



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

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

June 28, 2016

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

RE: Finding of No Significant Impact for the City of Lava Hot Springs Water System
Improvements DWG-148-2014-5

Dear Mayor Davids:

A draft finding of no significant impact (FONSI) was issued by the Idaho Department of Environmental Quality (DEQ) on May 20, 2016 for the City of Lava Hot Springs Water System Improvements based on a careful review of the environmental information document prepared by Keller Associates.

The draft FONSI was published on May 20, 2016 in the *Idaho State Journal*, newspaper of record for the city of Lava Hot Springs. Comments were received during the 30-day public comment period following publication. The final FONSI has been revised to include the comments received and the agency's responses.

This completes the environmental review of this project. Andrew Fellows at the DEQ Pocatello Office (208) 239-5016, is your local DEQ contact on the referenced project. Please keep him informed of progress on the project, and for loan information please contact Tim Wendland at (208) 373-0439. For questions regarding the environmental review, contact Aimee Hill at (208) 373-0556 or via e-mail at aimee.hill@deq.idaho.gov.

Sincerely,

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

Barry N. Burnell
Water Quality Division Administrator

BNB: ah:dls

Enclosures

c: Charlie Parkins, DEQ State Office (charlie.parkins@deq.idaho.gov)
MaryAnna Peavey, DEQ State Office (maryanna.peavey@deq.idaho.gov)
Andrew Fellows, DEQ Pocatello (Andrew.fellows@deq.idaho.gov)
lavahot Springscity@gmail.com
Matthew Hill, Keller (mhill@kellerassociates.com)

FINDING OF NO SIGNIFICANT IMPACT

Date: June 24, 2016
To: All Interested Government Agencies, Public Groups, and Individuals
Subject: Environmental determination for the City of Lava Hot Springs Water System Improvements

In accordance with the State Environmental Review Process (SERP), the “Rules for Administration of Planning Grants for Drinking Water Facilities” (IDAPA 58.01.22) and the “Rules for Administration of Drinking Water Loan Program” (IDAPA 58.01.20), an environmental review has been performed and a final finding of no significant impact (FONSI) is hereby issued by the Idaho Department of Environmental Quality (DEQ) on the project described below.

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

PURPOSE/SUMMARY OF IMPACTS:

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

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

Direct and Indirect Impacts: The May 2016 Environmental Information Document (EID) was prepared by Keller Associates (Keller), consulting engineer for the City of Lava Hot Springs (City). Keller and DEQ consulted with the appropriate state and federal agencies regarding relevant environmentally sensitive resources. Based on consultation with agency officials, Keller and DEQ evaluated the potential short-term and long-term impacts, and the direct, indirect, and cumulative impacts of the drinking water improvement project. The evaluation emphasized site-specific components of the environment that are most likely to be impacted by the construction and operation of the proposed improvements. The results of the project evaluation indicate there will be environmental effects from the referenced project.

- **Wetlands:** Fish Creek is located adjacent to the new transmission pipeline. The project proposes to install the water line as close to the roadway as possible to minimize impacts to Fish Creek; however, open trenching or other methods of construction in and around waterbodies could potentially result in the discharge of dredged or fill material into the creek.
- **Floodplain Management:** The City of Lava Hot Springs water facilities, supply and distribution project is a Critical Facility, and will be in close proximity to, and may cross either or both the Portneuf River and Fish Creek. The Lava Hot Springs water facilities, supply and distribution, will at times be located in the Special Flood Hazard Area (SFHA) in Zones A, AE, and AO with Base Flood Elevations (BFEs) and without BFEs and within the floodway.
- **Land use:** A small acreage of land will be converted to that which is necessary for the accommodation of the well house and the required 50-foot minimum easement for the new well.

Short-term impacts may occur during project construction including temporary disruption of the distribution system, increased noise, increased dust pollution, increased potential for stormwater runoff, and disruption of

localized traffic conditions. The project contractor is responsible for the implementation of any and all appropriate BMPs, wherever possible, to avoid or minimize impacts to environmentally sensitive elements during construction activities as well as managing the temporary disruptions of the system as follows:

- Air Quality: Temporary dust pollution impacts will be controlled as a condition of the construction specifications in accordance with the “Rules for the Control of Air Pollution in Idaho” (IDAPA 58.01.01.651). IDAPA 58.01.01.651 states that reasonable precautions shall be taken for dust control and suppression by using water or chemicals, applying dust suppressants, covering trucks, paving, and removing materials. In addition to the rule requirements, DEQ recommends that a dust prevention and control plan be implemented during construction of the project that includes best management practices (BMPs) to minimize dust pollution for fugitive dust control.
- Cultural Resources: The Shoshone-Bannock Tribes have indicated that additional measures must be taken during work within the City of Lava Hot Springs.
 - All construction personnel are required to receive Tribal cultural awareness training.
 - A cultural resources monitor will be provided the opportunity to be present during any ground disturbance.
 - If archeological artifacts (such as beads, arrow heads, pottery, fabric, grave goods, glass, metal fragments, or other human-made objects that appear to predate 1960) or human remains (such as bones, bone fragments, or teeth) are inadvertently discovered during construction, ground disturbing activities shall cease and the State Historical Preservation Officer (SHPO), the Shoshone-Bannock Tribes Heritage Tribal Office (HeTO), and the Shoshone-Paiute Tribe shall be notified.
 - Construction personnel shall keep all discoveries confidential and shall not touch or pick up discovered items.
 - If artifacts are discovered and mitigation is needed, then the mitigation measures will be implemented as directed by SHPO and the tribe(s), and work will not resume at the discovery site until after the area has been cleared by a qualified archaeologist who meets the Secretary of Interior standards.
- Stormwater: Land disturbance activities associated with the project can potentially impact nearby Fish Creek and the Portneuf River. Stormwater runoff shall be handled through an Environmental Protection Agency Stormwater Construction General permit and the development of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP and stormwater BMPs will be implemented prior to, during, and after project construction to reduce the potential for erosion from runoff.
- Ground Water: Proposed well locations are located within the designated Grace Nitrate Priority Area. DEQ recommends water quality and quantity be carefully assessed as part of the Well Site Approval process. Two of the well sites are near the former recycled water land application site used by the City.
- Wetlands: Fish Creek is located adjacent to the new transmission pipeline. Appropriate BMPs will be implemented as required and wherever possible to avoid or minimize impacts to this water.
- Noise: Impacts to sensitive receptors in the general vicinity of project construction will be reduced by restricting work hours to reasonable times identified in the construction specifications.

The following permits may be required for this project:

- Section 404 CWA Nationwide Permit #12 from U.S. Army Corps of Engineers
- Floodplain Development Permit from the City of Lava Hot Springs
- Any other local, state, or federal permit required for activities taking place during project construction.

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

Finding: The review process did not indicate significant environmental impacts would result from the proposed action. Consequently, a preliminary decision has been made that an environmental impact statement does not need to be prepared for the proposed project. Instead, a FONSI is hereby issued by DEQ. This decision is made following a careful review of the May 2015 *City of Lava Hot Springs Water Facilities Planning Study*, the May 2016 *Environmental Information Document for City of Lava Hot Springs Water System Improvements*.

AVAILABILITY OF COPIES:

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

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

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

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

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

Public Comments: Comments were submitted to DEQ for consideration during the 30-day public comment period. The comments submitted and the agency's responses are attached and are officially part of the City of Lava Hot Springs Water Facilities Project record and the FINAL FONSI. The attached responses to comments document was sent to one commenter:

Maureen O'Shea, AICP, CFM
State NFIP Coordinator
State of Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720



Barry N. Burnell
Water Quality Division Administrator

**Response to Public Comments Received During the 30-Day Public Comment Period for the
Draft Finding of No Significant Impact for the Lava Hot Springs Water Facilities Project**

June 21, 2016

Section 1: EID and draft FONSI-Related Comments and Responses

FLOODPLAIN DEVELOPMENT PERMIT

Comment: From the State of Idaho Department of Water Resources: “The City of Lava Hot Springs water facilities supply and distribution project is a Critical Facility, and will be in close proximity to, and may cross either or both the Portneuf River and Fish Creek. The Lava Hot Springs water facilities, supply and distribution, will at times be located in the Special Flood Hazard Area (SFHA) in Zones A, AE, and AO with Base Flood Elevations (BFEs) and without BFEs and within the floodway as shown on the Lava Hot Springs Flood Insurance Rate Map (FIRM) Panel Numbers 16005C0657D and 16005C0676D dated July 7, 2009.

Title 44 of the Code of Federal Regulations Section 60.3 requires in part:

(a)(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and

(d)(3) Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge;

(d)(4) Notwithstanding any other provisions of Section 60.3, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revisions, fulfills the requirements for such revisions as established under the provisions of Section 65.12, and receives the approval of the Federal Insurance Administrator.

ASCE24 recommends that all critical facilities protect their facilities to an elevation 3.0 ft above the BFE. A Floodplain Development Permit will be required for this project from the City of Lava Hot Springs, Floodplain Administrator, Canda Dimick at 208-776-5820 or lavacity@qwestoffice.net.

Please do not hesitate to contact me should you have any questions regarding permitting procedures for the proposed Lava Hot Springs water facilities, supply and distribution project across and along the Portneuf River and Fish Creek Special Flood Hazard Area (SFHA).

Response: The draft FONSI does not explicitly list the potential for impact to the floodplains nor does it list the possibility of the Floodplain Development Permit through the City of Lava Hot Springs. These items have been added to the Final FONSI.