 Cell Rexburg, ID

208 359-8181 Fax 83440-6003
GWilliams@grwei.com www.grwei.com <http://www.grwei.com/>
-----Original Message-----
From: Anna Trentadue [mailto:anna@tetonvalleyadvocates.org]

Sent: Thursday, September 01, 2011 12:26 PM
To: Gerald Williams; info@tetonwater.org; chet@tetonlandtrust.org
Subject: Re: Request for Environmental Review and Comment

Hi Gerald!
When do you need comments? I have a lot of comments to add about Tetonia's water system plans.....I'll get them organized. Do I send them to you, or DEQ?
Anna

--
Anna Trentadue
Program Director and Staff Attorney
Valley Advocates for Responsible Development (VARD)
P.O. Box 1164
Driggs, ID 83422
(208) 354-1707
Fax: (208) 354-1709
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Did you know that you can raise money for VARD just by searching the Internet with GoodSearch.com <http://www.goodsearch.com/?charityid=928518> or shopping online with GoodShop.com <http://www.goodshop.com/?charityid=928518> ?

On 8/31/11 11:02 AM, "Gerald Williams" <gwilliams@grwei.com> wrote:
Please see the attached memorandum and exhibit.

As you are probably are aware, the City limits shown on the exhibit is in litigation, but that is really a side issue. Please focus on the project planning area and the proposed project. Thank you.

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,

208 359-5353 Voice 343 E 4th N, Ste 117
208 313-5383 Cell Rexburg, ID

208 359-8181 Fax 83440-6003
GWilliams@grwei.com www.grwei.com <http://www.grwei.com/>

Gerald Williams

From: Anna Trentadue [anna@tetonvalleyadvocates.org]
Sent: Thursday, September 29, 2011 3:51 PM
To: Gerald Williams
Cc: ester.ceja@deq.idaho.gov; Tony.Olenichak@idwr.idaho.gov
Subject: Water system comments

Hi Gerald-
Attached is VARD's comment letter that we submitted to the city of Tetonia regarding the proposed improvements to their water system.

As we discussed on the phone, VARD's concern involves Tetonia's apparent failure to use and defend their existing water rights, while instead brokering a deal to annex landowners south of town in order to hopefully use their late priority irrigation rights as a secondary source for the city. The annexed lands in question include over 260 acres of sensitive habitat and the Spring Creek wetlands that would double the size of this tiny town. Not only would this arrangement involve amending almost all of the elements for this irrigation right and then transferring it into the city, Tetonia would also have to drill a pipeline into town at its own expense. Because of great concerns over the cost and viability of this venture, as well as concerns for protecting the Spring Creek wetlands, the voters of Tetonia de-annexed this property via referendum on May 25, 2010. (I have attached a map of this annexation so you can appreciate its size and scale.)

In designing this new city water system, my organization would like to see Tetonia make the most efficient use of their own existing water rights and not be dependent on annexing large swaths of wetlands in the hopes of accessing outside sources of water. I have cc'd contacts at DEQ and IDWR to apprise them of this information as well.

Thanks so much for giving us the opportunity to submit these comments.

Anna Trentadue
--
Anna Trentadue
Program Director and Staff Attorney
Valley Advocates for Responsible Development (VARD)
Valley Advocates for Responsible Development
P.O. Box 1164
Driggs, ID 83422
(208) 354-1707
Fax: (208) 354-1709
anna@tetonvalleyadvocates.org
http://www.tetonvalleyadvocates.org

Valley Advocates for Responsible Development

September 29, 2011

City of Tetonia
3192 Perry Ave
PO Box 57
Tetonia, Idaho 83452

RE: Comments on water sources and well location for improvement project.

Valley Advocates for Responsible Development (VARD) is a 501(c)(3) nonprofit organization that advocates for public, private, and civic actions that will result in responsible development and sustainable use of natural resources in Teton Valley. VARD has an interest in seeing Tetonia make efficient use of their existing water resources to develop a cost-efficient, reliable, and secure secondary source of water for Tetonia's present and future water needs. We hereby submit the following comments regarding the city's water improvement project.

Tetonia currently owns at least six other alternative water rights.

The currently proposed water improvement plan does not specify where the city will obtain additional sources of water. That said, Tetonia does have multiple water rights that appear to be greatly under-utilized. All of these rights are a valuable asset to the city and should be defended in the Snake River Basin Adjudication (SRBA) where necessary, and most importantly, utilized for the long-term benefit of the city.

Tetonia has two groundwater rights (22-4098 and 22-4099) currently being used for culinary water. However, the city also has a year-round municipal groundwater right (22-11581) for 0.16cfs that it is not using or defending in the SRBA. In addition, Tetonia owns five irrigation rights totaling over 8.0cfs from Spring Creek and groundwater sources. It is unclear as to what volume of water from these five rights is presently being used by the city for irrigation. It may be of great benefit to the city convert all or some of these irrigation rights to municipal rights. In addition to the rights listed above, it is unknown if there are other additional water rights where ownership was never properly transferred to the city. **Here are more specifics on these six under-utilized water rights:**

- **Tetonia water right 22-11581:** This is a year-round municipal water right for 0.16cfs with a priority date of June 1, 1890. The Idaho Department of Water Resources (IDWR) recommended that this right be disallowed because no historical beneficial use was proven for this right. However, because this is a municipal right, Tetonia should not loose this right for nonuse. It was originally decreed in the *Village of Tetonia v. Todd* from May 25, 1942, which is a basis for beneficial use. The city should absolutely defend and preserve this right by moving to set aside the partial decree in the SRBA.
- **Tetonia water right 22-11579:** This is an irrigation right out of Spring Creek for 1.5cfs to be used on 119 acres from with a priority date of June 1, 1896. The

355 North Main, PO Box 1164, Driggs, Idaho 83422
208.354.1707 ph ✦ 208.354.1709 fax ✦ www.tetonvalleyadvocates.org

city should consider what options are available to convert this right into a municipal groundwater right.

- **Tetonia water right 22-13536:** Tetonia claimed this as a 3.2cfs irrigation right out of Spring Creek to be used on 160 acres with a priority date of January 22, 1916. IDWR only recommended 2.5cfs be used on only 125 acres. Just like 22-11581 listed above, Tetonia should protect and defend this right by filing a motion to set aside the partial decree in the SRBA. Additionally, the city should consider what options are available to convert this right into a municipal groundwater right.
- **Tetonia water right 22-13891:** This is an irrigation right out of Spring Creek for 1.5cfs to be used on 191 acres of land with a priority date of June 2, 1898. The city should consider what options are available to convert this right into a municipal groundwater right.
- **Tetonia water right 22-13893:** This is an irrigation right out of Spring Creek for 1.8cfs to be used on 191 acres of land with a priority date of June 1, 1897. The city should consider what options are available to convert this right into a municipal groundwater right.
- **Tetonia water right 22-13895:** This is a groundwater license for 0.74cfs of irrigation water to be used on 39 acres of land with a priority date of January 30, 1991. The city should consider what options are available to convert this right into a municipal groundwater right.

The secondary source well should be located on city property.

Currently, there are two proposals for where Tetonia's secondary source well should be located. The cheapest, most secure location for this well is close to the center of town on property under the control of the city. Thus, the secondary source well should be located on city-owned property within the city limits as established prior to the 2009 annexation of the Egbert property. The May 25, 2011 referendum election by the people of Tetonia repealed the Egbert annexation, and as such, this property is not within the city limits.

Tetonia should not rely on outside sources for water.

As you know, Tetonia entered into an annexation agreement with the Richard Egbert Limited Partnership in December of 2009. The agreement outlines how the city plans to use the Partnership's well and water right as an alternative water source for Tetonia.[1] This annexation agreement was voided when the voters of Tetonia repealed the Egbert Annexation in the May 25, 2010 referendum election. The status of this agreement is also the subject of an ongoing proceeding in the 7th Judicial District. There is a chance this agreement will be voided by court decree.

[1] Teton County Ins. 209125 dated January 11, 2010. See copy of the annexation agreement attached to this letter.

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208.354.1707 ph ✦ 208.354.1709 fax ✦ www.tetonvalleyadvocates.org

Even if the annexation agreement is eventually upheld by the Idaho Courts, the express language of that agreement **guarantees no water for Tetonia**. The agreement states that the landowner reserves the right to use the well for as long as they choose until they seek to develop their property. In the mean time, if Tetonia seeks to use the well for culinary use, the city will bear the cost of (1) transferring the water right, (2) improving the well, and (3) establishing the pipeline all the way into the city system.

More importantly, the annexation agreement makes no guarantees as to the viability of water right 22-7492, which is the right that is based out of this well. Water right 22-7492 is an un-decreed irrigation license with late priority date of May 29, 1985. The place of use for this right does not currently include the city, and at present, the right cannot be used for municipal purposes. To date, both 22-7492 and the well are also still owned by the landowner, not the city. No transfer to the city has been initiated, and no application to change the elements of 22-7492 has been submitted to IDWR.

Based on the language of this annexation agreement being so unfavorable to the city and the uncertainty as to its validity, Tetonia should not base its present and future water needs on this agreement.

Conclusion

Tetonia should not be reliant on outside sources of water, but instead, make the most efficient use of all the water rights already owned by the city. The time is ripe for a professional accounting of all of Tetonia's water rights. I recommend that Tetonia contact a professional water rights consultant to conduct an audit of the city's many diverse rights to determine (1) how they can best be used, (2) if the city has an additional water rights that have not been properly transferred over to the city, and (3) what water rights have not been properly defended in the SRBA. In addition, the secondary source well should be located near downtown on property owned and controlled by the city.

Thank you for the opportunity to submit these comments. If you have any questions, or if I can be of additional assistance, please feel free to contact me any time.

Sincerely,

Anna Trentadue (Digital Signature)

Anna Trentadue
VARD Program / Staff Attorney

CC/ Jan Gallup, Tetonia City Planner
Barton Birch, Tetonia City Attorney
Gerald Williams, Williams Engineering
Ester Ceja, Idaho Department of Environmental Quality
Tony Olenichak, Idaho Department of Water Resources

355 North Main, PO Box 1164, Driggs, Idaho 83422
208.354.1707 ph ✦ 208.354.1709 fax ✦ www.tetonvalleyadvocates.org

Attachments:

- VARD's original water right recommendations first submitted to the city of Tetonia on March 10, 2008.
- Tetonia Annexation Agreement (The Egbert Annexation) Inst. 209125, January 10, 2010.

355 North Main, PO Box 1164, Driggs, Idaho 83422
208.354.1707 ph ✦ 208.354.1709 fax ✦ www.tetonvalleyadvocates.org

Gerald Williams

From: Sarah Rupp [sarah@tetonwater.org]
Sent: Wednesday, September 28, 2011 2:35 PM
To: gwilliams@grwei.com
Cc: ester.ceja@deq.idaho.gov; 'Olenichak, Tony'; Adonia Ripple
Subject: Comments Regarding City of Tetonia Improvement Project

Mr. Williams,
Please find, attached, comments from Friends of the Teton River regarding the City of Tetonia Improvement Project, as solicited in your August 31, 2011 letter. Because the comments raise both water quality and quantity issues I have cc'd relevant agency personnel as well.

Please don't hesitate to contact me with any questions.

Best,
Sarah Rupp

Sarah Rupp
Streamflow Restoration Director
Friends of the Teton River

18 N Main, Suite #310
Driggs, ID 83422
208-354-3871
sarah@tetonwater.org

Working for clean water, healthy streams & abundant fisheries

September 28, 2011

Attention: Gerald Williams
Williams Engineering, Inc.
343 E. 4th Ste. 117
Rexburg, ID 83440-6003

Dear Mr. Williams,

Please accept the following comments on the proposed City of Tetonia Improvement Project ("Proposed Project"), on behalf of Friends of the Teton River ("FTR"). FTR is a nonprofit organization dedicated to understanding and improving ground and surface water and fisheries resources in the Teton Basin, including the Teton River, its tributaries and wetlands. FTR furthers this mission by conducting scientific research about the Teton Watershed, using this research to enhance and protect local water resources, and communicating this information to the public.

The Proposed Project, as outlined in the memorandum and associated map dated August 31, 2011, have the potential to impact our community's water resources and our community's health. Our comments, outlined below, address the following specific concerns: 1) Potential impacts to ground (drinking) water quality; 2) Potential injury to senior and junior water users; 3) Potential impacts to the environment and environmental flows.

1) <u>Ground (Drinking) Water Quality</u>

Maintaining safe, high quality drinking water in Teton Valley is an area of strong concern to residents, visitors, natural resource experts, and governmental agencies. Data collected by the Idaho Department of Environmental Quality, FTR, and others indicate that surface and ground water in the Tetonia area are at or near exceedance levels of acceptable thresholds for water quality, specifically for nitrates. Additionally, the proposed 2nd City Well is located adjacent to the Tetonia gas station, located at 212 S. Main Street, Tetonia, ID 83452, which increases the likelihood of drinking water contamination resulting from leaking underground petroleum storage tanks, as well as other inappropriately discharged pollutants.[1] As a result, we are concerned with the quality of water that will be generated by the proposed 2nd City Well and encourage the City

[1] While we have concern regarding the location of the proposed 2nd City Well in relation to the gas station, we commend Williams Engineering, Inc. for selecting a well site that is located within the City of Tetonia's city limit as it existed prior to annexation of the Egbert property, thereby avoiding any and all issues associated with current litigation surrounding that issue. Should the location of the proposed 2nd City well be altered, we suggest that it remain within the City of Tetonia's city limit as it existed prior to annexation of the Egbert property.

of Tetonia and its contractors to implement protective measures prior to drilling the proposed 2nd City Well.

- **We recommend that extensive ground and surface water quality testing, including nitrate testing, be conducted in the vicinity of the proposed 2nd City Well to determine if the proposed site is capable of producing safe drinking water to the residents of Tetonia.**
- **Should the ground and surface water quality testing indicate that water produced by the proposed 2nd City Well may contain elevated nitrate levels, we recommend that a qualified Nutrient-Pathogen professional conduct a detailed Nutrient-Pathogen study, utilizing the criteria set forth by the Idaho Department of Environmental Quality and the Teton County Groundwater Protection Ordinance, to identify sources contributing to elevated nitrate levels in the area.**
- **We recommend that a qualified Nutrient-Pathogen professional design a detailed emergency response and mitigation plan for the City of Tetonia which can be easily implemented in the event that the City of Tetonia's drinking water is deemed to be contaminated by harmful nitrate levels, or other harmful pollutants.**
- **We recommend that the risks associated with placing the proposed 2nd City Well adjacent to known underground petroleum storage tank(s) be thoroughly evaluated and appropriate steps be taken to avoid contamination of the City's drinking water. Such measures require that all underground storage tank(s) comply with all applicable state and federal design, construction, installation, notification, operation, reporting, and insurance standards.**
- **We recommend that a professional design a detailed emergency response and mitigation plan for the City of Tetonia which can be easily implemented in the event that the City of Tetonia's drinking water is contaminated specifically as a result of leaking underground storage tank(s) or illegal petroleum discharges.**

2) <u>Injury to Senior and Junior Water Users</u>

Review of the Idaho Department of Water Resources water right database indicates that the City of Tetonia currently holds the following seven (7) water rights: 22-4098, 22-4099, 22-11579, 22-13536, 22-13891, 22-13893, and 22-13895. Of those seven water rights only two (22-4098 and 22-4099) can be utilized for municipal use (i.e. – delivery for drinking water and culinary purposes). The remaining five rights (22-11579, 22-13536, 22-13891, 22-13893, and 22-13895) are to be used for irrigation purposes only.

The City of Tetonia's current drinking water system utilizes one, 400 gpm well located on the west side of town. The City of Tetonia relies upon its municipal rights (water right 22-4098 for 0.73 cfs and water right 22-4099 for 0.16 cfs) which provide a total of 399.432 gpm (0.89 cfs) to operate this well. The proposed plan calls for the addition of a second, 400 gpm well located on the south side of town. Should a second well be drilled, the City of Tetonia and its contractors must ensure that the total volume of water extracted from either well does not exceed 399.432 gpm, which is the quantity permitted under water rights 22-4098 and 22-4099. Failure to abide

by the limits imposed by the City of Tetonia's two municipal water rights may adversely impact senior and junior water right users in the area.

- **We recommend that the Proposed Project be designed such that the total volume of water extracted from either well cannot exceed 399.432 gpm at any given time.**
- **We recommend that if the City of Tetonia anticipates extracting more than 399.432 gpm at any given time, thereby extracting more water than is permitted under water rights 22-4098 and 22-4099, that it take steps to change some or all of the elements associated with water rights 22-11579, 22-13536, 22-13891, 22-13893, and 22-13895 such that those rights may be utilized for municipal use. Alternatively, we suggest that the City of Tetonia examine opportunities to utilize its irrigation water rights as mitigation for increased groundwater extraction, thereby leaving those water rights instream for the benefit of the environment.**
- **We recommend that a qualified professional review the City of Tetonia's water rights and provide advice as to how the City may best utilize its water rights. Additionally, we recommend that a qualified professional determine if the City of Tetonia has any other water rights which have not been properly transferred to the City of Tetonia or that were not properly defended in the Snake River Basin Adjudication ("SRBA"). Specifically, it appears that the City of Tetonia claimed one additional water right (22-11581, a municipal right with a June 1, 1890 priority date) in the SRBA which may have been improperly disallowed by the Court. This issue should be examined and thoroughly resolved prior to purchasing additional water rights as the City of Tetonia may already own a sufficient quantity of water relevant to the municipality's need. Further, should the City of Tetonia seek to purchase additional water rights, we recommend that those water rights be thoroughly examined by a qualified professional to ensure that the rights can be utilized in the manner anticipated by the City of Tetonia and are not simply "paper" rights.**

3) <u>Injury to the Environment and Environmental Flows</u>

The hydrologic regime of a stream is the primary physical driver of geomorphic and ecological processes in the stream channel and floodplain, which in turn determine the types and abundances of aquatic species that inhabit the stream/riparian system (reviewed in Van Kirk and Burnett 2004). Hydrologic regime is defined as magnitude, timing, duration, frequency, and rate of change of streamflow and intra- and inter-annual variability in these attributes (Poff et al. 1997). Many things can effect the hydrologic regime of a stream, including groundwater withdrawals which can decrease surface water flows. In fact, the impacts associated with groundwater withdrawals on surface water flows have been the subject of great debate and discord along the Snake River Plain and throughout the West. As such, when considering changes to existing groundwater withdraw systems and/or the expansion of said systems it is imperative that the unintended consequences of these changes be examined.

Native Yellowstone cutthroat trout (YCT) populations in the Teton Watershed experienced a precipitous decline (95%) between 1999 and 2003. YCT are currently listed by Idaho Fish and Game as a species that is imperiled or at risk and vulnerable to range-wide extinction or

extirpation. Since 2003, FTR has prioritized on-the-ground actions that will improve overall stream conditions. FTR has been working with a wide variety of partners[2] to restore stream banks, improve fish habitat, and restore stream flows and fish passage.

Research conducted by FTR, the Idaho Department of Fish and Game, and others indicates that many of the spring creeks in the wetlands between Highway 33 and the Teton River provide highly productive YCT spawning and rearing habitat. These spring creeks and wetlands have the potential to play a significant role in the recovery of YCT in the Teton Watershed. Failure to abide by the limits imposed by the City of Tetonia's two municipal water rights (providing for a total of 399.432 gpm) may adversely impact surface water flows in the small spring creeks and tributaries within the vicinity of the Proposed Project area. Decreased surface water flows will impact habitat which may be critical to the survival and recovery of YCT in the Teton Watershed.

- **The recommendations outlined under part 2) of this document address the concerns outlined in part 3). As such, please reference the above section.**

In conclusion, Teton Valley's water resources and Yellowstone cutthroat trout populations are in a threshold condition and in need of strong protective measures. The proposed City of Tetonia Improvement Project has the potential to impact our community's water resources and our community's health. As such, additional study, performed by qualified professionals, is necessary to determine whether this Proposed Project can be implemented to protect our valley's valuable water resources and its citizens. Please do not hesitate to contact us if you have any additional questions or need clarification on any of the above recommendations.

Sincerely,

Sarah Rupp

Sarah Rupp
Streamflow Restoration Director

---

[2] FTR's partners in YCT recovery in the Teton Watershed include, but are not limited to, the U.S. Forest Service, , the Natural Resources Conservation Service, US Fish and Wildlife Service, the US. Army Corps of Engineers, the US Environmental Protection Agency, the Idaho Department of Fish and Game, the Wyoming Department of Fish and Game, the Idaho Department of Environmental Quality, the Idaho State Office of Species Conservation, Teton County, Idaho, Teton County, Wyoming, the City of Driggs, the City of Victor, the Teton Regional Land Trust, Trout Unlimited, the Bonneville Environmental Foundation, 1% for the Tetons, the Arthur B. Schultz Foundation, the Confluence Foundation, the Idaho Fish and Wildlife Foundation, the Laird Norton Foundation, the Maki Foundation, the National Forest Foundation, the National Fish and Wildlife Foundation, the Sand County Foundation, the Teton Springs Foundation, Jackson Hole One Fly, Orvis, Patagonia, Silverstar Communications, Grand Targhee Resort, Teton Springs Resort, M.D. Nursery, Aqua Terra, Mainstream Restoration, and more than 100 individual landowners.

Adonia Ripple
Executive Director

Cc:

City of Tetonia City Council
Ester Ceja, Idaho Department of Environmental Quality
Tony Olenichak, Idaho Department of Water Resources

From: Chet Work [chet@tetonlandtrust.org]
Sent: Thursday, September 01, 2011 1:06 PM
To: 'Gerald Williams'
Subject: RE: Request for Environmental Review and Comment

Gerald,

Thanks for your inquiry. The Teton Regional Land Trust does not usually weigh in on decisions like this. The city limits around Tetonia are not a focal area for our protection work, nor would we consider ourselves an expert on water supply or rural fire suppression. I appreciate the information but we do not have any expertise to add.

Chet

From: Gerald Williams [mailto:gwilliams@grwei.com]
Sent: Wednesday, August 31, 2011 11:03 AM
To: anna@tetonvalleyadvocates.org; info@tetonwater.org; chet@tetonlandtrust.org
Cc: Ester.Ceja@deq.idaho.gov
Subject: Request for Environmental Review and Comment

Please see the attached memorandum and exhibit.

As you are probably are aware, the City limits shown on the exhibit is in litigation, but that is really a side issue. Please focus on the project planning area and the proposed project. Thank you.

Gerald R. Williams, P.E., President
CFM, CPESC, CPSWQ,

208 359-5353 Voice
208 313-5383 Cell
208 359-8181 Fax
GWilliams@grwei.com

343 E 4th N, Ste 117
Rexburg, ID
83440-6003
www.grwei.com

From: City of Tetonia [tetoniagov@silverstar.com]
Sent: Friday, July 15, 2011 3:21 PM
To: Gerald Williams
Subject: Re: Project Questions

Hi Mr. Williams:

In answer to your questions:

(1) There were NO public comments pertaining to the DRAFT FSP: Drinking Water

(2) Rex & Councilmembers asked me to go over your proposed 5th street waterline extension contract before signature/approval. Questions/clarifications:

(a) Exhibit A (5.) The Construction Phase shall be limited part of the work. - Does this tie to Exhibit C first paragraph, line 4 Construction phase services ... time and material only ... cost expected ... $2,380? What services would be covered under Construction phase? None are listed. Also, under Exhibit A, line 5, second bullet: Does this mean that once you provide stamped drawings, unless you are employed and paid time & materials for ANY request of the City, that you are done with the project?

(b) Exhibit A (6) Please provide a definition for "Operational Phase" i.e. initial start-up, 30-day past live, etc.

(c) Exhibit B Extra Services, second bulletin: what constitutes "limited construction oversite and inspections?" When would the submitted rates kick-in? How does "Other Extra Services" differ from Extra Services? What would constitute "Other Extra Services?"

(d) Exhibit C, third paragraph: please clarify how this would work if the Church decided to not pave 5th Street, so there would be no need to do a water line upgrade, if say 50% of your work was done.

(e) This contract is saying that your services would cost a minimum of $7,480 for stamped drawings, with limited construction oversight, and zero participation once the project is live. Correct?

---- Original Message ----
From: Gerald Williams
To: 'City of Tetonia'
Cc: rjardine@silverstar.com
Sent: Thursday, July 14, 2011 8:23 AM
Subject: Project Questions

1. Were there ever any public comments on the water system study?
2. Was I officially approved Monday night to do the 5th Street waterline design? I presume so and am moving forward, but I thought I should ask.

FYI, I contacted and received information from the church architect and engineer, but it contained very little of value for us. The additional survey they were to perform, which would include all that I specified for our needs, they are not ready to move forward on. So, I have called for utility locates, and will meet Tuesday at 9 am with Mitch and a school facilities representative that Mitch will line up, to discuss facilities and needed changes, and we are moving forward.

Gerald R. Williams, P.E., President

United States Department of Agriculture

NRCS

Natural Resources Conservation Service
Area Office
1551 Baldy Avenue, Suite 2
Pocatello, Idaho 83201

December18, 2012

Mike May
Sr. Water Quality Analyst
Idaho Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706

Dear Mr. May,

We received your "Farmland Conversion Impact Rating" request November 28, 2012. The rating request concerns the City of Tetonia's upgrade for the drinking water distribution system and installation of a new 222,000-gallon storage tank.

The map you attached to the request indicated that there was the potential for 26 acres to be indirectly converted. Assuming that the new storage tank placement will not convert any farmland to non-farmland, you are not required to submit a "Farmland Conversion Impact Rating" form. Based on the details you provided, the proposed project does not contribute to the irreversible conversion of farmland to non-farmland (FPPA § 658.3).

Feel free to contact me with any questions.

Sincerely,

Francine Lheritier

Resource Soil Scientist
USDA- Natural Resources Conservation Service
1551 Baldy Ave., Suite 2
Pocatello, ID 83201
phone (208) 237-4628 ext. 119

cc:
Lindsay Markegard
Carrie Janssen-Smith

APPENDIX C

Archeological and Historic Sites Inventory Report

ARCHAEOLOGICAL AND HISTORIC SITES INVENTORY REPORT

Tetonia Water System Improvements
Teton County, Idaho

October 27, 2011

Prepared for:
Williams Engineering Inc.
343 4th N. Ste 117
Rexburg, ID 83440-6003

Prepared by:
Stephanie Crockett, Cultural Resource Consulting
P.O. Box 126
Victor, Idaho 83455

ARCHAEOLOGICAL AND HISTORIC SITES SURVEY REPORT
IDAHO ARCHAEOLOGICAL SURVEY

A. Key Information

Project Name: Tetonia Water System Improvements
Report Numbers: n/a
Associated Federal Agency: Department of Environmental Quality
Author: Stephanie Crockett
Date of Report: October 27, 2011
County: Teton
Legal Location: T6N R45E Section 28
Acres Surveyed: 7.6 acres (intensive)

B. Project Description:

The proposed undertaking is the **Tetonia Water System Improvements Project** in Teton County, Idaho. The project involves the installation of approximately .25 miles of new water line and the installation of a new 222,000 gallon water tank on a ridge knoll above the town of Tetonia, Idaho. The water tank will be situated just north and slightly west of the existing 100,000 gallon water tank. Two alternate routes are proposed for the new water line. Alternate No. 1 will run directly south from the east edge of the new tank down a rocky and relatively steep slope along a property line fence to the east end of Jackson Avenue in Tetonia. Alternate No. 2 will run from the west side of the new tank down slope in a southwesterly direction paralleling the existing water line to Jackson Avenue at the north edge of Tetonia. The area of potential effects (APE) for the new water tank is approximately 1.6 acres. The APE for each of the new water line routes is approximately three acres. The maximum width of disturbance for the installation of the new water line will be no greater than 30 ft.

C. Statement of Objectives

On October 13, 2011 an intensive pedestrian cultural resource inventory was conducted to identify, document and evaluate cultural properties within the APE in accordance with state and federal statutes and regulations, including Section 106 of the National Historic Preservation Act and its applicable guidelines (36 CFR 800). As the APE is situated on a prominent ridge knoll and is in the vicinity of the town of Tetonia, sites associated with prehistoric hunter-gathers and euro-American settlements were expected in the vicinity.

D. Location and General Environmental Setting: (See Project Map)

The APE lies within the Middle Rocky Mountain Physiographic Province, in southeastern Idaho. It lies at the north end of Teton Basin, a broad alluvial basin flanked by the Teton, Snake River and Big Hole mountain ranges. The basin is bisected from north to south by the Teton River which flows northward out of the mouth of the basin and into the Snake River. The APE is situated at the upper extent of the basin where it opens into the Snake River Plain. Specifically it is situated on a finger ridge at the western limit of the Teton Range atop a prominent knoll above the town of Tetonia, Idaho. The soils in the APE consist of shallow silt loam with exposed rhyolite boulders and cobbles. Vegetation consists of sagebrush,

serviceberry, balsam root, Oregon grape, potentilla, yarrow, crested wheat grass, timothy and mixed bunch grasses and lichen and mosses on the rhyolite boulders,

E. Pre-Field Research

1. Sources of information checked:

On October 13, 2011, a search of the Idaho State Historic Preservation Office records in Boise was conducted (SHPO Record Search No. 12012). The following sources of information were checked:

[X] Cultural Overviews	[X] Ethnographic Studies
[X] National Register	[X] Historical Records
[X] Archaeological Site Records	[] Individuals or Groups
[X] Maps	[] GLO Plats
[X] Survey Records	[] Mineral Maps
	[] Forest Road & Trail Maps

2. Summary of previous studies in this general area

Crockett, S.
2004 Ashton/Tetonia Rail-to-Trail. Idaho Transportation Department (ITD) STP-6804(102). (10 acres intensive, 727 acres reconnaissance).

Gaston, J.
1986 ARR, S.H. 33 Junction 32 to Hatches Corner. ITD SR-RS-6830(18) (100 acres intensive).
1985 Annual Report of Archaeological Investigation. ITD (0 acres).

Gray, D.
2002 Highway 33, M.P. to Wyoming State Line. ITD NH-006(113). (960 acres intensive).

Harding, W.
2008 Edge Wireless Tetonia Cell Tower. North Wind Inc. (2 acres intensive).

Vrem, D.
2006 Tanner family Trust SHIP. Natural Resource Conservation Services (NRCS). NRCS-06-6309 (1 acre intensive).
2006a John Stuckel WHIP. NRCS, NRCS-06-6317. (1 acre intensive).
2006b Dan Burr WHIP. NRCS, NRCS-06-6310 (1 acre intensive).

Willingham, Charles
1995 Rammel Estate No. 2 Waterway Construction. NRCS SCS-95-401 (1 acre intensive).

Other References Cited

Connor, Melissa A. and Raymond Kunselman.

1995 *Mobility Settlement Patterns, and Obsidian Source Variation in Jackson Hole, Wyoming.* Paper Presented at the Second Biennial Rocky Mountain Anthropological Conference.

Crockett, S.
2002 *Archaeological Testing Report, Sites 10TN52, 10TN53 and 10TN54, for the Teton Springs Golf and Casting Club in Teton County, Idaho.* An unpublished archaeological testing report for the US Army Corps of Engineers, Idaho Falls, Idaho.

Haines, A. eds.
1955 Osborne Russell's Journal of a Trapper. University of Nebraska Press, Lincoln

Hardee, Jim
2010 Pierre's Hole! The Fur Trade History of Teton Valley Idaho. Museum of the Mountain Man, Pinedale, Wyoming.

Horn, Jonathon
2008 Historic Artifact Handbook. Unpublished Document by Alpine Archaeology, Montrose, Coloroado.

Trenholm, Virginia
1967 The Shoshonis: Sentinels of the Rockies. University of Oklahoma Press.

F. Expected Historic and Prehistoric Land Use and Site Sensitivity:
The project area lies at the cross roads between Teton Basin and the Snake River Plain. It is situated at the north end of a high mountain basin on a prominent ridge knoll overlooking Teton Basin to the south and the Snake River Plain to the north. The current archaeological record in Teton Basin indicates that hunter-gatherer groups were procuring obsidian, manufacturing tools and hunting and processing plants and animals as far back as 8,000 years (Connor et al 1995, Crockett 2002). In the early 19th century, the market for beaver pelts and the exploration of the Rocky Mountains brought British and American fur traders to the region. The annual Pierre's Hole Rendezvous brought fur traders and local Indian tribes to Teton Basin between the years 1819 and 1840 (Haines 1955, Hardee 2010).

The Upper Snake River Plain culture area exhibits an overlap of cultural traits from the Great Basin and Plains culture areas. Many Rocky Mountain adapted peoples would have frequented the area bringing a mix of ideas and technologies into the archaeological record. The Upper Snake River area is situated in the historic territory of the Northern Shoshone-Bannock Tribes. Other groups such as the Western Shoshone, Crow, Nez Perce, Sheepeater Shoshone, Flathead, Blackfoot, Arapaho, and Cheyenne were known to utilize the region (Trenholm 1967).

G. Field Methods

1. Areas examined and type of coverage: On October 13, 2011 an intensive pedestrian inventory was conducted over the entire APE. This consisted of parallel transects

spaced no greater than 30 meters apart over the APE for the proposed water tank and a single pedestrian transect along each of the alternate routes for the water line. A Garmin 12 GPS unit (NAD 83 Datum) was used to plot the APE. Photographs were taken using a Canon Powershot digital camera and detailed notes were taken pertaining to soils, vegetation and weather.

2. Ground Surface Conditions: Ground surface conditions were good.

3. Acres Surveyed:

Reconnaissance	0
Intensive	7.6

4. Areas not examined and reasons why: The entire APE was examined.

5. Personnel conducting or assisting in the survey: Stephanie Crockett

6. Dates of Survey: October 13, 2011.

7. Problems Encountered: None

H. Results

1. All cultural resources recorded for this area: (See Project Map)

Field No.	Site No.	Type of Site	Artifacts/Features
Tetonia-1		Trash Scatter	Solder Dot Cans, Aqua Glass

2. Cultural Resources noted but not formally recorded: None.

I. Conclusions and Recommendations:

Field No.	Site No.	Type of Site	NRHP Eligibility	Effect
Tetonia-1		Historic Trash Scatter	NE	NOE

* **NE** Not Eligible for the NRHP, **E** Eligible for the NRHP, **L** NRHP Listed Property. **AE** Adverse Effect, **NOE** No Effect.

Tetonia-1 is a surface scatter of historic tin cans, glass and ceramics over an 8 ft x 10.5 ft. area. The site consists of approximately 50 cans and can fragments, one whiteware ceramic fragment, two milk glass fragments, one clear glass fragment, two sun altered purple glass bottle fragments and one aqua bottle glass base fragment. One rectangular soldered hole-in-cap can was observed in addition to knife opened sanitary cans and pre-WWI sun altered purple glass which indicates that the site was probably in use around 1914 – 1920 (Horn 2008). The site lies on the south slope of a prominent ridge knoll on the western edge of the Teton Foothills. The ridge is characterized by volcanic rhyolite deposits exposed as boulders and cobbles. The area is densely covered in sagebrush, snowberry, wild rose and rabbit brush with sparse bunch grasses and low forbs. The site is a small trash scatter consisting primarily of tin cans and parts of tin cans in a degraded condition. Soils in the area are shallow (less than 20cm) with little potential for intact buried components. The site is within the APE for water line Alternate No. 1 however; due to the shallow and degraded nature of

the site it is not likely to yield additional information important in history. The site is deemed **not eligible** for the NRHP and there will be **no effect** to it as a result of this project.

In conclusion; no previously recorded cultural properties were encountered within the APE for the Tetonia Water System Improvements Project. One historic trash scatter was recorded as a result of this inventory however; this is deemed to be not eligible for the NRHP. Consequently, there will be no effect to NRHP eligible properties as a result of this project. No mitigation measures are necessary and cultural resource clearance is recommended. If cultural materials are encountered during the implementation of this project, it is recommended that the project archaeologist be contacted and all ground disturbing activities be halted in that area until appropriate action can be taken in consultation with SHPO.

J. Attachments

- Project Overview Map
- Project Overview Photographs
- ASI Form
  - Site Location Map
  - Site Sketch
  - Site Photographs

K. Repository:

Field records will be kept at the office of Stephanie Crockett, Cultural Resource Consulting, PO Box 126, Victor, Idaho 83455. Final copies are held at the State Historic Preservation Office, 210 Main Street, Boise, Idaho 83702.

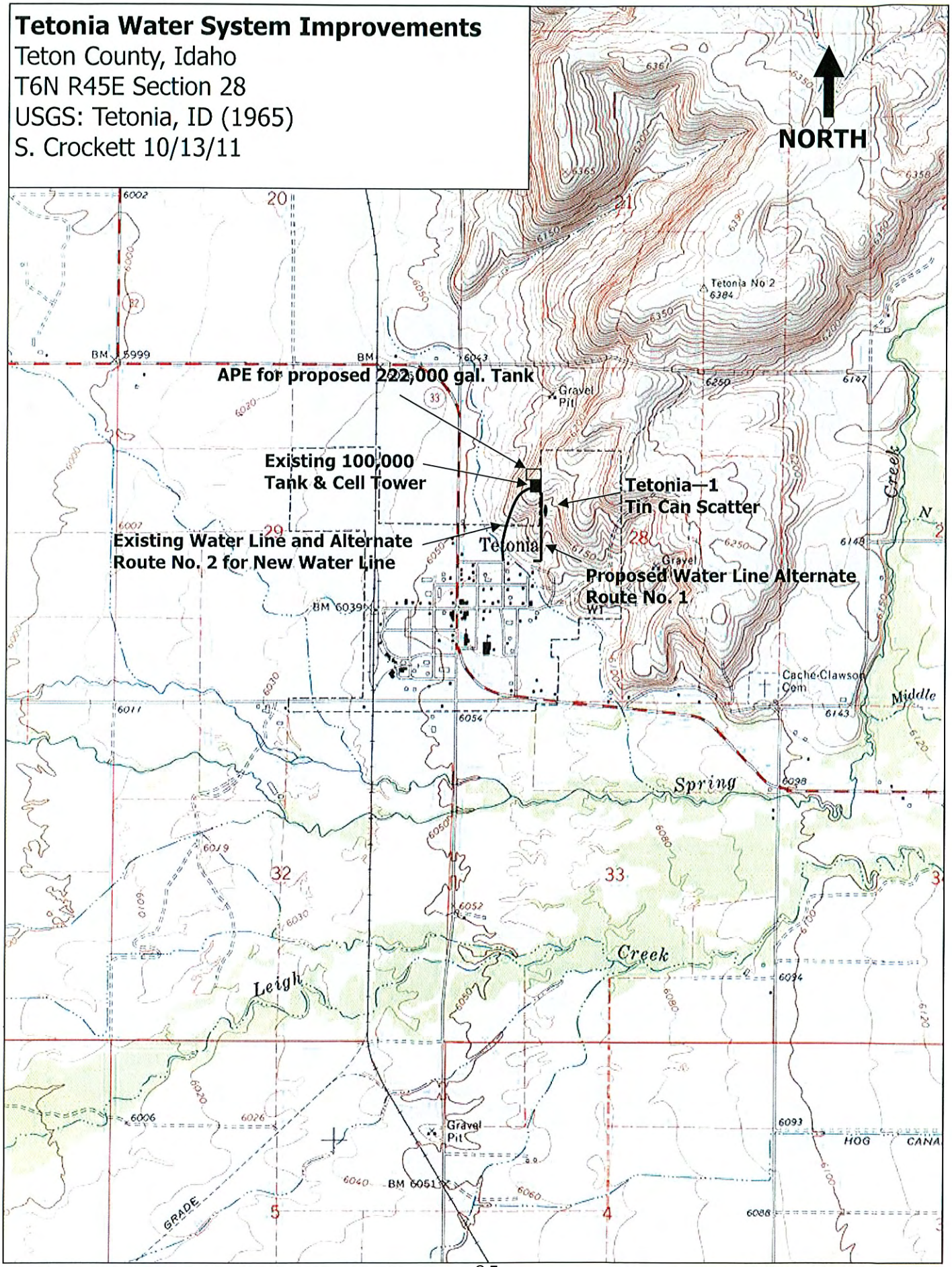
L. Certification of Results:

I certify that this investigation was conducted and documented according to the Secretary of the Interior's Standards and guidelines and that the report is complete and accurate to the best of my knowledge.

Stephanie Crockett — Signature of Reporter

10/27/11 — Date

Tetonia Water System Improvements
Teton County, Idaho
T6N R45E Section 28
USGS: Tetonia, ID (1965)
S. Crockett 10/13/11



Map created with TOPO!® ©2003 National Geographic (www.nationalgeographic.com/topo)

APE Photographs

View of Proposed Site for New Water Tank Just North of Existing Tank. Tank Fencing in View. Photo Facing Northeast. Photo Log No. 5.

View of Proposed Site for New Water Tank Just North of Existing Tank. Existing Tank in View Photo Facing Southwest. Photo Log No. 6.

APE Photographs

Proposed Water Line Route Alternate 1, Facing South. Photo Log No. 7.

Proposed Water Line Route, Alternate 1, Facing South. Photo Log No. 8.

APE Photographs

Proposed Water Line Route, Alternate 1, Facing East where it Turns Toward the Town of Tetonia.
Photo Log No. 14.

Proposed Water Line Route Alternate 2, Facing North. Existing Water Line Runs Under Two-Track Road.
Photo Log No. 1.

APE Photographs

Proposed Water Line Route Alternate 2, Facing North. Existing Water Line Runs Under Two-Track Road.
Photo Log No. 2.

ARCHAEOLOGICAL SURVEY OF IDAHO
SITE INVENTORY FORM
Part A – Administrative Data

1. **State No.**
2. **Agency No.**
3. **Temporary No.** Tetonia-1
4. **Site name(s)**
5. **County** Teton

6. **Class:**
☐ Prehistoric X Historic ☐ Traditional Cultural Property ☐ Undetermined

7. **Land owner** Private 8. **Federal admin. unit**

9. **Project** Tetonia Water System Improvements 10. **Report No.**

11. **Recorder(s)** S. Crockett

12. **Organization** Stephanie Crockett, Cultural Resource Consulting 13. **Date** 10/13/11

14. **Attachments and associated records:**
X Topographic map (required)
X Site map (required)
X Photos with labels/log (required)
☐ Artifact illustrations
☐ Feature drawings
☐ Stratigraphic profiles
☐ Rock art attachment
☐ Historical records
☐ Assoc. IHSI forms
☐ Other

15. **Elevation (site datum)** 6140 **(ft)**

16. **Site dimensions:** 10.5 **m X** 8 **m** **Area** 84 m^2

17. **UTM at site datum: Zone** 12 487524 **m Easting** 4851757 **m Northing using NAD 1927.**

18. **UTM source:**
☐ Corrected GPS/rectified survey (<5m error) X Uncorrected GPS ☐ Map template ☐ Other explained under comments

19. **Township** 6 N **, Range** 45E **, Section** 28 **;** SW**1/4 of** SE**1/4 of** NW **1/4**
Additional legals listed on an attachment. ☐

20. **USGS 7.5' map reference** Tetonia, ID
Additional maps listed on an attachment. ☐

21. **Access** From Highway 33 in the town of Tetonia, Idaho, take Jackson Avenue east to its end. Walk due east from the end of Jackson Ave, cross country for approximately 100 yards to a fence line running north south. Follow the fence line north and uphill for approximately .15 miles. The site is located on the ground surface and partially buried among the rhyolite outcrops here.

22. **Site description** The site is a surface scatter of historic tin cans, glass and ceramics. The site consists of approximately 50 cans and can fragments, one whiteware ceramic fragment, two milk glass fragments, one clear glass fragment, two sun altered purple glass bottle fragments and one aqua bottle glass base fragment. One rectangular soldered hole-in-cap can was observed in addition to knife opened sanitary cans and pre-WWI sun altered purple glass which indicates that the site was probably in use around 1914 – 1920 (Horn 2008). The site lies on the south slope of a prominent ridge knoll on the western edge of the Teton Foothills. The ridge is characterized by volcanic rhyolite deposits exposed as boulders and cobbles. The area is densely covered in sagebrush, snowberry, wild rose and rabbit brush with sparse bunch grasses and low forbs. In conclusion, the site is a small trash scatter consisting primarily of tin cans and parts of tin cans in a degraded condition. Soils in the area are shallow (less than 20cm) with little potential for intact buried components. Due to the shallow and degraded nature of the site it is not likely to yield additional information important in history. The site is deemed not eligible for the NRHP.

23. Site type:

❑ Historic building*	❑ Rockshelter/cave	❑ Mortuary	❑ Faunal
❑ Historic structure*	❑ Stacked/placed rocks	❑ Rock art	❑ Culturally modified trees
X Historic object*	❑ Quarry/lithic source	❑ Feature(s)	❑ Other_____
❑ Prehistoric residential	❑ Linear	X Artifact(s)	

*Following definition for the National Register of Historic Places.

24. Specify themes and time periods:

Themes		Time Periods	
❑ Prehistoric archaeology	❑ Military	❑ Prehistoric-general	❑ Settlement: 1855-1890
❑ Agriculture	❑ Mining industry	❑ Paleoindian	❑ Phase 1 statehood: 1890-1904
❑ Architecture	❑ Native Americans	❑ Archaic-general	X Phase 2 statehood: 1904-1920
❑ Civilian Conservation Corps	❑ Politics/government	❑ Early Archaic	❑ Interwar: 1920-1940
❑ Commerce	❑ Public land management	❑ Middle Archaic	❑ Premodern: 1940-1958
❑ Communication	❑ Recreation/tourism	❑ Late Archaic	❑ Modern: 1958-present
❑ Culture and society	❑ Settlement	❑ Late Prehistoric-general	❑ Historic/Modern-general
❑ Ethnic heritage	❑ Timber industry	❑ Protohistoric/Contact	❑ Unknown
❑ Exploration/fur trapping	❑ Transportation	❑ Historic Native American	
❑ Industry	❑ Other _____	❑ Exploration: 1805-1860	

25. National Register of Historic Places (NRHP) evaluation: *

❑ Individually eligible ❑ Contributing in a district X Not eligible ❑ Insufficient information to evaluate

*Evaluation subject to review by SHPO.

26. NRHP criteria used:

❑ A: Event ❑ B: Person ❑ C: Design and construction ❑ D: Information potential

27. Comments on significance _____

28. If not eligible, explain why The site is a small trash scatter consisting primarily of tin cans and parts of tin cans in a degraded condition. Soils in the area are shallow (less than 20cm) with little potential for intact buried components. Due to the shallow and degraded nature of the site it is not likely to yield additional information important in history.

29. Condition (prehistoric component):

❑ Excellent ❑ Good ❑ Fair ❑ Poor

Condition (historic component):

❑ Excellent ❑ Good ❑ Fair X Poor

30. Impact agents:

❑ Agricultural use	❑ Development project	❑ Mining/quarrying	❑ Road/highway	❑ Vandalism
❑ Building alteration	X Erosion	❑ No information	❑ Rodent damage	❑ Other_____
X Deflation	❑ Grazing	❑ Recreation use	❑ Structural decay	
❑ Demolished	❑ Looting	❑ Research excavation	❑ Timber harvest	

Comments on impact agents The site has been exposed to sunlight and weather and has caused the artifacts to decompose.

31. Surface collection:

X None ❑ Previously collected ❑ Grab sample ❑ Designed sample ❑ Complete

32. Sediments:

❑ Absent X 0-20 cm ❑ 21-100 cm ❑ >100 cm ❑ Suspected but not tested

Explain how this was determined Pinflag probe

33. Excavation status:

X Unexcavated	❑ Auger/probe	❑ Test unit	❑ Backhoe, etc.
❑ Surface scrape	❑ Shovel test	❑ Block excavation	

Describe collection/testing/excavation _____

34. Excavation volume (indicate liters or cubic meters) _____ **Screen mesh** _____

35. Additional comments _____

Part B – Environmental Data

36. Distance to permanent water 1 mile

37. Water source: Spring Creek

☐ Spring, seep X River/stream ☐ Lake ☐ Other_____

38. On-site vegetation (estimate percentage of total vegetation for each class and identify species):

Trees: 0 % **Species:** _____

Shrubs: 50 % **Species:** Sagebrush, Snowberry, Wild Rose, rabbit brush,

Forbs: 20 % **Species:** Oregon grape, buckwheat, yarrow, balsam root,

Grasses: 20 % **Species:** mixed bunch grasses

Lichens/mosses: 10 % **Species:** rhyolite boulders covered in orange lichen and green mosses

Describe The site lies the south facing slope of a prominent ridge knoll with outcrops of lichen and moss covered rhyolite boulders. The area is densely covered in sagebrush, snowberry, wild rose and rabbit brush with sparse bunch grasses and low forbs.

39. Visible surface area:

☐ 0% ☐ 1-25% X 26-50% ☐ 51-75% ☐ 76-100%

40. Landform (Describe, including lithology, form, and soil, using locally or regionally appropriate terms, eg. arroyo, playa, moraine, etc.) The site lies on the south slope of a prominent ridge knoll on the western edge of the Teton Foothills. The ridge is characterized by volcanic rhyolite deposits exposed as boulders and cobbles.

Part D – Historic Sites

50. Cultural affiliation Euro-American Phase 2 Statehood

51. Oldest date Pre 1914 **Recent Date** Pre 1917

52. How determined tin can chronology

53. Maximum artifact density 10 m^2

54. Individual artifacts:

Count	Category	Description
1	Ceramic	Whiteware fragment
2	Milk Glass	Fragments
1	Clear glass	Household glass
2	Purple glass	Slightly sun altered purple glass bottle fragments
1	Aqua glass	Bottle base fragment
50+	Cans	Soldered Hole in Cap cans, rectangular meat tins, sanitary cans, condensed milk

55. Additional description The site consists of approximately 50 tin cans. The majority of the cans are unidentifiable, however rectangular and oval hole in cap meat cans were observed. Knife opened sanitary cans, and condensed milk cans were observed. All solder seams were quite large and sloppy. No glass or ceramic makers marks were observed nor were any mechanically opened cans.

56. Features: None

Count	Category	Description

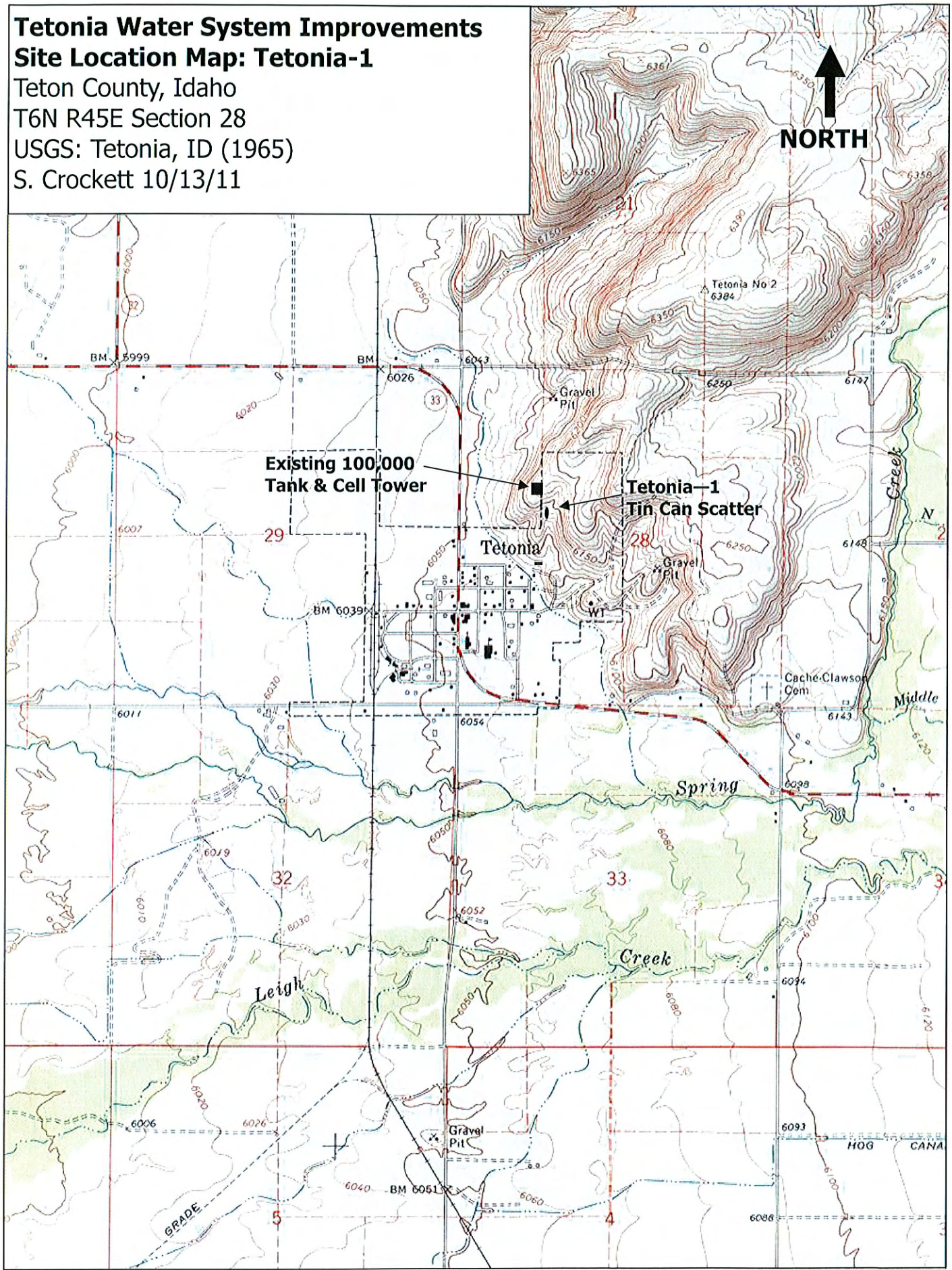
57. Additional description:

References Cited

Horn, Jonathon

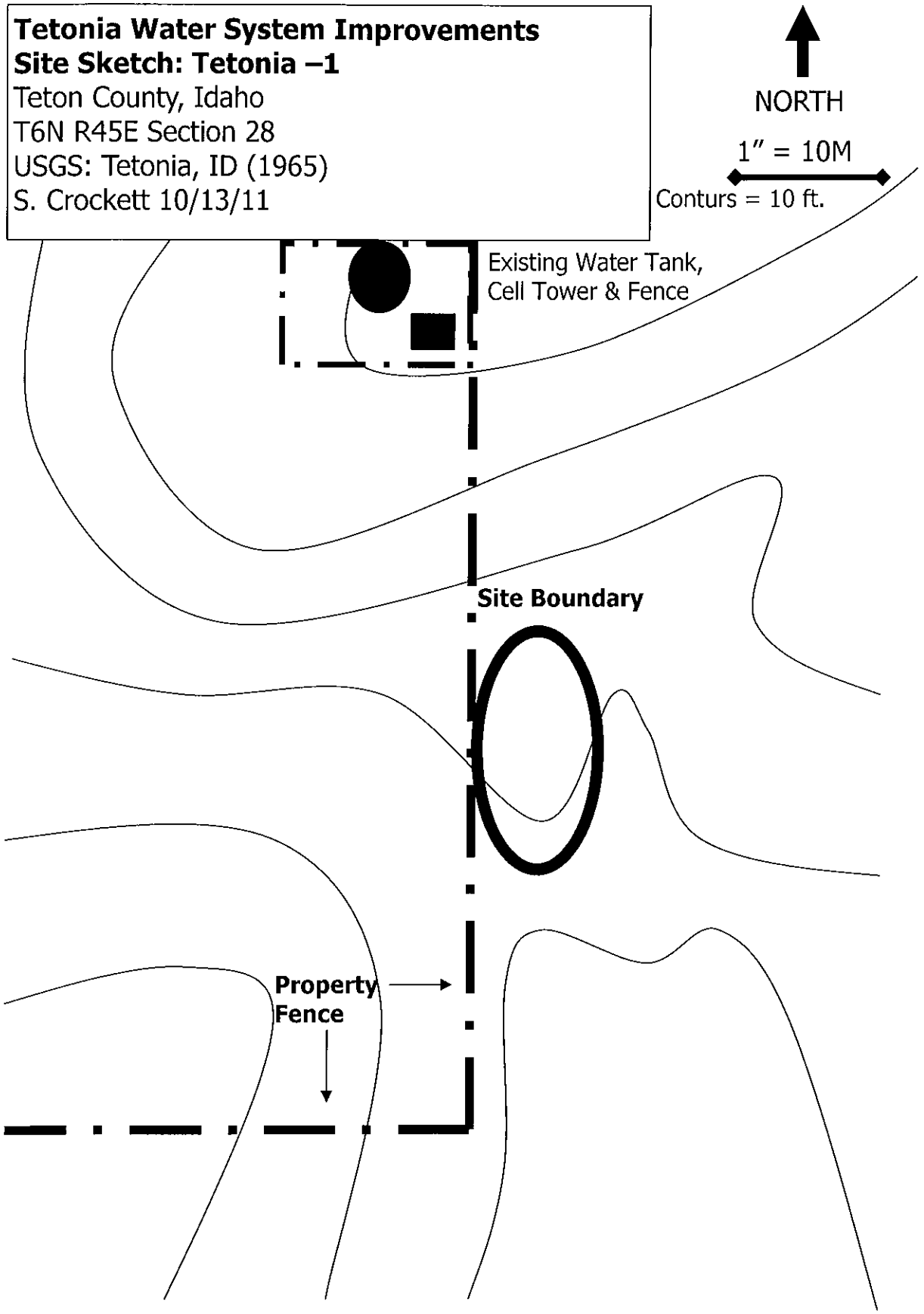
2008 Historic Artifact Handbook. Unpublished Document by Alpine Archaeological Consultants Inc, Montrose, Coloroado.

Tetonia Water System Improvements
Site Location Map: Tetonia-1
Teton County, Idaho
T6N R45E Section 28
USGS: Tetonia, ID (1965)
S. Crockett 10/13/11



Map created with TOPO!® ©2003 National Geographic (www.nationalgeographic.com/topo)

Tetonia Water System Improvements
Site Sketch: Tetonia –1
Teton County, Idaho
T6N R45E Section 28
USGS: Tetonia, ID (1965)
S. Crockett 10/13/11



Tetonia 1
Site Photographs

Site Overview, Facing North. Photo Log No. 8.

Site Overview, Facing South. Photo Log No. 9.

Tetonia 1
Site Photographs

Hole-in-Cap Meat Tin. Photo Log No. 7.

APPENDIX D

Endangered and Threatened Species

U.S. Fish & Wildlife Service

Critical Habitat

What is it?

When a species is proposed for listing as endangered or threatened under the Endangered Species Act (Act), we must consider whether there are areas of habitat we believe are essential to the species' conservation. Those areas may be proposed for designation as "critical habitat." The determination and designation of critical habitat is one of the most controversial and confusing aspects of the Act. Here are answers to some of the most frequently asked questions about critical habitat.

What is critical habitat?
Critical habitat is a term defined and used in the Act. It is a specific geographic area(s) that is essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery. An area is designated as "critical habitat" after we publish a proposed Federal regulation in the *Federal Register* and then we receive and consider public comments on the proposal. The final boundaries of the critical habitat area is also published in the *Federal Register*.

What is the purpose of designating critical habitat?
Federal agencies are required to consult with us on actions they carry out, fund, or authorize to ensure that their actions will not destroy or adversely modify critical habitat. In this way, a critical habitat designation protects areas that are necessary for the conservation of the species.

A critical habitat designation has no effect on situations where a Federal agency is not involved – for example, a landowner undertaking a project on private land that involves no Federal funding or permit.

Ash Meadows National Wildlife Refuge in Nevada provides critical habitat for eight threatened or endangered species. Photo by Mike Bender

Do listed species in critical habitat areas receive more protection?
An area designated as critical habitat is not a refuge or sanctuary for the species. Listed species and their habitat are protected by the Act whether or not they are in an area designated as critical habitat. To understand the additional protection that critical habitat provides to an area, it is first necessary to understand the protection afforded to any endangered or threatened species, even if critical habitat is not designated for it.

■ The Act forbids the import, export, or interstate or foreign sale of endangered and threatened animals and plants without a special permit. It also makes "take" illegal – forbidding the killing, harming, harassing, pursuing, or removing the species from the wild.

■ The Act requires that Federal agencies conduct their activities in such a way as to conserve species.

■ The Act also requires that Federal agencies must consult with us to conserve listed species on their lands and to ensure that any activity they fund, authorize, or carry out will not jeopardize the survival of a threatened or endangered species. This is known as consultation.

In consultation for those species with critical habitat, Federal agencies must also ensure that their activities do not adversely modify critical habitat to the point that it will no longer aid in the species' recovery. In many cases, this level of protection is very similar to that already provided to species by the "jeopardy standard." However, areas that are currently unoccupied by the

This species list was revised by the USFWS on 09/17/2012, and is valid for 90 days after 11/07/2012.

U.S. Fish and Wildlife Service • Idaho Fish and Wildlife Office

CANDIDATE, PROPOSED AND LISTED SPECIES & PROPOSED AND DESIGNATED CRITICAL HABITAT IN IDAHO

	Herps	Birds		Mammals						Fish		Mollusks				Plants							
Common Name	**Columbia Spotted Frog (Great Basin Population)**	**Greater Sage-Grouse**	**Yellow-Billed Cuckoo**	**Canada Lynx**	**Grizzly Bear**	**Northern Idaho Ground Squirrel**	**Selkirk Mountains Woodland Caribou**	**Southern Idaho Ground Squirrel**	**North American Wolverine**	**Bull Trout**	**Kootenai River White Sturgeon**	**Banbury Springs Lanx**	**Bliss Rapids Snail**	**Bruneau Hot Springsnail**	**Snake River Physa**	**Christ's Paintbrush**	**Goose Creek Milkvetch**	**MacFarlane's Four-O'Clock**	**Packard's Milkvetch**	**Spalding's Catchfly**	**Ute Ladies'-Tresses**	**Water Howellia**	**Whitebark Pine**
Scientific Name	*Rana luteiventris*	*Centrocercus urophasianus*	*Coccyzus americanus*	*Lynx canadensis*	*Ursus arctos horribilis*	*Spermophilus brunneus brunneus*	*Rangifer tarandus caribou*	*Spermophilus brunneus endemicus*	*Gulo gulo luscus*	*Salvelinus confluentus*	*Acipenser transmontanus*	*Lanx* sp.	*Taylorconcha serpenticola*	*Pyrgulopsis bruneauensis*	*Haitia (Physa) natricina*	*Castilleja christii*	*Astragalus anserinus*	*Mirabilis macfarlanei*	*Astragalus cusickii var. parkardiae*	*Silene spaldingii*	*Spiranthes diluvialis*	*Howellia aquatilis*	*Pinus albicaulis*
Gooding		C							C			E	T		E								
Idaho			C	T					C	T-DCH								T		T			C
Jefferson		C	C	T					C												T		
Jerome		C											T		E								
Kootenai			C	T					C	T-DCH										T		T	
Latah			C	T					C											T		T	
Lemhi		C	C	T					C	T-DCH													
Lewis			C						C	T-DCH										T			
Lincoln		C							C														
Madison		C	C	T					C												T		
Minidoka		C	C												E								
Nez Perce				T					C	T-DCH										T			
Oneida		C																					
Owyhee	C	C	C							T-DCH				E	E								
Payette		C						C		T					E				C				
Power		C																					
Shoshone				T					C	T-DCH										T		T	C
Teton				T	T				C														C
Twin Falls	C	C	C						C				T		E								
Valley				T		T			C	T-DCH													C
Washington		C				T		C	C	T-DCH					E								C

Table Key: C = Candidate Species P= Proposed Species T=Threatened Species E=Endangered Species PCH= Proposed Critical Habitat DCH=Designated Critical Habitat

Myths & Realities

If critical habitat is designated, does that mean no further development can occur?
No. A critical habitat designation does not necessarily restrict further development. It is a reminder to Federal agencies that they must make special efforts to protect the important characteristics of these areas.

Does a critical habitat designation affect all activities that occur within the designated area?
No. Only activities that involve a Federal permit, license, or funding, *and* are likely to destroy or adversely modify the area of critical habitat will be affected. If this is the case, we will work with the Federal agency and, where appropriate, private or other landowners to amend their project to allow it to proceed without adversely affecting the critical habitat. Thus, most Federal projects are likely to go forward, but some will be modified to minimize harm to critical habitat.

species, but which are needed for the species' recovery, are protected by the prohibition against adverse modification of critical habitat.

Must Federal agencies consult with us outside critical habitat areas?
Yes, even when there is no critical habitat designation, Federal agencies must consult with us to ensure any action they carry out, fund, or authorize is not likely to jeopardize the continued existence of a listed species.

What is the impact of a critical habitat designation on economic development?
Most activities that require a Federal agency to consult with us can proceed. If modification of the project is necessary, it is likely that those changes would have been needed anyway, in order to avoid jeopardy. However, in areas where the species is not currently present, there may be some project modifications that would not have occurred without the critical habitat designation.

How do we determine what areas to designate as critical habitat?
Biologists consider physical and biological habitat features needed for life and successful reproduction of the species. These include:

- space for individual and population growth and for normal behavior;
- cover or shelter;
- food, water, air, light, minerals, or other nutritional or physiological requirements;
- sites for breeding and rearing offspring; and
- habitats that are protected from disturbances or are representative of the historic geographical and ecological distributions of a species.

The areas shown on critical habitat maps are often large. Are all the areas within the mapped boundaries considered critical habitat?
No. Our rules normally exclude by text developed areas such as buildings, roads, airports, parking lots, piers and other such facilities. Additionally, projects will only require consultation if they effect areas that contain the primary constituent elements required by the species. Primary constituent elements are those physical and biological features of a landscape that a species needs to survive and reproduce.

Why are large areas shown on critical habitat maps if the entire area is not actually considered critical habitat?
In such cases, precisely mapping critical habitat boundaries is impractical or impossible, because the legal descriptions for these precise boundaries would be to unweildy.

Does the Act require an economic analysis as part of designating critical habitat?
Yes. We must take into account the economic impact, as well as any other benefits or impacts, of specifying any particular area as critical habitat. We may exclude any area from critical habitat if we determine that the benefits of excluding it outweigh the benefits of specifying the area as part of critical habitat, unless we determine that the failure to designate the area as critical habitat will result in the extinction of the species.

Does this economic analysis have any effect on the decision to list a species as threatened or endangered?
No, under the Act, a decision to list a species is made solely on the basis of scientific data and analysis.

How many species have critical habitat designations?
As of January 31, 2002 critical habitat has been designated for 152 of the 1,256 U.S. species listed as threatened or endangered.

Why haven't we designated critical habitat for more species?
After a Congressional moratorium on listing new species ended in 1996, we faced a huge backlog of species needing to be proposed for listing as threatened or endangered. For this reason, we have assigned a relatively low priority to designating critical habitat because we have believed that a more effective use of our limited staff and funding has been to place imperiled species on the List of Endangered and Threatened Species.

Additionally, the critical habitat designation usually affords little extra protection to most species, and in some cases it can result in harm to the species. This harm may be due to negative public sentiment to the designation, to inaccuracies in the initial area designated, and to the fact that there is often a misconception among other Federal agencies that if an area is outside of the designated critical habitat area, then it is of no value to the species.

U.S. Fish & Wildlife Service
Endangered Species Program
703/358 2105
http://endangered.fws.gov
February 2002

Gerald Williams <gwilliams@grwei.com>

Tetonia Water System

1 message

Bobette_Eastvold@fws.gov <Bobette_Eastvold@fws.gov> Thu, Nov 15, 2012 at 2:29 PM
To: gwilliams@grwei.com

Original in the mail.

(See attached file: City of Tetonia Water System.pdf)

Bobette Eastvold
U.S. Fish and Wildlife Service
4425 Burley Drive
Suite A
Chubbuck, ID 83202
(208)237-6975 ext -101
Fax (208)237-8213
Bobette_Eastvold@fws.gov

City of Tetonia Water System.pdf
186K

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Eastern Idaho Field Office
4425 Burley Dr., Suite A
Chubbuck, Idaho 83202
Telephone (208) 237-6975
http://www.fws.gov/idahoes/

NOV 15 2012

Gerald R Williams
Williams Engineering, Inc.
343 E 4th N, Ste. 117
Rexburg, ID 83440

Subject: Proposed Upgrading the City of Tetonia Water System, Teton County Idaho.
2013-TA-0043 Species Request

Dear Mr. Williams:

The Fish and Wildlife Service (Service) is providing you with a list of endangered, threatened, proposed, and/or candidate species, and designated critical habitat which may occur in the area of the proposed upgrade to the City of Tetonia water system in Teton County, Idaho.

The Endangered Species Act of 1973, as amended (Act) includes provisions for the conservation of listed species on both Federal and non-Federal lands. A private landowner may wish to enter into an agreement with the Service under section 10 of the Act for activities that benefit listed, proposed, and candidate species. Voluntary agreements such as Safe Harbor Agreements or Candidate Conservation Agreements contribute to the conservation of listed, proposed, or candidate species while allowing for management activities on non-Federal lands. In addition, Section 9 of the Act prohibits the "taking" of any listed species without an exemption (issued by the Service) for that take[1]. For private landowners, that exemption is developed through the permit process of Section 10 (through a Habitat Conservation Plan) of the Act. More information on the various mechanisms for take exemption available to private landowners under the Act can be found at http://www.fws.gov/idaho/Landowners.htm.

Section 7 of the Act requires Federal agencies to assure that their actions do not jeopardize any listed species and provides a process for exemption of take for federal agencies. If there is a Federal action (funding, permitting, or direct action) associated with your project, the Federal agency is required to consult with the Service if the action may affect a listed species. Section 7 regulations allow for applicants to be involved in the consultation process. For instance, a

1 Take of threatened or endangered animal species is defined as; harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Harass is defined by the Service as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering.

Federal agency may designate you or another non-Federal entity to represent them in an informal consultation.

The enclosed list fulfills the requirements for a species list under section 7(c) of the Act. If the project decision has not been made within 180 days of this letter, regulations require that you request an updated list. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at http://www.fws.gov/endangered/consultations/s7hndbk/s7hndbk.htm. Section 7 consultation information specific to Idaho listed species can also be found on the Snake River Fish and Wildlife Office website at http://www.fws.gov/idaho/species.htm.

For more information on grizzly bears, and living and recreating in grizzly bear country, please visit the Service's Mountain-Prairie Region Grizzly Bear Recovery Home Page at: http://mountain-prairie.fws.gov/species/mammals/grizzly/fact_sheets.htm .

If you have any questions about your responsibilities under section 7 of the Act, or require further information, please contact Melanie Cota of our Eastern Idaho Field Office at (208)237-6975 extension 115. Thank you for your interest in endangered species conservation.

Sincerely,

David Kampwerth
Field Supervisor

Enclosures

WILLIAMS ENGINEERING, INC.
TETON COUNTY, IDAHO
SPECIES LIST 2013

LISTED SPECIES	COMMENTS
Grizzly bear *(Ursus arctos)*	LT

PROPOSED SPECIES

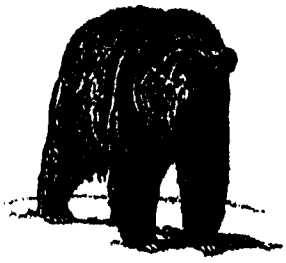
None

CANDIDATE SPECIES[1]	
Yellow-billed cuckoo *(Coccyzus americanus)*	C
Greater sage-grouse (*Centrocercus urophasianus*)	C
North American Wolverine *(Gulo gulo luscus)*	C

LE - Listed Endangered
LT - Listed Threatened
XN - Experimental/Non-essential population
PT - Proposed Threatened
C - Candidate

[1]Candidate species have no protection under the Act, but are included for your early planning consideration. Candidate species could be proposed or listed during the project planning period, and would then be covered under Section 7 of the Act. The Service advises an evaluation of potential effects on candidate species that may occur in the project area.

U.S. Fish and Wildlife Service
Mountain-Prairie Region, P.O. Box 25486
Lakewood, Colorado 80228
phone 303/236-7905, fax 303/236-3815
website: http://mountain-prairie.fws.gov



Tips for Residents in Grizzly Country

To reduce the risk of problems with bears on or near your property, we urge you to follow this list of simple precautions. Avoid attracting bears to your residence. Please do your part so people and bears can live together.

Garbage should be stored where bears can neither smell nor gain access to it: either in a bear-resistant container or inside a building bears can't get into. Use outside garbage cans for non-food items only. Haul garbage to an approved disposal site as often as possible, but at least once a week, to avoid build-up of odors.

Fruits trees attract bears, especially when wild foods are scarce. Electric fencing is the most effective way to keep bears out of orchards. Pick all fruit from trees and the ground as soon as possible; do not leave fruit through the fall.

Vegetable and flower gardens also attract bears. Gardens should be located away from forests or shrubs, which bears use for security and travel. Bears will dig up carrots and bulbs, so electric fencing is a good idea.

Composting is not recommended, because the odors attract bears. If you do compost, use an electric fence or enclosed, bear-resistant composter. Don't put meat, grease, or bones in a compost pile.

Livestock and poultry feed, along with pet food, should be stored in bear-resistant containers – such as a 55-gallon drum with a lid that seals – preferably inside a sturdy building that bears can't get into. Reduce spillage of oats and pellets by feeding from buckets or other containers, and don't leave leftover livestock food out overnight.

Dogs and other pets should be kept inside at night. If possible, feed pets inside. If you must feed pets outside, feed only during the day in amounts that will be consumed immediately. Don't leave bowls and pet food out overnight.

Sheep and pigs are easy prey for bears. Sheep should be closely herded. Consider electric fencing for pigs, or not keeping pigs. Do not bury dead livestock – bears will dig them up! Haul them to a landfill or rendering plant.

Bears love honey as well as bee larvae found in hives. You can protect the hives with electric fencing or by elevating the hives on platforms supported by metal poles that bears can't climb.

Bird feeders can also attract bears. Feed suet only during the winter months, and suspend hummingbird feeders out of reach of bears – at least 10 feet off the ground and 4 feet away from any tree trunk or pole.

Closely supervise children when they are playing outdoors. Make sure they are home before dusk and not outside before dawn. Talk with children about bears and teach them what to do if they encounter one.

If bears get into garbage or other food, REMOVE THE ATTRACTANT IMMEDIATELY. Avoid giving bears a repeated food reward. Bears that associate people and places people live with easy food rewards can become dangerous, and may eventually have to killed.

Species Profile

Environmental Conservation Online System

(http://www.fws.gov)

Grizzly bear (Ursus arctos horribilis)

(/docs/species_images/doc3651.jpg)

Kingdom: Animalia Class: Mammalia Order: Carnivora Family: Ursidae

Listing Status: Threatened (and others listed below (#CurListStatuses))

Quick links: Candidate Info (#candidate) Federal Register (#status) Recovery (#recovery) Critical Habitat (#crithab) Conservation Plans (#conservationPlans) Petitions (#petitions) Life History (#lifeHistory) Other Resources (#other)

General Information

Grizzly Bears reach weights of 180-680 kg (400-1,500 lb); the male is on average 1.8 times as heavy as the female, an example of sexual dimorphism. Their coloring ranges widely across geographic areas, from blond to deep brown or black. These differences, once attributed to subspeciation, are now thought to be primarily due to the different environments these bears inhabit, particularly with regard to diet and temperature. The Grizzly has a large hump over the shoulders which is a muscle mass used to power the forelimbs in digging. The head is large and round with a concave facial profile. In spite of their massive size, these bears can run at speeds of up to 55 km/h (35 mph).

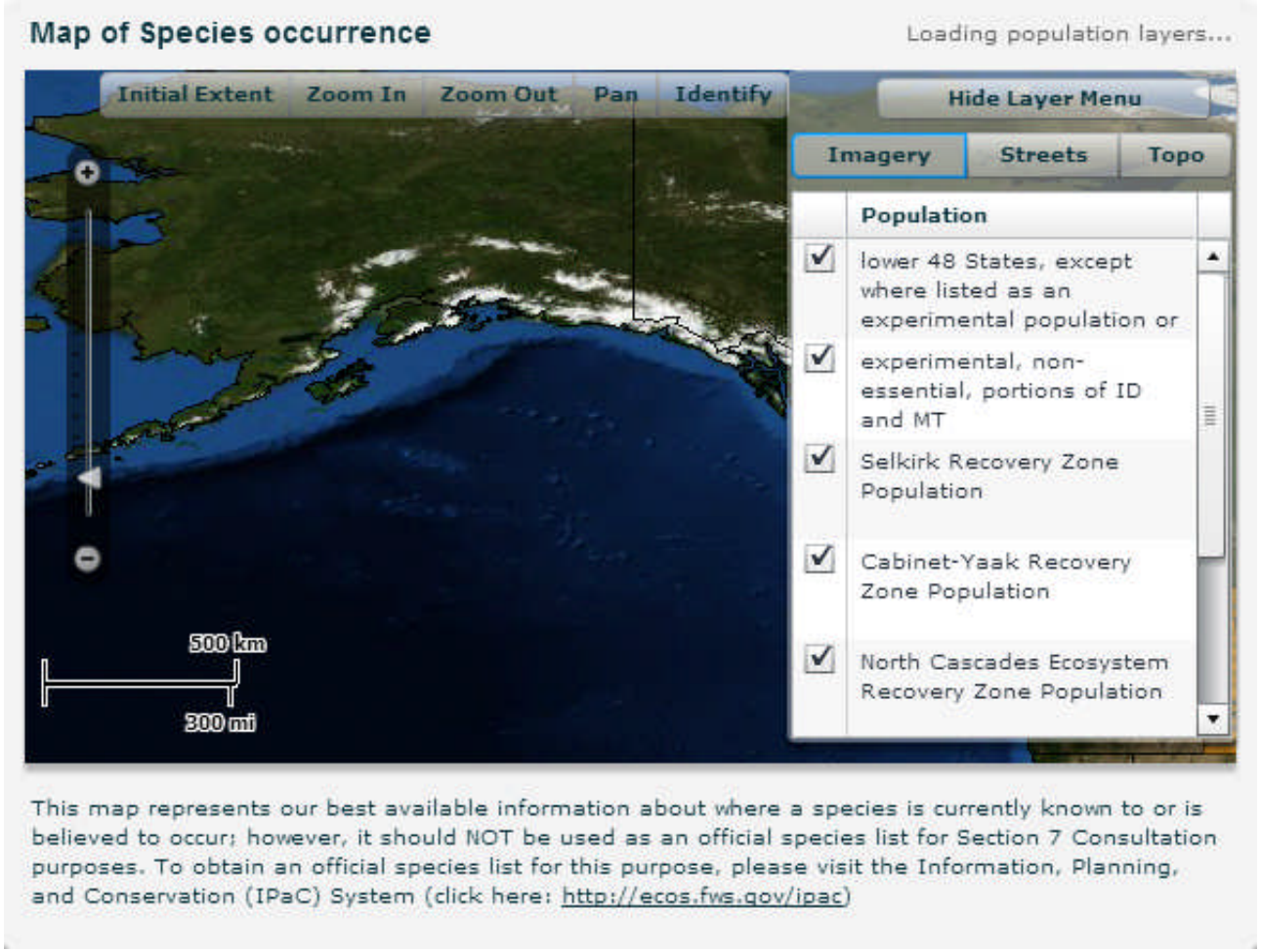
Population detail

The FWS is currently monitoring the following populations of the Grizzly bear

- **Population location:** U.S.A., conterminous (lower 48) States, except where listed as an experimental population or delisted

population or delisted

Listing status: Threatened



States/US Territories in which this population is known to or is believed to occur: **Idaho** (/speciesProfile/profile/countiesByState.action?entityId=2&state=Idaho) , **Montana** (/speciesProfile/profile/countiesByState.action?entityId=2&state=Montana) , **Washington** (/speciesProfile/profile/countiesByState.action?entityId=2&state=Washington) , **Wyoming** (/speciesProfile/profile/countiesByState.action?entityId=2&state=Wyoming)

US Counties in which this population is known to or is believed to occur: **View All** (/speciesProfile/profile/countiesBySpecies.action?entityId=2)

For more information: **http://mountain-prairie.fws.gov/species/mammals/grizzly/** (http://mountain-prairie.fws.gov/species/mammals/grizzly/)

- **Population location:** U.S.A. experimental non-essential (portions of ID and MT, see 17.84(l))

Listing status: Experimental Population, Non-Essential

Listing status: Experimental Population, Non-Essential

States/US Territories in which this population is known to or is believed to occur: **Idaho** (/speciesProfile/profile/countiesByState.action?entityId=1302&state=Idaho) , **Montana** (/speciesProfile/profile/countiesByState.action?entityId=1302&state=Montana)

US Counties in which this population is known to or is believed to occur: **View All** (/speciesProfile/profile/countiesBySpecies.action?entityId=1302)

USFWS Refuges in which this population is known to occur: BENTON LAKE WETLAND MANAGEMENT DISTRICT, NINE-PIPE NATIONAL WILDLIFE REFUGE, SWAN RIVER NATIONAL WILDLIFE REFUGE

For more information: **http://mountain-prairie.fws.gov/species/mammals/grizzly/** (http://mountain-prairie.fws.gov/species/mammals/grizzly/)

- **Population location:** Selkirk Recovery Zone Population

  Listing status: Under Review

  States/US Territories in which this population is known to or is believed to occur: **Idaho** (/speciesProfile/profile/countiesByState.action?entityId=4110&state=Idaho) , **Washington** (/speciesProfile/profile/countiesByState.action?entityId=4110&state=Washington)

  US Counties in which this population is known to or is believed to occur: **View All** (/speciesProfile/profile/countiesBySpecies.action?entityId=4110)

  For more information: **http://mountain-prairie.fws.gov/species/mammals/grizzly/** (http://mountain-prairie.fws.gov/species/mammals/grizzly/)

- **Population location:** Cabinet-Yaak Recovery Zone Population

  Listing status: Under Review

  States/US Territories in which this population is known to or is believed to occur: **Idaho** (/speciesProfile/profile/countiesByState.action?entityId=7753&state=Idaho) , **Montana** (/speciesProfile/profile/countiesByState.action?entityId=7753&state=Montana)

  US Counties in which this population is known to or is believed to occur: **View All** (/speciesProfile/profile/countiesBySpecies.action?entityId=7753)

  For more information: **http://mountain-prairie.fws.gov/species/mammals/grizzly/** (http://mountain-prairie.fws.gov/species/mammals/grizzly/)

- **Population location:** North Cascades Ecosystem Recovery Zone Population

  Listing status: Under Review

  States/US Territories in which this population is known to or is believed to occur: **Washington** (/speciesProfile/profile/countiesByState.action?entityId=7016&state=Washington)

  US Counties in which this population is known to or is believed to occur: **View All** (/speciesProfile/profile/countiesBySpecies.action?entityId=7016)

  For more information: **http://mountain-prairie.fws.gov/species/mammals/grizzly/**

(http://mountain-prairie.fws.gov/species/mammals/grizzly/)

- **Population location:** Alaska

Listing status: Status Undefined

States/US Territories in which this population is known to or is believed to occur: **Alaska** (/speciesProfile/profile/countiesByState.action?entityId=2415&state=Alaska)

US Counties in which this population is known to or is believed to occur: **View All** (/speciesProfile/profile/countiesBySpecies.action?entityId=2415)

Current Listing Status Summary

Status	Date Listed	Lead Region	Where Listed
Threatened	03/11/1967	Mountain-Prairie Region (Region 6) (http://www.fws.gov/mountain-prairie/)	lower 48 States, except where listed as an experimental population or delisted
Experimental Population, Non-Essential	11/17/2000	Mountain-Prairie Region (Region 6) (http://www.fws.gov/mountain-prairie/)	experimental, non-essential, portions of ID and MT
Under Review		Mountain-Prairie Region (Region 6) (http://www.fws.gov/mountain-prairie/)	Selkirk Recovery Zone Population
Under Review		Mountain-Prairie Region (Region 6) (http://www.fws.gov/mountain-prairie/)	Cabinet-Yaak Recovery Zone Population
Under Review		Mountain-Prairie Region (Region 6) (http://www.fws.gov/mountain-prairie/)	North Cascades Ecosystem Recovery Zone Population
Status Undefined		(Region)	Alaska

» Candidate Information

Current Candidate Status

Population	Listing Priority	Magnitude	Immediacy	Taxonomy	Species Assessment
U.S.A., conterminous (lower 48) States, except where listed as an experimental population or delisted					

» Federal Register Documents

Most Recent Federal Register Documents (Showing 5 of 57: view all (/speciesProfile/profile/displayAllDocuments!fedreg.action?spcode=A001))

Date	Citation Page	Title
10/26/2011	76 FR 66370 66439	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27122.pdf)
11/10/2010	75 FR 69222 69294	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2010&federalRegister.page=69222&publication=FR)
03/26/2010	75 FR 14496 14498	Reinstatement of Protections for the Grizzly Bear in the Greater Yellowstone Ecosystem in Compliance With Court Order (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2010&federalRegister.page=14496&publication=FR)
06/26/2009	74 FR 30617 30619	Montana Department of Natural Resources and Conservation; Draft Environmental Impact Statement Availability and Public Meetings (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2009&federalRegister.page=30617&publication=FR)
12/06/2007	72 FR 69034 69106	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2007&federalRegister.page=69034&publication=FR)

Most Recent Special Rule Publications (Showing 5 of 7: view all (/speciesProfile/profile/displayAllDocuments!specialRule.action?spcode=A001))

Date	Citation Page	Title
06/22/2001	66 FR 33620 33622	ETWP; Establishment of a Nonessential Experimental Population of Grizzly Bears in the Bitterroot Area of Idaho and Montana; Removal of Regulations (http://ecos.fws.gov/docs/federal_register/fr3769.pdf)
11/17/2000	65 FR 69624 69643	Endangered and Threatened Wildlife and Plants: Establishment of a Nonessential Experimental Population of Grizzly Bears in the Bitterroot

		Area of Idaho and Montana (http://ecos.fws.gov/docs/federal_register/fr3677.pdf)
10/17/1989	54 FR 42524 42528	ETWP; Proposed Revision of Special Regulations for the Grizzly Bear; 54 FR 42524 42528 (http://ecos.fws.gov/docs/federal_register/fr1618.pdf)
09/23/1986	51 FR 33753 33760	Revision of Special Regulations for Grizzly Bear; 51 FR 33753-33760 (http://ecos.fws.gov/docs/federal_register/fr1179.pdf)
07/17/1986	51 FR 25914 25919	Proposed Revision of Special Regulations for Grizzly Bear; 51 FR 25914-25919 (http://ecos.fws.gov/docs/federal_register/fr1161.pdf)

» Recovery

Recovery Plan Information Search (/roar/pub/ConfigureRecActionReport.do?path=ROAR+Custom+Queries.Public+Actions+AdHoc)

- Information Search FAQs (http://www.fws.gov/endangered/recovery/ROAR_FAQs%2008-05-09_FINAL.pdf)

Current Recovery Plan(s)

Date	Title	Plan Action Status	Plan Status
09/10/1993	Revised Grizzly Bear Recovery Plan (http://ecos.fws.gov/docs/recovery_plan/930910.pdf)	View Implementation Progress (/roar/pub/planImplementationStatus.action?documentId=400064&entityId=2)	Final Revision 1
06/23/1997	Grizzly Bear Recovery Plan Supplement: North Cascades Ecosystem Recovery Plan Chapter (http://ecos.fws.gov/docs/recovery_plan/060721.pdf)	View Implementation Progress (/roar/pub/planImplementationStatus.action?documentId=400064&entityId=2)	Final Revision 1
03/13/2007	Grizzly Bear Recovery Plan Supplement: Revised Demographic Recovery Criteria for the Yellowstone Ecosystem (http://ecos.fws.gov/docs/recovery_plan/070313b_with rvsd Figure 1.pdf)	View Implementation Progress (/roar/pub/planImplementationStatus.action?documentId=400064&entityId=2)	Final Revision 1
09/11/1996	Grizzly Bear Recovery Plan Supplement: Bitterroot Ecosystem Recovery Plan Chapter (http://ecos.fws.gov/docs/recovery_plan/060721a.pdf)	View Implementation Progress (/roar/pub/planImplementationStatus.action?documentId=400064&entityId=2)	Final Revision 1
03/13/2007	Grizzly Bear Recovery Plan Supplement: Habitat-based Recovery Criteria for the Yellowstone Ecosystem (http://ecos.fws.gov/docs/recovery_plan/070313_1.pdf)	View Implementation Progress (/roar/pub/planImplementationStatus.action?documentId=400064&entityId=2)	Final Revision 1

Other Recovery Documents (Showing 5 of 9: view all (/speciesProfile/profile/displayAllDocuments!otherRecovery.action?spcode=A001))

Date	Citation Page	Title	Document Type
04/18/2007	72 FR 19549 19551	Initiation of 5-Year Reviews of Seven Wildlife Species and Two Plant Species in the Mountain-Prairie Region (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2007&federalRegister.page=19549&publication=FR)	• Notice 5-year Review, Initiation
03/29/2007	72 FR 14866 14938	Final Rule Designating the Greater Yellowstone Area Population of Grizzly Bears as a Distinct Population Segment; Removing the Yellowstone Distinct Population Segment of Grizzly Bears From the Federal List of Endangered and Threatened Wildlife; 90-Day Finding on a Petition To List as Endangered the Yellowstone Distinct Population Segment of Grizzly Bears (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2007&federalRegister.page=14866&publication=FR)	• Final Delisting, Recovered • Final Listing, Threatened • Notice 90-day Petition Finding, Not substantial
03/13/2007	72 FR 11376 11377	Supplements to the Grizzly Bear Recovery Plan (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2007&federalRegister.page=11376&publication=FR)	• Notice Recovery Plan Avail.
03/13/2007	72 FR 11376	Endangered and Threatened Wildlife and Plants; Final Conservation Strategy for the Grizzly Bear in the Greater Yellowstone Area (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2007&federalRegister.page=11376&publication=FR)	• Notice Doc. Availability • Notice Doc. Availability, Post Delisting Monitoring Plan
11/17/2005	70 FR 69854 69884	Designating the Greater Yellowstone Ecosystem Population of Grizzly Bears as a Distinct Population Segment; Removing the Yellowstone Distinct Population Segment of Grizzly Bears From the Federal List of Endangered and Threatened Wildlife; Proposed Rule (http://ecos.fws.gov/docs/federal_register/fr4483.pdf)	• Proposed Delisting, Recovered • Proposed Listing, Threatened

Five Year Review

Date	Title
09/06/2011	Grizzly Bear (Ursus arctos horribilis) 5-Year Review (/docs/five_year_review/doc3847.review_August 2011.pdf)

» Critical Habitat

Current Critical Habitat Documents (Showing 1 of 1)

Date	Citation Page	Title	Document Type	Status
11/05/1976	41 FR 48757 48759	Proposed Determination of Critical Habitat for Grizzly Bear; 41 FR 48757 48759 (Ursus arctos horribilis) (http://ecos.fws.gov/docs/federal_register/fr119.pdf)	Proposed Rule	Not Required

To learn more about critical habitat please see http://criticalhabitat.fws.gov (http://criticalhabitat.fws.gov)

» Conservation Plans

Habitat Conservation Plans (HCP) (learn more (/docs/conservation_plans/HCP_Incidental_Take.pdf)) (Showing 5 of 6: view all (/speciesProfile/profile/displayAllDocuments!hcp.action?spcode=A001))

HCP Plan Summaries
Cedar River Watershed HCP (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=225&region=1&type=HCP&rtype=1)
City of Tacoma, Tacoma Water HCP (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=502&region=1&type=HCP&rtype=1)
Montana Department of Natural Resources and Conservation Lands (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=1220&region=6&type=HCP&rtype=1)
Plum Creek Timber I-90 HCP (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=82&region=1&type=HCP&rtype=1)
Plum Creek Timber I-90 Land Exchange (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=377&region=1&type=HCP&rtype=1)

Candidate Conservation Agreements (CCA): (learn more (/docs/conservation_plans/CandidateSpecies.pdf)) (Showing 1 of 1)

CCA Plan Summaries
Swan Valley (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=1470&region=6&type=CCA&rtype=1)

» Petitions

Most Recent Petition Findings (Showing 5 of 14: view all (/speciesProfile/profile/displayAllDocuments!petitions.action?spcode=A001))

Date	Citation Page	Title	Finding

Date	Citation Page	Title	Finding
10/26/2011	76 FR 66370 66439	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27122.pdf)	• Notice 12 month petition finding, Warranted but precluded
03/29/2007	72 FR 14866 14938	Final Rule Designating the Greater Yellowstone Area Population of Grizzly Bears as a Distinct Population Segment; Removing the Yellowstone Distinct Population Segment of Grizzly Bears From the Federal List of Endangered and Threatened Wildlife; 90-Day Finding on a Petition To List as Endangered the Yellowstone Distinct Population Segment of Grizzly Bears (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2007&federalRegister.page=14866&publication=FR)	• Final Delisting, Recovered • Final Listing, Threatened • Notice 90-day Petition Finding, Not substantial
05/17/1999	64 FR 26735 26733	12-month Finding on Petitions To Change the Status of Grizzly Bear Populations in the Selkirk Area in Idaho and Washington and the Cabinet-Yaak Area of Montana and Idaho From Threatened to Endangered (http://ecos.fws.gov/docs/federal_register/fr3643.pdf)	• Notice 12 month petition finding, Warranted but precluded
06/04/1998	63 FR 30453 30455	Finding on Petitions To Change the Status of Grizzly Bear Populations in the North Cascades Area of Washington and the Cabinet-Yaak Area of Montana and Idaho From Threatened to Endangered (http://ecos.fws.gov/docs/federal_register/fr3636.pdf)	• Notice 12 month petition finding, Warranted but precluded
		ETWP; Notice of Finding on a Petition To Change the Status of the	• Notice 90-day

09/09/1994	59 FR 46611 46612	FWS; notice of finding on a petition to change the status of the Grizzley Bear Population in the Northern Continental Divide Ecosystem From Threatened To Recovered (http://ecos.fws.gov/docs/federal_register/fr2683.pdf)	90-day Petition Finding, Not substantial

» Life History

No Life History information has been entered into this system for this species.

» Other Resources

NatureServe Explorer Species Reports (javascript:;) – NatureServe Explorer is a source for authoritative conservation information on more than 50,000 plants, animals and ecological communtities of the U.S and Canada. NatureServe Explorer provides in-depth information on rare and endangered species, but includes common plants and animals too. NatureServe Explorer is a product of NatureServe in collaboration with the Natural Heritage Network.

ITIS Reports (javascript:;) – ITIS (the Integrated Taxonomic Information System) is a source for authoritative taxonomic information on plants, animals, fungi, and microbes of North America and the world.

Last updated: November 19, 2012

FWS Endangered Home (http://www.fws.gov/endangered/) | ECOS Home (/ecos/indexPublic.do) | Contact Us (/ecos/helpdesk.do?version=SPECIES_PROFILE-1_3_9)

Species Profile

Environmental Conservation Online System

(http://www.fws.gov)

Yellow-Billed Cuckoo (Coccyzus americanus)

Kingdom: Animalia Class: Aves Order: Cuculiformes Family: Cuculidae

Listing Status: Candidate

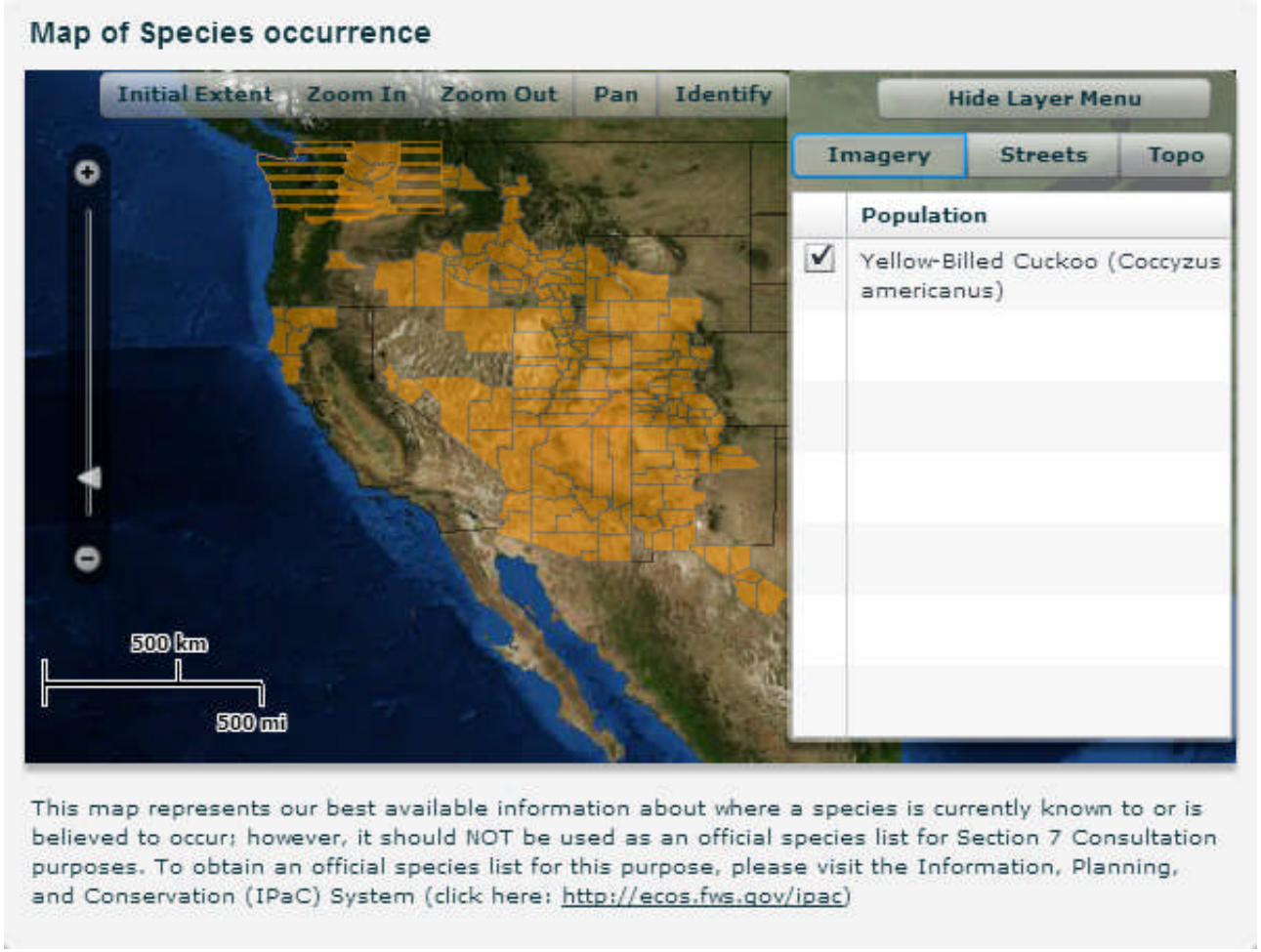
Quick links: Candidate Info (#candidate) Federal Register (#status) Conservation Plans (#conservationPlans) Petitions (#petitions) Life History (#lifeHistory) Other Resources (#other)

General Information

Size: 31 cm (12 in) in length. Color: Brownish above and white below; with rusty colored flight feathers. The upper mandible of the bill is black and the lower mandible is yellow. The under side of the tail has pairs of large white spots.

States/US Territories in which the Yellow-Billed Cuckoo, Western U.S. DPS is known to or is believed to occur: Arizona (/speciesProfile/profile/countiesByState.action?entityId=6901&state=Arizona) , California (/speciesProfile/profile/countiesByState.action?entityId=6901&state=California) , Colorado (/speciesProfile/profile/countiesByState.action?entityId=6901&state=Colorado) , Idaho (/speciesProfile/profile/countiesByState.action?entityId=6901&state=Idaho) , Montana (/speciesProfile/profile/countiesByState.action?entityId=6901&state=Montana) , Nevada (/speciesProfile/profile/countiesByState.action?entityId=6901&state=Nevada) , New Mexico (/speciesProfile/profile/countiesByState.action?entityId=6901&state=New Mexico) , Oregon

(/speciesProfile/profile/countiesByState.action?entityId=6901&state=Oregon) , Texas (/speciesProfile/profile/countiesByState.action?entityId=6901&state=Texas) , Utah



(/speciesProfile/profile/countiesByState.action?entityId=6901&state=Utah) , Washington (/speciesProfile/profile/countiesByState.action?entityId=6901&state=Washington) , Wyoming (/speciesProfile/profile/countiesByState.action?entityId=6901&state=Wyoming)

US Counties in which the Yellow-Billed Cuckoo, Western U.S. DPS is known to or is believed to occur:

View All (/speciesProfile/profile/countiesBySpecies.action?entityId=6901)

USFWS Refuges in which the Yellow-Billed Cuckoo, Western U.S. DPS is known to occur: BUTTE SINK NATIONAL WILDLIFE REFUGE, SACRAMENTO RIVER NATIONAL WILDLIFE REFUGE, SUTTER NATIONAL WILDLIFE REFUGE

Countries in which the the Yellow-Billed Cuckoo, Western U.S. DPS is known to occur: Canada, Mexico, United States

For more information: http://www.fws.gov/pacific/news/2001/2001-76.htm

For more information: http://www.fws.gov/pacific/news/2001/2001-76.htm (http://www.fws.gov/pacific/news/2001/2001-76.htm)

Current Listing Status Summary

Status	Date Listed	Lead Region	Where Listed
Candidate		California/Nevada Region (Region 8) (http://www.fws.gov/cno/)	Western U.S. DPS

» Candidate Information

Current Candidate Status

Listing Priority: 3
Magnitude: High
Immediacy: Imminent
Taxonomy: Subspecies/population
Species Assessment: Species Assessment Form for the Coccyzus americanus (Western U.S. DPS) -- 1Mb (/docs/candidate/assessments/2012/r8/B06R_V01.pdf)

Candidate Notice of Review Documents (Showing 5 of 15: view all (/speciesProfile/profile/displayAllDocuments!cnor.action?spcode=B06R))

Date	Citation Page	Title
10/26/2011	76 FR 66370 66439	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27122.pdf)
11/10/2010	75 FR 69222 69294	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2010&federalRegister.page=69222&publication=FR)
11/09/2009	74 FR 57804 57878	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2009&federalRegister.page=57804&publication=FR)
12/10/2008	73 FR 75176 75244	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions; Proposed Rule

		Annual Description of Progress on Listing Actions; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2008&federalRegister.page=75176&publication=FR)
12/06/2007	72 FR 69034 69106	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2007&federalRegister.page=69034&publication=FR)

» Federal Register Documents

Most Recent Federal Register Documents (Showing 5 of 25: view all (/speciesProfile/profile/displayAllDocuments!fedreg.action?spcode=B06R))

Date	Citation Page	Title
10/26/2011	76 FR 66370 66439	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27122.pdf)
11/10/2010	75 FR 69222 69294	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2010&federalRegister.page=69222&publication=FR)
11/09/2009	74 FR 57804 57878	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2009&federalRegister.page=57804&publication=FR)
12/10/2008	73 FR 75176 75244	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2008&federalRegister.page=75176&publication=FR)
12/06/2007	72 FR 69034 69106	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions; Proposed Rule

		(http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2007&federalRegister.page=69034&publication=FR)

» Conservation Plans

Habitat Conservation Plans (HCP) (learn more (/docs/conservation_plans/HCP_Incidental_Take.pdf)) (Showing 5 of 10: view all (/speciesProfile/profile/displayAllDocuments!hcp.action?spcode=B06R))

HCP Plan Summaries
Cal. Dept. of Corrections Statewide Electrified Fence Project (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=507&region=8&type=HCP&rtype=1)
Clark County Multiple Species HCP (7 permittees) (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=528&region=8&type=HCP&rtype=1)
Lower Colorado River MSCP (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=3792&region=2&type=HCP&rtype=1)
Lower Colorado River Multi-Species Conservation Plan (LCR MSCP) (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=480&region=8&type=HCP&rtype=1)
Malpai Borderlands (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=3338&region=2&type=HCP&rtype=1)

» Petitions

Most Recent Petition Findings (Showing 5 of 5)

Date	Citation Page	Title	Finding
10/26/2011	76 FR 66370 66439	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27122.pdf)	• Notice 12 month petition finding, Warranted but precluded • Notice CNOR
07/25/2001	66 FR 38611 38626	ETWP; 12-Month Finding for a Petition to List the Yellow-billed Cuckoo (Coccyzus americanus) in the Western Continental United States (http://ecos.fws.gov/docs/federal_register/fr3780.pdf)	• Notice 12 month petition finding, Warranted but precluded
02/17/2000	65 FR 8104 8107	Notice of 90-Day Finding for a Petition To List the Yellow-billed Cuckoo as Endangered and Commencement of a Status Review	• Notice 90-day Petition Finding,

		(http://ecos.fws.gov/docs/federal_register/fr3541.pdf)	Substantial
12/29/1988	53 FR 52746 52749	Findings on Pending Petitions & Description of Progress on Listing Actions; 53 FR 52746-52749 (http://ecos.fws.gov/docs/federal_register/fr1507.pdf)	• Notice 12 month petition finding, Not warranted • Notice Candidacy Removal/Reclass, Not listable entity
01/21/1987	52 FR 2239 2242	Findings on Petitions & Initiation of Status Reviews; 52 FR 2239-2242 (http://ecos.fws.gov/docs/federal_register/fr1220.pdf)	• Notice 90-day Petition Finding, Substantial

» Life History

No Life History information has been entered into this system for this species.

» Other Resources

NatureServe Explorer Species Reports (javascript:;) – NatureServe Explorer is a source for authoritative conservation information on more than 50,000 plants, animals and ecological communtities of the U.S and Canada. NatureServe Explorer provides in-depth information on rare and endangered species, but includes common plants and animals too. NatureServe Explorer is a product of NatureServe in collaboration with the Natural Heritage Network.

ITIS Reports (javascript:;) – ITIS (the Integrated Taxonomic Information System) is a source for authoritative taxonomic information on plants, animals, fungi, and microbes of North America and the world.

Last updated: November 19, 2012

FWS Endangered Home (http://www.fws.gov/endangered/) | ECOS Home (/ecos/indexPublic.do) | Contact Us (/ecos/helpdesk.do?version=SPECIES_PROFILE-1_3_9)

Species Profile

Environmental Conservation Online System

(http://www.fws.gov)

Greater sage-grouse (Centrocercus urophasianus)

(/docs/species_images/doc3687.jpg)

Kingdom: Animalia Class: Aves Order: Galliformes Family: Phasianidae

Listing Status: Candidate

Quick links: Candidate Info (#candidate) Federal Register (#status) Action Plans (#actionPlans) Conservation Plans (#conservationPlans) Petitions (#petitions) Life History (#lifeHistory) Other Resources (#other)

General Information

Greater sage-grouse are the largest grouse in North America. Males often weigh in excess of 4-5 pounds and hens weigh in at 2-3 pounds. On the ground and in flight they appear almost black, and their long pointed tail is approximately half the length of their body. Both sexes have narrow, pointed tail feathers, feathering to the base of the toes, and a variegated pattern of grayish brown, buff and black on the upper parts, with paler flanks and a diffuse black pattern on the abdomen. Adult males have blackish-brown throat feathers which are separated by a narrow band of white from a dark V-shaped pattern on the neck. White breast feathers conceal 2 large, skin sacs (used in courtship displays) which are yellow-green in color. Males also have yellow eyecombs (obvious in the spring during courtship displays). Female sage grouse lack the specialized structures used for courtship displays but generally resemble males in coloration. However, in comparison to males, their throats are buffy with blackish markings and the lower throat and breast are barred which presents a blackish-brown appearance. Immature birds (less than 1 yr. of age) can be distinguished from adults by their light yellowish green toes (adults have dark green toes).

toes (adults have dark green toes).

Population detail

The FWS is currently monitoring the following populations of the Greater sage-grouse

- **Population location:** Columbia basin DPS, WA
  Listing status: Candidate
  States/US Territories in which this population is known to or is believed to occur: **Washington (/speciesProfile/profile/countiesByState.action?entityId=4120&state=Washington)**
  US Counties in which this population is known to or is believed to occur: **View All (/speciesProfile/profile/countiesBySpecies.action?entityId=4120)**
  For more information: http://mountain-prairie.fws.gov/species/birds/sagegrouse/

(http://mountain-prairie.fws.gov/species/birds/sagegrouse/)

- **Population location:** entire
  Listing status: Candidate
  States/US Territories in which this population is known to or is believed to occur: California (/speciesProfile/profile/countiesByState.action?entityId=8741&state=California) , Colorado (/speciesProfile/profile/countiesByState.action?entityId=8741&state=Colorado) , Idaho (/speciesProfile/profile/countiesByState.action?entityId=8741&state=Idaho) , Montana (/speciesProfile/profile/countiesByState.action?entityId=8741&state=Montana) , Nevada (/speciesProfile/profile/countiesByState.action?entityId=8741&state=Nevada) , North Dakota (/speciesProfile/profile/countiesByState.action?entityId=8741&state=North Dakota) , Oregon (/speciesProfile/profile/countiesByState.action?entityId=8741&state=Oregon) , South Dakota (/speciesProfile/profile/countiesByState.action?entityId=8741&state=South Dakota) , Utah (/speciesProfile/profile/countiesByState.action?entityId=8741&state=Utah) , Washington (/speciesProfile/profile/countiesByState.action?entityId=8741&state=Washington) , Wyoming (/speciesProfile/profile/countiesByState.action?entityId=8741&state=Wyoming)
  US Counties in which this population is known to or is believed to occur: View All (/speciesProfile/profile/countiesBySpecies.action?entityId=8741)
  Countries in which the this population is known to occur: Canada
- **Population location:** Bi-State
  Listing status: Candidate
  States/US Territories in which this population is known to or is believed to occur: California (/speciesProfile/profile/countiesByState.action?entityId=9337&state=California) , Nevada (/speciesProfile/profile/countiesByState.action?entityId=9337&state=Nevada)
  US Counties in which this population is known to or is believed to occur: View All (/speciesProfile/profile/countiesBySpecies.action?entityId=9337)
  Countries in which the this population is known to occur: United States

Current Listing Status Summary

Status	Date Listed	Lead Region	Where Listed
Candidate		Pacific Region (Region 1) (http://www.fws.gov/pacific/)	Columbia basin DPS
Candidate		Mountain-Prairie Region (Region 6) (http://www.fws.gov/mountain-prairie/)	entire
Candidate		California/Nevada Region (Region 8) (http://www.fws.gov/cno/)	Bi-State

» Candidate Information

Current Candidate Status

Population	Listing Priority	Magnitude	Immediacy	Taxonomy	Species Assessment
Columbia basin DPS, WA	6	High	Non-imminent	Subspecies/population	Species Assessment Form for the Centrocercus urophasianus (Columbia basin DPS, WA) – 12Kb (/docs/candidate/assessments/2012/r1/B06W_V01.pdf)
entire	8	Moderate to Low	Imminent	Species	Species Assessment Form for the Centrocercus urophasianus (entire) -- 948Kb (/docs/candidate/assessments/2012/r6/B06W_V02.pdf)
Bi-State	3	High	Imminent	Subspecies/population	

Candidate Notice of Review Documents (Showing 5 of 15: view all (/speciesProfile/profile/displayAllDocuments!cnor.action?spcode=B06W))

Date	Citation Page	Title
10/26/2011	76 FR 66370 66439	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27122.pdf)
11/10/2010	75 FR 69222 69294	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2010&federalRegister.page=69222&publication=FR)
11/09/2009	74 FR 57804 57878	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2009&federalRegister.page=57804&publication=FR)
12/10/2008	73 FR 75176 75244	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2008&federalRegister.page=75176&publication=FR)
		Review of Native Species That Are Candidates for Listing as Endangered

		or Threatened; Annual Notice of Findings on Resubmitted Petitions;
12/06/2007	72 FR 69034 69106	Annual Description of Progress on Listing Actions; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2007&federalRegister.page=69034&publication=FR)

» Federal Register Documents

Most Recent Federal Register Documents (Showing 5 of 28: view all (/speciesProfile/profile/displayAllDocuments!fedreg.action?spcode=B06W))

Date	Citation Page	Title
10/26/2011	76 FR 66370 66439	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27122.pdf)
11/10/2010	75 FR 69222 69294	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2010&federalRegister.page=69222&publication=FR)
03/23/2010	75 FR 13910 14014	12-Month Findings for Petitions to List the Greater Sage-Grouse (Centrocercus urophasianus) as Threatened or Endangered: Notice of 12-month petition findings. (http://ecos.fws.gov/docs/federal_register/fr5934.pdf)
11/09/2009	74 FR 57804 57878	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2009&federalRegister.page=57804&publication=FR)
07/23/2009	74 FR 36502 36503	Endangered and Threatened Wildlife and Plants; Permit Application; Greater Sage-Grouse; Washington, Adams, Gem, and Payette Counties, Idaho (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2009&federalRegister.page=36502&publication=FR)

» Action Plans

Action Plans (Showing 1 of 1)

Date	Title

Date	Title
	Greater sage-grouse action plan (/docs/action_plans/doc3011.pdf)

» Conservation Plans

Candidate Conservation Agreements (CCA): (learn more (/docs/conservation_plans/CandidateSpecies.pdf)) (Showing 2 of 2)

CCA Plan Summaries
Utah Sage Grouse Conservation Plan (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=934&region=6&type=CCA&rtype=1)
Western sage grouse CCA (WA) (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=770&region=1&type=CCA&rtype=1)

Candidate Conservation Agreements with Assurances (CCAA): (learn more (/docs/conservation_plans/CCAANonFederal.pdf)) (Showing 1 of 1)

CCAA Plan Summaries
West Central Programmatic Sage-Grouse CCAA (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=4228&region=1&type=CCAA&rtype=1)

» Petitions

Most Recent Petition Findings (Showing 5 of 11: view all (/speciesProfile/profile/displayAllDocuments!petitions.action?spcode=B06W))

Date	Citation Page	Title	Finding
10/26/2011	76 FR 66370 66439	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27122.pdf)	• Notice 12 month petition finding, Warranted but precluded • Notice CNOR
03/23/2010	75 FR 13910 14014	12-Month Findings for Petitions to List the Greater Sage-Grouse (Centrocercus urophasianus) as Threatened or Endangered: Notice of 12-month petition findings	• Notice 12 month petition

		(http://ecos.fws.gov/docs/federal_register/fr5934.pdf)	finding, Not warranted
03/23/2010	75 FR 13910 14014	12-Month Findings for Petitions to List the Greater Sage-Grouse (Centrocercus urophasianus) as Threatened or Endangered: Notice of 12-month petition findings. (http://ecos.fws.gov/docs/federal_register/fr5934.pdf)	• Notice 12 month petition finding, Warranted but precluded
04/29/2008	73 FR 23170 23172	90-Day Finding on a Petition to List the Western Sage-Grouse (Centrocercus urophasianus phaios) as Threatened or Endangered (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2008&federalRegister.page=23170&publication=FR)	• Notice 90-day Petition Finding, Substantial
04/29/2008	73 FR 23173 23175	90-Day Finding on Petitions To List the Mono Basin Area Population of the Greater Sage-Grouse (Centrocercus urophasianus) as Threatened or Endangered (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2008&federalRegister.page=23173&publication=FR)	• Notice 90-day Petition Finding, Substantial

» Life History

No Life History information has been entered into this system for this species.

» Other Resources

NatureServe Explorer Species Reports (javascript:;) – NatureServe Explorer is a source for authoritative conservation information on more than 50,000 plants, animals and ecological communtities of the U.S and Canada. NatureServe Explorer provides in-depth information on rare and endangered species, but includes common plants and animals too. NatureServe Explorer is a product of NatureServe in collaboration with the Natural Heritage Network.

ITIS Reports (javascript:;) – ITIS (the Integrated Taxonomic Information System) is a source for authoritative taxonomic information on plants, animals, fungi, and microbes of North America and the world.

Last updated: November 19, 2012

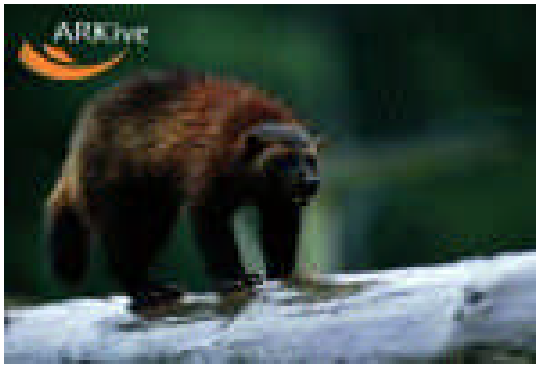
FWS Endangered Home (http://www.fws.gov/endangered/) | ECOS Home (/ecos/indexPublic.do) | Contact Us (/ecos/helpdesk.do?version=SPECIES_PROFILE-1_3_9)

Species Profile

Environmental Conservation Online System

(http://www.fws.gov)

North American wolverine (Gulo gulo luscus)



(/docs/species_images/doc1453.jpg)

Kingdom: Animalia Class: Mammalia Order: Carnivora Family: Mustelidae

Listing Status: Candidate

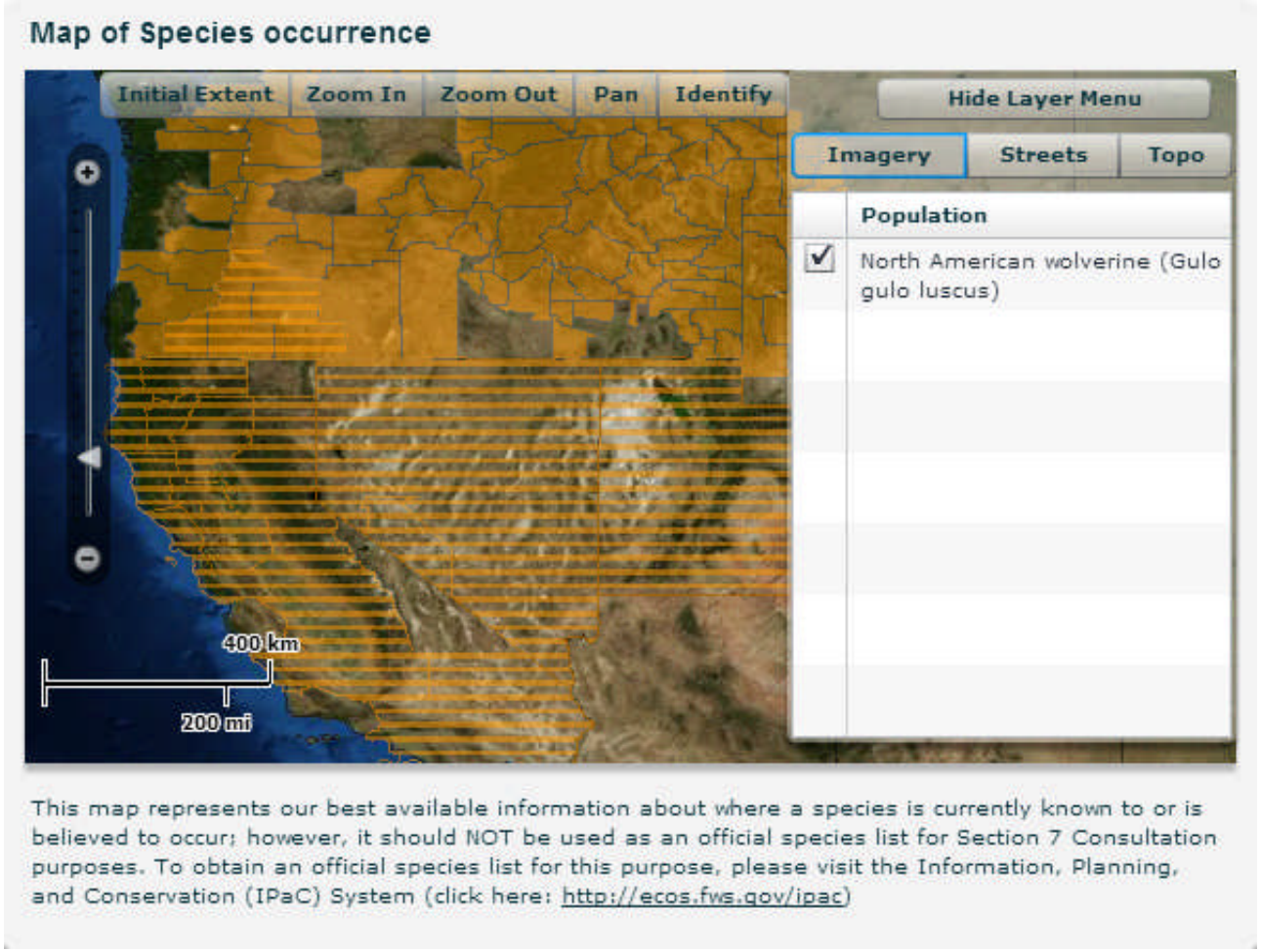
Quick links: Candidate Info (#candidate) Federal Register (#status) Conservation Plans (#conservationPlans) Petitions (#petitions) Life History (#lifeHistory) Other Resources (#other)

General Information

The wolverine is the largest terrestrial member of the family Mustelidae, with adult males weighing 12 to 18 kilograms (kg) (26 to 40 pounds (lb)) and adult females weighing 8 to 12 kg (17 to 26 lb) (Banci 1994). It resembles a small bear with a bushy tail. It has a round, broad head; short, rounded ears; and small eyes. There are five toes on each foot, with curved and semiretractile claws used for digging and climbing (Banci 1994).

States/US Territories in which the North American wolverine is known to or is believed to occur:
California (/speciesProfile/profile/countiesByState.action?entityId=4016&state=California) , Colorado (/speciesProfile/profile/countiesByState.action?entityId=4016&state=Colorado) , Idaho (/speciesProfile/profile/countiesByState.action?entityId=4016&state=Idaho) , Montana (/speciesProfile/profile/countiesByState.action?entityId=4016&state=Montana) , Oregon (/speciesProfile/profile/countiesByState.action?entityId=4016&state=Oregon) , Utah

(/speciesProfile/profile/countiesByState.action?entityId=4016&state=Utah) , Washington (/speciesProfile/profile/countiesByState.action?entityId=4016&state=Washington) , Wyoming



(/speciesProfile/profile/countiesByState.action?entityId=4016&state=Wyoming)

US Counties in which the North American wolverine is known to or is believed to occur: View All (/speciesProfile/profile/countiesBySpecies.action?entityId=4016)

Current Listing Status Summary

Status	Date Listed	Lead Region	Where Listed
Candidate		Mountain-Prairie Region (Region 6) (http://www.fws.gov/mountain-prairie/)	

» Candidate Information

Current Candidate Status

Listing Priority: 6
Magnitude: High
Immediacy: Non-imminent
Taxonomy: Subspecies/population
Species Assessment: Species Assessment Form for the Gulo gulo luscus – 148Kb (/docs/candidate/assessments/2012/r6/A0FA_V01.pdf)

Candidate Notice of Review Documents (Showing 5 of 5)

Date	Citation Page	Title
10/26/2011	76 FR 66370 66439	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27122.pdf)
11/15/1994	59 FR 58982 59028	ETWP; Animal Candidate Review for Listing as Endangered or Threatened Species. (http://ecos.fws.gov/docs/federal_register/fr2729.pdf)
11/21/1991	56 FR 58804 58836	ETWP; Animal Candidate Review for Listing as Endangered or Threatened Species; 56 FR 58804 58836 (http://ecos.fws.gov/docs/federal_register/fr1973.pdf)
01/06/1989	54 FR 554 579	ETWP; Animal Notice of Review; 54 FR 554 579
09/18/1985	50 FR 37958 37967	Review of Vertebrate Wildlife; Notice of Review; 50 FR 37958-37967 (http://ecos.fws.gov/docs/federal_register/fr1022.pdf)

» Federal Register Documents

Most Recent Federal Register Documents (Showing 5 of 11: view all (/speciesProfile/profile/displayAllDocuments!fedreg.action?spcode=A0FA))

Date	Citation Page	Title
10/26/2011	76 FR 66370 66439	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27122.pdf)
12/14/2010	75 FR 78030 78061	12-Month Finding on a Petition To List the North American Wolverine as Endangered or Threatened; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2010&federalRegister.page=78030&publication=FR)

04/15/2010	75 FR 19591 19592	Initiation of Status Review of the North American Wolverine in the Contiguous United States (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2010&federalRegister.page=19591&publication=FR)
03/11/2008	73 FR 12929 12941	12-Month Finding on a Petition To List the North American Wolverine as Endangered or Threatened (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2008&federalRegister.page=12929&publication=FR)
06/05/2007	72 FR 31048 31049	12-Month Finding on a Petition To List the Wolverine as Threatened or Endangered (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2007&federalRegister.page=31048&publication=FR)

» Conservation Plans

Habitat Conservation Plans (HCP) (learn more (/docs/conservation_plans/HCP_Incidental_Take.pdf)) (Showing 2 of 2)

HCP Plan Summaries
Cedar River Watershed HCP (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=225&region=1&type=HCP&rtype=1)
West Fork Timber HCP (formerly Murray Pacific) (http://ecos.fws.gov/conserv_plans/PlanReport?plan_id=116&region=1&type=HCP&rtype=1)

» Petitions

Most Recent Petition Findings (Showing 5 of 5)

Date	Citation Page	Title	Finding
10/26/2011	76 FR 66370 66439	Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions (http://www.gpo.gov/fdsys/pkg/FR-2011-10-26/pdf/2011-27122.pdf)	• Notice 12 month petition finding, Warranted but precluded • Notice CNOR

12/14/2010	75 FR 78030 78061	12-Month Finding on a Petition To List the North American Wolverine as Endangered or Threatened; Proposed Rule (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2010&federalRegister.page=78030&publication=FR)	• Notice 12 month petition finding, Warranted but precluded
03/11/2008	73 FR 12929 12941	12-Month Finding on a Petition To List the North American Wolverine as Endangered or Threatened (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2008&federalRegister.page=12929&publication=FR)	• Notice 12 month petition finding, Not warranted
10/21/2003	68 FR 60112 60115	90-day Finding for a Petition To List as Endangered or Threatened Wolverine in the Contiguous United States (http://www.gpo.gov/fdsys/search/citation.result.FR.action?federalRegister.volume=2003&federalRegister.page=60112&publication=FR)	• Notice 90-day Petition Finding, Not substantial
04/19/1995	60 FR 19567 19568	ETWP; 90-Day Finding for a Petition to List as Endangered or Threatened the Contiguous United States Population of the North American Wolverine (http://ecos.fws.gov/docs/federal_register/fr2814.pdf)	• Notice 90-day Petition Finding, Not substantial

» Life History

Habitat Requirements

Wolverines do not appear to specialize on specific vegetation or geological habitat aspects, but instead select areas that are cold and receive enough winter precipitation to reliably maintain deep persistent snow late into the warm season (Copeland et al. 2010, entire). The requirement of cold, snowy conditions means that, in the southern portion of the species' range where ambient temperatures are warmest, wolverine distribution is restricted to high elevations, while at more northerly latitudes, wolverines are present at lower elevations and even at sea level in the

far north (Copeland et al. 2010, Figure 1). Deep, persistent, and reliable spring snow cover (April 15 to May 14) is the best overall predictor of wolverine occurrence in the contiguous United States (Aubry et al. 2007, pp. 2152-2156; Copeland et al. 2010, entire).

Food Habits

Wolverines are opportunistic feeders, consuming a variety of foods depending on availability. They primarily scavenge carrion, but also prey on small animals and birds and eat fruits, berries, and insects (Hornocker and Hash 1981; Wilson 1982; Hash 1987; Banci 1994). Wolverines have an excellent sense of smell, enabling them to find food beneath deep snow (Hornocker and Hash 1981).

Movement / Home Range

Wolverines have large spatial requirements; the availability and distribution of food is likely the primary factor in determining wolverine movements and home range (Hornocker and Hash 1981; Banci 1994). Wolverines can travel long distances over rough terrain and deep snow, with adult males generally covering greater distances than females (Hornocker and Hash 1981; Banci 1994). Home ranges of wolverines are generally extremely large, but vary greatly depending on availability of food, gender, age, and differences in habitat. Home ranges of adult wolverines range from less than 100 square kilometers (km2) to over 900 km2 (38.5 square miles (mi2) to 348 mi2) (Banci 1994). Home range sizes are large relative to the body size of wolverines, and may indicate that wolverines occupy a relatively unproductive niche in which they must forage over large areas to consume the amount of calories needed to meet their life-history requirements (Inman et al. 2007a, p. 11).

Reproductive Strategy

Breeding generally occurs from late spring to early fall. Females undergo delayed implantation until the following winter to spring, when active gestation lasts from 30 to 40 days (Rausch and Pearson 1972). Litters are born between February and April, containing one to five kits, with two to three kits being the most common number (Hash 1987). Female wolverines use natal (birthing) dens that are excavated in snow. Persistent, stable snow greater than 1.5 meters (m) (5 feet (ft)) deep appears to be a requirement for natal denning, because it provides security for offspring and buffers cold winter temperatures (Pulliainen 1968, p. 342; Copeland 1996, pp. 92-97; Magoun and Copeland 1998, pp. 1317-1318; Banci 1994, pp. 109-110; Inman et al. 2007c, pp. 71-72; Copeland et al. 2010, pp. 240-242). Female wolverines go to great lengths to find secure den sites, suggesting that predation is a concern (Banci 1994, p. 107). Natal dens consist of tunnels that contain well-used runways and bed sites and may naturally incorporate shrubs, rocks, and downed logs as part of their structure (Magoun and Copeland 1998, pp. 1315-1316; Inman et al. 2007c, pp. 71-72). Occupation of natal dens is variable, ranging from approximately 9 to 65 days (Magoun and Copeland 1998, pp. 1316-1317).

Other

The primary threat to the North American wolverine is from habitat and range loss due to climate warming. Wolverines inhabit habitats with near-arctic conditions wherever they occur. In the contiguous United States, wolverine habitat is restricted to high-elevation areas in the West. Wolverines are dependent on deep persistent snow cover for successful denning, and they concentrate their year-round activities in areas that maintain deep snow into spring and cool temperatures throughout summer. Wolverines in the contiguous United States exist as small and semi-isolated subpopulations in a larger metapopulation that requires regular dispersal of wolverines between habitat patches to maintain itself. These dispersers achieve both genetic enrichment and demographic support of recipient populations. Climate changes are predicted to reduce wolverine habitat and range by 23 percent over the next 30 years and 63 percent over the next 75 years, rendering remaining wolverine habitat significantly smaller and more fragmented. By 2045, maintenance of the contiguous U.S. wolverine population in the currently occupied area will likely require human intervention to facilitate genetic exchange and possibly also facilitate metapopulation dynamics by moving individuals between habitat patches that are no longer accessed regularly by dispersers. Other threats are minor in comparison to the driving primary threat of climate change; however, they could become significant when working in concert with climate change if they further suppress an already stressed population. These secondary threats include harvest, i.e., trapping ; inadequate regulatory mechanisms to protect against human recreational disturbance, infrastructure developments, and transportation corridors; and demographic stochasticity and loss of genetic diversity due to small effective population sizes.

» Other Resources

NatureServe Explorer Species Reports (javascript:;) – NatureServe Explorer is a source for authoritative conservation information on more than 50,000 plants, animals and ecological communtities of the U.S and Canada. NatureServe Explorer provides in-depth information on rare and endangered species, but includes common plants and animals too. NatureServe Explorer is a product of NatureServe in collaboration with the Natural Heritage Network.

ITIS Reports (javascript:;) – ITIS (the Integrated Taxonomic Information System) is a source for authoritative taxonomic information on plants, animals, fungi, and microbes of North America and the world.

Last updated: November 19, 2012

FWS Endangered Home (http://www.fws.gov/endangered/) | **ECOS Home (/ecos/indexPublic.do)** | **Contact Us (/ecos/helpdesk.do?version=SPECIES_PROFILE-1_3_9)**

MEMO

TO: GERALD WILLIAMS, P.E.
FROM: MIKE MAY
SUBJECT: CITY OF TETONIA THREATENED/ENDANGERED SPECIES AND ESSENTIAL FISH HABITAT
DATE: APRIL 2, 2013

The proposed project for the City of Tetonia Drinking Water Improvements includes construction of a new well with pump house and appurtenances; replacement of existing distribution mains; installation of fire hydrants, valves and meters; and installation of a new tank on a hilltop outside the city and approximately ¼ mile of connecting main.

The U.S. Fish and Wildlife Service (USF&WS) threatened and endangered species list dated 02/06/2012 and contacts with USF&WS staff were used for determining endangered and threatened species within Teton County. The following species are listed as threatened within Teton County:

1. **Canada Lynx** (*Lynx canadensis*) – The Canada Lynx reside in boreal forest landscapes and provide one or more of the following beneficial habitat elements including snowshoe hares for prey, abundant, large, woody debris piles that are used as dens, and winter snow conditions that are generally deep and fluffy for extended period of time. The proposed project is located in urban and xeric foothills environments. The proposed project will have "NO EFFECT" on the Canada Lynx.

2. **Grizzly Bear** (*Ursus arctos horribilis*) - Grizzly bear are common in the Yellowstone area and the immediate areas outside the park boundaries. Tetonia is 23 miles from Yellowstone National Park, 17 miles from Grand Teton National Park and approximately 7 miles from the Yellowstone Recovery Zone (www.fws.gov/mountain-prairie/species/mammals/grizzly/Grizzly_bear_Recovery_Plan_supplement_HBRC.pdf and ecos.fws.gov/docs/recovery_plan/070313b_with%20rvsd%20Figure%201.pdf). The proposed project is located in urban and xeric foothills environments, and even the proposed storage tank is within 700 feet of homes. In a 11/13/2012 telephone conversation between David Klampwerth of the USF&WS and Gerald Williams (see EID), Mr. Kampwerth indicated that the only measures to be taken were awareness of the potential grizzly presence and appropriate safety tips, such as avoidance of strong smelling food products on the reservoir and pipeline sites. The proposed project is "NOT LIKELY TO ADVERSELY EFFECT" the grizzly bear.

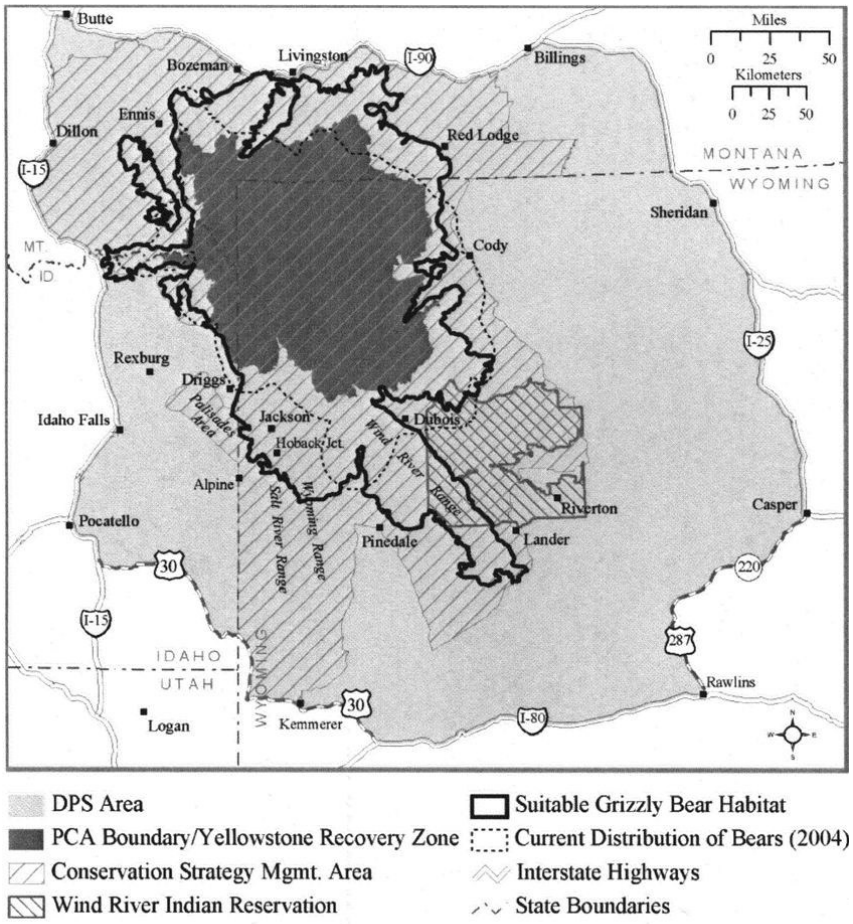


Figure 1. This figure illustrates boundaries for — (1) the Yellowstone grizzly bear Distinct Population Segment (DPS) area; and (2) the Primary Conservation Area (PCA) within which the habitat standards in the Conservation Strategy apply (the boundaries of the PCA also correspond to those of the Yellowstone Recovery Zone); (3) the Conservation Strategy Management Area in which all population and mortality standards will be monitored and calculated; (4) the current distribution of grizzly bears (Schwartz et al. 2006b, pp. 64-66); and (5) Suitable Habitat (as defined in Factor A below).
Note: Tetonia is 6.7 miles NNW of Driggs
Source: http://ecos.fws.gov/docs/recovery_plan/070313b_with%20rvsd%20Figure%201.pdf

The following have been listed as Candidate Species which include:

1. **Whitebark Pine** (*Pinus albicaulis*) – The Whitebark pine is a 5 needle conifer species. The species occurs from approximately 2,950 feet at its northern limit in British Columbia up to 12,000 feet in the Sierra Nevada. The Whitebark Pine is typically found at or slightly lower than alpine timberline in the upper montane zone. In the U.S. it is primarily found on public lands. The proposed project is located in urban and xeric foothills environments. The project will have "NO EFFECT" on whitebark pine.

2. **Greater Sage-Grouse** (*Centrocercus urophasianus)* – Although not on the February 6, 2013 list for Teton County, earlier correspondence with USF&WS staff (November 15, 2012; see EID) identified the greater sage grouse as a candidate species for Teton County. Grouse reside in Sagebrush Steppe environments, and prefer slightly elevated

features surrounded by flat terrain, but not lower portions of hillsides beneath areas that could contain raptors or other predators. The proposed tank is not located in a Greater Sage Grouse Priority Area <www.blm.gov/pgdata/etc/medialib/blm/id/wildlife/sensitive_species/sg_scoping_meeting.Par.67149.File.dat/Idaho_Sage-grouse_Priority_Areas_White_Paper_September_27_2011_FINAL_508.pdf>. The preferred Best Management Practice is avoidance: if construction activity must occur during lekking season (mid-March through mid-May in this area), work should be postponed until after 10:30 a.m. The proposed project is located in urban and xeric foothills environments. Because of the topography and the presence of an existing water tank at the top of the hill, leks are unlikely in the project area. The proposed project is "NOT LIKELY TO ADVERSELY EFFECT" sage grouse.

3. **Yellow-Billed Cuckoo** (*Coccyzus americanus*) – Although not on the February 6, 2013 list for Teton County, earlier correspondence with USF&WS staff (November 15, 2012; see EID) identified the yellow-billed cuckoo as a candidate species for Teton County. Western cuckoos breed in large blocks of riparian habitats, particularly woodlands with cottonwoods and willows. Generally local and uncommon in scattered drainages of the arid and semiarid portions of western Colorado, western Wyoming, Idaho, Nevada and Utah. The proposed project is located in urban and xeric foothills environments. The proposed project will have "NO EFFECT" on the Cuckoo.

The following species is listed as a Proposed Threatened Species:

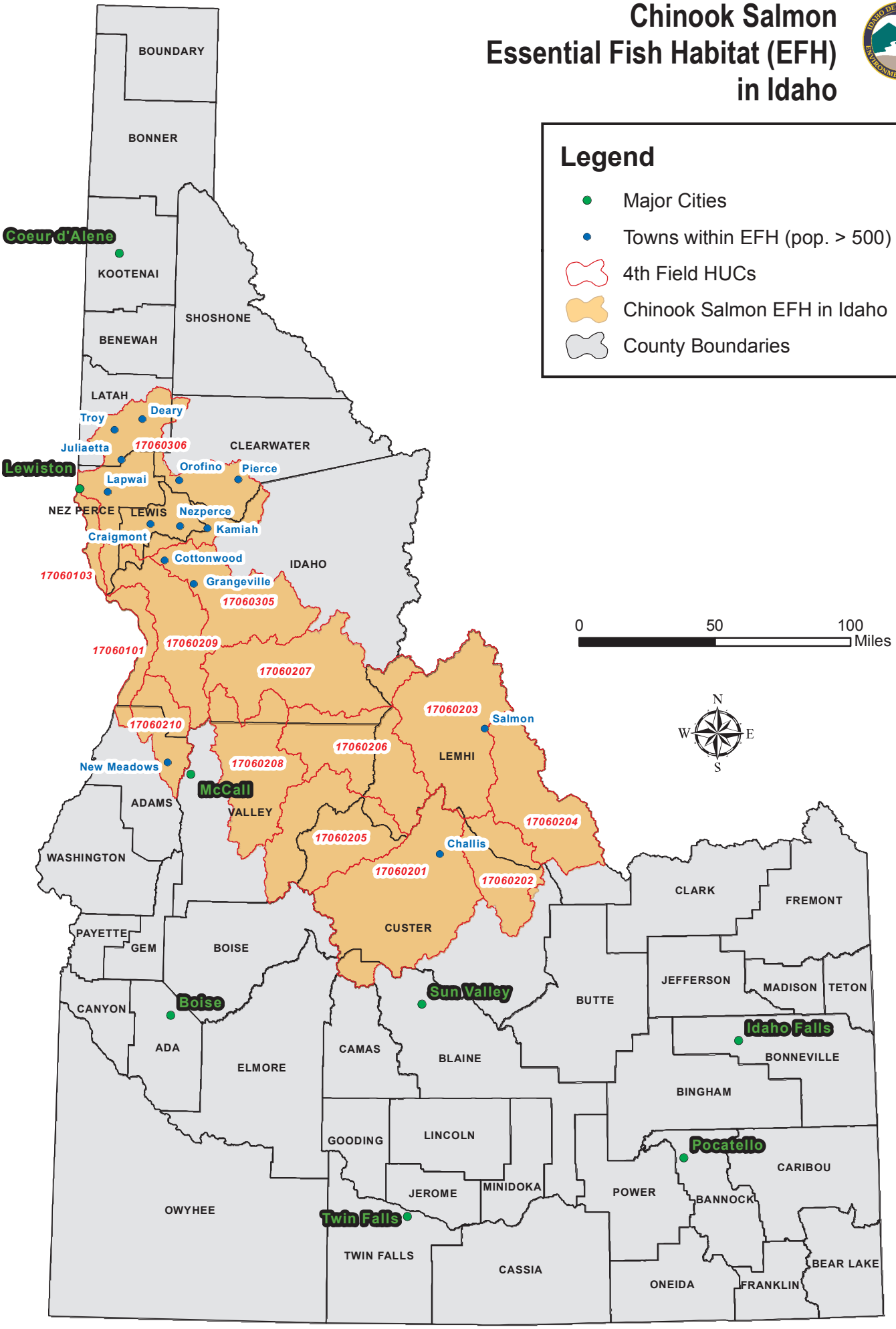
1. **North American Wolverine** (*Gulo gulo luscus*) - The North American Wolverine is a proposed species which is not expected to be found in the proposed project planning area. The proposed project is located in urban and xeric foothills environments. Wolverine distribution is restricted to high elevation areas of deep, persistent and reliable spring snow cover (April 15 to May 14) is the best overall predictor of wolverine occurrence in the contiguous U.S. (http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0FA). Wolverines are known to travel long distances, so any individuals which may be encountered are almost certain to be travelling between other suitable habitats. The proposed project will have "NO EFFECT" on the wolverine species.

Essential Fish Habitat
The City of Tetonia drinking water system improvements are not located within Essential Fish Habitat (EFH) for Salmon as identified in the attached EFH map and will have "NO EFFECT."

MLM

Attachments

Chinook Salmon Essential Fish Habitat (EFH) in Idaho



This species list was revised by the USFWS on 02/06/2013, and is valid for 90 days after 04/04/2013.

U.S. Fish and Wildlife Service • Idaho Fish and Wildlife Office

CANDIDATE, PROPOSED AND LISTED SPECIES & PROPOSED AND DESIGNATED CRITICAL HABITAT IN IDAHO

	Herps	Birds		Mammals						Fish		Mollusks				Plants							
Common Name	**Columbia Spotted Frog (Great Basin Population)**	**Greater Sage-Grouse**	**Yellow-Billed Cuckoo**	**Canada Lynx**	**Grizzly Bear**	**Northern Idaho Ground Squirrel**	**Selkirk Mountains Woodland Caribou**	**Southern Idaho Ground Squirrel**	**North American Wolverine**	**Bull Trout**	**Kootenai River White Sturgeon**	**Banbury Springs Lanx**	**Bliss Rapids Snail**	**Bruneau Hot Springsnail**	**Snake River Physa**	**Goose Creek Milkvetch**	**MacFarlane's Four-O'Clock**	**Packard's Milkvetch**	**Slickspot Peppergrass**	**Spalding's Catchfly**	**Ute Ladies'-Tresses**	**Water Howellia**	**Whitebark Pine**
Scientific Name	*Rana luteiventris*	*Centrocercus urophasianus*	*Coccyzus americanus*	*Lynx canadensis*	*Ursus arctos horribilis*	*Spermophilus brunneus brunneus*	*Rangifer tarandus caribou*	*Spermophilus brunneus endemicus*	*Gulo gulo luscus*	*Salvelinus confluentus*	*Acipenser transmontanus*	*Lanx* sp.	*Taylorconcha serpenticola*	*Pyrgulopsis bruneauensis*	*Haitia (Physa) natricina*	*Astragalus anserinus*	*Mirabilis macfarlanei*	*Astragalus cusickii var. parkardiae*	*Lepidium papilliferum*	*Silene spaldingii*	*Spiranthes diluvialis*	*Howellia aquatilis*	*Pinus albicaulis*
Ada		C	C							T					E				P-PCH				
Adams		C		T		T		C	P	T-DCH													C
Bannock		C	C						P														
Bear Lake		C		T					P														C
Benewah				T					P	T-DCH										T		T	
Bingham		C	C						P												T		
Blaine		C	C	T					P	T-DCH													C
Boise			C	T					P	T-DCH													C
Bonner				T	T		E		P	T-DCH													C
Bonneville		C	C	T	T				P												T		C
Boundary				T-DCH	T		E-DCH		P	T-DCH	E-DCH												C
Butte		C		T					P	T-DCH													C
Camas		C		T					P	T-DCH													C
Canyon			C												E				P-PCH				
Caribou		C		T					P														C
Cassia		C	C												E	C							
Clark		C	C	T	T				P														C
Clearwater				T					P	T-DCH													C
Custer		C	C	T					P	T-DCH													C
Elmore		C	C	T					P	T-DCH			T		E				P-PCH				C
Franklin		C		T					P														
Fremont		C	C	T	T				P												T		C
Gem		C						C	P	T-DCH									P-PCH				C

Table Key: C = Candidate Species P= Proposed Species T=Threatened Species E=Endangered Species PCH= Proposed Critical Habitat DCH=Designated Critical Habitat

This species list was revised by the USFWS on 02/06/2013, and is valid for 90 days after 04/04/2013.

U.S. Fish and Wildlife Service • Idaho Fish and Wildlife Office

CANDIDATE, PROPOSED AND LISTED SPECIES & PROPOSED AND DESIGNATED CRITICAL HABITAT IN IDAHO

	Herps	Birds		Mammals						Fish		Mollusks				Plants							
Common Name	**Columbia Spotted Frog (Great Basin Population)**	**Greater Sage-Grouse**	**Yellow-Billed Cuckoo**	**Canada Lynx**	**Grizzly Bear**	**Northern Idaho Ground Squirrel**	**Selkirk Mountains Woodland Caribou**	**Southern Idaho Ground Squirrel**	**North American Wolverine**	**Bull Trout**	**Kootenai River White Sturgeon**	**Banbury Springs Lanx**	**Bliss Rapids Snail**	**Bruneau Hot Springsnail**	**Snake River Physa**	**Goose Creek Milkvetch**	**MacFarlane's Four-O'Clock**	**Packard's Milkvetch**	**Slickspot Peppergrass**	**Spalding's Catchfly**	**Ute Ladies'-Tresses**	**Water Howellia**	**Whitebark Pine**
Scientific Name	*Rana luteiventris*	*Centrocercus urophasianus*	*Coccyzus americanus*	*Lynx canadensis*	*Ursus arctos horribilis*	*Spermophilus brunneus brunneus*	*Rangifer tarandus caribou*	*Spermophilus brunneus endemicus*	*Gulo gulo luscus*	*Salvelinus confluentus*	*Acipenser transmontanus*	*Lanx* sp.	*Taylorconcha serpenticola*	*Pyrgulopsis bruneauensis*	*Haitia (Physa) natricina*	*Astragalus anserinus*	*Mirabilis macfarlanei*	*Astragalus cusickii var. parkardiae*	*Lepidium papilliferum*	*Silene spaldingii*	*Spiranthes diluvialis*	*Howellia aquatilis*	*Pinus albicaulis*
Gooding		C										E	T		E								
Idaho			C	T					P	T-DCH							T			T			C
Jefferson		C	C	T					P												T		
Jerome		C											T		E								
Kootenai			C	T					P	T-DCH										T		T	
Latah			C	T					P											T		T	
Lemhi		C	C	T					P	T-DCH													
Lewis			C							T-DCH										T			
Lincoln		C																					
Madison		C	C	T					P												T		
Minidoka		C	C												E								
Nez Perce				T						T-DCH										T			
Oneida		C	C																				
Owyhee	C	C	C							T-DCH				E	E				P-PCH				
Payette		C						C		T					E			C	P-PCH				
Power		C																					
Shoshone				T					P	T-DCH										T		T	C
Teton				T	T				P														C
Twin Falls	C	C	C										T		E								
Valley				T		T			P	T-DCH													C
Washington		C				T		C	P	T-DCH					E								C

Table Key: C = Candidate Species P= Proposed Species T=Threatened Species E=Endangered Species PCH= Proposed Critical Habitat DCH=Designated Critical Habitat

Mike May

From: Fisher, Sandi <sandi_fisher@fws.gov>
Sent: Wednesday, March 27, 2013 10:27
To: Mike May
Subject: Re: T&E species issues and Tetonia drinking water improvements

Hi Mike. My apologies, I should have checked on the species list, I had just assumed that since they were identified to you, that they did indeed occur on the species list. However, given the proposed action, the known occurrence of sage grouse in Idaho, and the location of your proposed project, we believe is is unlikely your project would adversely impact sage grouse. Apologies again for the confusion, but if you have any other questions, please do not hesitate to contact me. Sandi

On Wed, Mar 27, 2013 at 9:50 AM, <Michael.May@deq.idaho.gov> wrote:

Good morning, Sandi. After careful reading of your comments, I have another question regarding the Greater Sage Grouse. You suggested going to within 1 mile of the project site to look and listen for grouse. However, the entire project site, including the reservoir and pipeline, is within 1,200 (map) feet of developed residential areas in the city of Tetonia. In addition, the greater sage grouse is not on the current (February 2, 2013) species list for Teton County, although it was identified in correspondence from David Kampwerth last November. Considering the slopes and the nearness of the project area to human habitation, are sage grouse really a concern for this project? Thanks for thinking this through with me.

From: Fisher, Sandi [mailto:sandi_fisher@fws.gov]
Sent: Monday, March 25, 2013 7:35
To: Mike May
Subject: Re: T&E species issues and Tetonia drinking water improvements

Hi Mike...I provided some additional recommendations/clarification in blue below... Thanks for your consideration of T and E species, as your project develops. If you have any further questions, please do not hesitate to contact me. Sandi

On Fri, Mar 22, 2013 at 4:49 PM, <Michael.May@deq.idaho.gov> wrote:

Thank you for speaking with me this afternoon about some threatened and endangered species issues in relation to the drinking water improvements planned by the City of Tetonia. This email is to confirm that I understood our conversation correctly, and also to provide you with a project map.

Most of the planned project will occur within the developed portion of the city, and will not be likely to impact threatened, endangered or candidate species. The exception is a new storage tank proposed to be placed on the top of an adjacent hill (next to an existing smaller tank), and approximately ¼ mile of connecting pipeline on a southwest facing hillside. The Area of Potential Effects for two alternate pipeline routes are marked in magenta on the northeast corner of the attached map. The area is dry and vegetated by shrubs and grasses. Historic data indicate that Tetonia receives an average of 28 inches of snow annually, which suggests that the persistent deep snow in the late spring (April-May) required for wolverine dens is very unlikely.

The city's engineer has previously reviewed the species list for Teton County and discussed the project with David Kampwerth of your office. Mr. Kampwerth indicated that there was some potential for encountering Greater Sage Grouse (*Centrocercus urophasianus*) on the pipeline route or near the proposed tank. The Environmental Information Document (EID) prepared by the engineer says that USF&WS would be contacted if sage grouse are encountered, but I would prefer to put appropriate "mitigation" measures in the FONSI as conditions. I understand from you that:

- Since Greater Sage Grouse is a candidate species, there is no requirement under the Endangered Species Act to alter the project, but the service does have best management practices (BMPs) that it would like to see applied.

- Avoidance is the primary BMP: if work must be done during the lekking season (typically mid-March through April (I would extend this to Mid-May, as a precaution)), activity should be postponed until after 10:30 a.m. Additionally, it might be beneficial to go out to your project area now and do a lek survey. If you go to within 1 mile of where the project is, during the early morning hours, and listen and glass for grouse, you should be able to observe whether your project area is being used as lekking grounds. Knowing that information now, may help you plan better for when your project really gets up and running.

- Leks are less likely on slopes than on flatter terrain, since the grouse prefer to be able to see long distances from the leks. This is generally true, unless you're talking about a knoll, or some other similar land feature. Grouse do like to be on higher elevated patches of ground, but they do not like anything above them. So a hillside where raptors/other predators might be perching above them are generally not as well used. But a knoll, that's an elevated feature in the middle of a sagebrush field, may be used.

The other issue relates to the North American Wolverine (*Gulo gulo luscus*), which was proposed for listing as a candidate species just after our EID was completed. At one of the public meetings on the proposal, I learned that the Idaho Fish and Game Department (IF&G) is collecting data on sightings, but my question was whether there were other appropriate mitigation measures in the event that wolverines were encountered. I understand from you that:

- Because of the relatively low elevation and snow cover too shallow for dens, any wolverines encountered are likely to be in transit between suitable habitats.

- Besides reporting to IF&G, also report to Nisa Marks of your office at (208) 237-6975 x 121 or <nisa_marks@fws.gov>.

Please confirm whether my understanding of our conversation is correct, and if seeing the map brings other considerations to mind, please let me know. Thank you for your help.

Your understanding of our conversation is correct. The only other consideration I would add is in regards to grizzly bear. Grizzly bears do occur in the Tetonia area, though they are likely to be found in more forested habitats that where it appears your project area is located. Nevertheless, proper food/attractant storage should be followed, as bears are now starting to come out of hibernation for the winter.

Mike May
Sr. Water Quality Analyst
Idaho Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706
(208) 373-0406

Michael.May@deq.idaho.gov

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Sandi Fisher

Eastern Idaho Field Office

4425 Burley Drive, Suite A

Chubbuck, Idaho 83202

208-237-6975 x 102 (office)

208-241-8043 (cell)

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Sandi Fisher
Eastern Idaho Field Office

4425 Burley Drive, Suite A
Chubbuck, Idaho 83202
208-237-6975 x 102 (office)
208-241-8043 (cell)