

**From:** [Biljan, Megan CIV USARMY CENWW \(US\)](#)  
**To:** [Schuster, Jarrett L CIV USARMY CENWW \(USA\)](#)  
**Cc:** [Martinez, Gregory J CIV USARMY CENWW \(US\)](#); [Colter, Anneli K CIV USARMY CENWW \(US\)](#)  
**Subject:** RE: City of Council Wastewater Improvement Project FONSI preparation (UNCLASSIFIED)  
**Date:** Thursday, January 17, 2019 11:21:02 AM

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Hi Jarrett,

Thanks for forwarding over the email and information from Ms. Hill. Based off of her response, if the discharge point stays in place and is not moved to the area where potential wetlands and existing sloughs are in place than there would be no 404 permit needed for the project. Work that is proposed on the existing lagoons would also not require a 404 permit. If anything changes down the road or if you have any other questions/additional information requests let me know.

Thank you,  
Megan Biljan  
Regulatory Project Manager

US Army Corps of Engineers  
Walla Walla District  
(208) 433-4469

Sent with BlackBerry Work  
(www.blackberry.com)

From: Schuster, Jarrett L CIV USARMY CENWW (USA) <Jarrett.L.Schuster@usace.army.mil  
<<mailto:Jarrett.L.Schuster@usace.army.mil>>>  
Date: Thursday, Jan 17, 2019, 8:52 AM  
To: Biljan, Megan CIV USARMY CENWW (US) <Megan.Biljan@usace.army.mil  
<<mailto:Megan.Biljan@usace.army.mil>>>  
Cc: Martinez, Gregory J CIV USARMY CENWW (US) <Greg.J.Martinez@usace.army.mil  
<<mailto:Greg.J.Martinez@usace.army.mil>>>, Colter, Anneli K CIV USARMY CENWW (US)  
<Anneli.K.Colter@usace.army.mil <<mailto:Anneli.K.Colter@usace.army.mil>>>  
Subject: FW: City of Council Wastewater Improvement Project FONSI preparation (UNCLASSIFIED)

Hi Megan,

I am following up with my email to you below dated December 20, please also refer to the two emails from Keri Hill (Great West Eng.) and the attached regulatory letter. All information gaps from the attached letter have been addressed in this email thread. Is there any information still needed to make a determination whether a permit would be required from the Corps for the proposed project? If the information provided is sufficient please provide your determination, otherwise let me know what else is required.

Thank you,  
Jarrett

-----Original Message-----

From: Keri Hill [<mailto:khill@greatwesteng.com>]  
Sent: Thursday, January 17, 2019 10:34 AM  
To: Schuster, Jarrett L CIV USARMY CENWW (USA) <Jarrett.L.Schuster@usace.army.mil>  
Cc: Andrew Kimmel <akimmel@greatwesteng.com>  
Subject: [Non-DoD Source] RE: City of Council Wastewater Improvement Project FONSI preparation

(UNCLASSIFIED)

Hi Jarrett,

Thanks for following up. The discharge point is not going to be moved. Due to the setup of the treatment process and elevations, a lift station would have to be added and the City does not want to add any pumping facilities! It makes things a lot easier in that everything will be contained fully within the existing treatment plant boundary.

Thanks,

Keri Hill | Associate Project Manager

Great West Engineering, Inc.  
3050 N. Lakeharbor Ln  
Boise, ID 83703

CELL: 208-550-2056  
DIRECT: 208-488-4337  
OFFICE: 208-519-5244, xt 337

Blockedwww.greatwesteng.com-----Original Message-----

From: Schuster, Jarrett L CIV USARMY CENWW (USA)  
Sent: Thursday, December 20, 2018 2:36 PM  
To: Biljan, Megan CIV USARMY CENWW (US) <Megan.Biljan@usace.army.mil>  
Cc: Martinez, Gregory J CIV USARMY CENWW (US) <Greg.J.Martinez@usace.army.mil>  
Subject: FW: City of Council Wastewater Improvement Project FONSI preparation (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Hello,

I emailed Great West Engineering in regards to questions asked in the attached regulatory consultation letter. Keri Hill's response is below.

Is that enough information for regulatory to make a determination assuming the discharge drain isn't relocated?

Thank you,  
Jarrett Schuster  
Environmental Resource Specialist  
U.S. Army, Corps of Engineers  
Walla Walla District  
(509) 527-7256

-----Original Message-----

From: Keri Hill [<mailto:khill@greatwesteng.com>]  
Sent: Thursday, December 20, 2018 7:47 AM  
To: Schuster, Jarrett L CIV USARMY CENWW (USA) <Jarrett.L.Schuster@usace.army.mil>  
Cc: Kelly, Karen L CIV USARMY CENWW (US) <Karen.L.Kelly@usace.army.mil>; Andrew Kimmel <akimmel@greatwesteng.com>  
Subject: [Non-DoD Source] RE: City of Council Wastewater Improvement Project FONSI preparation (UNCLASSIFIED)

Hi Jarrett,

I can answer most of your questions but also don't have concrete answers for you until probably after Christmas. We had a process change that delayed some of the hydraulic calculations we'd typically have by now. In short, as much as we would like to move the discharge point, it's highly unlikely as of now. We aren't confident it'll be

hydraulically feasible without a lift station and the City does not want a lift station. I believe most of your questions are related to that piece as the rest of the construction will take place completely within the existing treatment plant facility. If you'd like to wait, I can give you a firm answer as to what will happen with the discharge point in a couple of weeks but like I said, it's highly unlikely it'll move.

I've answered your questions below assuming the discharge point will remain at the southwest end of the treatment site, please feel free to contact Andrew Kimmel, the Project Manager for any additional technical questions.

How would utilities or construction equipment be brought to and used on the site?

All equipment will access the site off of S. Hornet Creek Street. There is gate access along the northern side of the treatment plant property. All access will be within the existing treatment plant boundary.

Would roads be required for access and construction?

No new roads are planned for construction.

Would any discharge of fill material enter the slough, wetlands, or river? Any discharge of fill materials would require a DA permit from the Regulatory Office.

No discharge of fill is planned or anticipated at any point, the existing banks of the lagoons will stay in place and be worked on from inside the lagoon.

IDEQ would need to issue a Section 402 Construction General Permit if construction activities disturb more than one acre of ground and there is the potential for stormwater runoff to enter surface waters.

The lagoons will be dewatered and all work will be within the inside of the lagoon. There won't be any stormwater runoff potential to surface water from within the lagoon. If a lagoon wall is found to be compromised and needs to be rebuilt, we will consult with IDEQ and obtain the 402 permit as well as implement BMPs to inhibit runoff potential to the Weiser River.

As to the consultation with Eric Gerke, my notes show that he called rather than emailed. He stated that he had not had time to review the project but wanted to reiterate that if wetlands were to be disturbed or the facility expanded, a permit would be required. I believe he was close to the 30-day review timeline and was calling in response to a follow-up email I'd sent reminding him about the consultation.

Please let me know if you need any additional information or clarification on any project components.

Thank you,

Keri Hill | Associate Project Manager

Great West Engineering, Inc.  
3050 N. Lakeharbor Ln  
Boise, ID 83703

CELL: 208-550-2056  
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OFFICE: 208-519-5244, xt 337

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-----Original Message-----

From: Schuster, Jarrett L CIV USARMY CENWW (USA) <Jarrett.L.Schuster@usace.army.mil>  
Sent: Wednesday, December 19, 2018 4:49 PM  
To: Keri Hill <khill@greatwesteng.com>  
Cc: Kelly, Karen L CIV USARMY CENWW (US) <Karen.L.Kelly@usace.army.mil>  
Subject: City of Council Wastewater Improvement Project FONSI preparation (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Hi Keri,

I am working on a FONSI for the EA prepared by Great West Engineering. I followed up with the Boise Regulatory Office to get their determination on impacts to waters of the US and Section 404 compliance (Clean Water Act). Boise Regulatory was not able to provide a determination as of May 11, 2018 because they received a general concept of the proposed action without some needed details.

The two main concerns were the natural slough between the lagoons and the Weiser River and possible wetlands adjacent to the Weiser River. The response letter had some questions that need to get answered before we can complete our NEPA process. The letter is attached.

Summarized the questions are: How would utilities or construction equipment be brought to and used on the site? Would roads be required for access and construction? Would any discharge of fill material enter the slough, wetlands, or river? Any discharge of fill materials would require a DA permit from the Regulatory Office. Also, the IDEQ would need to issue a Section 402 Construction General Permit if construction activities disturb more than one acre of ground and there is the potential for stormwater runoff to enter surface waters.

The EA states that Eric Gerke at Boise Regulatory Office was consulted on April 25 and June 12, 2018 and responded on June 14, 2018. I have not seen his response or determinations. Do you have a copy of Eric's response? If not, I can get a determination from the Boise Regulatory Office once we know the answers to the questions above.

Please let me know if you have any questions or if I can assist in any way.

Thank you,  
Jarrett Schuster  
Environmental Resource Specialist  
U.S. Army, Corps of Engineers  
Walla Walla District  
(509) 527-7256

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DEPARTMENT OF THE ARMY  
WALLA WALLA DISTRICT, CORPS OF ENGINEERS  
BOISE REGULATORY OFFICE  
720 EAST PARK BOULEVARD, SUITE 245  
BOISE, IDAHO 83712-7757

May 11, 2018

Regulatory Division

SUBJECT: NWW-2013-00164, City of Council Sewer Collection System Repair

Carol J. Garrison  
USDA – Rural Development  
2208 East Chicago Street  
Suite C  
Caldwell, Idaho 83605

Dear Ms. Garrison:

This is in response to the April 25, 2018 letter submitted by Great West Engineering requesting scoping comments on the proposed *City of Council Sewer Collection System Repair*. Thank you for providing the Corps of Engineers (Corps) the opportunity to provide comment. According to the information provided, the proposed project is to repair and/or replace approximately 40% of the sewer collection system, as well as the replacement of an existing three-cell lagoon treatment system and associated discharge point locations.

The proposed project is located in the City of Council, within Sections 10, 11, 14 and 15 of Township 16 North, Range 1 West, near latitude 44.7164072° N and longitude -116.4531350° W, in Adams County, in Council, Idaho. Your project has been assigned Department of Army (DA) File # NWW-2013-00164, which should be referred to in all future correspondence.

#### **AUTHORITY**

The DA exerts regulatory jurisdiction over waters of the United States (U.S.), including wetlands, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Section 404 of the Clean Water Act requires a DA permit be obtained prior to discharging fill material into Waters of the U.S., which includes most perennial and intermittent rivers and streams, natural and man-made lakes and ponds, irrigation and drainage canals and ditches that are tributaries to other waters, and wetlands.

Given that Great West Engineering, on behalf of the City of Council, has submitted only a general concept of the proposed sewer collection system repair and upgrades, the Corps cannot at this time provide any substantive comment.

However, we do want to make you aware of several water resource features located within the Area of Potential Effect (APE).

We have reviewed the information you furnished and other information available to our office. Based on the attached Google Earth imagery map and the National Wetlands Inventory ArcGIS Database Map (Review Date 05/09/18) a natural slough is located between the lagoons and the Weiser River, and there is the potential for wetlands adjacent to the Weiser River to be present in and around the proposed new discharge points where the lagoons currently exist. However, the site maps provided do not identify how utilities would be brought onto the site, or whether these waterways and/or wetlands would be impacted from roads that might be required for access and construction. The applicant should be made aware that any discharge of fill material into these waters would require a DA permit, however, until more detailed information is provided we cannot determine if a permit would be required from the Corps for this proposed project

As further details of the project are developed and refined we can provide a more detailed response as to what activities may require a Department of Army permit.

If you have any questions or need additional information about this permit, you can contact Megan Biljan at 208-433-4469, by mail at the address in the letterhead, or email at [megan.biljan@usace.army.mil](mailto:megan.biljan@usace.army.mil).

Sincerely,



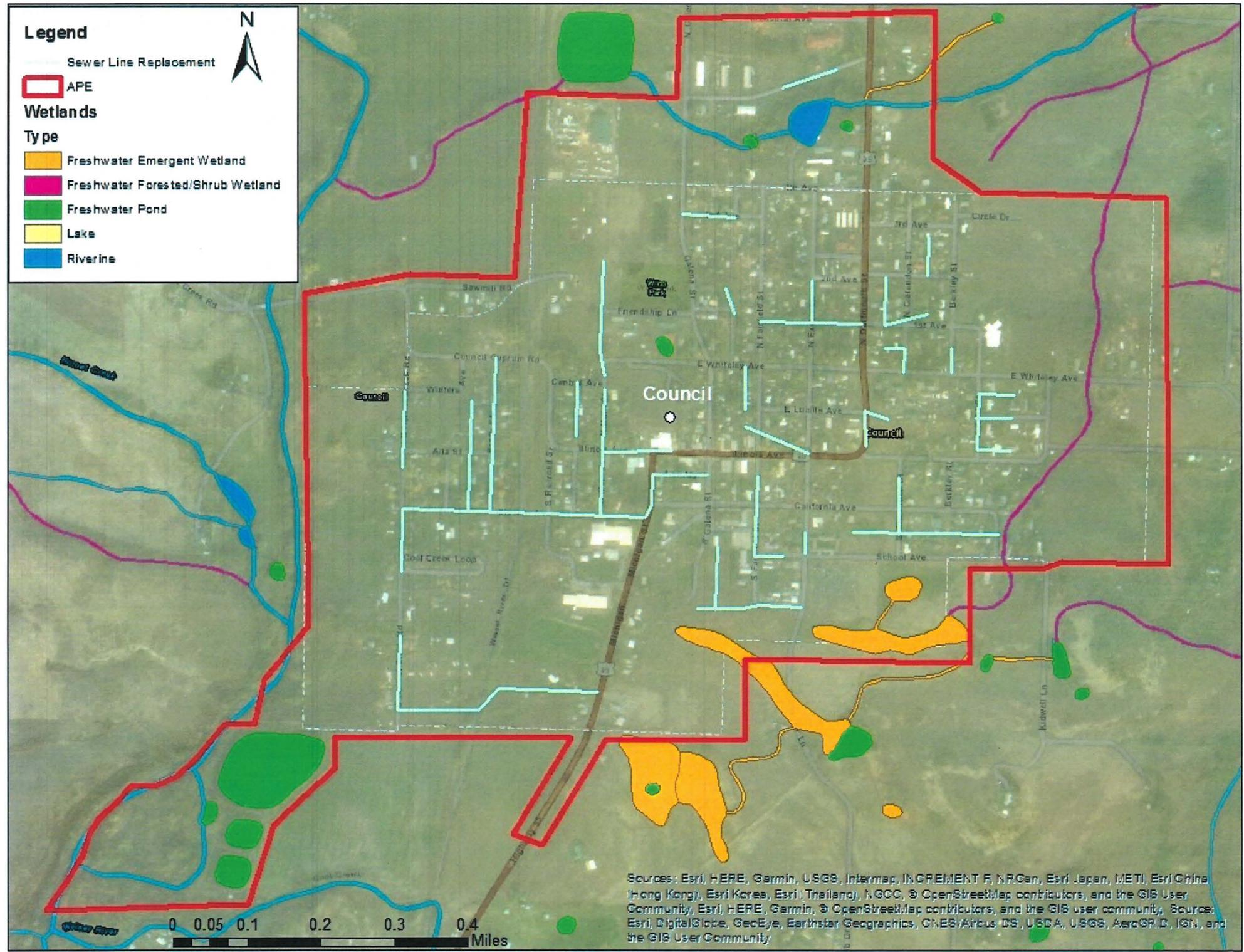
Gregory J. Martinez  
Deputy Chief  
Regulatory Division

Enclosures:

ArcGIS map with USFWS Wetlands Data and proposed sewer line replacements  
Google Earth imagery map of lagoons and potential new discharge point (B)

# Legend

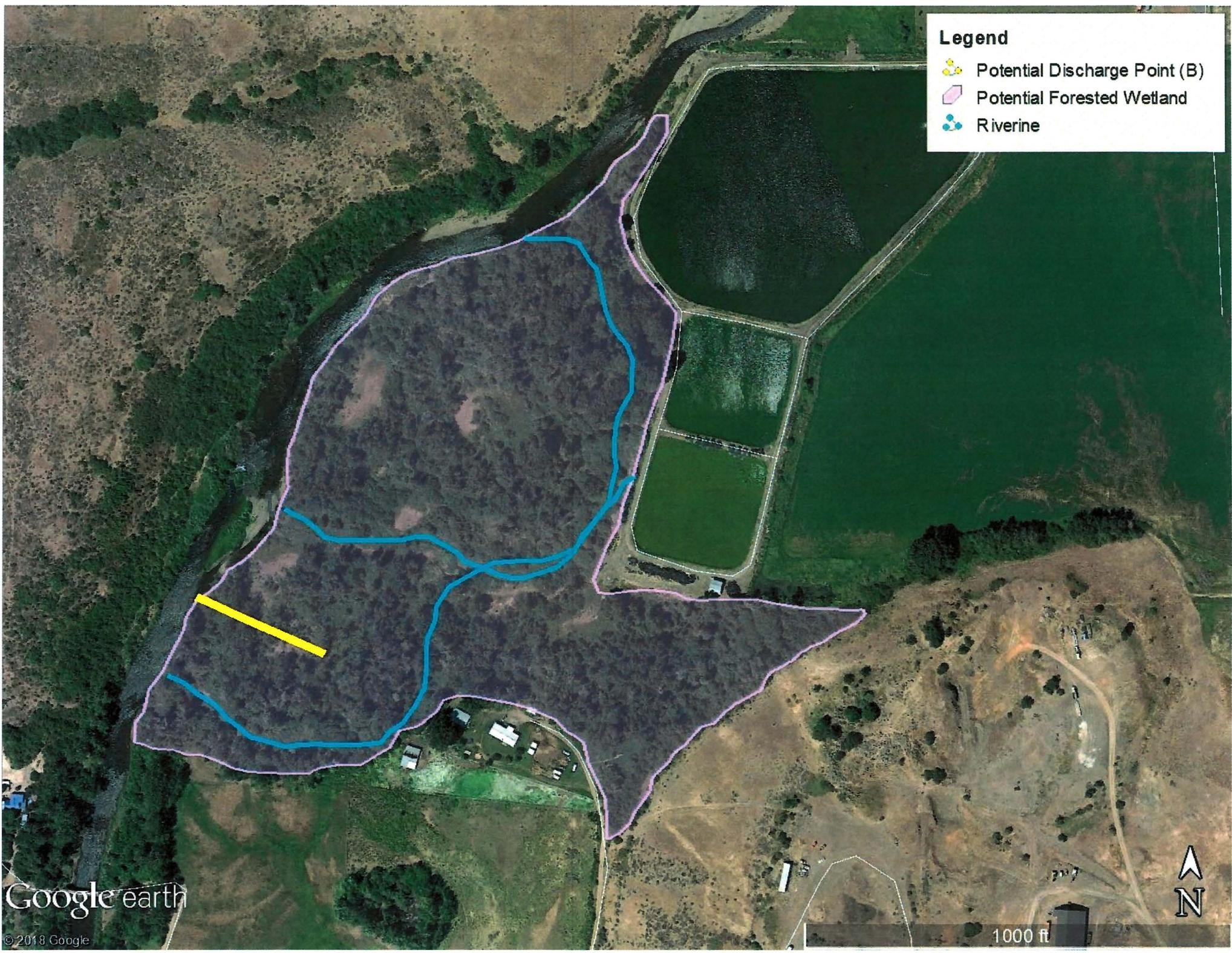
- Sewer Line Replacement
- APE
- Wetlands**
- Type**
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri Thailand, NGCC, © OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**Legend**

-  Potential Discharge Point (B)
-  Potential Forested Wetland
-  Riverine



Google earth

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1000 ft

