

Environmental Assessment
NW 7th Street at Whitley Drive (US-95)
City of Fruitland, Idaho

Prepared for:
City of Fruitland

August 2019



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Project Summary

Responsible Entity: [24 CFR 58.2(a)(7)]: City of Fruitland, Idaho

Certifying Officer: [24 CFR 58.2(a)(2)]: Brian Howell, Mayor

Project Name: NW 7th Street at Whitley Drive (US-95)

Project Location: Section 22, Township 8N and Range 5W, north of the Swire Coca-Cola production center at 605 NW 4th St, Fruitland, ID 83619

Estimated total project cost: \$825,000 (construction)

Grant Recipient: [24 CFR 58.2(a)(5)]: City of Fruitland

Recipient Address: 200 S. Whitley / PO Box 324 Fruitland, Idaho 83619

Project Representative: Rick Watkins, City Administrator and Zoning Administrator

Telephone Number: (208) 452-4421

Conditions for Approval: [24 CFR 58.40(d), 40 CFR 1505.2(c)] The following environmental commitments will be required to mitigate project impacts:

- A site-specific Stormwater Pollution Prevention Plan (SWPPP) using Best Management Practices (BMPs) will be implemented by the contractor to prevent erosion or transport of sediment or other pollutants to downstream surface waters.
- Any hazardous materials, such as fuel, solvents, or paints, will be used as directed and stored onsite by the contractor, and disposed of in accordance with IDAPA 58.01.02.800.
- Any petroleum releases must be reported to the Idaho Department of Environmental Quality (IDEQ) in accordance with IDAPA 58.01.02.851.01 and 04.
- All solid waste will be removed to the local landfill as non-hazardous construction waste.
- Fugitive dust will be managed in accordance with IDAPA 58.01.01.651 through implementation of BMPs such as use of water or chemicals for control of dust during construction operations.

FINDING: [58.40(g)]

- Finding of No Significant Impact**
(The project will not result in a significant impact on the quality of the human environment)
- Finding of Significant Impact**
(The project may significantly affect the quality of the human environment)

Environmental Review Officer: Carol Johnson Date 8/22/2019
(signature)

Chief Elected Official Signature: Brian Howell Date 08/22/2019
(signature)



Project Background

Project Description

In its current location, NW 7th Street only provides access to the west side of Whitley Drive (US-95) (Figure 1). The proposed NW 7th Street project will construct a new street east of Whitley Drive for a length of approximately 1,250 feet, ending before the Idaho Northern & Pacific Railroad (INPR) with an offset cul-de-sac (Figure 2). The project parcel is owned by Swire Coca-Cola and will be deeded to the City of Fruitland around September 2019 (please refer to right-of-way boundaries in Figure 2). The parcel is zoned for Heavy Industrial (Appendix 14). The property does not contain any structures and is currently cultivated for agricultural use. The new street, consisting of 2 travel lanes and bike lanes, will provide access to the existing and future expansion of the Bonneville Production Center of Idaho owned by Swire Coca-Cola. The project consists of the following:

- Construction of a new roadway approximately 1,250 feet in length and 70 feet in width including concrete curbs, gutter, and sidewalk, and ending in a small cul-de-sac.
- Two stormwater ponds: the first pond encompasses approximately 13,345 cubic feet of storage (4 feet deep with 3:1 side slopes) located north of the roadway at its west end; the second pond is located north of the roadway encompassing approximately 55,570 cubic feet of storage (4 feet deep with 3:1 slopes).
- Ground disturbance of approximately 173,900 square feet (4.0 acres).
- Impervious surfaces of approximately 78,850 square feet (1.8 acres).

Statement of Purpose and Need

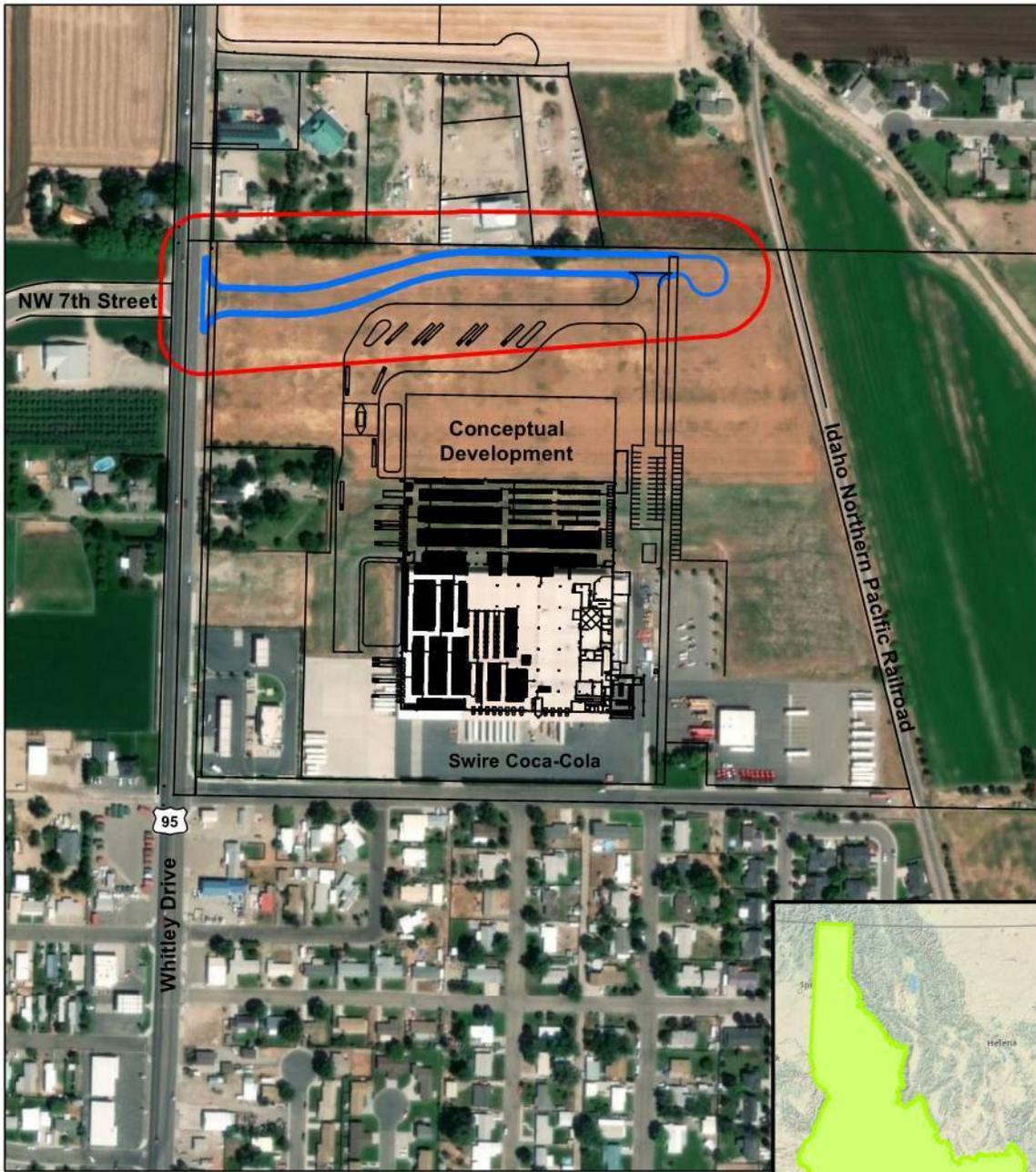
The City of Fruitland Master Transportation Plan established the need for another east-west route crossing the INPR railroad tracks to connect the two major north-south routes in the city: US-95 and Pennsylvania Avenue. The selected alignment to accomplish this connection is NW 7th Street. This project is ranked a medium priority and is related to the extension of NW 7th Street west to connect with an extended Allen Avenue south from US-30, which is a high priority. Constructing the proposed section of NW 7th Street advances a priority project for the City of Fruitland and will be instrumental in achieving the transportation objectives of the City.

In addition, the project will support the future expansion of the Swire Coca-Cola industrial facility and remove passenger car and truck traffic from NW 4th Street, which is fronted by single-family residences directly across the street, to the proposed NW 7th Street which is fronted by Industrial uses. The expansion of the Swire Coca-Cola industrial facility is anticipated to add 15 to 25 new jobs to the local economy, with an approximate annual payroll amount of \$750,000 to \$1 million.

Existing Conditions and Trends

The project area is located within the City of Fruitland limits bordered by commercial and industrial uses to the north, the INPR to the east, the Swire Coca-Cola Industrial facility to the south, and Whitley Drive (US-95) to the west. The project parcel is currently leased for agricultural use and is irrigated and cultivated. A site review found no wetland or water resources within the project area. The surrounding landscape is a mix of agricultural, residential, commercial, and industrial uses.

In absence of the project, the project parcel will likely continue to be leased for agricultural use in the near term. Given that the parcel is owned by Swire Coca-Cola, zoned as Heavy Industrial (Appendix 14), and identified as Heavy Industrial in the City of Fruitland's Future Land Use Map (Appendix 15), it is likely that the parcel will eventually be developed for industrial uses in the medium- to long-term. The Future Land Use Map identifies land in the vicinity of the project area as either commercial or industrial.



NW 7th Street at Whitley Drive (US-95) project

— Proposed Roadway

□ Area of Potential Effect (APE)

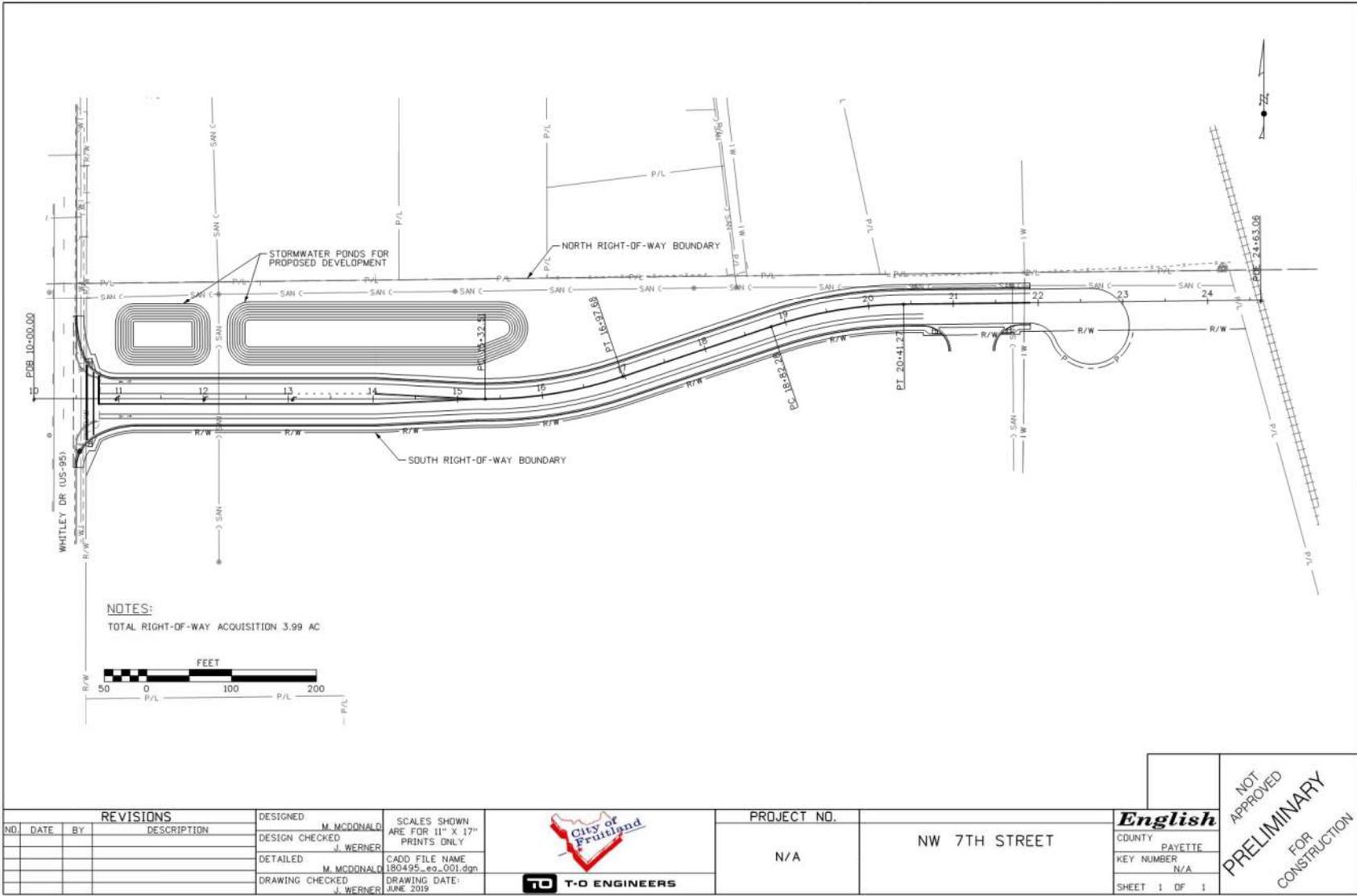
0 250 500 Feet



Figure 1. Project Vicinity Map



Figure 2. Project Design Exhibit



Statutory Worksheet

[24CFR §58.5 and §58.6]

For each listed statute, executive order or regulation, record the determinations made. Note reviews and consultations completed as well as any applicable permits or approvals obtained. Attach evidence that all required actions have been taken. Record any conditions or mitigation measures required. Then, make a determination of compliance or consistency.

Status “A” applies when compliance with the authority is achieved without adverse effects on the protected resource, without necessary mitigation or attenuation AND when no formal consultation, permit or agreement is required to establish compliance. Status “B” applies when project compliance with the authority requires formal consultation, a permit or agreement, OR when the proposal may have an adverse effect on the protected resources.

Laws/Authorities/E.O.s	Status A/B	Determination and Supporting Documentation
Historic Preservation [36 CFR 800] (Includes Indian Tribes)	A	The project will have no adverse effect on historic properties. Please see Appendix 1 for Green Sheet F.1; the Cultural Resources Investigation Report for the NW 7th Street Project; the determination letter from SHPO concurring with the finding of no adverse effect to historic properties; and copies of the project scoping letters distributed May 25, 2019. No responses were received by the Duck Valley Shoshone-Paiute Tribe, Burns-Paiute Tribe, or Shoshone-Bannock Tribe. If any items of suspected historical or archaeological value encountered during construction, the contractor will stop work and contact the Idaho State Historic Preservation Office and Idaho Dept. of Commerce.
Flood Plain Management [24 CFR 55, Executive Order 11988]	A	The project is not within the 100-year or 500-year floodplain. See Appendix 2 for FEMA Flood Insurance Rate Map (https://msc.fema.gov/portal/home) and Green Sheet F.2.
Wetlands Protection [Executive Order 11990]	A	The project area does not contain any wetland resources. Please see Appendix 3 for the Green Sheet F.3, USFWS National Wetland Inventory Map (https://www.fws.gov/wetlands/), and site photos.
Coastal Zone Mgmt. Act [Sections 307(c),(d)]	A	There are no Coastal Zones in Idaho. Therefore, the Act does not apply.
Sole Source Aquifers [40 CFR 149]	A	The project is not located on a sole source aquifer or streamflow source area. See Appendix 4 for the Idaho Sole Source Aquifer Map (https://epa.maps.arcgis.com/) and Green Sheet F.4.

HUD Environmental Standards	Status A/B	Determination and Supporting Documentation
Endangered Species Act [50 CFR 402]	A	The project will have no effect on endangered, threatened, or proposed species or designated critical habitat. Please see Appendix 5 for the slickspot peppergrass (<i>Lepidium papilliferum</i>) species profile, USFWS IPaC report (https://ecos.fws.gov/ipac/), scoping letters to IDFG and USFWS, and Green Sheet F.5. No responses were received by IDFG or USFWS.
Wild and Scenic Rivers Act [Sections 7 (b), (c)]	A	There are no Wild and Scenic Rivers in the project area or vicinity (https://rivers.gov). See Appendix 6 for the Idaho Wild and Scenic River Map and Green Sheet F.6.
Air Quality [Clean Air Act, Sections 176 (c) and (d), and 40 CFR 6, 51, 93]	A	The project area is not located within a non-attainment area (https://www.deq.idaho.gov/air-quality/monitoring/attainment-versus-nonattainment/). Please see Appendix 7 for the IDEQ Non-Attainment Map and Green Sheet F.7. Fugitive dust will be managed in accordance with IDAPA 58.01.01.651 through implementation of BMPs such as use of water or chemicals for control of dust during construction.
Farmland Protection Policy Act [7 CFR 658]	A	The NRCS Web Soil Survey map identifies the project area as prime farmland, if irrigated (https://websoilsurvey.sc.egov.usda.gov/). Currently, 20 acres of the site is irrigated and farmed, which will be converted as a result of the project. In consultation with Shawn Nield, NRCS State Soil Scientist, the site rates 97.5 out of 260 points using the NRCS Farmland Conversion Impact Rating form. This is below the 160 point threshold in which further evaluation is required and no further analysis is needed. The project will have no significant effect on farmland. Please refer to Appendix 8 for the Farmland Conversion Rating form, NRCS consultation, and Green Sheet F.8.
Environmental Justice [Executive Order 12898]	A	The proposed project will result in no adverse environmental effects. Thus, the project does not pose an Environmental Justice concern. No residents are on site and/or relocated. All surrounding uses are primarily industrial in nature and not subject to EJ. Jobs created by the connection to the Swire project are likely to have a positive impact on low income populations. Please refer to Green Sheet F.9 in Appendix 9.

HUD Environmental Standards	Status A/B	Determination and Supporting Documentation
Noise Abatement and Control [24 CFR 51 B]	A	Road construction is not defined as a “noise sensitive use” (i.e., housing) per 24 CFR Part 51 subpart B. Thus, the project is not subject to the noise standards. Please refer to Green Sheet F.10 in Appendix 10.
Siting of HUD-Assisted Projects near Explosive & Flammable Operations [24 CFR 51 C]	A	Above-ground storage tanks are located within a 1-mile radius of the project area. However, per 24 CFR Part 51.201, the proposed roadway is not a habitable structure and not subject to the acceptable separation distance for siting of HUD-assisted projects near hazardous facilities. See Green Sheet F.11 in Appendix 11.
Toxic or Hazardous Substances and Radioactive Materials [24 CFR 58.5(i)]	A	The project area is not located within an EPA Superfund area nor near a toxic or solid-waste landfill. The property is not known or suspected to be contaminated by toxic chemicals or hazardous materials. A public records request from IDEQ found no underground storage tanks (UST) or Leaking Underground Storage Tank (LUST) within the project area. The nearest USTs currently in use are at the Maverick station, located at 500 N. Whitley southwest of the project area containing gasoline and diesel. Three USTs have been decommissioned at the Swire Coca-Cola site at 405 NW 4 th Street south of the project area. Any hazardous materials, such as fuel, solvents, or paints, will be used as directed, stored onsite by the contractor, and disposed of in accordance with IDAPA 58.01.02.800. Any petroleum releases must be reported to IDEQ in accordance with IDAPA 58.01.02.851.01 and 04. Any hazardous materials encountered during project construction, though unlikely, will be properly disposed of by certified personnel. Please see Appendix 12 for the Green Sheet F.12, IDEQ UST and LUST records, IDEQ Response to Request for Environmental Comment, and scoping letters to IDEQ.
Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]	A	The project is not located within 3,000 feet of a civil airport or within 15,000 feet of a military airfield. The nearest airports are the Ontario Airport located approximately 4.5 miles west and the Payette Municipal Airport located approximately 5 miles north of the project area. Please see Appendix 13 for an airport vicinity map and Green Sheet F.13.

Environmental Assessment Worksheet

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a finding of impact. **Impact Codes: (1)** No impact anticipated; **(2)** Potentially beneficial; **(3)** Potentially adverse; **(4)** Requires mitigation; **(5)** Requires project modification. Per 40 CFR 1508.9(b), note sources, agencies, persons consulted, dates of contact, telephone numbers and page references. Attach additional materials as needed.

Land Development	Code	Information Source and/or Documentation
Conformance with Comprehensive Plans and Zoning	2	The site is currently zoned as Heavy Industrial (Appendix 14) and is identified as Heavy Industrial in the City of Fruitland Comprehensive Plan Future Land Use Map (Appendix 15).
Compatibility and Urban Impact	2	The construction of NW 7 th Street east of Whitley Drive (US-95) is compatible with surrounding land uses that include roadways, the INPS railroad, and commercial/ industrial uses north and south of the project area (Rick Watkins, Zoning Administrator, City of Fruitland, 208-452-4421). The site is currently zoned as Heavy Industrial (Appendix 14) and is identified as Heavy Industrial in the City of Fruitland Comprehensive Plan Future Land Use Map (Appendix 15).
Slope	1	The site is relatively flat, ranging from 0 to 2% slopes, and will not require extensive fill or excavation activity. Please refer to the geotechnical survey in Appendix 16.
Erosion	3	As ground disturbance activities are over 1 acre, a Storm Water Pollution Prevention Plan (SWPPP) will be implemented by the contractor to minimize erosion before, during and after construction.
Soil Suitability	1	Geotechnical testing was performed at the NW 7th Street east of Whitley Drive (US-95) project site in January and February 2019 by GeoTek, Inc. (Appendix 16). The survey identified alluvial materials consisting of silts with sand and silty sands. These soils are sufficient for roadway construction per recommendations outlined in the geotechnical report (Appendix 16).

Land Development	Code	Information Source and/or Documentation
Hazards and Nuisances including Site Safety	1	The property is not known or suspected to be contaminated by toxic chemicals or hazardous materials. A public records request from IDEQ found no underground storage tanks (UST) or Leaking Underground Storage Tank (LUST) within the project area (Appendix 12). Above-ground storage tanks are located within a 1-mile radius of the project area. However, per 24 CFR Part 51.201, the proposed roadway is not a habitable structure and not subject to the acceptable separation distance for siting of HUD-assisted projects near hazardous facilities. Any hazardous materials, such as fuel, solvents, or paints, will be used as directed and stored onsite by the contractor, and disposed of in accordance with IDAPA 58.01.02.800. Any petroleum releases must be reported to IDEQ in accordance with IDAPA 58.01.02.851.01 and 04. Any hazardous materials encountered during project construction, though unlikely, will be properly disposed of by certified personnel.
Energy Consumption	1	The construction equipment would use electricity and fuels and the road will be paved by durable materials such as concrete or asphalt. These are common resources in ample supply that are available from local sources.
Noise Contribution to Community Noise Levels	2	The new road will not generate a substantial increase in traffic. Noise from project construction activities is temporary and separated from existing residential development. As heavy vehicle traffic would be removed from 4 th street, it is likely that noise levels adjacent to residential uses will improve.
Air Quality Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	1	The project area is not located within a non-attainment area (https://www.deq.idaho.gov/air-quality/monitoring/attainment-versus-nonattainment/). Please see Appendix 7 for the IDEQ Non-Attainment Map and Green Sheet F.7. Further, the new road will not generate a substantial increase in traffic. Fugitive dust will be managed in accordance with IDAPA 58.01.01.651 through implementation of BMPs such as use of water or chemicals for control of dust during construction.

Land Development	Code	Information Source and/or Documentation
Environmental Design Visual Quality – Coherence, Diversity, Compatible Use and Scale	1	The construction of NW 7th Street east of Whitley Drive (US-95) is compatible with surrounding land uses that include roadways, the INPS railroad, and commercial/ industrial uses north and south of the project area (Rick Watkins, Zoning Administrator, City of Fruitland, 208-452-4421).

Socioeconomic	Code	Information Source and/or Documentation
Demographic Character Changes	1	The construction of NW 7th Street east of Whitley Drive (US-95) is consistent with surrounding land uses and will have no impact on demographic or neighborhood character.
Displacement	1	Land is vacant; no displacement will occur.
Employment and Income Patterns	2	The construction of NW 7th Street east of Whitley Drive (US-95) will accommodate the future expansion of the Swire Coca-Cola industrial facility that is anticipated to add 15 to 25 jobs to the local economy with an approximate annual payroll amount would be \$750,000 to \$1 million.

Community Facilities and Services	Code	Information Source and/or Documentation
Educational Facilities	1	The construction of NW 7th Street east of Whitley Drive (US-95) will have no effect on the number of residents in the project vicinity, and thus will have no impact on educational facilities.
Commercial Facilities	2	The construction of NW 7th Street east of Whitley Drive (US-95) will accommodate the future expansion of the Swire Coca-Cola industrial facility that is anticipated to add 15 to 25 jobs to the local economy with an approximate annual payroll amount would be \$750,000 to \$1 million, which may have a direct secondary benefit to local commercial facilities.
Health Care	1	The construction of NW 7th Street east of Whitley Drive (US-95) will have no effect on the number of residents in the project vicinity, and thus no impact on health care.
Social Services	1	The construction of NW 7th Street east of Whitley Drive (US-95) will have no effect on the number of residents in the project vicinity, and thus no impact on social services.
Solid Waste	1	The construction of NW 7th Street east of Whitley Drive (US-95) will not generate solid waste.

Community Facilities and Services	Code	Information Source and/or Documentation
Waste Water	1	The construction of NW 7th Street east of Whitley Drive (US-95) will not generate waste water.
Storm Water	4	The construction of NW 7th Street east of Whitley Drive (US-95) will increase impervious surfaces by 78,850 square feet. The project design includes two stormwater ponds (Figure 2) to capture and filter stormwater from impervious surfaces resulting from road construction. The ponds will be managed by City of Fruitland staff. A Storm Water Pollution Prevention Plan (SWPPP) will be implemented by the contractor before, during and after construction, which will prevent runoff from leaving the site.
Water Supply	1	Currently there is no landscaping plan for areas adjacent to the new section of NW 7th Street. Future landscaping will require water served by the City of Fruitland. The increase in water supply needed for landscaping is negligible and will not affect water services provided by the City. Adequate water supply is also available for future expansion of the Swire Coca-Cola facility and for fire protection.
Public Safety -Police	1	The construction of NW 7th Street east of Whitley Drive (US-95) will provide improved access to the Swire Coca-Cola industrial facility but will have a negligible effect on response time by police services.
-Fire	1	The construction of NW 7th Street east of Whitley Drive (US-95) will provide improved access to the Swire Coca-Cola industrial facility but will have a negligible effect on response time by fire services.
-Emergency Medical	1	The construction of NW 7th Street east of Whitley Drive (US-95) will provide improved access to the Swire Coca-Cola industrial facility but will have a negligible effect on response time by emergency medical services.
Open Space and Recreation -Open Space	1	The existing land use in the project area is agriculture. The construction of NW 7th Street east of Whitley Drive (US-95) will have no effect on existing or planned open space areas. Please see the current zoning map (Appendix 14) and future land use map (Appendix 15) from the City of Fruitland Comprehensive Plan.

Community Facilities and Services	Code	Information Source and/or Documentation
-Recreation	1	The existing land use in the project area is agriculture. The construction of NW 7th Street east of Whitley Drive (US-95) will have no effect on existing or planned recreation areas. Please see the current zoning map (Appendix 14) and future land use map (Appendix 15) from the City of Fruitland Comprehensive Plan.
-Cultural Facilities	1	The existing land use in the project area is agriculture. The construction of NW 7th Street east of Whitley Drive (US-95) will have no effect on existing or planned cultural facilities. Please see the current zoning map (Appendix 14) and future land use map (Appendix 15) from the City of Fruitland Comprehensive Plan.
-Transportation	2	The construction of NW 7th Street east of Whitley Drive (US-95) will further the City of Fruitland's transportation objective to provide an additional east-west route between US-95 and Pennsylvania Ave, which has been identified as a priority in the City of Fruitland Master Transportation Plan (Appendix 17). In addition, the project will accommodate passenger car and truck traffic from the Swire Coca-Cola industrial facility, thus removing that traffic from NW 4th Street that is fronted by single-family residences.

Natural Features	Code	Information Source and/or Documentation
Water Resources	1	The project area does not contain any wetland or water resources (Please see Appendix 3 for the Green Sheet F.3, USFWS National Wetland Inventory Map [https://www.fws.gov/wetlands/], and site photos). The construction of NW 7th Street east of Whitley Drive (US-95) will increase impervious surfaces by 78,850 square feet. The project design includes two stormwater ponds (Figure 2) to capture and filter stormwater from impervious surfaces resulting from road construction. The ponds will be managed by City of Fruitland staff. A Storm Water Pollution Prevention Plan (SWPPP) will be implemented by the contractor before, during and after construction, which will prevent runoff from leaving the site.

Natural Features	Code	Information Source and/or Documentation
Surface Water	4	The project area does not contain any surface water resources (Please refer to site photos taken during a site visit on March 28, 2019). The construction of NW 7th Street east of Whitley Drive (US-95) will increase impervious surfaces by 78,850 square feet. The project design includes two stormwater ponds (Figure 2) to capture and filter stormwater from impervious surfaces resulting from road construction. The ponds will be managed by City of Fruitland staff. A Storm Water Pollution Prevention Plan (SWPPP) will be implemented by the contractor before, during and after construction, which will prevent runoff from leaving the site and entering downstream surface waters.
Unique Natural Features and Agricultural Lands	1	The NRCS Web Soil Survey map (Appendix 8, https://websoilsurvey.sc.egov.usda.gov/) identifies the project area as prime farmland, if irrigated. Currently, 20 acres of the site is irrigated and farmed, which will be converted as a result of the project. In consultation with Shawn Nield, NRCS State Soil Scientist, the site rates 97.5 out of 260 points using the NRCS Farmland Conversion Impact Rating form (Appendix 8). This is below the 160 point threshold in which further evaluation is required. The project will have no significant effect on farmland.
Vegetation and Wildlife	1	The existing land use in the project area is agriculture. No trees, shrubs, or other vegetation utilized by wildlife will be removed by the construction of NW 7th Street east of Whitley Drive (US-95). The project will have no effect on endangered, threatened, or proposed species or designated critical habitat. Please see Appendix 5 for the slickspot peppergrass (<i>Lepidium papilliferum</i>) species profile, USFWS IPaC report (https://ecos.fws.gov/ipac/), scoping letters to IDFG and USFWS, and evaluation in Green Sheet F.5.

Summary of Findings and Conclusions

Alternatives to the Proposed Action

Alternatives and Project Modifications Considered [24 CFR 58.40(e), Ref. 40 CFR 1508.9]

The only practical alternative is a No Action alternative, which would mean Swire Coca-Cola would not be able to accommodate planned expansion of their facility. As a result, direct and secondary benefits from increased employment will not be realized. Further, employee and freight vehicles will continue to utilize NW 4th Street as their primary access point, which is a concern to residential homes located directly across NW 4th Street. The No Action Alternative would not further the City of Fruitland's transportation objectives to provide an additional east-west route between US-95 and Pennsylvania Ave, which has been identified as a priority in the City of Fruitland Master Transportation Plan.

No Action Alternative [24 CFR 58.40(e)]

Under the No Action Alternative, the project parcel will likely continue to be leased for agricultural use in the near term and Swire Coca-Cola would not be able to accommodate planned expansion of their facility. As a result, direct and secondary benefits from increased employment will not be realized. Further, employee and freight vehicles will continue to utilize NW 4th Street as their primary access point, which is a concern to residential homes located directly across NW 4th Street. The No Action Alternative would not further the City of Fruitland's transportation objectives to provide an additional east-west route between US-95 and Pennsylvania Ave, which has been identified as a priority in the City of Fruitland Master Transportation Plan. The No Action Alternative does not meet the purpose and need for this project.

Mitigation Measures

[24 CFR 58.40(d), 40 CFR 1508.20] The following environmental commitments will be required to mitigate project impacts:

- A site-specific Stormwater Pollution Prevention Plan (SWPPP) using Best Management Practices (BMPs) will be implemented by the contractor to prevent erosion or transport of sediment or other pollutants to downstream surface waters.
- Two stormwater ponds will be constructed to capture and filter stormwater from impervious surfaces resulting from road construction. The first pond encompasses approximately 13,345 cubic feet of storage (4 feet deep with 3:1 side slopes) located north of the roadway at its west end. The second pond is located north of the roadway encompassing approximately 55,570 cubic feet of storage (4 feet deep with 3:1 slopes).
- Any hazardous materials used, such as fuel, solvents, or paints, will be used as directed and stored onsite by the contractor, and disposed of in accordance with IDAPA 58.01.02.800.
- Any hazardous materials encountered during project construction, though unlikely, will be properly disposed of by certified personnel.
- Any petroleum releases must be reported to the Idaho Department of Environmental Quality (IDEQ) in accordance with IDAPA 58.01.02.851.01 and 04.
- All solid waste will be removed to the local landfill as non-hazardous construction waste.

- Fugitive dust will be managed in accordance with IDAPA 58.01.01.651 through implementation of BMPs such as use of water or chemicals for control of dust during construction operations.
- If any items of suspected historical or archaeological value encountered during construction, the contractor will stop work and contact the Idaho State Historic Preservation Office and the Idaho Department of Commerce.

Additional Studies Performed

- Geotechnical testing and pavement evaluation by GeoTek, Inc. in January and February 2019.
- Cultural Resources Investigation (CRI) by Preservation Solutions LLC in April 2019.

Agency Coordination

As shown in **Table 1**, environmental informational letters were sent to six (6) agencies and three (3) tribes on May 24, 2019. Responses and coordination occurred with the USDA Natural Resources Conservation Service (NRCS), Idaho Department of Environmental Quality (IDEQ), and the Idaho State Historic Preservation Office (SHPO) in June 2019.

Table 1. Agency Coordination and Public Involvement Record

Date	Name and Agency / Activity	Type
5/22/2019	Public Hearing Notice	Notice of Public Hearing in the <i>Independent Enterprise</i> weekly newspaper (Appendix 18)
5/24/2019	Dennis Porter, Community Dev. Manager Idaho Department of Commerce (IDOC)	ICDBG Environmental Information Letter
5/24/2019	Tricia Canaday, Deputy State Historical Preservation Officer, Idaho State Historic Preservation Office (SHPO)	ICDBG Section 106 Letter (Appendix 1)
5/24/2019	Carolyn Boyer Smith, Cultural Resource Coordinator Shoshone-Bannock Tribes	ICDBG Section 106 Letter (Appendix 1)
5/24/2019	Ted Howard, Director Cultural Resource Program Duck Valley Shoshone-Paiute Tribes	ICDBG Section 106 Letter (Appendix 1)
5/24/2019	Kenton Dick, Manager Burns-Paiute General Council	ICDBG Section 106 Letter (Appendix 1)
5/24/2019	Michael Morse, Branch Chief U.S. Fish and Wildlife Service (USFWS)	ICDBG Environmental Information Letter (Appendix 5)
5/24/2019	IDFG Regional Biologist Idaho Department of Fish and Game (IDFG)	ICDBG Environmental Information Letter (Appendix 5)
5/24/2019	Shawn J. Nield, State Soil Scientist, USDA Natural Resources Conservation Service (NRCS)	ICDBG Environmental Information Letter and submission of form AD-1006, Farmland Conversion Impact Rating (Appendix 8)
5/24/2019	Rene Anderson Hazardous Waste Data Coordinator IDEQ State Office	ICDBG Environmental Information Letter (Appendix 12)

5/24/2019	Lance Holloway, Water Quality Manager IDEQ Boise Regional Office	ICDBG Environmental Information Letter (Appendix 12)
5/29/2019	Shawn J. Nield, State Soil Scientist, USDA Natural Resources Conservation Service (NRCS)	Receipt of finalized Farmland Conversion Impact Rating Form from NRCS (Appendix 8)
6/5/2019	Aaron Sheff, Regional Administrator, Idaho Department of Environmental Quality (IDEQ)	Receipt of IDEQ Environmental Comment response letter (Appendix 12)
6/5/2019	Ashley Brown, Historical Review Officer, Idaho State Historic Preservation Office (SHPO)	Receipt of SHPO determination letter (Appendix 1)
6/10/2019	Public Hearing	Public hearing at 7:00pm at Fruitland City Hall, 200 S Whitley Dr, Fruitland, ID 83619. Please find meeting minutes in Appendix 18 .
7/29/2019	City Council Meeting	Meeting to appoint Environmental Review Officer.

Public Involvement and EA Review

Public involvement is a vital component of the NEPA process. A notice for a public hearing was published in the *Independent Enterprise* weekly paper on May 22, 2019 **(Appendix 18)**. The public hearing was held during a regular meeting of the Fruitland City Council at Fruitland City Hall on June 10, 2019. The hearing was opened at 7:30 pm to receive testimony regarding the proposed project. Grant administrator, Carol Garrison and Transportation Engineer, Jeff Werner explained the project. No further testimony was given, and the hearing was closed at 7:38 pm. Please refer to **Appendix 18** for the Fruitland City Council meeting minutes.

The Draft EA will be published and the ERR will be available for review per 24 CFR Par 58.38 on August 28, 2019. Notice of availability of the Draft EA will be advertised in the *Independent Enterprise* weekly new for Fruitland Idaho on August 28, 2019. Copies of the Draft EA will be available to the public electronically on the City of Fruitland website (<https://www.fruitland.org/>). Hard copies will be made available during regular business hours at the Fruitland City Hall. Comments may be submitted in writing to City Hall or emailed to rwatkins@fruitland.org. Barring any disputes, the City of Fruitland plans to publish the Finding of No Significant Impact on September 18, 2019.

Comments regarding the Draft EA will be accepted for a 15-day period following the hearing as follows:

- Postmarked by September 11, 2019 if mailed to City Clerk, PO Box 324 Fruitland, Idaho 83619; or,
- Emailed by 5:00 p.m. MST on September 11, 2019 to rwatkins@fruitland.org a confirmation reply will be sent).

Appendix 1: Green Sheet F.1 Historic Preservation

Checklist for Responsible Entity

General requirements	Legislation	Regulation
Protect sites, buildings, and objects with national, state or local historic, cultural and/or archeological significance. Identify effects of project on properties	National Historic Preservation Act, 16 U.S.C. 470(f), Section 106	36 CFR Part 1294 36 CFR Part 800 24 CFR Part 58.5(a)

1. Does the project include: Repair, rehabilitation or conversion of existing properties that are 45 years or older? New construction? The acquisition of undeveloped land? Or, any activity that requires ground disturbance (defined as one cubic foot of disturbed soil)?

No: STOP here. The Section 106 Historic Preservation review is complete.

- ❖ Record your determination that the project type will not adversely affect historic properties on the Statutory Worksheet or Environmental Assessment.

Yes: PROCEED to #2

2. Does the project involve only those activities permitted without further consultation under a programmatic agreement among the responsible entity, the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) and the Advisory Council on Historic Preservation? Not applicable to Idaho, your response is “No”

No: PROCEED to #3

3. Does the project involve a structure that is less than 45 years old with no ground disturbing activities and you have determined there is no potential to cause effects on historic properties per 36 CFR 800.3(a)(1)?

Yes: STOP here. The Section 106 Historic Preservation review is complete.

- ❖ Record your determination that there is no potential to cause effect, including the age of the existing building if appropriate, on the Statutory Worksheet or Environmental Assessment.

No: PROCEED to #4

4. In consultation with SHPO/THPO and any tribes or groups that may have an interest in the project, have you determined that there are no historic properties affected?

You must consider the Area of Potential Effect (APE). *The APE is defined as the geographic area within which an undertaking may directly or indirectly cause changes in the character or use of historic properties.* The APE is influenced by the scale and nature of an undertaking. (36 CFR Part 800.16)

- ❖ Consult the State Historic Preservation Officer (SHPO) or if the project is on tribal land, the Tribal Historic Preservation Officer (THPO) with details of the project and project site. SHPO or THPO typically has 30 days from receipt of a well-documented request to make a determination. We recommend sending the letter with a return receipt form to document the contact. If they do not respond within the timeframe, you may proceed with your determination or consult with the Advisory Council on Historic Preservation (ACHP). Contact information for

State Historic Preservation Officers is available at www.achp.gov/shpo.html. See also pages 59-61 of this chapter for SHPO and THPO contact information.

- ❖ Determine if there are tribes or groups that have demonstrated interest in the historic aspects of the project and invite them to participate in the consultation. You must make a reasonable and good faith effort to identify Indian tribes that may have an interest.

Yes: STOP here. The Section 106 Historic Preservation review is complete.

- ❖ Attach SHPO concurrence to the ERR and copies of letters to and from other interested parties and your response. If SHPO/THPO did not respond within 30 days, your dated letter documents contact efforts.
- ❖ Record your determination of “no historic properties affected” on the Statutory Worksheet or Environmental Assessment.

The proposed project will have no adverse effect on historic properties. Please find attached the Cultural Resources Investigation Report for the NW 7th Street Project; the determination letter from SHPO concurring with the finding of no adverse effect to historic properties; and copies of the project scoping letters distributed May 25, 2019. The Duck Valley Shoshone-Paiute Tribe, Burns-Paiute Tribe, and Shoshone-Bannock Tribe did not respond within the 30 day timeframe. If any items of suspected historical or archaeological value encountered during construction, the contractor will stop work and contact the Idaho State Historic Preservation Office and the Idaho Department of Commerce.

No: Continue to #5

5. Will the project have an “adverse effect” (per 36 CFR 800.5) on any property(ies) listed or eligible for inclusion on the National Register of Historic Places?

No: *A categorically excluded project (24 CFR Part 58.35(a)) cannot convert to exempt under §58.34(a)((12)-you must go through the RROF process.*

- ❖ Attach SHPO concurrence to the ERR and copies of letters to and from other interested parties and your response.

Yes:

- ❖ Resolve Adverse Effects per 800.6 in consultation with SHPO/THPO, the ACHP if participating, and any consulting parties. The CDBG may not be approved until adverse effects are resolved according to 800.6 or you have complied with 36 CFR Part 800. *A categorically excluded project (24 CFR Part 58.35(a)) cannot convert to exempt under §58.34(a)((12)-you must go through the RROF process.*

Summary Cultural Resources Investigation – NW 7th Street Project



April 17, 2019

City of Fruitland
200 S. Whitley St.
PO Box 324
Fruitland, Idaho 83619

**RE: Summary Cultural Resource Investigation – 7th Street Road Project
T-O Engineers, Inc. Project No. 180495**

Dear City of Fruitland:

Please accept this abbreviated report as a summary document of the Cultural Resource Investigation (CRI) conducted by Preservation Solutions LLC (PSLLC), on behalf of T.O. Engineers, for the proposed **7th Street Road Project** (see Figures 1 and 2 below). This investigation satisfies the City of Fruitland's understanding of requirements for cultural resource screening associated with U.S. Army Corps of Engineers (Corps) permitting under Section 404 of the Clean Water Act and/or Environmental Protection Agency (EPA) requirements for cultural resource screening associated with the Construction General Permit (CGP).

CGP Appendix E – Historic Property Screening Process – outlines in five steps the instructions for all Construction Operators to determine if the installation of stormwater controls might have "the potential to cause effects to historic properties, and whether or not [one] need[s] to contact [one's] SHPO, THPO, or other tribal representative for further information."

This CRI report should not be misconstrued as having been conducted to meet the requirements of Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended (16 USC 470, et seq.). This report provides preliminary assessment of only those actions associated with the introduction of approximately 0.26 mile of roadway and associated drainage; other associated project actions and/or undertakings are not included herein.

Since the project would affect waters of the United States, the project proponent (City of Fruitland) must meet requirements of Section 404 of the Clean Water Act (CWA) and/or EPA requirements for cultural resource screening associated with the CGP. Per Corps guidelines for compliance, the cultural screening process includes the steps outlined below.

The CGP cultural review process included five steps, each of which is outlined below, followed by a summary statement of findings of effect(s).

Step 1: The project, as described to PSLLC, consists of the following elements for improved vehicular access and stormwater control:

- Introduction of a new roadway approximately 1,300' in-length and 70' in-width including concrete curbs, gutter, and sidewalk, and ending in a small cul-de-sac;
- A drainage pond encompassing approximately 13,345 cubic feet of storage (7 feet deep with 3:1 side slopes) will be introduced north of the roadway at its west end;
- The project will cause ~152,460 square feet (~3.5 acres) of subsurface earth disturbance.

1007 E JEFFERSON ST BOISE, ID 83712
816.225.5605 www.preservation-solutions.net

Step 2: A record search conducted through the Idaho State Historic Preservation Office (SHPO), Record Search #19123) indicated prior, professional cultural resource survey documented the existence of two historic linear highways sharing the same alignment abutting the west edge of the project area, and one linear railroad abutting the east edge. More specifically: US Highway 95 (75-14852) and Old US Highway 30 (75-14957), both of which were determined eligible for listing in the National Register of Historic Places (NRHP) by SHPO (in 2010 and 2014, respectively); and Idaho Northern Pacific Railroad (75-14856), which was determined eligible by SHPO in 2012. Windshield survey resulted in no finding of historic resources within the project area.

Step 3: As described, the project (i.e. introduction of curbs, gutters, road pavement, drainage pond) will take place abutting but not directly impacting either the NRHP-eligible highway(s) or railroad alignment. No effect to historic properties is expected with regards to either transportation alignment.

As a previously disturbed site, no archaeological analysis was conducted.

Steps 4 and 5: As no adverse effect to NRHP-eligible properties is expected, contact and consultation with Idaho SHPO or tribal representatives are not required per the CGP screening process.

Findings of Effect and Recommendations

Based on the materials provided, and through consultation with T.O. Engineers, on behalf of the City of Fruitland, PSLLC finds the proposed road improvement project will have **No Effect** on historic resources. As described, the proposed work presents no new disturbance nor diminished integrity to identified historic resources. **It is PSLLC's opinion that no NRHP-eligible properties will be adversely affected and recommends permitting of this road introduction project.**

If during this project, an inadvertent discovery of possible cultural materials occurs during earth disturbance activities, it is recommended that work stop in the vicinity of the find and SHPO be notified immediately.

If you have any questions, comments, or concerns about the information herein or if you need additional information, please do not hesitate to contact me at (816) 225-5605 or kdavis@preservation-solutions.net.

Sincerely,

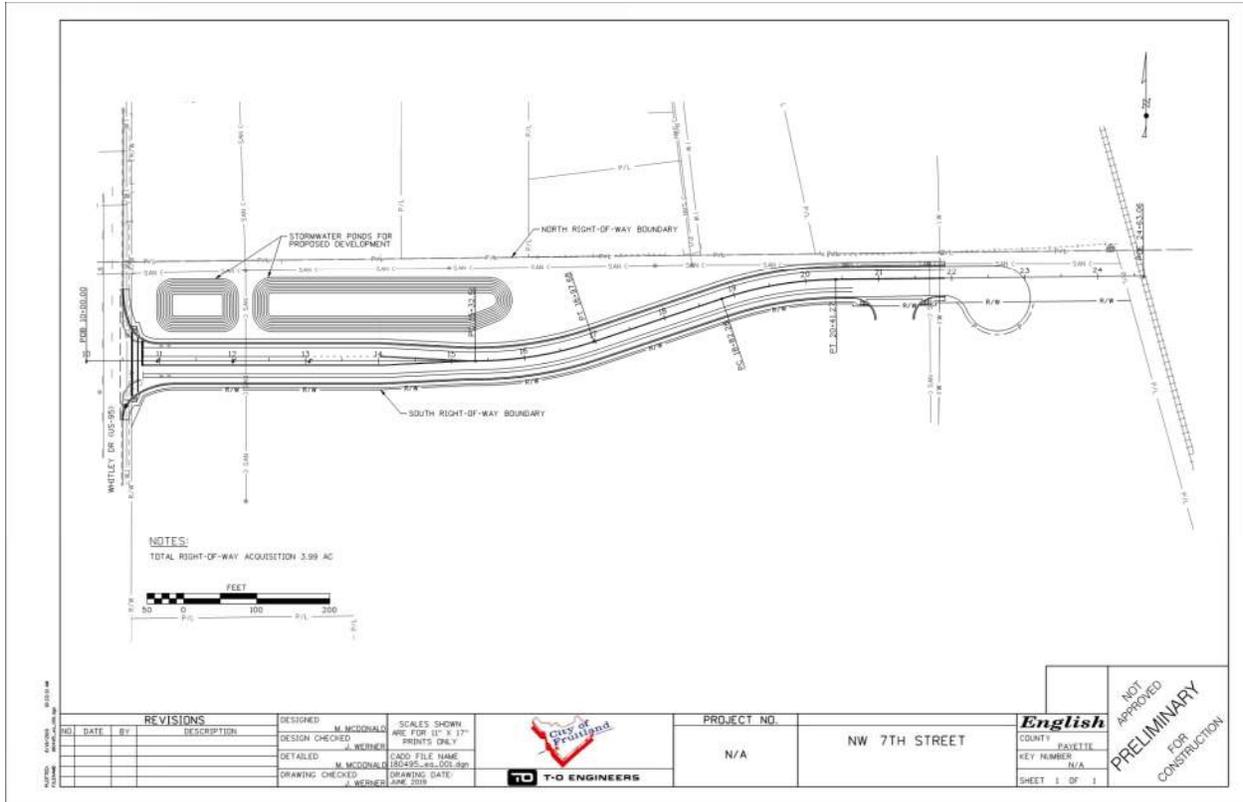


Kerry Davis
Architectural Historian

cc: Joe Guenther, T.O. Engineers

Figure 1: Project Area





Determination Letter from SHPO



IDAHO STATE
HISTORICAL
SOCIETY



Brad Little
Governor of Idaho

Janet Gallimore
Executive Director
State Historic
Preservation Officer

Administration:
2205 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2682
Fax: 208.334.2774

Idaho State Museum:
610 Julia Davis Dr.
Boise, Idaho 83702
208.334.2120

**Idaho State Archives
and State Records
Center:**
2205 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2620

**State Historic
Preservation Office:**
210 Main St.
Boise, Idaho 83702
208.334.3861

**Old Idaho Penitentiary
and Historic Sites:**
2445 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2844

HISTORY.IDAHO.GOV

509.343.7000
509.343.7001
509.343.7002
509.343.7003

05 June 2019

Rick Watkins
City of Fruitland
200 S. Whitley Drive
P.O. Box 324
Fruitland, Idaho 83619

**Re: Road Construction near 605 NW 4th St, Fruitland, ID / SHPO
Rev. # 2019-694**

Dear Mr. Watkins,

Thank you for consulting with our office on the above referenced project. We understand the scope of work includes the construction of a road for the future expansion of the Bonneville Production Center of Idaho owned Swire Coca-Cola located at 605 NW 4th Street in Fruitland, Payette County, Idaho.

Pursuant to 36 CFR 800, we have applied the criteria of effect to the proposed undertaking. Based on the information received 28 May 2019 we have determined the proposed project actions will have **no adverse effect** to historic properties.

In the event that cultural material is inadvertently encountered during implementation of this project, work shall be halted in the vicinity of the finds until they can be inspected and assessed by the appropriate consulting parties.

If you have any questions or the scope of work changes, please contact me via phone or email at 208.488.7463 or ashley.brown@ishs.idaho.gov.

Sincerely,

Ashley Brown
Historical Review Officer
Idaho State Historic Preservation Office

Preserving the past, enriching the future.

Scoping Letters to SHPO and Tribes



May 22, 2019

Tricia Canaday
Deputy State Historical Preservation Officer
Idaho State Historical Society
210 Main Street
Boise, Idaho 83702-7264

Dear Tricia Canaday,

The City of Fruitland is seeking federal funding for the NW 7th Street at Whitley Drive (US-95) project. The proposed project would use federal funds under the Community Development Block Grant (CDBG) program and is an undertaking as defined in 36 CFR Part 800.16(y). The City of Fruitland is the agency official as described in 36 CFR part 800.2. In order to determine whether historic properties will be affected by the proposed scope of work, the following information is being provided for your review and comment.

Prior to the CDBG grant becoming available, the City of Fruitland had a windshield survey for the site completed in April 2019. The results identified one known resource within the APE that had the potential to be affected by road construction only, the Idaho Northern & Pacific Railroad (75-14856). As the CDBG grant includes an expanded APE, described below, please provide direction on whether an updated IHSI form will be required for the revised APE. The windshield survey memorandum is attached as Appendix A.

1. **The Area of Potential Effect:** The Area of potential Effect (APE) includes the footprint for the proposed roadway plus an approximately 100-foot buffer sufficient to capture all properties adjacent to the project (please see Figure 1).
2. **Location:** The project is located at Section 22, Township 8N and Range 5W, north of the Swire Coca-Cola production center at 605 NW 4th St, Fruitland, ID 83619.
3. **Federal agencies involved:**
Michael Morse, Branch Chief
U.S. Fish and Wildlife Service
Ecological Services Division – Idaho Fish and Wildlife Office
1387 S. Vinnell Way, Ste. 368
Boise, ID 83709
208-378-5243

1

Mike Raymond, District Conservationist
Natural Resources Conservation Service
Weiser Service Center
849 E 9th St.
Weiser, ID 83672-2356
(208) 549-2628

HUD Funding administered by the Idaho Department of Commerce:

Dennis Porter
Community Dev. Manager
Idaho Department of Commerce
700 West State Street
PO Box 83720
Boise, Idaho 83720-0093
Telephone: 208-287-0782

4. **Project description:** NW 7th Street in Fruitland, Idaho currently provides access to the west side of US-95 (Whitley Drive) only. The proposed NW 7th Street project (116°55'28.918"W, 44°1'4.114"N) will construct a new street east of US-95 for a length of approximately 1,250 feet, ending before the Idaho Northern & Pacific Railroad (INPR) with an offset cul-de-sac (Figure 2). This new street, consisting of 2 travel lanes and bike lanes, will provide access to the existing and future expansion of the Bonneville Production Center of Idaho owned by Swire Coca-Cola. This food service production facility is undergoing a significant expansion to the north, toward the proposed street. Currently, access to this industrial facility is taken from NW 4th Street, located on the south side of the facility. Moving access from NW 4th Street to the proposed NW 7th Street will remove passenger car and truck traffic generated by the facility from NW 4th Street, which is fronted by single-family residences across from the production facility.

The City of Fruitland Master Transportation Plan established the need for another east-west route crossing the INPR railroad tracks to connect the two major north-south routes in the city: US-95 and Pennsylvania Avenue. The selected alignment to accomplish this connection is NW 7th Street. This project is ranked a high priority, along with extending NW 7th Street west to connect with an extended Allen Avenue south from US-30. Constructing the proposed section of NW 7th Street advances a high priority project for the City of Fruitland and will be instrumental in achieving the transportation objectives of the city.

5. **Description of ground surfaces & disturbances:** The project consists of the following:
- Construction of a new roadway approximately 1,250 feet in length and 70 feet in width including concrete curbs, gutter, and sidewalk, and ending in a small cul-de-sac.
 - Drainage pond encompassing approximately 13,345 cubic feet of storage (7 feet deep with 3:1 side slopes) will be introduced north of the roadway at its west end.
 - The project will cause ~152,460 square feet (~3.5 acres) of subsurface earth disturbance.

The project area is currently cultivated for agricultural use.

6. **Descriptions of buildings or structures that will be affected:** There are no structures within the construction area. The project (i.e. introduction of curbs, gutters, road pavement, drainage pond) will take place abutting but not directly impacting the following NRHP-eligible resources: US Highway 95 (75-14852), Old US Highway 30 (75-14957), and Idaho Northern & Pacific Railroad (75-14856).

7. **Attachments:**

Figure 1: Project Vicinity Map

Figure 2: Preliminary Project Designs

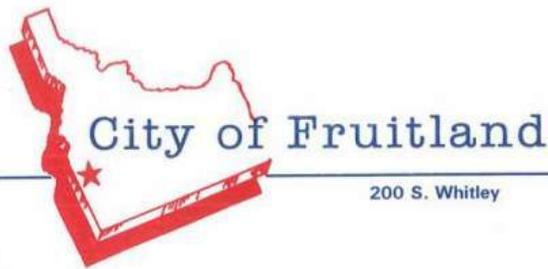
Appendix A: Summary Cultural Resources Investigation – NW 7th Street Project

Please respond within 30 days from receipt of this letter and contact me at the information provided below if you have any questions or concerns.

Sincerely,



Rick Watkins
City Administrator – City Clerk/Treasurer
City of Fruitland
200 S. Whitley Drive
P.O. Box 324
Fruitland, Idaho 83619
208.452.4421



Area Code 208
Phone 452-4421
FAX 452-6146
www.fruitland.org

200 S. Whitley

P.O. Box 324
FRUITLAND, IDAHO 83619

May 22, 2019

Kenton Dick, Manager
Burns-Paiute General Council
HC-71 100 Pasigo Street
Burns, OR 97720

Dear Kenton Dick,

The City of Fruitland is seeking federal funding for the NW 7th Street at Whitley Drive (US-95) project. The proposed project would use federal funds under the Community Development Block Grant (CDBG) program and is an undertaking as defined in 36 CFR Part 800.16(y). The City of Fruitland is the agency official as described in 36 CFR part 800.2. In order to determine whether historic properties will be affected by the proposed scope of work, the following information is being provided for your review and comment.

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1. **The Area of Potential Effect:** The Area of potential Effect (APE) includes the footprint for the proposed roadway plus an approximately 100-foot buffer sufficient to capture all properties adjacent to the project (please see Figure 1).
2. **Location:** The project is located at Section 22, Township 8N and Range 5W, north of the Swire Coca-Cola production center at 605 NW 4th St, Fruitland, ID 83619.
3. **Federal agencies involved:**
Michael Morse, Branch Chief
U.S. Fish and Wildlife Service
Ecological Services Division – Idaho Fish and Wildlife Office
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HUD Funding administered by the Idaho Department of Commerce:

Dennis Porter
Community Dev. Manager
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700 West State Street
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4. **Project description:** NW 7th Street in Fruitland, Idaho currently provides access to the west side of US-95 (Whitley Drive) only. The proposed NW 7th Street project (116°55'28.918"W, 44°1'4.114"N) will construct a new street east of US-95 for a length of approximately 1,250 feet, ending before the Idaho Northern & Pacific Railroad (INPR) with an offset cul-de-sac (Figure 2). This new street, consisting of 2 travel lanes and bike lanes, will provide access to the existing and future expansion of the Bonneville Production Center of Idaho owned by Swire Coca-Cola. This food service production facility is undergoing a significant expansion to the north, toward the proposed street. Currently, access to this industrial facility is taken from NW 4th Street, located on the south side of the facility. Moving access from NW 4th Street to the proposed NW 7th Street will remove passenger car and truck traffic generated by the facility from NW 4th Street, which is fronted by single-family residences across from the production facility.

The City of Fruitland Master Transportation Plan established the need for another east-west route crossing the INPR railroad tracks to connect the two major north-south routes in the city: US-95 and Pennsylvania Avenue. The selected alignment to accomplish this connection is NW 7th Street. This project is ranked a high priority, along with extending NW 7th Street west to connect with an extended Allen Avenue south from US-30. Constructing the proposed section of NW 7th Street advances a high priority project for the City of Fruitland and will be instrumental in achieving the transportation objectives of the city.

5. **Description of ground surfaces & disturbances:** The project consists of the following:
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The project area is currently cultivated for agricultural use.

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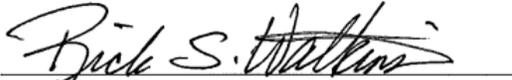
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Appendix A: Summary Cultural Resources Investigation – NW 7th Street Project

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Sincerely,



Rick Watkins

City Administrator – City Clerk/Treasurer

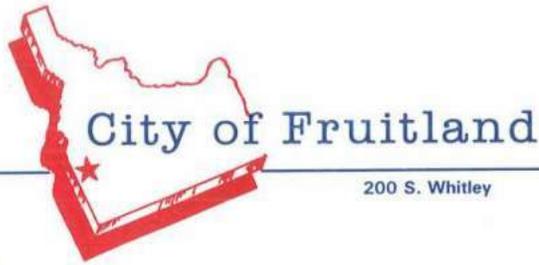
City of Fruitland

200 S. Whitley Drive

P.O. Box 324

Fruitland, Idaho 83619

208.452.4421



Area Code 208
Phone 452-4421
FAX 452-6146
www.fruitland.org

200 S. Whitley

P.O. Box 324
FRUITLAND, IDAHO 83619

May 22, 2019

Ted Howard, Director
Cultural Resource Program
Duck Valley Shoshone-Paiute Tribes
PO Box 219
Owyhee, NV 89832

Dear Ted Howard,

The City of Fruitland is seeking federal funding for the NW 7th Street at Whitley Drive (US-95) project. The proposed project would use federal funds under the Community Development Block Grant (CDBG) program and is an undertaking as defined in 36 CFR Part 800.16(y). The City of Fruitland is the agency official as described in 36 CFR part 800.2. In order to determine whether historic properties will be affected by the proposed scope of work, the following information is being provided for your review and comment.

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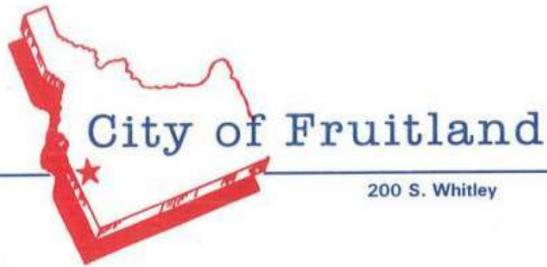
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Sincerely,



Rick Watkins
City Administrator – City Clerk/Treasurer
City of Fruitland
200 S. Whitley Drive
P.O. Box 324
Fruitland, Idaho 83619
208.452.4421



Area Code 208
Phone 452-4421
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www.fruitland.org

200 S. Whitley

P.O. Box 324
FRUITLAND, IDAHO 83619

May 22, 2019

Carolyn Boyer Smith
Cultural Resource Coordinator
Shoshone-Bannock Tribes
PO Box 306
Fort Hall, ID 83203

Dear Carolyn Boyer Smith,

The City of Fruitland is seeking federal funding for the NW 7th Street at Whitley Drive (US-95) project. The proposed project would use federal funds under the Community Development Block Grant (CDBG) program and is an undertaking as defined in 36 CFR Part 800.16(y). The City of Fruitland is the agency official as described in 36 CFR part 800.2. In order to determine whether historic properties will be affected by the proposed scope of work, the following information is being provided for your review and comment.

Prior to the CDBG grant becoming available, the City of Fruitland had a windshield survey for the site completed in April 2019. The results identified one known resource within the APE that had the potential to be affected by road construction only, the Idaho Northern & Pacific Railroad (75-14856). The windshield survey memorandum is attached as Appendix A.

1. **The Area of Potential Effect:** The Area of potential Effect (APE) includes the footprint for the proposed roadway plus an approximately 100-foot buffer sufficient to capture all properties adjacent to the project (please see Figure 1).
2. **Location:** The project is located at Section 22, Township 8N and Range 5W, north of the Swire Coca-Cola production center at 605 NW 4th St, Fruitland, ID 83619.
3. **Federal agencies involved:**
Michael Morse, Branch Chief
U.S. Fish and Wildlife Service
Ecological Services Division – Idaho Fish and Wildlife Office
1387 S. Vinnell Way, Ste. 368
Boise, ID 83709
208-378-5243

Mike Raymond, District Conservationist
Natural Resources Conservation Service
Weiser Service Center
849 E 9th St.
Weiser, ID 83672-2356
(208) 549-2628

HUD Funding administered by the Idaho Department of Commerce:

Dennis Porter
Community Dev. Manager
Idaho Department of Commerce
700 West State Street
PO Box 83720
Boise, Idaho 83720-0093
Telephone: 208-287-0782

4. **Project description:** NW 7th Street in Fruitland, Idaho currently provides access to the west side of US-95 (Whitley Drive) only. The proposed NW 7th Street project (116°55'28.918"W, 44°1'4.114"N) will construct a new street east of US-95 for a length of approximately 1,250 feet, ending before the Idaho Northern & Pacific Railroad (INPR) with an offset cul-de-sac (Figure 2). This new street, consisting of 2 travel lanes and bike lanes, will provide access to the existing and future expansion of the Bonneville Production Center of Idaho owned by Swire Coca-Cola. This food service production facility is undergoing a significant expansion to the north, toward the proposed street. Currently, access to this industrial facility is taken from NW 4th Street, located on the south side of the facility. Moving access from NW 4th Street to the proposed NW 7th Street will remove passenger car and truck traffic generated by the facility from NW 4th Street, which is fronted by single-family residences across from the production facility.

The City of Fruitland Master Transportation Plan established the need for another east-west route crossing the INPR railroad tracks to connect the two major north-south routes in the city: US-95 and Pennsylvania Avenue. The selected alignment to accomplish this connection is NW 7th Street. This project is ranked a high priority, along with extending NW 7th Street west to connect with an extended Allen Avenue south from US-30. Constructing the proposed section of NW 7th Street advances a high priority project for the City of Fruitland and will be instrumental in achieving the transportation objectives of the city.

5. **Description of ground surfaces & disturbances:** The project consists of the following:
- Construction of a new roadway approximately 1,250 feet in length and 70 feet in width including concrete curbs, gutter, and sidewalk, and ending in a small cul-de-sac.
 - Drainage pond encompassing approximately 13,345 cubic feet of storage (7 feet deep with 3:1 side slopes) will be introduced north of the roadway at its west end.
 - The project will cause ~152,460 square feet (~3.5 acres) of subsurface earth disturbance.

The project area is currently cultivated for agricultural use.

6. **Descriptions of buildings or structures that will be affected:** There are no structures within the construction area. The project (i.e. introduction of curbs, gutters, road pavement, drainage pond) will take place abutting but not directly impacting the following NRHP-eligible resources: US Highway 95 (75-14852), Old US Highway 30 (75-14957), and Idaho Northern & Pacific Railroad (75-14856).

7. **Attachments:**

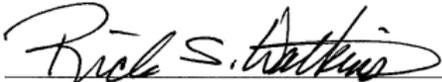
Figure 1: Project Vicinity Map

Figure 2: Preliminary Project Designs

Appendix A: Summary Cultural Resources Investigation – NW 7th Street Project

Please respond within 30 days from receipt of this letter and contact me at the information provided below if you have any questions or concerns.

Sincerely,



Rick Watkins
City Administrator – City Clerk/Treasurer
City of Fruitland
200 S. Whitley Drive
P.O. Box 324
Fruitland, Idaho 83619
208.452.4421

Appendix 2. Green Sheet F.2 Floodplain Management

Checklist for Responsible Entity

General requirements	Legislation	Regulation
Avoid the adverse impacts associated with the occupancy and modification of floodplains. Avoid floodplain development whenever there are practicable alternatives.	Executive Order 11988, May 24 1977	24 CFR Part 55

1. Is the Project located in a floodway or a 100 or 500-year flood plain?

- ❖ For projects in areas mapped by FEMA, maintain the FEMA map panel that includes your project site. Make sure to include the map panel number and date. For projects in areas not mapped by FEMA, use the best information available to determine floodplain information. Include documentation of why this is the best available information for the site.

No: STOP here. The Floodplain Management regulations do not apply.

- ❖ Record your determination that the project is not in a floodplain or floodway.

Please find attached the FEMA Flood Insurance Rate Map that shows the project area outside of the 100 or 500-year floodplain.

- Yes—Floodway. **STOP. The National Flood Insurance Program prohibits federal financial assistance for use in a floodway.** The only exception is for functionally dependent uses, such as a marina, a port facility, a waterfront park, a bridge or a dam. If your project is a functionally dependent use in a floodway, **PROCEED to #3**
- Yes—500-year flood plain (Zone B or X on FEMA maps or best information). **PROCEED to #2**
- Yes—100 Year flood plain (Zone A or V on FEMA maps or best information). **PROCEED to #3**
- Yes—Flood prone area. **PROCEED to #3**

2. For projects in the 500-year flood plain: Does your project involve a critical action, defined as an activity for which even a slight chance of flooding would be too great because it might result in loss of life, injury or property damage?

Specific examples include:

- Structures or facilities that produce, use or store highly volatile, flammable, explosive, toxic or water-reactive materials.
- Structures or facilities that provide essential and irreplaceable records or utility or emergency services that may become lost or inoperative during flood and storm events (e.g., data storage centers, generating plants, principal utility lines, emergency operations centers including fire and police stations, and roadways providing sole egress from flood-prone areas).
- Structures or facilities that are likely to contain occupants who may not be sufficiently mobile to avoid loss of life or injury during flood or storm events, e.g. persons who reside in hospitals, nursing homes, convalescent homes, intermediate care facilities, board and care facilities, and retirement service centers. Housing for independent living for the elderly is not considered a critical action.

No: STOP here. The project can proceed without further analysis. Record your determination and attach flood plain map and documentation that project does not involve a critical action.

Yes: PROCEED to #3

3. Does your project meet one of the categories of proposed action for which the floodplain management regulations do not apply?

Several common exemptions include (please see 24 CFR 55.12 for additional categories of proposed action):

- Financial assistance for minor repairs or improvements on one-to-four-family properties that do not meet the thresholds for 'substantial improvement' under 55.2 (b)(8). HUD defines substantial improvement as any repair, reconstruction, modernization or improvement of a structure, the cost of which equals or exceeds 50% of the market value before the improvement (and before any damage occurred.)
- A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain.
- Approval of a project site, an incidental portion of which is situated in an adjacent floodplain, but only with certain further conditions (see 24 CFR 55.12(c)(6)).
- A project on any site in a floodplain for which FEMA has issued a final Letter of Map Amendment or Letter of Map Revision that removed the property from a FEMA-designated floodplain location.
- A project on any site in a floodplain for which FEMA has issued a conditional LOMA or LOMR if the approval is subject to the requirements and conditions of the conditional LOMA or LOMR.

Yes: Stop here.

- ❖ Record your determination that the project is exempt from floodplain management regulations per 24 CFR 55.12.
- ❖ Maintain copies of all of the documents you have used to make your determination.

Please note that you may still have to maintain flood insurance on the project per the Flood Disaster Protection Act.

No: PROCEED to #4.

4. Does your project meet one of the categories of proposed action for which the 8-step decision making process does not apply?

Exemptions include: See 24 CFR 55.12(b) for categories of proposed action.

Please note that CDBG projects are unlikely to meet these exemptions.

Yes: Stop Here.

- ❖ Record your determination that the project is exempt from the 8-step process as per 24 CFR 55.12(b).
- ❖ Maintain copies of all documents you have used to make your determination.

Please note that you may still have to maintain flood insurance on the project per the Flood Disaster Protection Act. Also note that notification of floodplain hazard requirements at 24 CFR 55.21 may apply.

No: PROCEED to #5

5. Does your project meet the following categories of proposed action for which a 5-step (limited 8-step) process applies?

- Actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities and one-to four family properties where the project occurs in a community in the Regular Program of the National Flood Insurance Program (NFIP) and is in good standing, and the project meets the following:
 - units are not increased more than 20 percent,
 - the action does not involve a conversion from nonresidential to residential land use,
 - the action does not meet the thresholds for 'substantial improvement', and
 - the footprint of the structure and paved areas is not significantly increased.

OR

- Actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures in a community in the Regular Program of the NFIP and is in good standing, and the project meets the following:
 - the action does not meet the thresholds for 'substantial improvement' and
 - the footprint of the structure is not significantly increased.

Yes:

- ❖ Complete the 5-step decision-making process for floodplains. You do not have to publish the notices in steps 2 or 7 or do an analysis of alternatives in Step 3.
 - If still practicable, document your analysis in the file and move forward.
 - If not still practicable, either reject or modify project

No: PROCEED to #6

HUD strongly discourages use of funds for projects that do not meet an exemption in Part 55.12. Reject the project Site or Request a Letter of Map Amendment or Revision (LOMAR) from FEMA. If you decide to consider the project you must determine if there are alternatives by completing the 8-step decision-making process described in 24 CFR Section 55.20.

6. After completing the 8-step review, is it deemed to move forward with the project?

No:

- ❖ Reject or modify project

Yes:

- ❖ Document your 8-step analysis, including floodplain notices, in your Environmental Review Record. You must notify any private party participating in a financial transaction for the property of the hazards of the floodplain location before the execution of documents completing the transaction. (24 CFR Section 55.21)

Please note that requesting a LOMAR or completing the 8-step process take time and resources. The 8-step decision making process requires two public notice and comment periods.

You must maintain flood insurance on the project per the Flood Disaster Protection Act.

Appendix 3: Green Sheet F.3 Protection of Wetlands

Checklist for Responsible Entity

General requirements	Legislation	Regulation
Avoid the adverse impacts associated with the destruction and modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative.	Executive Order 11990, May 24 1977	None, but can use 24 CFR 55 for general guidance.

1. Does the project include new construction, rehabilitation that expands the footprint of the building, or ground disturbance?

No: STOP here. The Protection of Wetlands executive order does not apply. Record your determination that the project is not in a wetland.

Yes: Proceed to #2

2. Is there a wetland on your project site?

- ❖ Use both national and local resources to make this determination. A good first step is to check the National Wetlands Inventory's digital wetlands mapper tool: <http://www.fws.gov/nwi/> If site conditions or other documents indicate there may be a wetland, next check with city, county or tribal experts for local wetlands inventories. If none exist, the presence of hydric soils can indicate a wetland. If you suspect a wetland due to soil type or site conditions, you should commission a professional site survey to delineate the wetland and its boundaries.
- ❖ Maintain, in your ERR, all documents you have collected to make your wetlands determination.

HUD defines a wetland as *those areas that are inundated with surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction.*

*Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

Note that the US Army Corps of Engineers (USACE) has a different definition of wetlands. A determination by the USACE that there is no jurisdictional wetland on site is not sufficient documentation for HUD's purposes.

No: STOP here. The Protection of Wetlands executive order does not apply. Record your determination that the project is not in a wetland.

The USFWS National Wetlands Inventory Map, attached, shows no wetland resources within the project area. A site visit was performed on March 28, 2019; drone photos obtained during the site visit, attached, confirm no water resources or potential wetland areas are located within the project area.

Yes: Consider moving your project so there will be no destruction or modification of the wetland.
If not possible, PROCEED to #3

3. Does your project involve new construction in the wetland? New construction includes draining, dredging, channelizing, filling, diking, impounding, and related activities.

No: STOP here. The Protection of Wetlands executive order does not apply.

❖ Record your determination that the project does not involve new construction in a wetland.

Yes: Consider moving your project so there will be no destruction or modification of the wetland.
If not possible, PROCEED to #4

4. Consider whether there are any practicable alternatives to locating project in a wetland.

❖ Complete the 8-step decision-making process for wetlands. Follow the 8-step decision-making process described in 24 CFR Part 55.20 with the following changes:

- The exemptions at 24 CFR 55.12 for floodplain management requirements do not apply to wetlands
- Only one public notice required (with 15 day comment period) to provide opportunity for early public review of any plans or proposals for new construction in wetlands (Step 2 in 24 CFR 55.20)
- Step 4 should consider the factors relevant to a proposal's effect on the survival and quality of the wetlands.

A completed Individual Section 404 permit can be used as back-up documentation for the 8-step process.

Yes: If there are practicable alternatives, you should reject the project site and choose the alternative.

No: Move forward following mitigation as required.

See EXHIBIT F.2 - Flood Plain (and Wetland) 8-Step Review

USFWS National Wetlands Inventory Map



NW 7th Street at Whitley Drive (US-95)



May 21, 2019

Wetlands

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

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.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Site Photos



Drone photo facing east



Drone photo facing west



Drone photo facing south

Appendix 4: Green Sheet F.4 Sole Source Aquifers

Checklist for Responsible Entity

General requirements	Legislation	Regulation
Protect drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300 et seq., and 21 U.S.C. 349)	40 CFR 149.2

1. Is the project located on a sole source aquifer (SSA) including streamflow source areas?

- ❖ Maintain, in your ERR, a copy of the latest SSA printout from the internet site <http://yosemite.epa.gov/r10/water.nsf/Sole+Source+Aquifers/ssamaps>
- ❖ Make sure you consider streamflow source areas. If your project is close to the boundary and you are not certain if it is on the SSA, contact Commerce Staff to help assess determination. You will need to provide the project street address and detailed maps, if available.

No: STOP here. The Sole Source Aquifer authority does not apply. Identify the project site on the following map. Record your determination.

Please find attached the Sole Source Aquifer Map for the Environmental Protection Agency (EPA) Region 10 (Idaho, Oregon, and Washington). The project is not located on a sole source aquifer or streamflow source area. Source: [EPA Sole Source Maps](#)

Yes: PROCEED to #2

2. Does the project consist of an individual action on a one-to-four unit residential building (including acquisition, disposition, new construction and rehabilitation) that meets all applicable local and state groundwater regulations?

Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality.

- ❖ Record your determination on the Statutory Worksheet.

No: PROCEED to #3

3. Does the project consist of acquisition, disposition or rehabilitation of a multifamily (5 or more dwelling units) residential building, commercial building or public facility that does not increase size or capacity and meets all applicable local and state groundwater regulations?

Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality.

- ❖ Record your determination on the Statutory Worksheet.

No: PROCEED to #4

4. Does the project consist of new construction or rehabilitation that increases size or capacity of a multifamily building or commercial building that meets all applicable local/state ground-water regulations AND is served by public water, sewer and storm drainage systems? (If the project uses well water or a septic system or infiltrates storm-water on site, you must proceed to Step #5.)

Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality.
❖ Record your determination on the Statutory Worksheet.

No: PROCEED to #5

5. Does project comply with 2000 Sole Source Aquifer Memorandum of Understanding (MOU) Performance Standards?

Yes: STOP here

❖ Follow the 2000 Sole Source Aquifer [Memorandum of Understanding](#) between HUD/Idaho Department of Commerce, Idaho Housing and Finance Association, and EPA. Record your determination on the Statutory Worksheet and include MOU in documentation. **The Memorandum of Understanding on Sole Source Aquifers is at:**
<http://www.hud.gov/local/shared/working/r10/environment/index.cfm?state=wa>

No: PROCEED to #6

6. Is the project likely to affect Sole Source Aquifer Quality?

Please submit the following information to EPA:

1. Location of Project and name of Sole Source Aquifer.
2. Project description and federal funding source.
3. Is there any increase of impervious surface? If so, what is the area?
4. Describe how storm water is currently treated on the site.
5. How will storm water be treated on this site during construction and after the project is complete?
6. Are there any underground storage tanks present or to be installed? Include details of such tanks.
7. Will there be any liquid or solid waste generated? If so how will it be disposed of?
8. What is the depth of excavation?
9. Are there any wells in the area that may provide direct routes for contaminants to access the aquifer and how close are they to the project?
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.
11. Are there any deep pilings that may provide access to the aquifer?
12. Are Best Management Practices planned to address any possible risks or concerns?
13. Is there any other information that could be helpful in determining if this project may have an effect on the aquifer?
14. Does this Project include any improvements that may be beneficial to the aquifer, such as improvements to the wastewater treatment plan?

Submit the information to the Environmental Protection Agency (EPA), phone number (206) 553-6249, for an informal consultation on the project. Please note that EPA may request additional information if impacts to the aquifer are questionable after the information is submitted for review. If EPA does not respond to the informal consultation request within 30 days, you can consider the project to be not likely to affect Sole Source Aquifer quality and proceed.

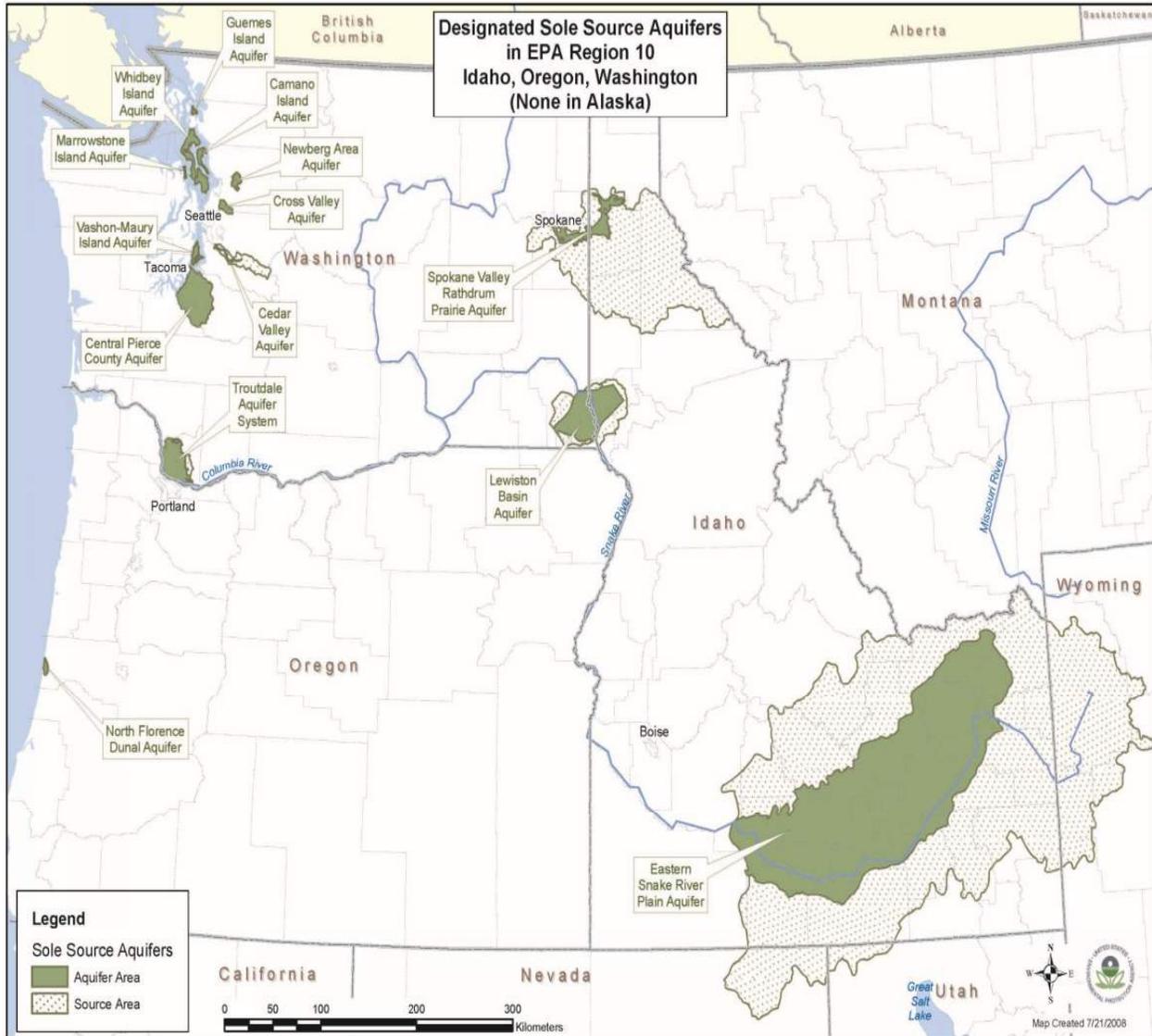
- No: STOP here. The project is not likely to affect Sole Source Aquifer quality.
 - ❖ Maintain copies of all of the documents you have used to make your determination and your correspondence with EPA.

- Yes: Conduct a formal consultation, and if necessary, mitigate issues.
 - ❖ To begin formal consultation, please provide EPA with:
 - Maps
 - Plans and specifications
 - A narrative statement detailing the nature, scope and degree of ground-water protection measures incorporated into the design
 - Mitigating measures incorporated into the design to enhance ground-water protection.

You may need to hire a technical consultant or request EPA to conduct an independent review of the proposed project for impacts to ground water quality. If EPA determines that the project continues to pose a significant contaminant hazard to public health, federal financial assistance must be denied.

Once it receives the necessary information, EPA has 30 days to respond to a formal consultation request, unless the agency requests additional review time in writing, or HUD, a HUD Responsible Entity or EPA receives comments suggesting that the project will have adverse impacts to a sole source aquifer.

EPA Sole Source Aquifer Map



Appendix 5: Green Sheet F.5 Endangered Species Act

General requirements	Legislation	HUD Regulations
Section 7 of the Endangered Species Act mandates that federally-funded actions do not jeopardize the continued existence of plants and animals that are listed or result in the adverse modification or destruction of designated critical habitat.	Endangered Species Act of 1973; 16 U.S.C. § 1531 et seq	24 CFR 58.5(e) 24 CFR 50.4

Purpose: The purpose of this guidance is intended to assist HUD and Responsible Entities meet their Endangered Species Act obligations. Note that a determination of “**No Effect**” to federally listed threatened and endangered species and designated critical habitat fulfills HUD’s and the Responsible Entities obligation to ensure compliance with Section 7 of the Endangered Species Act. “No effect” determinations do not require coordination with or approval of the U.S. Fish and Wildlife Service and/or NOAA Fisheries.

As part of its Field Notes Review for ICDBG, the Responsible Entity sends an Environmental Information Letter to the U.S. Fish and Wildlife Service (FWS), Idaho Fish and Game (IFG), and (if applicable) NOAA fisheries (Steelhead or Salmon). The letter will give the agencies a chance to respond if there is a concern that there may be a **direct** or **indirect** impact and, as appropriate, to be the initial step in an informal consultation process.

- ❖ Maintain copies of any correspondence from the above agencies and include it in the ERR.

U.S. Dept of the Interior Fish and Wildlife Service Ecological Services Division – Idaho Fish and Wildlife Office 1387 S. Vinnell Way, Ste. 368 Boise, ID 83709 208-378-5243	National Marine Fisheries (NOAA) 10095 W. Emerald Boise, ID 83704 208-378-5696
Regional Offices of the Idaho Department of Fish and Game: http://fishandgame.idaho.gov/public/about/offices/	

NOTE: If the agencies do not respond within the 30 day timeframe, do not assume that there will be “no effect”.

- ❖ Determine if threatened or endangered species, or proposed or designated critical habitat, may be present within the action area.
 - For species under FWS jurisdiction, consult the list of Endangered/Threatened Species and Designated Critical Habitats in Idaho counties. Go to: <https://ecos.fws.gov/ipac/>

- For species under NOAA jurisdiction (Salmon and Steelhead), go to National Marine Fisheries: <http://www.nwr.noaa.gov/Species-Lists.cfm> and <http://www.streamnet.org/data/interactive-maps-and-gis-data/>

Note: Salmon and Steelhead are generally in Snake River Basin streams in Central Idaho—the Salmon River and Clearwater River drainages.

1. Are there threatened or endangered species, or proposed or designated critical habitat present, in the project’s county? *Note: does not include candidate species.*

Yes: PROCEED to #2.

Based on the USFWS Information for Planning and Consultation (IPaC) tool (attached), threatened slickspot peppergrass (*Lepidium papilliferum*) is the only ESA-listed species that may occur within the project area or vicinity.

No: STOP here. The project will have No Effect on listed or proposed species, and designated or proposed critical habitat. Consultation with the U.S. Fish and Wildlife Service and/or NOAA Fisheries is not required.

- ❖ Record your determination of no effect in the statutory worksheet and insert the species and critical habitat list within your ERR.

2. Does the project consist solely of interior rehabilitation or exterior rehabilitation that includes replacement of roofing or siding?

** Not including galvanized material unless it has been sealed or otherwise confined so that it will not leach into storm water.*

Yes: STOP here. The project will have No Effect on listed or proposed species, and designated or proposed critical habitat. Consultation with the U.S. Fish and Wildlife Service and/or NOAA Fisheries is not required.

- ❖ Record your determination of no effect in the statutory worksheet and insert the species and critical habitat list within your ERR.

No: Additional evaluation is necessary to determine whether the project may have an effect.

An evaluation requires the Grantee to review the T&E or CH species profile(s) and recovery plan information found at <http://www.fws.gov/Endangered/> for Idaho.

- ❖ Based on the information provided in the profile and recovery plan for each species, determine if the ICDBG project will directly or indirectly affect the species.
- ❖ Would the project effects overlap with federally listed or proposed species or designated or proposed critical habitat covered by Fish and Wildlife service?
*Note that project effects include those that extend beyond the project site itself, such as noise, air pollution, water quality, storm water discharge, visual disturbance; and habitat

consideration must include consideration for roosting, feeding, nesting, spawning, rearing, overwintering sites, and migratory corridors.

Example: A new fire station project in Minidoka County that is 2 miles from the Snake River area that supports the Snake River snail. The Snake River snail is confined to the Snake River, inhabiting areas of swift current on sand to boulder-sized substrate. The project is also designed to retain storm and surface water on site and DEQ's best management practices for surface water will be implemented during construction. Therefore, the evaluation supports making a determination of "No Effect."

However, if the project is within the area or location of a T&E or CH species then the Grantee is unlikely to conclude "No Effect." At this point contact FWS and/ or NOAA.

Example: A water line replacement project in New Meadows may affect the Northern Idaho ground squirrel.

3. Did the evaluation result in a No Effect determination?

- Yes: STOP here. The project will have No Effect on listed or proposed species, and designated or proposed critical habitat.
- ❖ Document your determination of No Effect in the statutory checklist and provide:
 - Written justification for the No Effect for each species to include description of each species' habitat
 - A copy of the species profile
 - A copy of pertinent recovery plan information, mitigation measures, and any FWS or NOAA correspondence in the ERR.
 - ❖ Communicate the mitigation requirements to the project architect or engineer and verify that the mitigation is incorporated into the project development.

Slickspot peppergrass is a small, flowering plant in the mustard family (Brassicaceae). It is a tap-rooted plant with intricate branches and small wedge-shaped leaves that are covered with fine, soft hairs (St. John and Ogle 2009). It blooms April to June with numerous, small white flowers that are only 0.1 inches in diameter (St. John and Ogle 2009). As its name suggests, it is specialized to occupy a specific microhabitat referred to as "slickspots", which are small depressions in the soil that collect water due to an underlying clay later. These slickspots occur within sagebrush-steppe communities, almost exclusively in southwest Idaho (St. John and Ogle 2009). Slickspots are mostly devoid of vegetation and have a smooth, pan-like surface. Please find a copy of the species profile, attached.

The project area is currently cultivated for agricultural use and contains no sagebrush or slickspots associated with slickspot peppergrass. Given the lack of suitable habitat, the NW 7th Street at Whitley Drive (US-95) project will have No Effect on slickspot peppergrass. No mitigation is required. The USFWS and IDFG did not respond within the 30-day timeframe.

References

St. John, L. and Ogle, D.G. 2009. Plant Guide for Slickspot Peppergrass (*Lepidium papilliferum*). USDA Natural Resources Conservation Service, Plant Materials Center, Aberdeen, Idaho.

- No: The project may affect threaten or endangered species or designated or proposed critical habitat. Consultation with the U.S. Fish and Wildlife Service and/or NOAA Fisheries is required. A biological assessment will likely need to be conducted.
- ❖ Make a determination of the impact of the project on the species/habitat based on your biological assessment and informal or formal consultation with FWS and/or NOAA.
 - For a determination of “**may affect, not likely to adversely affect**,” submit your determination and supporting documents to FWS and/or NOAA and request concurrence. This initiates informal consultation.
 - For a determination of “**may affect, likely to adversely affect**,” or if FWS and/or NOAA do not concur with your determination, then formal consultation is necessary. This will typically result in a biological opinion that determines jeopardy to species, and terms and conditions to move forward.
 - ❖ Document your determination in the statutory checklist and include any documentation of concurrence or biological assessments. Maintain all supporting documentation and correspondence with FWS/NOAA in your ERR.
 - ❖ Communicate the mitigation requirements to the project architect or engineer and verify that the mitigation is incorporated into the project development.

U.S. Fish and Wildlife Service IPaC Report



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Idaho Fish And Wildlife Office
1387 South Vinnell Way, Suite 368
Boise, ID 83709-1657

Phone: (208) 378-5243 Fax: (208) 378-5262



In Reply Refer To:
Consultation Code: 01EIFW00-2019-SLI-1178
Event Code: 01EIFW00-2019-E-02492
Project Name: NW 7th Street at Whitley Drive (US-95)

May 20, 2019

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. 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/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (<https://www.fws.gov/migratorybirds/pdf/management/eagleconservationplanguidance.pdf>). Additionally, wind energy projects should follow the wind energy guidelines (<https://www.fws.gov/ecologica-services/energy-development/wind/html>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions/communication-towers.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Idaho Fish And Wildlife Office
1387 South Vinnell Way, Suite 368
Boise, ID 83709-1657
(208) 378-5243

Project Summary

Consultation Code: 01EIFW00-2019-SLI-1178

Event Code: 01EIFW00-2019-E-02492

Project Name: NW 7th Street at Whitley Drive (US-95)

Project Type: TRANSPORTATION

Project Description: NW 7th Street in Fruitland, Idaho currently provides access to the west side of US-95 (Whitley Drive) only. The proposed NW 7th Street project (116°55'28.918"W, 44°1'4.114"N) will construct a new street east of US-95 for a length of approximately 1,250 feet, ending before the Idaho Northern & Pacific Railroad (INPR) with an offset cul-de-sac (Figure 2). This new street, consisting of 2 travel lanes and bike lanes, will provide access to the existing and future expansion of the Bonneville Production Center of Idaho owned by Swire Coca-Cola. This food service production facility is undergoing a significant expansion to the north, toward the proposed street. Currently, access to this industrial facility is taken from NW 4th Street, located on the south side of the facility. Moving access from NW 4th Street to the proposed NW 7th Street will remove passenger car and truck traffic generated by the facility from NW 4th Street, which is fronted by single-family residences across from the production facility.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/44.01789469034208N116.92083026393058W>



Counties: Payette, ID

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Flowering Plants

NAME	STATUS
Slickspot Peppergrass <i>Lepidium papilliferum</i> There is proposed critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4027	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Clark's Grebe <i>Aechmophorus clarkii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jan 1 to Dec 31

NAME	BREEDING SEASON
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (l)

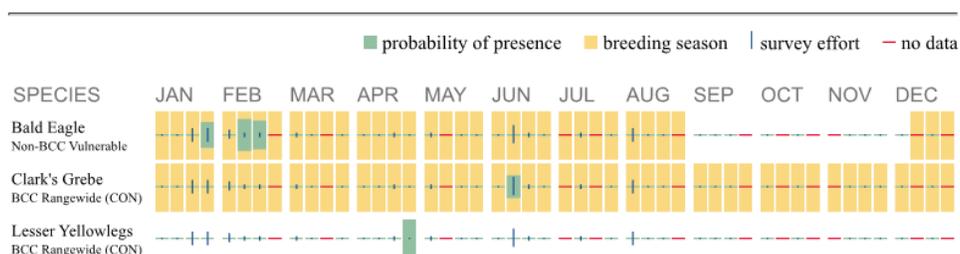
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (–)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or

[permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In

contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ “Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds” at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

Slickspot Peppergrass (*Lepidium papilliferum*) Species Profile



Plant Guide

SLICKSPOT PEPPERGRASS

Lepidium papilliferum (L.F. Hend.) A. Nelson & J.F. Macbr.
Plant Symbol = LEPA17

Contributed by: USDA NRCS Idaho Plant Materials Program



Sheri Hagwood, USDI Bureau of Land Management

Alternate Names

Idaho pepperweed.

Lepidium montanum Nutt. Var. *papilliferum* (L.F. Hend.) C.L. Hitchc.

Uses

Slickspot peppergrass is a small, flowering plant in the mustard family which grows in unique microsites known as slick spots within the semiarid sagebrush-steppe of the Snake River Plain of southwestern Idaho. No large ungulates, either domestic or wild use the plant (USDI, 2009). This species has no known agricultural, economic, or other human uses at this time. This species may have scientific significance due to its evolutionary isolation which is an important subject in conservation biology research.

Status

The U.S. Fish and Wildlife Service determined that slickspot peppergrass is a threatened species under the Endangered Species Act of 1973. The ruling became effective December 7, 2009. In 2011 the U.S. Fish and Wildlife Service proposed to designate approximately

58,000 acres of critical habitat for slickspot peppergrass in Ada, Elmore, Payette, and Owyhee Counties in Idaho (USDI, 2011). In 2012 the decision was reversed by the United States District Court of Idaho (U.S. District Court of Idaho, 2012).

Description

General: Slickspot peppergrass is an intricately branched, tap-rooted plant, averaging 2 to 8 inches tall, but occasionally reaching up to 16 inches in height. Leaves and stems are covered with fine, soft hairs, and the leaves are divided into linear segments. Flowers are numerous, 0.1 inches in diameter, white, and have four petals. Fruits (siliques) are 0.1 inch across, round in outline, flattened and two-seeded (Moseley, 1994). Plants can be annual or biennial. The annual form reproduces by flowering and setting seed in its first year, and dies within one growing season. The biennial form initiates growth in the first year as a vegetative rosette and flowers and sets seed the second year (Meyer, 2005). A third, but uncommon flowering pattern involves two episodes of reproduction, one late in the first year and one in the second year (White, 2009).

Distribution: Slickspot peppergrass is endemic to Idaho's Snake River Plains and adjacent foothills. The species occupies an area of approximately 90 x 256 miles with a disjunct population on the Owyhee Plateau. An early record of slickspot peppergrass in Bannock County, Idaho (Atwood and DeBolt, 2000) appears to have been in error (DeBolt, pers. comm., 2012). For current distribution, consult the Plant Profile page for this species on the PLANTS Web site.

Habitat: Slickspot peppergrass is specialized to occupy a specific microhabitat within the sagebrush steppe vegetation of the Snake River Plains of southwestern Idaho. This specific microhabitat is referred to as "slick spots" which are small-scale sites of water accumulation in the gently undulating landscape. Dominant perennial species of the sagebrush steppe are usually excluded from slick spots, presumably because of their inability to tolerate winter flooding even though the climatic regime of this region is characterized by low and variable winter and spring precipitation and dry summers with a mean annual precipitation under 10 inches (Meyer, 2005).

Slick spots are visually distinct small-scale (mostly between 10 to 20 square feet) depressions in the soil that collect water. These sparsely vegetated microsites are created by unusual edaphic conditions. Drainage swales commonly bisect the landscape and often contain the slick spots with ponded water. Slick spot soils are silt to clay

in texture and mostly devoid of vegetation. Below the surface layer is a vesicular layer (defined as a structure probably caused by capillary pressure within air-filled voids surrounded by water) that is partially impermeable to water infiltration and can cause water ponding. The soil profile below the vesicular layer is dominated by a clay layer. Chemical properties indicate that soils are sodic and/or saline (high electrical conductivity, EC), have very low levels of C and N, and P and K levels are variable. The compositions of humic acids within slick spots fall within the range of values commonly reported for other soils (Palazzo 2008).

Slick spots have a common visual appearance. The first visual cue is the smooth pan-like surface. Typically, the slick spot follows the general slope of prevailing landforms with a slight leveling or break on steeper slopes. On mostly level surfaces, slick spots are very shallow but rarely are closed depressions. They sometimes include smaller areas where remnants of thin soil-algal crusts indicate surface ponding of water (Fisher, 1996).

Slick spots contain no perennial grasses or shrubs. Other than slickspot peppergrass, a wide variety of moss and lichen species cover 10 to 90 percent of the surface. Weedy invasions of cheatgrass, *Bromus tectorum* and burr buttercup *Ceratocephala falcata* (*Ranunculus testiculatus*) rooted in surface cracks and in surface crusts are common (Fisher, 1996).



Slickspot. Photo by Dana Quinney, Idaho Army National Guard.

Adaptation

Slickspot peppergrass is found almost exclusively in the slick spots of southwestern Idaho. It has been infrequently documented to occur on disturbed soils along graded dirt roads and badger mounds but these observations are rare. In adapting to the environment of the lower Snake River Plains, slickspot peppergrass has undergone modifications in its adaptive strategy relative to a closely related and possible ancestor *Lepidium montanum*, a widely distributed species (biennial to perennial growth form) that is found in a variety of open habitats in arid to semiarid regions of the southern Intermountain area. The

most obvious adaptation is the shift from biennial to summer annual. The dry summers in southwest Idaho have apparently applied strong selection pressure to the annual habit. Even in years when biennial forms are successful, their contribution to seed production may be small (Meyer, 2005). A third, but uncommon flowering pattern which involves two episodes of reproduction, one late in the first year and one in the second year is also an adaptive strategy to maintain gene flow within the species (White 2000). Another major adaptive feature is the evolution of seed dormancy that permits seeds to persist in the seed bank (Meyer, 2005).

Establishment

Slickspot peppergrass reproduces by seed. Seed germinates in the spring. Annual types are single-stemmed with few flowers and seeds. Biennial types overwinter as rosettes, blooming and setting seed the following spring or summer. The biennial types have multiple stems with hundreds of flowers and seeds. Flowering usually takes place in late April and May, fruit set occurs in June and seed is ripe in late June to early July. Based on a 4 year demography study, survivorship of the annual form was demonstrated to be higher than survivorship of biennial forms and the number of plants can vary widely from year to year depending on seasonal precipitation patterns (Meyer, 2005).

Laboratory seed germination studies with various combinations of temperatures, moist chilling, and gibberlic acid treatments resulted in low germination percentages. Highest laboratory germination percentages (10 %) are obtained with 6 weeks of dry after-ripening at 50° C followed by 8 weeks of moist chilling. Tetrazolium based viability studies in combination with seed bank retrieval studies consistently showed seed viability to be very high (95 %+) (Meyer, 2005). Seed located near the soil surface show higher rates of germination and viability and the greatest seedling emergence rate. Deep burial of seed (greater than 5.5 inches) may preserve them beyond the 12 year period of viability (USD1 2009).

Slickspot peppergrass relies primarily on cross pollination for successful seed production (Robertson, 2004). Through hand pollination experiments, it was determined that individual plants receiving pollen from distant sources had significantly higher percent fruit set than those relying on pollen from neighboring plants. Self-pollinated plants produced little or no fruit.

Twenty five insect families from 5 orders have been observed and collected from slickspot peppergrass at 2 study sites in southwestern Idaho. The diversity of insects encountered on flowers differed between the study sites. The insects most likely responsible for pollinating slickspot peppergrass include members of the Apidae, Colletidae and Halitidae families of the Hymenoptera order (bees, ants, and wasps) (Robertson 2003).

Management

Conservation management plans have been implemented to address the need to: maintain and enhance habitat; reduce intensity, frequency, and size of natural- and human-caused wildfires; minimize loss of habitat associated with wildfire-suppression activities; reduce the potential for invasion of nonnative plant species from wildfire; minimize the loss of habitat associated with rehabilitation and restoration techniques; minimize the establishment of invasive non-native species; minimize the degradation or loss of habitat from off road vehicle use; mitigate the negative effects of military training and other associated activities; and minimize the impact of ground disturbances caused by livestock trampling during periods when soils are saturated (USDI, 2009).

Pests and Potential Problems

The most abundant insect herbivore of slickspot peppergrass is a chrysomelid beetle, *Phyllotreta* sp. which chews holes in the petals of the flower. This herbivory reduces the effectiveness of insect pollination, but does not physically inhibit pollination or seed production (Leavitt, 2006). The U.S. Fish and Wildlife Service does not consider herbivory by the chrysomelid beetle to be a significant threat at this time (USDI, 2009).

The Owyhee harvester ant was recently identified as a potentially important seed predator of slickspot peppergrass but there is no information indicating what the actual magnitude or severity of this threat may be (USDI, 2009).

Environmental Concerns

The U.S Fish and Wildlife Service determined that slickspot peppergrass is a threatened species under the Endangered Species Act of 1973. The ruling became effective December 7, 2009. The primary threat to slickspot peppergrass is the present or threatened destruction, modification, or curtailment of its habitat and range due to the increased frequency and extent of wildfires under a fire regime modified and exacerbated by the spread of invasive plants, particularly nonnative annual grasses such as cheatgrass. Other threats to slickspot peppergrass include human development, potential seed predation by harvester ants, and habitat fragmentation and isolation of small populations (USDI 2009).

Seeds and Plant Production

No commercial or restoration known.

Cultivars, Improved, and Selected Materials (and area of origin)

None

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Prepared By

Loren St. John, USDA NRCS Plant Materials Center,
Aberdeen, Idaho

Dan Ogle, USDA NRCS Idaho State Office, Boise, Idaho

Citation

St. John, L. and D.G. Ogle. Plant Guide for Slickspot
Peppergrass (*Lepidium papilliferum*). USDA Natural
Resources Conservation Service, Plant Materials Center,
Aberdeen, ID

Published December, 2009

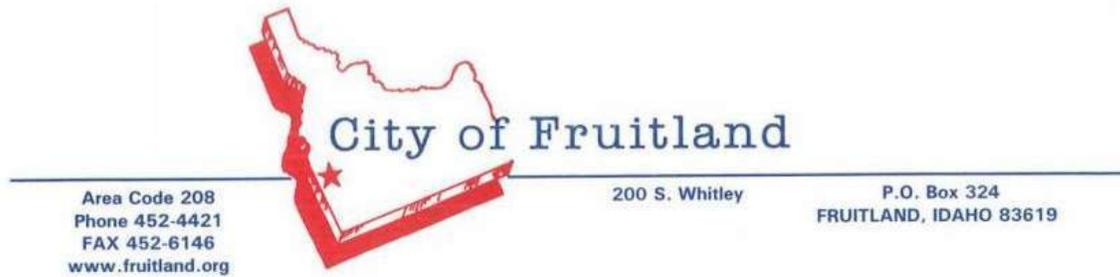
Edited: ls 16Nov2009 dgo; 20Nov2009 jb; 26Jul2012djt

For more information about this and other plants, please
contact your local NRCS field office or Conservation
District at <http://www.nrcs.usda.gov/> and visit the
PLANTS Web site at <http://plants.usda.gov/> or the Plant
Materials Program Web site [http://plant-
materials.nrcs.usda.gov](http://plant-
materials.nrcs.usda.gov).

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Scoping Letters to USFWS and IDFG



May 22, 2019

Michael Morse, Branch Chief
U.S. Fish and Wildlife Service
Ecological Services Division – Idaho Fish and Wildlife Office
1387 S. Vinnell Way, Ste. 368
Boise, ID 83709

Re: NW 7th Street at Whitley Drive (US-95)

Dear Michael Morse:

The City of Fruitland is submitting an application for an Idaho Community Development Block Grant (ICDBG) to fund the NW 7th Street at Whitley Drive (US-95) project (Figure 1). All ICDBG projects are subject to review under the National Environmental Policy Act (NEPA). We request your agency's comments on the potential environmental impacts of the project.

NW 7th Street in Fruitland, Idaho currently provides access to the west side of US-95 (Whitley Drive) only. The proposed NW 7th Street project (116°55'28.918"W, 44°1'4.114"N) will construct a new street east of US-95 for a length of approximately 1,250 feet, ending before the Idaho Northern & Pacific Railroad (INPR) with an offset cul-de-sac (Figure 2). This new street, consisting of 2 travel lanes and bike lanes, will provide access to the existing and future expansion of the Bonneville Production Center of Idaho owned by Swire Coca-Cola. This food service production facility is undergoing a significant expansion to the north, toward the proposed street. Currently, access to this industrial facility is taken from NW 4th Street, located on the south side of the facility. Moving access from NW 4th Street to the proposed NW 7th Street will remove passenger car and truck traffic generated by the facility from NW 4th Street, which is fronted by single-family residences across from the production facility.

The City of Fruitland Master Transportation Plan established the need for another east-west route crossing the INPR railroad tracks to connect the two major north-south routes in the city: US-95 and Pennsylvania Avenue. The selected alignment to accomplish this connection is NW 7th Street. This project is ranked a high priority, along with extending NW 7th Street west to connect with an extended Allen Avenue south from US-30. Constructing the proposed section of NW 7th Street advances a high priority project for the City of Fruitland and will be instrumental in achieving the transportation objectives of the City.

The project parcel is currently cultivated for agricultural use. From our initial review, there are no wetland or water resources within the area of potential effect (APE) (Figure 1). The area surrounding the project is a mix of agricultural, residential, commercial, and industrial uses.

Based on the USFWS Information for Planning and Consultation (IPaC) tool (Appendix A), threatened slickspot peppergrass (*Lepidium papilliferum*) is the only ESA-listed species that may occur within the project area or vicinity. Federally-protected bald eagle (*Haliaeetus leucocephalus*) may also occur.

Please respond within 30 days from receipt of this letter and contact me at the information provided below if you have any questions or concerns.

Sincerely,



Rick Watkins
City Administrator – City Clerk/Treasurer
City of Fruitland
200 S. Whitley Drive
P.O. Box 324
Fruitland, Idaho 83619
208.452.4421



Area Code 208
Phone 452-4421
FAX 452-6146
www.fruitland.org

200 S. Whitley

P.O. Box 324
FRUITLAND, IDAHO 83619

May 22, 2019

Tim Murphy
Commissioner of the Southwest Region
Idaho Department of Fish and Game
Southwest Regional Office - Nampa
3101 S. Powerline Road
Nampa, ID 83686

Re: NW 7th Street at Whitley Drive (US-95)

Dear Tim Murphy:

The City of Fruitland is submitting an application for an Idaho Community Development Block Grant (ICDBG) to fund the NW 7th Street at Whitley Drive (US-95) project (Figure 1). All ICDBG projects are subject to review under the National Environmental Policy Act (NEPA). We request your agency's comments on the potential environmental impacts of the project.

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Sincerely,



Rick Watkins
City Administrator – City Clerk/Treasurer
City of Fruitland
200 S. Whitley Drive
P.O. Box 324
Fruitland, Idaho 83619
208.452.4421

Appendix 6: Green Sheet F.6 Wild and Scenic Rivers

Checklist for Responsible Entity

General requirements	Legislation	Regulation
Establishes a method for providing Federal protection for certain free-flowing and scenic rivers designated as components or potential components of the National Wild and Scenic Rivers System from the effects of construction.	The Wild and Scenic Rivers Act (Pub L. 90-542 as amended: 16 U.S.C. 1271-1287)	24 CFR 58.5(f) 24 CFR 50.4(f)

1. Does the project include new construction, conversion of land use, major rehabilitation of existing structures, demolition, or the acquisition of undeveloped land?

- No: STOP here. The project is not subject to the Wild and Scenic Rivers Act
 Yes: PROCEED to #2

2. Is the Project within one mile of a designated Wild and Scenic River?

If the project is more than a mile away from a designated river you can make a determination of “no effect.”

For a list of designated rivers by state, please visit the National Park Service website:

<https://rivers.gov>

- ❖ Maintain documentation supporting your determination in your ERR. Documentation could include a printout of the list of rivers and a map identifying your site.

- No: STOP here.

There are no Wild and Scenic Rivers in the project area or vicinity (<https://rivers.gov>). The nearest rivers are the Snake River, located approximately 0.5-mile west of the project area, and the Payette River, located approximately 1 mile northeast of the project area. Neither the Snake River nor the Payette River are designated as Wild and Scenic. Please refer to the Idaho Wild and Scenic River Map, attached.

- Yes: PROCEED to #3

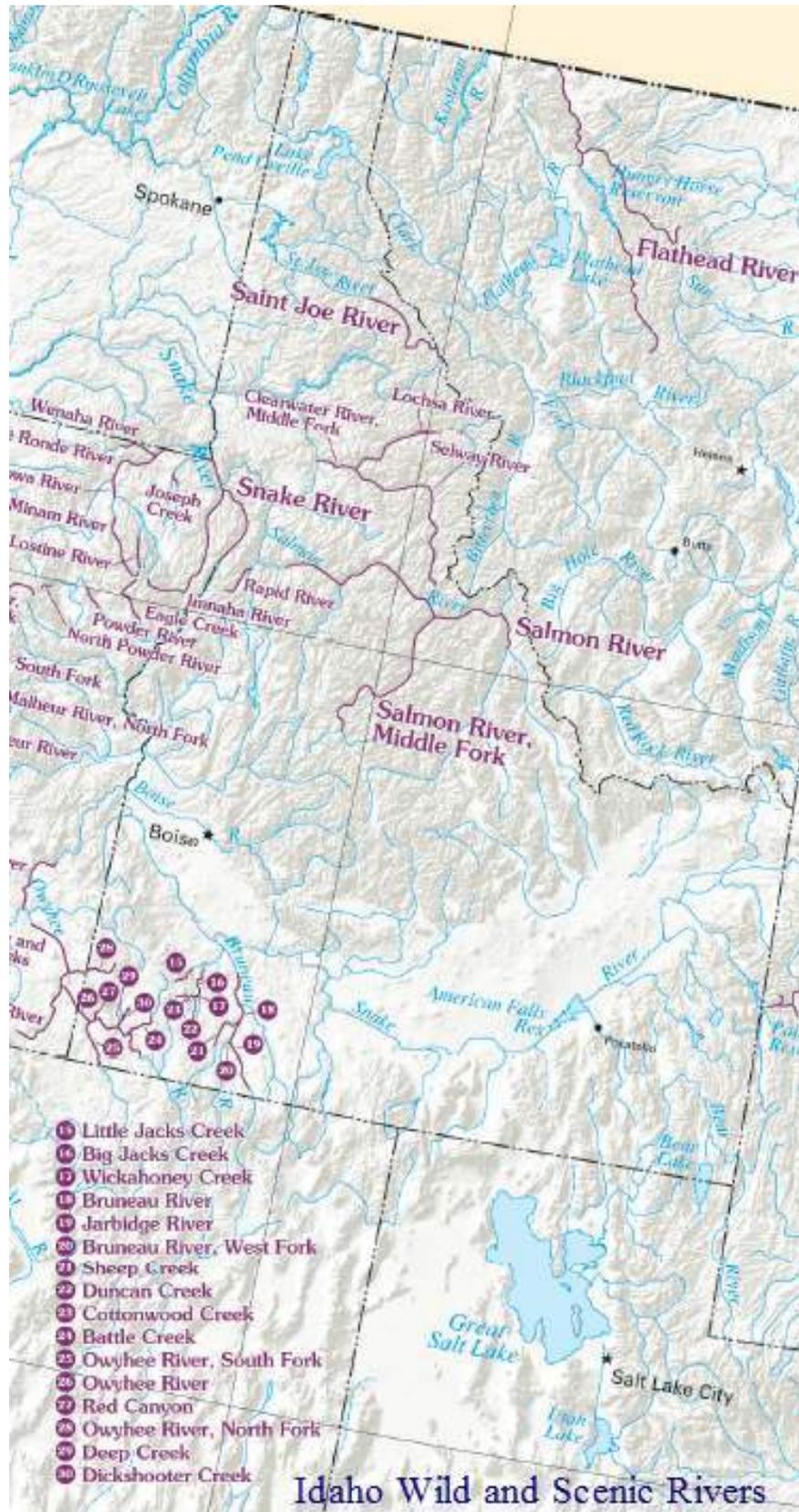
3. Will the Project have an effect on the designated River?

- ❖ Contact the National Park Service, Pacific West Region, at (510) 817-1300 and request information on the Managing Agency of the river. Determine, with the Managing Agency, if the project will alter, directly or indirectly, any of the characteristics that qualifies the river for inclusion as a wild and scenic river.

- No: STOP here.

- ❖ Maintain documentation concerning your determination of “No Effect” and verification from the Managing Agency.
- Yes: Consult with the Managing Agency to assist in mitigation and resolution of issues.
- ❖ Prepare a determination based on the results of the mitigation and include it and verification from the Managing Agency’s concurrence in the ERR.

Idaho Wild and Scenic Rivers Map



Appendix 7: Green Sheet F.7 Clean Air Act Compliance

Checklist for Responsible Entity

General requirements	Legislation	Regulation
EPA requires federal actions to conform to State or Federal Action Plans for air quality.	Clean Air Act (42 U.S.C. 7401 et seq.) as amended	40 CFR Parts 6, 51 and 93

1. Does your project require an environmental assessment level review for new construction or major rehabilitation of existing structures?

- No: STOP here. The Clean Air Act conformity requirements do not apply.
- ❖ Record your determination.
- Yes: PROCEED to #2

2. Is the project located in a designated non-attainment area for criteria air pollutants?

- ❖ Maintain, in your ERR, either a map or list of non-attainment areas in your region. You can view maps of non-attainment areas by state at this website: www.epa.gov/air/data/geosel.html. Each state also maintains a regional list, please see attached contact information for details.
- No: STOP here. The Clean Air Act conformity requirements do not apply.
- ❖ Identify the project site on the Idaho air quality planning area map. Record your determination.

The project area is not located within a non-attainment or area of concern for air quality (<https://www.deq.idaho.gov/air-quality/monitoring/attainment-versus-nonattainment/>). Please refer to the Idaho Department of Environmental Quality (IDEQ) Non-Attainment Map, attached. Fugitive dust will be managed in accordance with IDAPA 58.01.01.651 through implementation of BMPs such as use of water or chemicals for control of dust during construction operations.

- Yes: PROCEED to #3

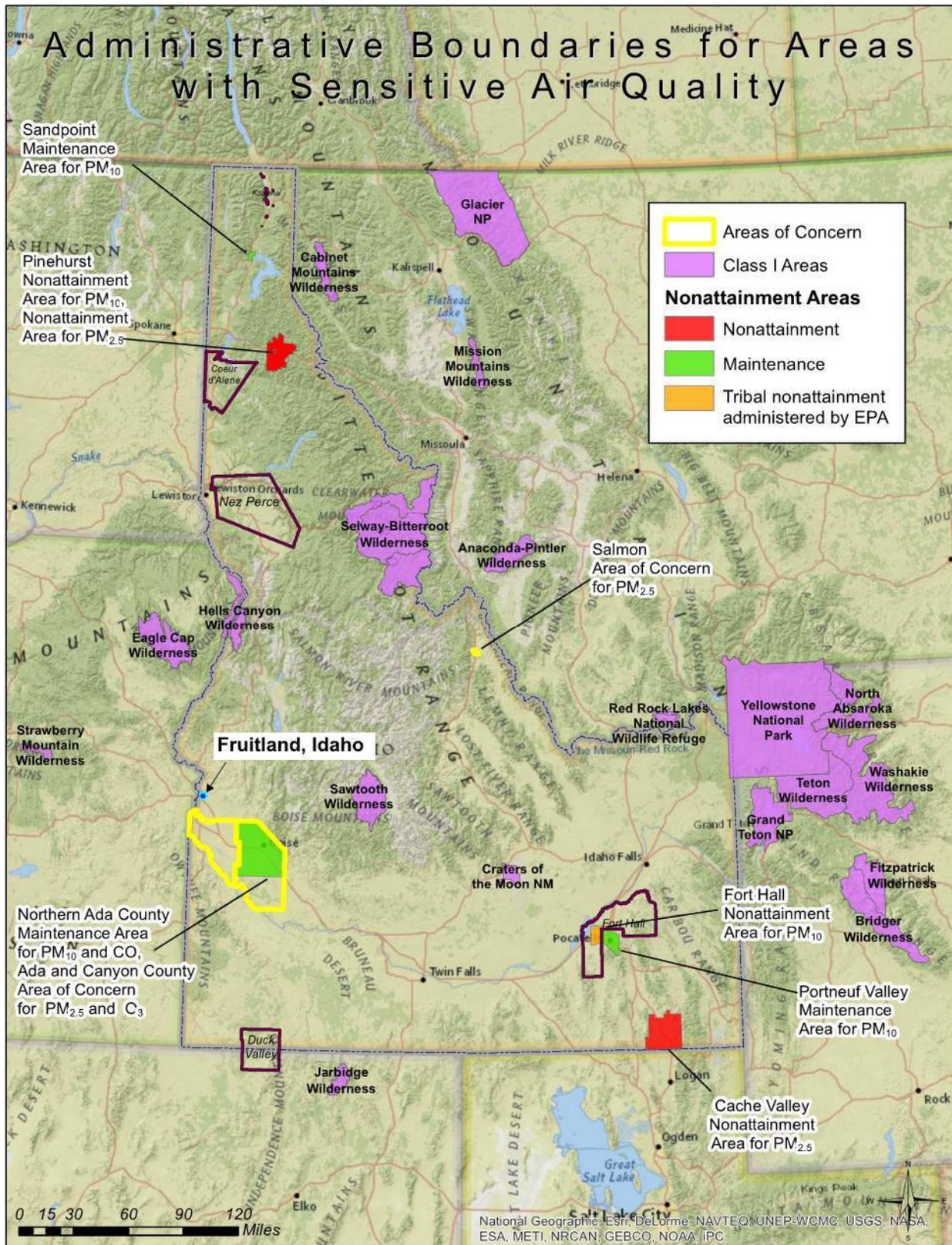
3. Does your project exceed de minimis impact criteria?

- ❖ Determine if your project will result in emissions (both direct and indirect) that exceed the de minimis thresholds established for each criteria pollutant at 40 CFR Part 93.153 (see attached). In general, HUD projects will not exceed this threshold. However, you should work with your local air quality authority to determine whether your project may have an impact on air quality. For PM-10 (dust and particulate matter) non-attainment areas, please make special note of any local dust control regulations that might apply during construction. Please see attached document for air authority contacts.
- No: STOP here. The project does not impact air quality.
- ❖ Record your determination on the Statutory Worksheet and attach documentation.
- Yes: PROCEED to #4

4. Does your project conform to the State or Federal Action Plan for air quality?

- ❖ Work with your local or state air quality authority to determine if your project conforms to your State Action plan. If you cannot reach this determination, please contact your HUD environmental officers for further guidance.

IDEQ Non-Attainment Map



Appendix 8: Green Sheet F.8 Farmland Protection

Checklist for Responsible Entity

General requirements	Legislation	Regulation
The Farmland Protection Policy Act discourages Federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include new construction, acquisition of undeveloped land or change in use of land or property.

- ❖ Maintain, in your ERR, a map of the project location, including zoning information.

No: STOP here.

- ❖ The Farmland Protection Policy Act does not apply. Record your determination.

Yes: PROCEED to #2

2. Does your project meet one of the following exemptions?

- Construction limited to on-farm structures needed for farm operations.
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land used for water storage or already in or committed urban development (this includes land with a density of 30 structures per 40 acre area. It also includes lands identified as “urbanized area” (UA) on the Census Bureau Map, or as urban area mapped with a “tint overprint” on the USGS topographical maps, or as “urban built-up” on the USDA Important Farmland Maps. Please note that land “zoned” for development, i.e. non-agricultural use, does not exempt a project from compliance with the FPPA).

Yes: STOP here. The Farmland Protection Policy Act does not apply.

- ❖ Record your determination
- ❖ Maintain, in your ERR, documentation to evidence the project meets one of the exemptions. If the project is already in urban development, provide a map as described above with your site marked or documentation from another credible source.

No: PROCEED to #3

3. Does “important farmland” regulated under the Farmland Protection Policy Act occur on the project site? This includes prime farmland, unique farmland and/or land of statewide or local importance.

- “Prime farmland” is land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion, as determined by the Secretary of Agriculture. Prime farmland includes land that possesses the above characteristics but is being used currently to produce livestock and timber. It does not include land already in or committed to urban development or water storage

- “Unique farmland” is land other than prime farmland that is used for production of specific high-value food and fiber crops, as determined by the Secretary. It has the special combination of soil quality, location, growing season, and moisture supply needed to economically produce sustained high quality or high yields of specific crops when treated and managed according to acceptable farming methods. Examples of such crops include citrus, tree nuts, olives, cranberries, fruits, and vegetables.
- Farmland of statewide or local importance has been determined by the appropriate State or unit of local government agency or agencies to be significant.

You may use the links below to determine if important farmland occurs on the project site:

- Utilize USDA Natural Resources Conservation Service’s (NRCS) Web Soil Survey <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- Check with your city or county’s planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <http://offices.sc.egov.usda.gov/locator/app?agency=nrcs> or your NRCS state soil scientist http://soils.usda.gov/contact/state_offices/ for assistance.

No: STOP here. The project does not convert farmland to nonagricultural purposes.

- ❖ Record your determination on the Statutory Worksheet and attach documentation used to make your determination

Yes: PROCEED to #4

The NRCS Web Soil Survey map (<https://websoilsurvey.sc.egov.usda.gov/>) identifies the project area as prime farmland, if irrigated. Currently, 20 acres of the site is irrigated and farmed, which will be converted as a result of the project.

4. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.

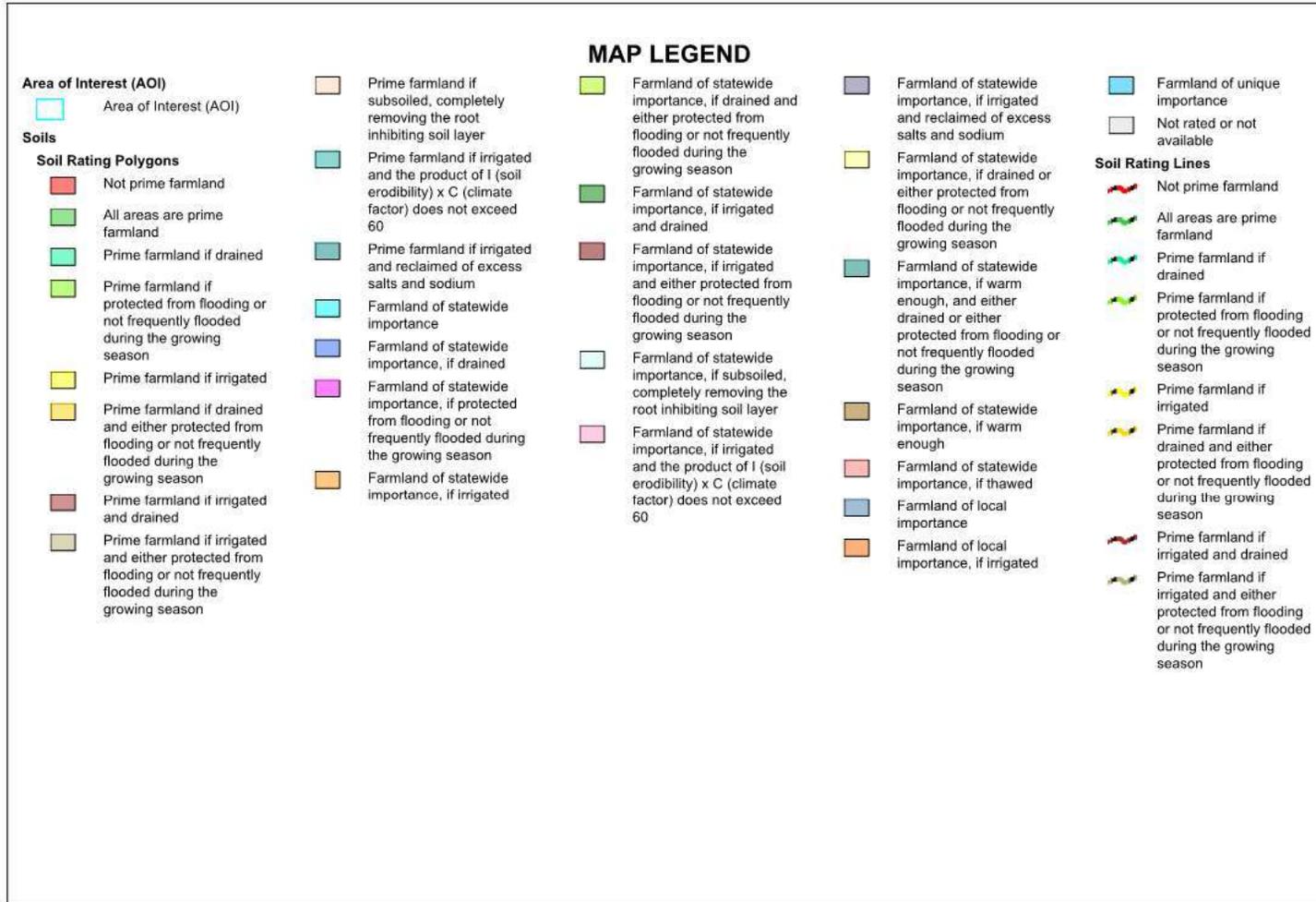
- ❖ Complete form AD-1006, “Farmland Conversion Impact Rating” http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf and contact the state soil scientist before sending it to the local NRCS District Conservationist. Work with NRCS to minimize the impact of the project on the protected farmland.
- ❖ Return a copy of Form 1006 to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination once you have finished the analysis.
- ❖ Record your determination on the Statutory Worksheet and attach documentation used to make your determination. Include any mitigation required in the review.

A form AD-1006, “Farmland Conversion Impact Rating”, attached, was completed in consultation with Shawn Nield, NRCS State Soil Scientist. Based on the form, the site scored 97.5 points out of 260 points, which is below the 160 point threshold in which protection, mitigation and/or further evaluation is required. Based on the results of the Farmland Conversion Impact Form and consultation with the NRCS, the project will have no significant effect on Prime Farmland and no mitigation is required.

NRCS Web Soil Survey Map



Farmland Classification—Payette County, Idaho



Farmland Classification—Payette County, Idaho

	Prime farmland if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium		Farmland of unique importance		Prime farmland if subsoiled, completely removing the root inhibiting soil layer
	Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if irrigated and drained		Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season	Soil Rating Points			Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
	Prime farmland if irrigated and reclaimed of excess salts and sodium		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season		Not prime farmland		Prime farmland if irrigated and reclaimed of excess salts and sodium
	Farmland of statewide importance		Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if thawed		Prime farmland if protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance
	Farmland of statewide importance, if drained		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of local importance		Prime farmland if irrigated		Farmland of statewide importance, if drained
	Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated		Farmland of local importance, if irrigated		Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
	Farmland of statewide importance, if irrigated						Prime farmland if irrigated and drained		Farmland of statewide importance, if irrigated
							Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season		

Farmland Classification—Payette County, Idaho

<p> Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season</p>	<p> Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium</p>	<p> Farmland of unique importance</p> <p> Not rated or not available</p>	<p>The soil surveys that comprise your AOI were mapped at 1:20,000.</p>
<p> Farmland of statewide importance, if irrigated and drained</p>	<p> Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season</p>	<p>Water Features</p> <p> Streams and Canals</p>	<p>Warning: Soil Map may not be valid at this scale.</p> <p>Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.</p>
<p> Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season</p>	<p> Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season</p>	<p>Transportation</p> <p> Rails</p> <p> Interstate Highways</p> <p> US Routes</p> <p> Major Roads</p> <p> Local Roads</p>	
<p> Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer</p>	<p> Farmland of statewide importance, if warm enough</p>	<p>Background</p> <p> Aerial Photography</p>	<p>Please rely on the bar scale on each map sheet for map measurements.</p>
<p> Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60</p>	<p> Farmland of statewide importance, if thawed</p>		<p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)</p>
	<p> Farmland of local importance</p>		<p>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</p>
	<p> Farmland of local importance, if irrigated</p>		<p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p>
			<p>Soil Survey Area: Payette County, Idaho Survey Area Data: Version 12, Sep 14, 2018</p>
			<p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p>
			<p>Date(s) aerial images were photographed: Apr 16, 2014—Oct 21, 2016</p>
			<p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>

Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
CIB	Clems fine sandy loam, 0 to 3 percent slopes	Prime farmland if irrigated	9.3	78.5%
OwA	Owyhee silt loam, 0 to 1 percent slopes	Prime farmland if irrigated	2.5	21.5%
Totals for Area of Interest			11.8	100.0%

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

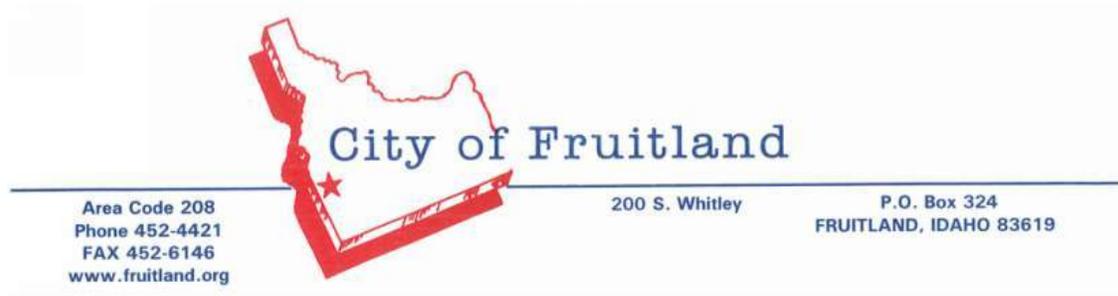
NRCS Farmland Conversion Impact Rating Form

U.S. Department of Agriculture								
FARMLAND CONVERSION IMPACT RATING								
PART I (To be completed by Federal Agency)				Date Of Land Evaluation Request May 20, 2019				
Name of Project NW 7th Street at Whitley Drive (US-95)				Federal Agency Involved Dept. of Housing and Urban Dev.				
Proposed Land Use Construction of new roadway				County and State Payette County, Idaho				
PART II (To be completed by NRCS)				Date Request Received By NRCS 5/24/2019		Person Completing Form: S. Nield		
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)				YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Acres Irrigated 20		
						Average Farm Size 254		
Major Crop(s) corn, wheat, oats		Farmable Land In Govt. Jurisdiction Acres: 162,222% 62		Amount of Farmland As Defined in FPPA Acres: 112274% 43				
Name of Land Evaluation System Used NONE		Name of State or Local Site Assessment System Payette County Survey ID659		Date Land Evaluation Returned by NRCS 5/29/2019				
PART III (To be completed by Federal Agency)				Alternative Site Rating				
				Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly				2				
B. Total Acres To Be Converted Indirectly				18				
C. Total Acres In Site				20				
PART IV (To be completed by NRCS) Land Evaluation Information								
A. Total Acres Prime And Unique Farmland				20				
B. Total Acres Statewide Important or Local Important Farmland				0				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				0.001				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				69				
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)				55				
PART VI (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)				Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use				(15)	7.5			
2. Perimeter In Non-urban Use				(10)	2			
3. Percent Of Site Being Farmed				(20)	20			
4. Protection Provided By State and Local Government				(20)	0			
5. Distance From Urban Built-up Area				(15)	0			
6. Distance To Urban Support Services				(15)	0			
7. Size Of Present Farm Unit Compared To Average				(10)	1			
8. Creation Of Non-farmable Farmland				(10)	0			
9. Availability Of Farm Support Services				(5)	5			
10. On-Farm Investments				(20)	2			
11. Effects Of Conversion On Farm Support Services				(10)	0			
12. Compatibility With Existing Agricultural Use				(10)	5			
TOTAL SITE ASSESSMENT POINTS				160	42.5	0	0	0
PART VII (To be completed by Federal Agency)								
Relative Value Of Farmland (From Part V)				100	55	0	0	0
Total Site Assessment (From Part VI above or local site assessment)				160	42.5	0	0	0
TOTAL POINTS (Total of above 2 lines)				260	97.5	0	0	0
Site Selected: Site A		Date Of Selection		Was A Local Site Assessment Used?				
				YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>				
Reason For Selection:								
Name of Federal agency representative completing this form:						Date:		

(See Instructions on reverse side)

Form AD-1006 (03-02)

Scoping Letter to NRCS



May 22, 2019

Shawn J. Nield
State Soil Scientist
USDA-NRCS-Idaho
9173 W. Barnes Drive, Suite C
Boise, ID 83709

Re: NW 7th Street at Whitley Drive (US-95)

Dear Shawn Nield:

The City of Fruitland is submitting an application for an Idaho Community Development Block Grant (ICDBG) to fund the NW 7th Street at Whitley Drive (US-95) project (Figure 1). All ICDBG projects are subject to review under the National Environmental Policy Act (NEPA). We request your agency's comments on the potential environmental impacts of the project.

NW 7th Street in Fruitland, Idaho currently provides access to the west side of US-95 (Whitley Drive) only. The proposed NW 7th Street project (116°55'28.918"W, 44°1'4.114"N) will construct a new street east of US-95 for a length of approximately 1,250 feet, ending before the Idaho Northern & Pacific Railroad (INPR) with an offset cul-de-sac (Figure 2). This new street, consisting of 2 travel lanes and bike lanes, will provide access to the existing and future expansion of the Bonneville Production Center of Idaho owned by Swire Coca-Cola. This food service production facility is undergoing a significant expansion to the north, toward the proposed street. Currently, access to this industrial facility is taken from NW 4th Street, located on the south side of the facility. Moving access from NW 4th Street to the proposed NW 7th Street will remove passenger car and truck traffic generated by the facility from NW 4th Street, which is fronted by single-family residences across from the production facility.

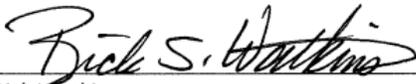
The City of Fruitland Master Transportation Plan established the need for another east-west route crossing the INPR railroad tracks to connect the two major north-south routes in the city: US-95 and Pennsylvania Avenue. The selected alignment to accomplish this connection is NW 7th Street. This project is ranked a high priority, along with extending NW 7th Street west to connect with an extended Allen Avenue south from US-30. Constructing the proposed section of NW 7th Street advances a high priority project for the City of Fruitland and will be instrumental in achieving the transportation objectives of the City.

The project parcel is currently cultivated for agricultural use. The area surrounding the project is a mix of agricultural, residential, commercial, and industrial uses.

Based on the NRCS Web Soil Survey and Farmland Classification tool (Appendix A), the project area contains two soil types: clems fine sandy loam, 0 to 3 percent slopes, and Owyhee silt loam, 0 to 1 percent slopes. Both soils are rated as "prime farmland, if irrigated". In addition, an AD-1006 Farmland Conversion Impact Rating form has been prepared in Appendix B for your review and analysis.

Please respond within 30 days from receipt of this letter and contact me at the information provided below if you have any questions or concerns.

Sincerely,



Rick Watkins
City Administrator – City Clerk/Treasurer
City of Fruitland
200 S. Whitley Drive
P.O. Box 324
Fruitland, Idaho 83619
208.452.4421

Appendix 9: Green Sheet F.9 Environmental Justice

Checklist for Responsible Entity

General requirements	Legislation	Regulation
Address disproportionately high and adverse human health or environmental effects on minority and low-income populations.	Executive Order 12898, February 11, 2004	24 CFR 50.4(l) and 24 CFR 58.5(j) .

1. Is there an adverse environmental impact caused by the proposed action, or is the proposed action subject to an adverse environmental impact?

This question is designed to determine how the Environmental Justice analysis is reflected in the environmental review as a whole. Your consideration of the other environmental laws and authorities is your supporting documentation for this question. If any other environmental law or authority required mitigation (i.e., 8-step process for locating in a flood plain, waiver of noise requirements), then there is an adverse environmental impact.

- No: STOP here. **The project does not pose an Environmental Justice concern.**
 Yes: PROCEED to #2

2. Will the project have a disproportionate impact on low-income or minority populations?

The following steps will help you make this determination:

- 1) Describe the project.
- 2) Consider historic uses of the site, past land uses and patterns (such as lending discrimination and exclusionary zoning).
- 3) Determine the demographic profile of the people using the project and/or living and working in the vicinity of the project. EPA's environmental justice geographic assessment tool provides helpful demographic information: <https://ejscreen.epa.gov/mapper/>
- 4) Describe the adverse environmental impact you identified in your environmental review. Identify adjacent land uses, paying particular attention to toxic sites, dumps, incinerators, hazardous materials (e.g. asbestos), and other issues with the potential to have adverse human health effects. (This may already have been considered in your review of toxic and hazardous substances.)
- 5) Consider how the adverse environmental impact and any potentially harmful adjacent land uses would impact the people using and/or surrounding the project.
- 6) Consider whether market-rate development exists in the area. If not, would this project succeed as a market-rate project at the proposed site?

- No: STOP here.
 ❖ Maintain documentation concerning your determination of no disproportionate impact.

- Yes:
 ❖ Consult with Commerce staff to develop a mitigation plan.
- An Environmental Justice mitigation plan must include: public outreach, participation and community involvement.
 - The project cannot move forward until the EJ issue is mitigated to the satisfaction of Commerce or the Responsible Entity and the impacted community

Appendix 10: Green Sheet F.10 Noise Abatement and Control

Checklist for Responsible Entity

General requirements	Legislation	Regulation
Encourage land use patterns for housing and other noise sensitive urban needs that will provide a suitable separation between them and major noise sources	Noise Control Act of 1972 The Quiet Communities Act of 1978 as amended OMB Circular 75-2, "Comparable Land Uses at Federal Airfields"	24 CFR Part 51 Subpart B Noise Guidebook

1. Is the project for new construction, purchase or resale of existing, modernization, or rehabilitation of noise sensitive use (i.e., housing, mobile home parks, nursing homes, hospitals, and other non-housing uses where quiet is integral to the project's function, e.g., libraries)?

No: STOP here. **The project is not subject to the noise standards.**

❖ Record your determination that the project is not subject to the noise standards in your ERR.

Yes: PROCEED to #2

2. Is the project located within 1,000 feet of a busy road or highway, 3,000 feet of a railroad, or 15 miles of a civil airport or military airfield? Are there any other potential noise sources in the project vicinity that could produce a noise level above HUD's acceptable range, including but not limited to concert halls, night clubs, event facilities, etc.... ?

❖ Maintain, in your ERR, a map that identifies the location of any noise sources.

No: STOP here. Record your determination. You do not need to calculate a specific noise level.

Yes: PROCEED to #3

3. Determine the actions to take based on the project and HUD Acceptability Standards.

Is the activity for:

- Construction of new noise sensitive use. Calculate noise using HUD standards or online tool: <http://www.hud.gov/offices/cpd/environment/dnlcalculator.cfm> **PROCEED to 3.a**
- Purchase or resale of otherwise acceptable existing buildings (existing buildings are either more than 1 year old or buildings for which this is the second or subsequent purchaser). Noise calculation not required. HUD or RE determines need based on their evaluation of project. **PROCEED to 3.b**
- Modernization. Noise calculation not required. HUD or RE determines need based on their evaluation of project. **PROCEED to 3.c**
- Major or substantial rehabilitation (use the definition contained in the specific program guidelines). Calculate noise using HUD standards or online tool: <http://www.hud.gov/offices/cpd/environment/dnlcalculator.cfm> **PROCEED to 3.d**

HUD General Acceptability Standards	
HUD determination	Day night average sound level in decibels (dB)
Acceptable	Not exceeding 65 dB
Normally Unacceptable	Above 65 dB but not exceeding 75dB
Unacceptable	Above 75 dB +

3a. New Construction

Is the Day-Night average sound level:

- Above 75 dB. **Construction of new noise sensitive uses is generally prohibited**, an EIS is required prior to the approval. The Assistant Secretary or Certifying Officer may waive the EIS requirement in cases where noise is the only environmental issue and no outdoor sensitive activity will take place on the site. (Under § Part 50 approval is required of the Assistant Secretary for CPD, under § Part 58 the Certifying Officer must provide approval). Document the ERR.
- Above 65 dB but not exceeding 75 dB. **Construction of new noise sensitive uses is discouraged** – all new projects require special environmental reviews and may require special approvals prior to construction (except when the threshold has been shifted to 70 dB as described below). Information is provided at 51.104 (b)(1). Document ERR include the special review and approval. Document attenuation if approved.
- Not exceeding 65 dB. (this threshold may be shifted to 70 dB on a case-by-case basis when 6 specific conditions are satisfied as described at Section 51.105(a)). Noise levels are acceptable. Document the ERR

3b. Purchase or Resale of Existing Building

Is the Day-Night average sound level above the acceptable level?

- Yes. Consider environmental noise as a marketability factor when considering the amount of insurance or assistance that will be provided to the project? Noise exposure by itself will not result in the denial of HUD support for the resale and purchase of otherwise acceptable existing buildings. Record your determination in the ERR.
- No: Record your determination in the ERR

3c. Modernization

Is the Day-Night average sound level above the acceptable level?

- Yes. Encourage noise attenuation features in alterations. Record your determination in the ERR.
- No: Record your determination in the ERR

3d. Major or Substantial Rehabilitation

Is the Day-Night average sound level:

- Above 75 dB. HUD or the RE shall actively seek to have project sponsors incorporate noise attenuation features, given the extent and nature of the rehabilitation being undertaken and the level of exterior noise exposure and will strongly encourage conversion of the noise exposed sites to land uses compatible with the high noise levels. Document the ERR.
- Above 65 dB but not exceeding 75 dB. HUD or the RE shall actively seek to have project sponsors incorporate noise attenuation features, given the extent and nature of the rehabilitation being undertaken and the level of exterior noise exposure Document ERR.
- Not exceeding 65 dB. (this threshold may be shifted to 70 dB on a case-by-case basis when 6 specific conditions are satisfied as described at Section 51.105(a)). Noise levels are acceptable. Document the ERR.

Appendix 11: Green Sheet F.11 Explosive and Flammable Operations

24CFR Part 58

Checklist for Responsible Entity

General requirements	Legislation	Regulation
Establish safety standards that can be used as a basis for calculating acceptable separation distances for assisted projects.	Sec.2 Housing and Urban Development Act of 1969 (42 U.S.C. 1441 (a))	24 CFR Part 51 Subpart C

1. Does the project include construction, rehabilitation, or conversion?

***Note - For rehabilitation projects, does the work increase residential densities, convert a building for habitation, or make a vacant building habitable?**

No: STOP here. The project is not subject to 24 CFR Part 51 C.

❖ Record your determination in your Environmental Review Record (ERR).

Yes: PROCEED to #2

2. Are there explosive/flammable above ground storage tanks within 1 mile of the project site more than 100 gallons in size? Are there plans to install such aboveground storage tanks within 1 mile of the project site? (HUD's stated position is that 24 CFR Part 51 C does not apply to storage tanks ancillary to the operation of the assisted 1-4 family residence, for example the home heating or power source. It does apply to all other tanks, including tanks for neighboring 1-4 family residences.)

❖ Maintain documentation supporting your determination in your ERR. Documentation could include a finding by a qualified data source (i.e. Fire Marshall etc...), copies of pictures, maps, and/or internet data.

TIP: You do not have to consider all tanks at all sizes within 1 mile of your project. Screen further by determining the Acceptable Separation Distance for specific tank sizes and using that information to narrow your search. For instance, the maximum ASD for a 100 gallon tank is 115 feet. You do not need to map 100 gallon tanks farther than 115 feet from your project site. Find the list of ASDs by tank size in Appendix F and G here:

No: STOP here. The project is not subject to 24 CFR Part 51 C.

❖ Record your determination that there are no storage tanks within one mile of the project site in your ERR.

Above-ground storage tanks are located within a 1-mile radius of the project area. Specifically, above-ground storage tanks are located at Amerigas Propane, at 825 Howard Lane, Fruitland, ID 83619, adjacent to the Swire property. However, per 24 CFR Part 51.201, the proposed roadway is not a habitable structure and not subject to the acceptable separation distance for siting of HUD-assisted projects near hazardous facilities.

Yes: PROCEED to #3

3. Is the Separation Distance from the project acceptable based on standards in 24 CFR 51 C?

- ❖ Use the online tool to calculate ASD:
<http://www.hud.gov/offices/cpd/environment/asdcalculator.cfm>
- ❖ or use the HUD guidebook, "Siting of HUD-assisted Projects near Hazardous Facilities (HUD-1060-CPD, Sept. 1996)", also available on the web:
<http://www.hud.gov/offices/cpd/energyenviro/environm/resources/guidebooks/hazfacilities/index.cfm>

Yes: STOP here.

- ❖ Include maps and your separation distance calculations in your ERR.

No: PROCEED to #4

4. With mitigation, can the Separation Distance become acceptable?

No: PROJECT IS NOT ACCEPTABLE-DO NOT FUND

Yes: STOP here.

- ❖ Maintain documentation supporting your determination in your ERR. Documentation could include a finding by a qualified data source (i.e., Fire Marshall etc.), copies of pictures, maps, technical calculations and information describing the mitigation measures taken.

Appendix 12: Green Sheet F.12 Contaminated Soils

(Toxic Chemicals, and Radioactive Materials)

24 CFR Part 58

Checklist for Responsible Entity

General requirements	Legislation	Regulation
All property proposed for use in HUD programs must be free of hazardous materials, contamination, toxic chemicals and gasses and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.	Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended by Superfund Amendments and Reauthorization Act	24 CFR 58.5(i)

You are required to consider all hazards that could affect the health and safety of occupants and use current techniques by qualified professionals to undertake investigations determined necessary. This checklist tool is intended as guidance only and does not cover all possible hazards. This document is subject to change.

1. Is the project for acquisition, new construction or rehabilitation of a one-to-four family residential property?

- Yes: PROCEED to #3 to determine the likelihood of hazardous conditions existing nearby or on the property which could affect the health and safety of proposed occupants.
- No: PROCEED to #2

2. Is the project for multifamily housing with 5 or more dwelling units (including leasing), or non-residential property?

- No: PROCEED to #3
- Yes:
- ❖ The environmental review **must** include the evaluation of previous uses of the site or other evidence of contamination on or near the site, to assure that the occupants of proposed sites are not adversely affected by hazardous materials, contamination, toxic chemicals and gases, and radioactive substances.
 - ❖ For acquisition and new construction projects, HUD strongly advises that the review include an ASTM Phase 1 assessment or equivalent analysis, including an update if the assessment is over 180 days old, in order to meet real estate transaction standards of due diligence. Your review should also cover the information in the questions below. **PROCEED to #3.**

3. Is the answer Yes to any of the following questions?

- **Is the property or surrounding neighborhood listed on an EPA Superfund National Priorities, the CERCLA List, or equivalent State list?**
An internet site that may be helpful is www.epa.gov/superfund/sites/npl.

No Yes

- **Is the property located near a toxic or solid-waste landfill site?**
Utilize EPA's Enviro Mapper tool as well as maps, site inspections and documentation from the local planning department to make your determination.

No Yes

- **Are there any underground storage tanks (not including residential fuel tanks) on or near the property?**

For projects in Idaho, visit: <http://www2.deq.idaho.gov/waste/ustlust/>
Consider past uses of the property when making your determination.

No Yes

A public records request, attached, from IDEQ found no underground storage tanks (UST) or Leaking Underground Storage Tank (LUST) within the project area. Six USTs are currently in use at the Maverick station, located at 500 N. Whitley southwest of the project area containing gasoline and diesel. Three USTs have been decommissioned at the Swire Coca-Cola site at 405 NW 4th Street south of the project area.

- **Is the property known or suspected to be contaminated by toxic chemicals or radioactive materials?**

No Yes

Both current and historic use of fuel, pesticides, herbicides, fertilizers, and other chemicals are used as part of the agricultural operation. When used per the manufacturer's instructions and for their intended use, these chemicals are not known to be hazardous.

As per correspondence with IDEQ, attached, any hazardous materials, such as fuel, solvents, or paints, will be used as directed and stored onsite by the contactor, and disposed of in accordance with IDAPA 58.01.02.800. Any petroleum releases must be reported to the Idaho Department of Environmental Quality (IDEQ) in accordance with IDAPA 58.01.02.851.01 and 04.

HUD's "Choosing an Environmentally 'Safe Site'" provides guidance in considering potential environmental issues: <http://www.hud.gov/offices/cpd/environment/library/safesite.pdf>

In considering the site, the guidance suggests that you:

- Make a visual inspection of the site for signs of distressed vegetation, vents or fill pipes, storage/oil tanks or questionable containers, pits, ponds or lagoons, stained soil or pavement, pungent, foul or noxious odors, dumped material or soil, mounds of dirt, rubble, fill etc.
- Research the past uses of the site and obtain a disclosure of past uses from the owner. Certain past and present uses such as the following signal concerns of possible contamination and require a more detailed review: gasoline stations, vehicle repair shops, car dealerships, garages, depots, warehouses, commercial printing facilities, industrial or commercial warehouses, dry cleaners, photo developing laboratories, hospitals, junkyard or landfills, waste treatment, storage disposal, processing or recycling facilities, agricultural/farming operations (including hog and poultry operations) and tanneries.

- Identify adjoining properties in the surrounding area for evidence of any facilities as described above.
- Research Federal, State and local records about possible toxins and hazards at the site.

Yes to any of the above questions: PROCEED to #4

No to all questions: The toxic chemicals and radioactive materials review is complete, unless there are other hazards that could affect the health and safety of occupants.

❖ Record your determination on the Statutory Worksheet and maintain appropriate documentation in the ERR.

4. Could nearby toxic, hazardous or radioactive substances affect the health and safety of project occupants or conflict with the intended utilization of the property?

- ❖ Gather all pertinent information concerning any on-site and nearby toxic hazards. Consider, at a minimum, each of the areas identified in Question 3. Consider if your ASTM Phase 1 or equivalent analysis identifies any Recognized Environmental Conditions (RECs)?
- ❖ If appropriate and/or required, obtain independent professional reviews of the site (e.g., an ASTM Phase 2 or equivalent analysis). Contact appropriate Federal, State and Local resources for assistance in assessing exposure to health hazards.

Yes: PROCEED to #5.

No: The toxic chemicals and radioactive materials review is complete, unless there are other hazards that could affect the health and safety of occupants.

❖ Record your determination that there are no hazards that could affect the safety of occupants or impact the intended use of the project and maintain appropriate documentation in the ERR.

5. Can the adverse environmental condition be mitigated?

Yes:

- ❖ Mitigate according to the requirements of the appropriate Federal, State or local oversight agency.
- ❖ Record your determination that there are no hazards that could affect the safety of occupants or impact the intended use of the project and maintain appropriate documentation in the ERR.
- ❖ HUD assistance should be conditioned on completion of appropriate mitigation.
- ❖ Deny HUD assistance if, after mitigation, the property is still determined to be unsafe or unhealthy. For more details please refer to HUD's "Choosing an Environmentally 'Safe' Site."

No: Do not provide HUD assistance for the project at this site.

IDEQ Records Request for UST and LUST within 1-mile radius of project area

Public Records Request 190758 Received

Date: 5/21/2019

Name: Ms. Tamsen Binggeli

Business: T-O Engineers

Phone: 208.323.2288

Email: tbinggeli@to-engineers.com

Address: 2471 S. Titanium Place MERIDIAN, ID 83642

Description: Can you please provide any information pertaining to underground storage tanks within a 1-mile radius of 605 NW 4th St, Fruitland, ID 83619. Thank you!

UST/LUST location search: <http://www2.deq.idaho.gov/waste/ustlust/Pages/FacilityInfo.aspx?id=1701>

Facility ID	Location	Status	Substance
3-380008	301 S. Pennsylvania Ave, Fruitland, ID 83619	UST Permanently out of use	Regular gasoline
938003	1 st and Whitney, Fruitland, ID 83619	LUST decommissioning, 6,000 gallons	Gasoline
938003	1 st and Whitney, Fruitland, ID 83619	LUST decommissioning, 10,000 gallons	Gasoline
1	1510 17 th street, Fruitland, ID 83619	LUST decommissioning, 1,000 gallons	Gas
2	1510 17 th street, Fruitland, ID 83619	LUST decommissioning, 2,000 gallons	Gas
3	1510 17 th street, Fruitland, ID 83619	LUST decommissioning, 5,000 gallons	Diesel
3-380600*1	1215 N Whitley Dr., Fruitland, ID 83619	UST Permanently out of use	Regular gasoline
3-380600*2	1215 N Whitley Dr., Fruitland, ID 83619	UST Permanently out of use	Regular gasoline
3-380600*3	1215 N Whitley Dr., Fruitland, ID 83619	UST Permanently out of use	Regular gasoline
3-380601*1	412 S. Pennsylvania Ave. Fruitland, ID 83619	UST Currently in use, 3000 gallons	New motor oil
3-380601*2	412 S. Pennsylvania Ave. Fruitland, ID 83619	UST Currently in use, 2500 gallons	New motor oil
3-380601*3	412 S. Pennsylvania Ave. Fruitland, ID 83619	UST Currently in use, 4000 gallons	New motor oil
3-380012*1	319 53 rd Street, Fruitland, ID 83619	UST Permanently out of use	Regular gasoline
3-380012*2	319 53 rd Street, Fruitland, ID 83619	UST Permanently out of use	Regular gasoline

3-380012*3	319 53 rd Street, Fruitland, ID 83619	UST Permanently out of use	Regular gasoline
3-380012*4	319 53 rd Street, Fruitland, ID 83619	UST Permanently out of use	Regular gasoline
3-380012*5	319 53 rd Street, Fruitland, ID 83619	UST Permanently out of use	Diesel
3-380012	319 53 rd Street, Fruitland, ID 83619	UST Permanently out of use	Used oil
3-380012	319 53 rd Street, Fruitland, ID 83619	UST Permanently out of use	Used oil
3-380616	1200 N Allen Fruitland, ID 83619	UST currently in use, 10,000 gallons	Diesel
3-380615*1	500 N. Whitley Fruitland, ID 83619	UST currently in use, 12,000 gallons	Regular E10
3-380615*2	500 N. Whitley Fruitland, ID 83619	UST currently in use, 12,000 gallons	Regular E10
3-380615*3	500 N. Whitley Fruitland, ID 83619	UST currently in use, 12,000 gallons	Premium E10
3-380615*4	500 N. Whitley Fruitland, ID 83619	UST currently in use, 12,000 gallons	Diesel
3-380615*5	500 N. Whitley Fruitland, ID 83619	UST currently in use, 12,000 gallons	Off-road Diesel
3-380615*6	500 N. Whitley Fruitland, ID 83619	UST currently in use, 12,000 gallons	Diesel
3-380611*1	301 N. Whitley, Fruitland, ID 83619	UST currently in use, 12,000 gallons	E10 Regular
3-380611*2A	301 N. Whitley, Fruitland, ID 83619	UST currently in use, 8,000 gallons	E10 Premium
3-380611*2B	301 N. Whitley, Fruitland, ID 83619	UST currently in use, 12,000 gallons	Diesel
3-380048*1	217 SW 3 rd Street, Fruitland, ID 83619	UST currently in use, 2,000 gallons	Regular gasoline
3-380048*2	217 SW 3 rd Street, Fruitland, ID 83619	UST currently in use, 2,000 gallons	Offroad diesel
3-380048*3	217 SW 3 rd Street, Fruitland, ID 83619	UST currently in use, 2,000 gallons	Premium gasoline
3-380048*4	217 SW 3 rd Street, Fruitland, ID 83619	UST currently in use, 2,000 gallons	Diesel
3-380048*5	217 SW 3 rd Street, Fruitland, ID 83619	UST permanently out of use, 500 gallons	Not listed

3-380048*6	217 SW 3 rd Street, Fruitland, ID 83619	UST permanently out of use, 1,000 gallons	Not listed
3-380048*7	217 SW 3 rd Street, Fruitland, ID 83619	UST permanently out of use, 500 gallons	Not listed
3-380048*8	217 SW 3 rd Street, Fruitland, ID 83619	UST permanently out of use, 1,000 gallons	Not listed
3-380004*1	820 NW 16th Street, Fruitland, ID 83619	UST currently in use, 12,000 gallons	E10 Regular
3-380004*2	820 NW 16th Street, Fruitland, ID 83619	UST currently in use, 12,000 gallons	E10 Midgrade
3-380004*3	820 NW 16th Street, Fruitland, ID 83619	UST currently in use, 12,000 gallons	E10 Premium
3-380004*4	820 NW 16th Street, Fruitland, ID 83619	UST currently in use, 12,000 gallons	Diesel
3-380004*5	820 NW 16th Street, Fruitland, ID 83619	UST permanently out of use, 8,000 gallons	Gasohol
3-380004*6	820 NW 16th Street, Fruitland, ID 83619	UST permanently out of use, 4,000 gallons	Gasohol
3-380004*7	820 NW 16th Street, Fruitland, ID 83619	UST permanently out of use, 10,000 gallons	Gasohol
3-380004*8	820 NW 16th Street, Fruitland, ID 83619	UST permanently out of use, 4,000 gallons	Diesel
LC-1713	405 NW 4 th Street, Fruitland, ID 83619	UST decommissioned, 12,000 gallons	Diesel
LC-1713	405 NW 4 th Street, Fruitland, ID 83619	UST decommissioned, 6,000 gallons	Motor oil
LC-1713	405 NW 4 th Street, Fruitland, ID 83619	UST decommissioned, 2,000 gallons	Used oil
3-380013*1	200 NW 16 th Street, Fruitland, ID 83619	UST decommissioned, 2,000 gallons	Gasoline
3-380013*2	200 NW 16 th Street, Fruitland, ID 83619	UST decommissioned, 5,000 gallons	Diesel
3-380013*2	200 NW 16 th Street, Fruitland, ID 83619	UST decommissioned, 11,000 gallons	Thinner

IDEQ Response to Request for Environmental Comment



STATE OF IDAHO
DEPARTMENT OF ENVIRONMENTAL QUALITY
BOISE REGIONAL OFFICE
1445 North Orchard Street • Boise, ID 83706-2239 • (208) 373-0550

DEQ Response to Request for Environmental Comment

Date:	June 5, 2019
Agency Requesting Comments:	City of Fruitland
Date Request Received:	May 28, 2019
Applicant/Description:	Idaho Community Development Block Grant for NW 7th St. at Whitley Drive (US-95)

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at <http://www.deq.idaho.gov/ieg/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. Wastewater and Recycled Water

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.

All projects for construction or modification of wastewater systems require

preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

- *DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.*
- *DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager, at 373-0550.

3. Drinking Water

- *DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.*

All projects for construction or modification of public drinking water systems require preconstruction approval.

- *DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at <http://www.deq.idaho.gov/water-quality/drinking-water.aspx>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.*
- *If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.*
- *DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.*
- *DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager at 373-0550.

4. Surface Water

- *A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.*
- *Please contact DEQ to determine whether this project will require a National Pollution*

Discharge Elimination System (NPDES) Permit. If this project disturbs more than one acre, a stormwater permit from EPA may be required.

- *If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.*
- *The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at: <http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm>*
- *The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.*

For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.

5. Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** *The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.*
- *No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.*
- **Water Quality Standards.** *Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).*

Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** *DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water*

quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, Waste & Remediation Manager, at 373-0550.

6. Additional Notes

- *If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (<http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx>) for assistance.*
- *If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.*

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any our technical staff at 208-373-0550.

Sincerely,



Aaron Scheff
aaron.scheff@deq.idaho.gov
Regional Administrator
Boise Regional Office
Idaho Department of Environmental Quality

ec: CM#2019AEK106

Scoping Letters to IDEQ



May 22, 2019

Rene Anderson
Hazardous Waste Data Coordinator
DEQ State Office - Waste Management & Remediation Division
1410 N. Hilton
Boise, ID 83706

Re: NW 7th Street at Whitley Drive (US-95)

Dear Rene Anderson:

The City of Fruitland is submitting an application for an Idaho Community Development Block Grant (ICDBG) to fund the NW 7th Street at Whitley Drive (US-95) project (Figure 1). All ICDBG projects are subject to review under the National Environmental Policy Act (NEPA). We request your agency's comments on the potential environmental impacts of the project.

NW 7th Street in Fruitland, Idaho currently provides access to the west side of US-95 (Whitley Drive) only. The proposed NW 7th Street project (116°55'28.918"W, 44°1'4.114"N) will construct a new street east of US-95 for a length of approximately 1,250 feet, ending before the Idaho Northern & Pacific Railroad (INPR) with an offset cul-de-sac (Figure 2). This new street, consisting of 2 travel lanes and bike lanes, will provide access to the existing and future expansion of the Bonneville Production Center of Idaho owned by Swire Coca-Cola. This food service production facility is undergoing a significant expansion to the north, toward the proposed street. Currently, access to this industrial facility is taken from NW 4th Street, located on the south side of the facility. Moving access from NW 4th Street to the proposed NW 7th Street will remove passenger car and truck traffic generated by the facility from NW 4th Street, which is fronted by single-family residences across from the production facility.

The City of Fruitland Master Transportation Plan established the need for another east-west route crossing the INPR railroad tracks to connect the two major north-south routes in the city: US-95 and Pennsylvania Avenue. The selected alignment to accomplish this connection is NW 7th Street. This project is ranked a high priority, along with extending NW 7th Street west to connect with an extended Allen Avenue south from US-30. Constructing the proposed section of NW 7th Street advances a high priority project for the City of Fruitland and will be instrumental in achieving the transportation objectives of the City.

1

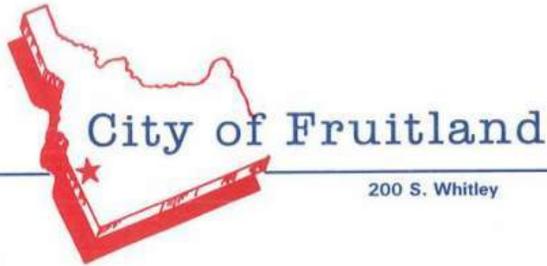
The project parcel is currently cultivated for agricultural use. The area surrounding the project is a mix of agricultural, residential, commercial, and industrial uses.

Please respond within 30 days from receipt of this letter and contact me at the information provided below if you have any questions or concerns.

Sincerely,



Rick Watkins
City Administrator – City Clerk/Treasurer
City of Fruitland
200 S. Whitley Drive
P.O. Box 324
Fruitland, Idaho 83619
208.452.4421



Area Code 208
Phone 452-4421
FAX 452-6146
www.fruitland.org

200 S. Whitley

P.O. Box 324
FRUITLAND, IDAHO 83619

May 20, 2019

Lance Holloway, Water Quality Manager
Idaho Department of Environmental Quality
Boise Regional Office
1445 N. Orchard St.
Boise, Idaho 83706

Re: NW 7th Street at Whitley Drive (US-95)

Dear Lance Holloway:

The City of Fruitland is submitting an application for an Idaho Community Development Block Grant (ICDBG) to fund the NW 7th Street at Whitley Drive (US-95) project (Figure 1). All ICDBG projects are subject to review under the National Environmental Policy Act (NEPA). We request your agency's comments on the potential environmental impacts of the project.

NW 7th Street in Fruitland, Idaho currently provides access to the west side of US-95 (Whitley Drive) only. The proposed NW 7th Street project (116°55'28.918"W, 44°1'4.114"N) will construct a new street east of US-95 for a length of approximately 1,250 feet, ending before the Idaho Northern & Pacific Railroad (INPR) with an offset cul-de-sac (Figure 2). This new street, consisting of 2 travel lanes and bike lanes, will provide access to the existing and future expansion of the Bonneville Production Center of Idaho owned by Swire Coca-Cola. This food service production facility is undergoing a significant expansion to the north, toward the proposed street. Currently, access to this industrial facility is taken from NW 4th Street, located on the south side of the facility. Moving access from NW 4th Street to the proposed NW 7th Street will remove passenger car and truck traffic generated by the facility from NW 4th Street, which is fronted by single-family residences across from the production facility.

The project also consists of the construction of a drainage pond encompassing approximately 13,345 cubic feet of storage (7 feet deep with 3:1 side slopes) to be located north of the roadway at its west end. The project will be designed to capture and filter stormwater runoff from the proposed roadway. Best management practices will be used to protect storm water quality during construction. A Stormwater Pollution Prevention Plan (SWPPP) will be developed prior to construction to address any site concerns for storm water runoff during construction.

The City of Fruitland Master Transportation Plan established the need for another east-west route crossing the INPR railroad tracks to connect the two major north-south routes in the city: US-95 and Pennsylvania Avenue. The selected alignment to accomplish this connection is NW 7th Street. This project is ranked a high priority, along with extending NW 7th Street west to connect with an extended Allen Avenue south from US-30. Constructing the proposed section of NW 7th Street advances a high priority project for the City of Fruitland and will be instrumental in achieving the transportation objectives of the City.

The project parcel is currently cultivated for agricultural use. From our initial review, there are no wetland or water resources within the area of potential effect (APE) (Figure 1). The area surrounding the project is a mix of agricultural, residential, commercial, and industrial uses.

Please respond within 30 days from receipt of this letter and contact me at the information provided below if you have any questions or concerns.

Sincerely,



Rick Watkins
City Administrator – City Clerk/Treasurer
City of Fruitland
200 S. Whitley Drive
P.O. Box 324
Fruitland, Idaho 83619
208.452.4421

Appendix 13: Green Sheet F.13 Clear Zones (CZ) and Accident Potential Zones (APZ)

Checklist for Responsible Entity

General requirements	Legislation	Regulation
Promote compatible land uses around civil airports and military air fields.	Section 2 of the Housing Act of 1949 as amended, 42 U.S.C. 1331, affirmed by Section 2 of the Housing and Urban Development Act of 1969, P.L. No 90-448; Section 7(d) of the Dept of HUD Act of 1965, 42 U.S.C. 3535(d)	24 CFR Part 51 Subpart D 32 CFR Part 256

1. Is the Project located within 3000 feet of a civil airport or within 15,000 feet of a military airfield?

- ❖ Maintain in your ERR a map that identifies airports. The regulations only apply to military and civil primary and commercial service airports. The Federal Aviation Administration updates the list of applicable airports annually:

<https://www.arcgis.com/home/item.html?id=4782d6f5aa844591a16d46df635b7af4>

No: STOP here. The project is not within a Clear Zone (also known as Runway Protection Zone) or Accident Potential Zone.

- ❖ Record your determination.

The nearest airports are the Ontario Airport located approximately 4.5 miles west and the Payette Municipal Airport located approximately 5 miles north of the project area. Please find attached a map depicting the nearest airports in relation to the project area.

Yes: PROCEED to #2

2. Is the project in the CZ or APZ?

- ❖ Contact the airport operator and obtain written documentation of the Clear Zone (also known as Runway Protection Zone) and for military airfields, the Accident Potential Zone, and a determination of whether your project is in the APZ or CZ.

No: STOP here.

- ❖ Record your determination that the project is not in a CZ or APZ.

Yes: PROCEED to #3.

3. For Civil and Military Airports, is the activity for new construction, major rehabilitation*, or any other activity which significantly prolongs the physical or economic life of existing facilities? For APZs at military airfields, does the project change the use of a facility so that it becomes one which is no longer acceptable in accordance with Department of

Defense standards, (please see 32 CFR Part 256 for *Land Use Compatibility Guidelines for Accident Potential Zones*), significantly increase the density or number of people at the site, or introduces explosive, flammable or toxic materials to the area?

No: STOP here. The project is not subject to the regulation.

❖ Record your determination.

Yes: Proceed to #4.

4. Will the project frequently be used or occupied by people?

Yes: STOP here. The project cannot be assisted with HUD funds. STOP HERE.

No:

❖ Obtain written assurance from the airport operator to the effect that there are no plans to purchase the land involved with the project as a portion of a Runway Clear Zone or Clear Zone acquisition program.

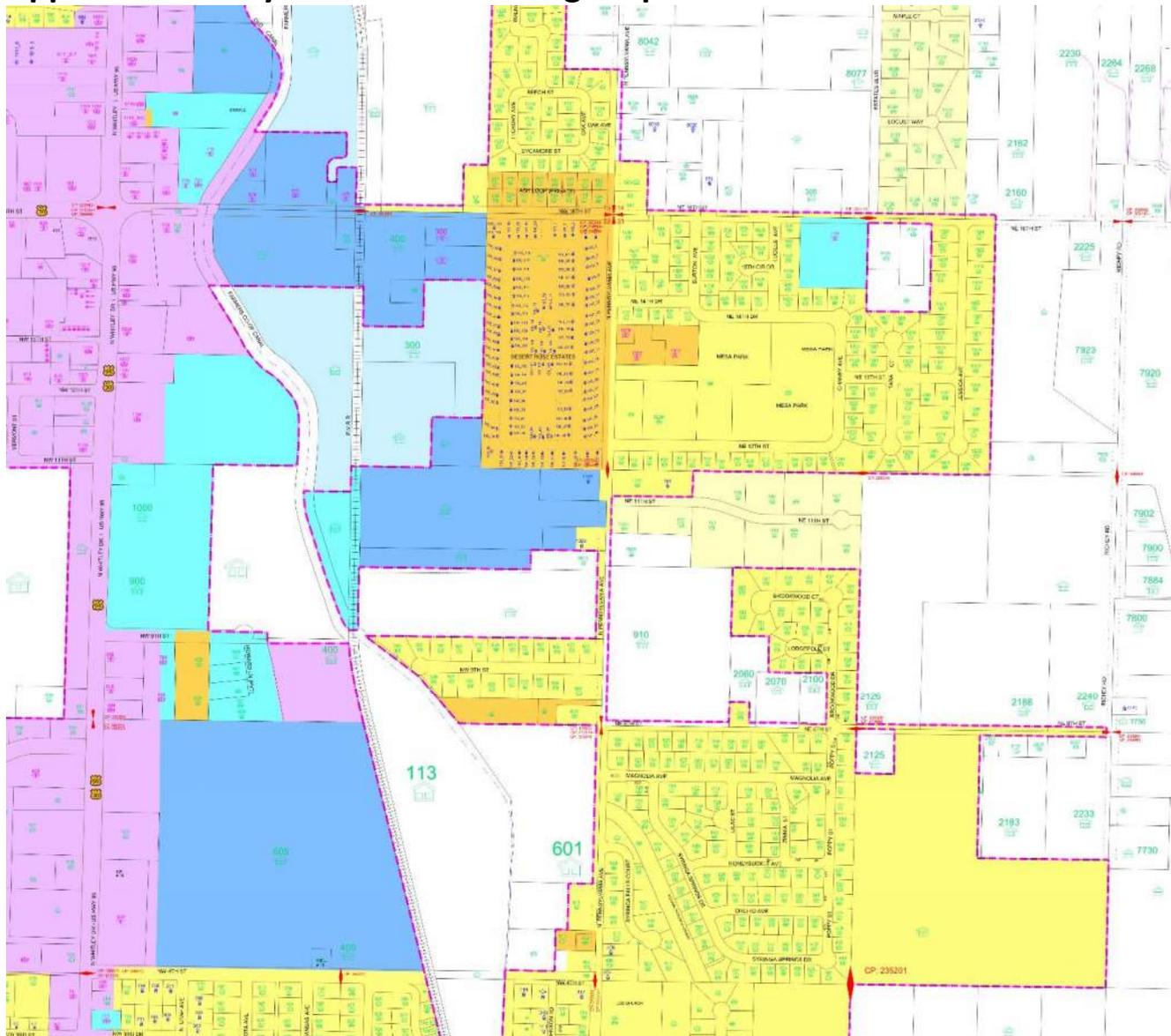
❖ Maintain copies of all of the documents you have used to make your determination.

***Rehabilitation is major when the estimated cost of the work is 75% or more of the total estimated cost of replacement after rehab (please see 24 CFR Part 58.35(a) for complete definition of major rehabilitation thresholds.)**

Airport Vicinity Map



Appendix 14: City of Fruitland Zoning Map



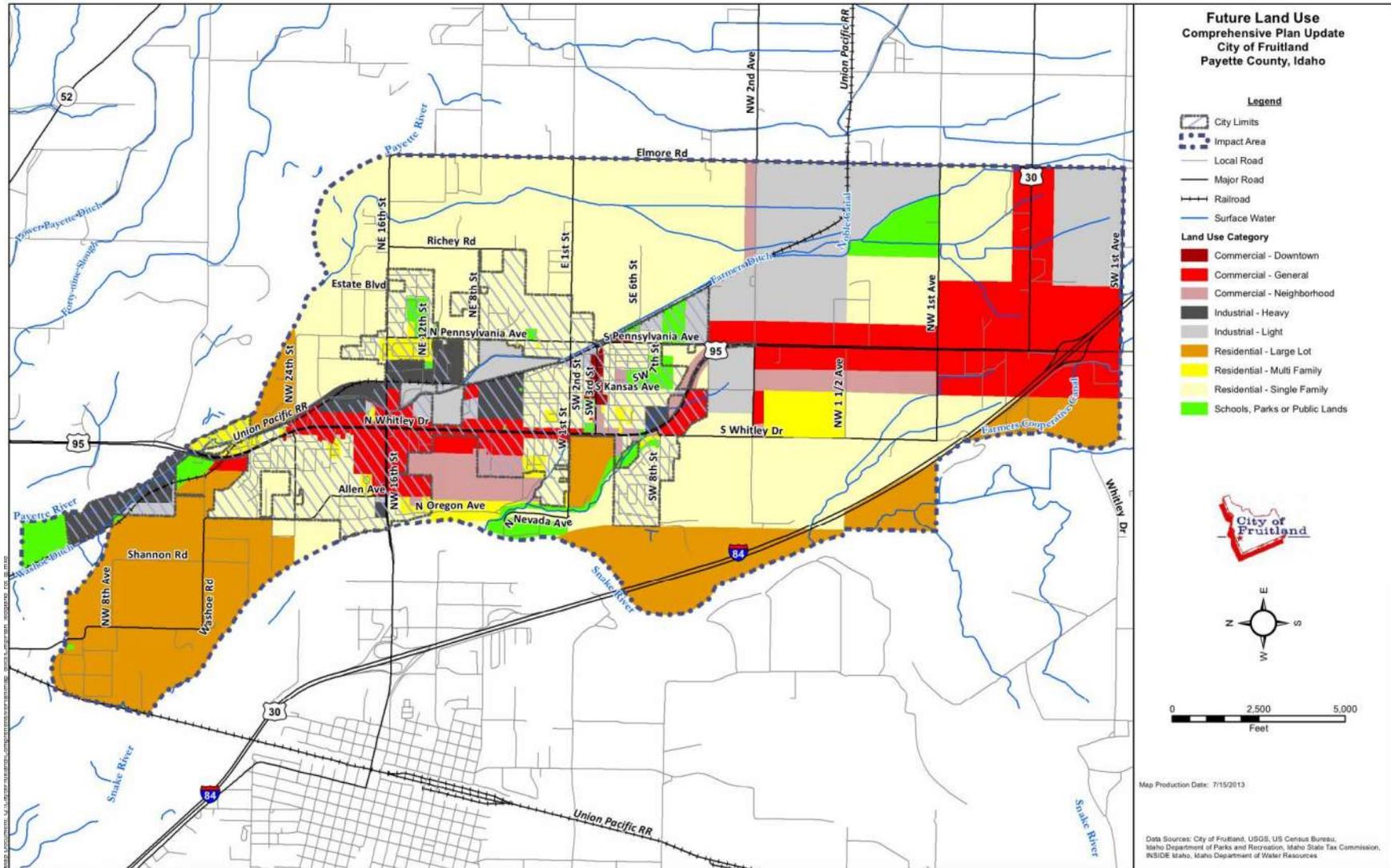
CITY OF FRUITLAND ZONING MAP

Version 10-2 April 2019
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 This Map was developed using Payette County Idaho GIS data, but this secondary product was not been verified by Payette County and is not County approved. All rights data provided by Payette County is copyrighted by Payette County and is subject to the exclusion of warranty and limitation of liability contained in its GIS Data Licensing Agreement.

LEGEND

- RESIDENTIAL - SINGLE FAMILY
- RESIDENTIAL - MULTI FAMILY
- COMMERCIAL - GENERAL
- COMMERCIAL - NEIGHBORHOOD
- COMMERCIAL - DOWNTOWN
- INDUSTRIAL - LIGHT
- INDUSTRIAL - HEAVY
- CITY LIMITS
- EASEMENTS
- HYDRO CENTERLINE
- LOTLINE
- OLD LINES
- RAILROAD
- ROAD ROW - DEEDED
- ROAD ROW - PROSCRIPTIVE
- SECTION LINE
- SUBDIVISION BOUNDARY
- SUBDIVISION NAME
- 123 PARCEL ADDRESS
- 123 PARCEL ADDRESS - MOBILE
- 123 PARCEL ADDRESS - COMMERCIAL
- 123 PARCEL ADDRESS - FUTURE
- 15 14 SECTION CORNER
- 22 23 SECTION CORNER
- 14 SECTION CORNER
- 1/16 SECTION CORNER

Appendix 15: City of Fruitland Future Land Use Map



Appendix 16: Geotechnical Report Memorandum by GeoTek, Inc.



GeoTek, Inc.
320 East Corporate Drive Suite 300 Meridian, ID 83642-3511
(208) 888-7010 Office (208) 888-7924 Fax www.geotekusa.com

March 28, 2019
W.O. 2009-ID

T-O ENGINEERS

2471 S Titanium Place
Meridian, ID 83642

Attention: Jeff Werner, PE

Subject: Geotechnical Testing Results for NW 7th Street, East of US 95, City of Fruitland, Idaho

In accordance with your request, GeoTek, Inc. (GTI) has completed the geotechnical testing on the subject property concerning the pavement evaluation for NW 7th Street, east of US 95. This evaluation presents findings regarding the existing pavement sections, the results of the R-value testing, the percolation test results and ground water measurements within the borings.

Subsurface conditions were explored by using a hollow-stem auger drill rig. Four exploratory borings were advanced onsite and the associated boring logs are located in Appendix A. Field studies were completed in January of 2019 and February of 2019 by our field personnel who conducted field mapping, logged the excavations, and obtained samples of representative material for laboratory testing. The approximate locations of the borings are indicated on the enclosed Geotechnical Map (Figure #1).

Alluvial materials consisted of silts with sand and silty sands. The consistency of the alluvial materials ranged from soft/firm/dense near the surface to firm/stiff at depth and the moisture content ranged from slightly moist to saturated.

From our field exploration, ground water was not observed within any of our borings. The two deeper borings (B-1 and B-2) extended 17 ½ feet below existing ground surface, respectively. These observations reflect conditions at the time of this investigation and do not preclude changes in local ground water conditions in the future from natural causes, damaged structures (lines, pipes etc.), or heavy irrigation. Generally, irrigation ditches and canals in the area will locally influence ground water during the irrigation season (i.e., May through October).

Pavement Design

Tests were conducted on representative soil samples, in general accordance with Idaho test method T-8 and AASHTO T-190, to determine the soil's performance when placed in the base, subbase, or subgrade of a road subjected to traffic.

LOCATION	R-VALUE @ 200 psi
B-2 @ 0' - 3'	13

For a full construction of the roadway, the recommended pavement section should consist of one of the following recommendations:

ASSUMED TRAFFIC RIGHT-OF-AWAY	SUBGRADE R-VALUE	MINIMUM ASPHALT CONCRETE THICKNESS (in.)	MINIMUM AGGREGATE THICKNESS (in.)	
			Aggregate Base (3/4" minus)	Subbase (3" minus)
Collector TI = 8.0	13	3.0	6.0	14.0
Collector TI = 8.0	13	4.0	6.0	12.0
Collector TI = 8.6	13	3.0	6.0	16.0
Collector TI = 8.6	13	4.0	6.0	14.0

All subgrade materials should be processed to a minimum depth of 12 inches and compacted to a minimum relative compaction of 90 percent of the laboratory standard (ASTM D 1557) near optimum moisture content. All aggregate base and subbase should be compacted to a minimum relative compaction of 95 percent of the laboratory standard (ASTM D 1557) at optimum moisture content.

The recommended pavement sections provided are meant as minimums. If thinner or highly variable pavement sections are constructed, increased maintenance and repair should be expected. Positive site drainage should be maintained at all times. Water should not be allowed to pond or seep into the ground.

Two percolation tests were performed within two of the borings at an elevation of 13 and 9 feet below existing grade. The infiltration rate was determined by conducting a percolation test for onsite earth materials. The infiltration rate was determined in inches per hour in general accordance with the City of Fruitland Requirements. Infiltration rate results are presented below.

GEOTEK, INC.

LOCATION	INFILTRATION RATE (Inches/Hour)
B-1 @ 13'	2.88
B-3 @ 9'	2.16

The materials encountered on the project site and utilized in our laboratory study are believed representative of the area, however, soil and bedrock materials vary in character between excavations and natural outcrops or conditions exposed during construction. Site conditions may vary due to seasonal changes or other factors. GeoTek, Inc. assumes no responsibility or liability for work, testing, or recommendations performed or provided by others. Since our study is based upon the site materials observed, selective laboratory testing and engineering analysis, the conclusions and recommendations are professional opinions. These opinions have been derived in accordance with current standards of practice and no warranty is expressed or implied. Standards of practice are subject to change with time.

The opportunity to be of service is greatly appreciated. If you have any questions concerning this report or if we may be of further assistance, please do not hesitate to contact the undersigned.

Respectfully submitted,
GeoTek, Inc.



Tyler S. Lydeen, EI
Staff Professional



David C. Waite, PE
Branch Manager - Senior Engineer

GEOTEK, INC.

Appendix 17: City of Fruitland, Master Transportation Plan Project List

City of Fruitland Master Transportation Plan Project List						Project Rank *
ID	Project Name	Extents	Description	Notes/ Considerations	Location	
Reconstruction / Re-Alignment Projects						
A1	Pennsylvania Ave	SW 3rd St to NW 16th St	<ol style="list-style-type: none"> 1. Reconstruct/ realign to correct centerline and widen road; to include 2-way left turn lane (where necessary), bike lanes, curb/gutter/sidewalk 2. RxC crossing Improvements 3. Box Culvert crossing of canal at southern end 4. Possible water/sewer utility upgrades 5. Full stormwater drainage system required 6. Improve/widen intersection at NW 16th to include dedicated turn lanes. 7. Re-align intersection of SW 3rd St to accommodate future extension of SW 3rd St to the east of downtown. 8. Overhead illumination 		Inside City limits	High
A2	Pennsylvania Ave	NW 16th St to NW 24th St	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and widen road to include one travel lane in each direction, a 2-way left turn lane, bike lanes, curb/gutter/sidewalk 2. Revise geometry of the curve in the road at the north end 3. Possible water/sewer utility extensions 4. Full stormwater drainage system required 		Outside City limits	Low
A3	Elmore Rd	US-30 to NE 16th St	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and widen road to include one travel lane in each direction, curb/gutter/sidewalk; 2. Revise geometry of the curve in the road at the north end; some locations may require additional widening to accommodate left turn lanes or 2-way left turn lane. 3. Possible water/sewer utility extensions 4. Full stormwater drainage system required 	Main thoroughfare that connects US-30 (to New Plymouth) to NW 16th at Gateway Junction. Possible joint participation with Payette County (multi-jurisdiction project with Highway District No. 1)	Outside City limits	Medium
A4	NW / NE 16 th St	Near Woodgrain Millwork to Near Jessica Ave	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and widen road to include one travel lane in each direction, a 2-way left turn lane, bike lanes, curb/gutter/sidewalk 2. Revise geometry of the curve in the road at the east end 3. Possible water/sewer utility extensions 4. Full stormwater drainage system required 	Would provide connectivity to Pennsylvania Ave improvements. Would complete the unfinished parts of previous NW 16 th St improvements in the City of Fruitland.	Inside City limits	High
A5	NE 16 th St	Near Jessica Ave to Elmore Rd	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and widen road to include one travel lane in each direction, a 2-way left turn lane, bike lanes, curb/gutter/sidewalk 2. Revise geometry of the curve in the road at the east end 3. Possible water/sewer utility extensions 4. Full stormwater drainage system required 	Would connect all NW 16 th St improvements from Jessica Ave to Elmore Rd.	Outside City limits	Low
A6	Washoe Rd	Allen to NW 6th Ave	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and widen road to include one travel lane in each direction, bike lanes, curb/gutter/sidewalk; some locations may require additional widening to accommodate left turn lanes or 2-way left turn lane. 2. Revise geometry of intersection at NW 6th Ave 3. Possible water/sewer utility extensions 4. Full stormwater drainage system required 	Would be an extension of Allen Ave project that was recently constructed. Possible joint participation with Payette County (multi-jurisdiction project with Highway District No. 1)	Inside City limits	Medium
A7	NW 24th St	US-95 to Pennsylvania Ave	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and widen road to include one travel lane in each direction, bike lanes, curb/gutter/sidewalk; some locations may require additional widening to accommodate left turn lanes. 2. Revise geometry of intersection at US-95 (improve RxC crossing) 3. Possible water/sewer utility extensions 4. Full stormwater drainage system required 		Outside City limits	Low
A8	W 1st St	Nevada to US-95	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and widen road to include one travel lane in each direction, bike lanes, curb/gutter/sidewalk; some locations may require additional widening to accommodate left turn lanes. 2. Possible water/sewer utility extensions 3. Full stormwater drainage system required 		Inside City limits	High
A9	W 1st St	US-95 to near Paradise Ct	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and widen road to include one travel lane in each direction, bike lanes, curb/gutter/sidewalk; some locations may require additional widening to accommodate left turn lanes. 2. Possible water/sewer utility extensions 3. Full stormwater drainage system required 		Inside City limits	High
A10	W 1st St	Near Paradise Ct to Elmore Rd	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and widen road to include one travel lane in each direction, bike lanes, curb/gutter/sidewalk; some locations may require additional widening to accommodate left turn lanes. 2. Possible water/sewer utility extensions 3. Full stormwater drainage system required 	Project would require coordination with Payette County to identify improvement	Outside City limits	Low
A11	NW 2nd Ave	US-95 to Elmore Rd	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and widen road to include one travel lane in each direction, curb/gutter/sidewalk; 2. Additional widening at the intersection with US-95 to accommodate left turn lane. 3. Possible water/sewer utility extensions 4. Full stormwater drainage system required 	Future signalization of intersection at US-95 would require coordination with Idaho Transportation Department (ITD)	Outside City limits	Low
A12	SW 3rd St	US-95 to Kansas	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and widen road to include one travel lane in each direction, bike lanes, curb/gutter/sidewalk; some locations may require additional widening to accommodate left turn lanes or 2-way left turn lane. 2. Possible water/sewer utility extensions 3. Full stormwater drainage system required 4. Construct street-scape improvements similar to previous SW 3rd St improvements project (trees, illumination). 5. Revise geometry of intersection at US-95. 	Future signalization of intersection at US-95 would require coordination with Idaho Transportation Department (ITD)	Inside City limits	High
A13	NW 17th	Vista to Allen	<ol style="list-style-type: none"> 1. Rehabilitate existing pavement structure. 2. Add stormwater drainage system and connect to Allen Ave drainage system. 3. Construct curb/gutter/sidewalk on both sides 		Inside City limits	Low
A14	Vista Ave	NW 17th St to Allen	<ol style="list-style-type: none"> 1. Reconstruct/realign to correct centerline and rehabilitate existing pavement. 2. Possible water/sewer utility extensions 3. Add stormwater drainage system and connect to Allen Ave drainage system. 		Inside City limits	Low

Scoring: Low= marginal benefit, Medium = medium benefit, High = excellent benefit

Project scoring is based on a combination of aligning with the Master Transportation Plan vision, community values, and overall project need

Table 5. MTP Project List Continued

City of Fruitland Master Transportation Plan Project List						Project Rank *
ID	Project Name	Extents	Description	Notes/ Considerations	Location	
Roadway Extension / New Alignment Projects						
B1	Arizona Ave	W 1st St to US-30	<ol style="list-style-type: none"> 1. New alignment between W 1st St and NW 7th St 2. Proposed roadway to include one travel lane in each direction, 2-way left turn lanes or left turn lanes (where necessary), bike lanes, curb/gutter/sidewalk. Possible consideration for on-street parking. 3. Institute measures to manage access to adjacent property (shared driveways, common approaches, etc.) 4. Sewer and Water extensions 5. Overhead illumination 	B1 and B2 will provide alternative route to US-95 through City of Fruitland. Would require right-of-way acquisition.	Majority Inside City limits	High
B2	Allen Ave	NW 7th St to US-30	<ol style="list-style-type: none"> 1. Extend existing section of roadway at US-30 south to NW 7th. Alignment to include s-curve over to Arizona Ave. 2. Proposed roadway to include one travel lane in each direction, 2-way left turn lanes or left turn lanes (where necessary), bike lanes, curb/gutter/sidewalk. Possible consideration for on-street parking. 3. Institute measures to manage access to adjacent property (shared driveways, common approaches, etc.) 4. Sewer and Water extensions 5. Overhead illumination 	B1 and B2 will provide alternative route to US-95 through City of Fruitland. Would require right-of-way acquisition.	Majority Inside City limits	High
B3	7th St	Arizona to Pennsylvania	<ol style="list-style-type: none"> 1. New alignment through undeveloped area 2. Construct one lane in each direction with curb/gutter/sidewalk 3. Add stormwater drainage system 	Would require right-of-way acquisition.	Inside City limits	Medium
B4	SW 3rd St	Pennsylvania to Elmore	<ol style="list-style-type: none"> 1. New alignment through undeveloped area 2. Construct one lane in each direction with curb/gutter/sidewalk 3. Add stormwater drainage system 	Would require right-of-way acquisition.	Outside City limits	Low
B5	W 1st St	Snake River to Nevada	<ol style="list-style-type: none"> 1. New alignment through undeveloped area 2. Construct one lane in each direction, bike lanes with curb/gutter/sidewalk 3. Add stormwater drainage system 	Would serve the future bridge crossing proposed by Oregon Department of Transportation (ODOT) across Snake River.	Outside City limits	Low
Pedestrian Facility						
C1	S Iowa Ave Sidewalks	SW 7th St to SW 3rd St	<ol style="list-style-type: none"> 1. Construct 5' wide sidewalk with curb/gutter 2. Full stormwater drainage system improvements 	Provides safe pedestrian travel to school located on S. Iowa Ave.	Inside City limits	High
C2	Multi-Use Path	US-95 to Snake River	<ol style="list-style-type: none"> 1. Construct a 10' wide multi-use path for recreational access to Snake River from downtown Fruitland 	Would require right-of-way acquisition. Multi-use path alignment study may be required.	Partially Inside City Limits	Medium

Scoring: Low= marginal benefit, Medium = medium benefit, High = excellent benefit

Project scoring is based on a combination of aligning with the Master Transportation Plan vision, community values, and overall project need

Appendix 18: Public Hearing Notice and Meeting Minutes

NOTICE OF PUBLIC HEARING ON PROPOSED GRANT ACTIVITIES

The City of Fruitland is submitting a proposal to the Idaho Department of Commerce for an Idaho Community Development Block Grant (CDBG) in the amount of \$500,000. The proposed project is to construct approximately 1,250 linear feet of NW 7th Street east of U.S. Highway 95. The hearing will include a discussion of the need for the project; the application process; and the project's scope of work, location, funding/budget, schedule, and expected benefits. The application, related documents, and ICDBG Application Handbook will be available for review.

The hearing has been scheduled for June 10, 2019 at 7:30 P.M., at Fruitland City Hall, 200 S. Whitley Drive, Fruitland, Idaho. Verbal and written comments will be accepted prior to and at the hearing.

The hearing will be held in a facility that is accessible to persons with disabilities. Special accommodations will be available, upon request, five (5) days prior to the hearing in a format that is usable to persons with disabilities. For more information, contact Rick Watkins at (208) 452-4421.

Brian Howell, Mayor
200 S. Whitley Drive,
P.O. Box 324
Fruitland, Idaho 83619

This Notice can be provided in a format accessible to persons with disabilities and/or persons with limited English proficiency upon request.

Al ser solicitada, esta notificación puede ser proveída en un formato fácil de usar para personas con discapacidad y/o personas con conocimientos limitados del Inglés.

Legal Number 167867
May 22, 29, 2019

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Payette }

Melissa Swetland
Of Payette, Payette County, Idaho, being
First duly sworn, deposes and says:

- 1) That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not party to the above entitled action.
- 2) That I am the representative of the Independent Enterprise, a weekly newspaper published in the County of Payette and State of Idaho; that the said newspaper is in general circulation in the said County of Payette, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
- 3) That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
05/22/2019 05/29/2019

Legal # 167867
NOTICE OF PUBLIC HEARING
L-167867

Melissa Swetland

State of Idaho }
County of Payette }

On this 29th day of May in the year 2019
Before me a Notary Public personally appeared.
Melissa Swetland, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Dawnita Haueter

Notary Public for Idaho
Residing at Payette County
My Commission expires * 2-12-2025

DAWNITA HAUETER
Notary Public - State of Idaho
Commission Number 20190282
My Commission Expires Feb 12, 2025

June 10, 2019

A regular meeting of the Fruitland City Council was held at Fruitland City Hall on the above date at 7:00 P.M.

PRESENT: Brian Howell, Jeff Carpenter, Ed Pierson (Via phone conference), Kari Peterson, Stuart Grimes.

ABSENT: None.

STAFF PRESENT: JD Huff, Jerry Campbell, Danny Little, Michelle Giokas, Jeff Werner, Suzanne Percy, Carol Garrison, Stephanie Bonney.

OTHERS PRESENT: Jeff Presher, Charles Otte, Bob Goodwin, Rick Greif, Pat Dille, Reece Hrizuk, Dave Haidle, Rob Ruth, Kenn Schappert, Ron Haidle.

Mayor Howell called the meeting to order and roll was taken.

Councilor Grimes moved to approve the May 13, 2019 minutes. Seconded by Councilor Carpenter. Motion carried.

A public hearing was opened at 7:02 P.M. for the purpose of receiving testimony regarding a request by the City of Fruitland for the annexation and zone designation of Heavy Industrial for a portion of land located at 600 NW 21st Street.

No testimony was given and the hearing was closed at 7:04 P.M.

A public hearing was opened at 7:04 P.M. for the purpose of receiving testimony regarding a request by Plum Coulee Farm, LLC for the annexation, comprehensive plan change from Neighborhood Commercial to General Commercial and Zone designation of General Commercial for two parcels NW and SE of NW 11th Street.

Reece Hrizuk, representing Plum Coulee Farm, LLC explained they are requesting the annexation, comprehensive plan change from Neighborhood Commercial to General Commercial and zone designation of General Commercial for a 9 acre parcel and a 10 acre parcel located NW and SE of NW 11th Street. Mr. Hrizuk explained they have no proposed development at this time.

No further testimony was given and the hearing was closed at 7:06 P.M.

A public hearing was opened at 7:06 P.M. for the purpose of receiving testimony regarding a request by EM, LLC for the annexation, comprehensive plan change from Light Industrial to Multi-Family Residential and zone designation of Multi-Family Residential for a parcel in the North 400 Block of NW 9th Street.

No testimony was given and the hearing was closed at 7:08 P.M.

A public hearing was opened at 7:08 P.M. for the purpose of receiving testimony regarding a request by RCG/R2B, LLC to amend the Development Agreement for White Pine Country Acres Subdivision.

Bob Goodwin of RCG/R2B, LLC explained they are requesting consideration of changes to the Development Agreement for construction of White Pine Country Acres Subdivision. Since the Agreement was originally signed and recorded in 2007, significant changes have occurred which they believe will improve the original plan of development of the property. Mr. Goodwin explained the City has added a sewer lift station on Lot 1, Block 2, and the dead end at the west end of Brown Bear Way has been made into a buildable lot. The two older homes and horse pasture have been removed from the subdivision. The entire development will be completed at once; it will not be phased. He requested three (3) early building permits with no occupancy, to build model homes, allowing them to be ready to market the property when all improvements are completed and accepted by the City. They are requesting to delete the berm required at the entry of the subdivision as there is very little room to place this feature.

No further testimony was given and the hearing was closed at 7:17 P.M.

Telephone communication with Councilor Pierson was lost at 7:13 P.M.

A public hearing was opened at 7:17 P.M. for consideration of amendments to the 2019 fiscal year budget. The proposed amendments reflect additional revenues and proposed expenditures received by the City of Fruitland.

No testimony was given and the hearing was closed at 7:18 P.M.

A public hearing was opened at 7:18 P.M. for the purpose of receiving testimony regarding a proposal to institute a fee increase related to ambulance patient fees. The reasons for the fee increase are due to increases in personnel-related costs, fuel and operational costs since the last fee adjustment in 2016.

No testimony was given and the hearing was closed at 7:20 P.M.

The May 2019 Fruitland Planning & Zoning Commission Report was presented by Zoning Administrator, Rick Watkins. Councilor Peterson moved to approve the report. Seconded by Councilor Grimes. Motion carried.

Pat Dille, representing Northview Ranch HOA, explained some concerns they have regarding speeding; lack of stop signs on Tamarack/Dogwood and Tamarack/Birch; homeowners not cleaning up after their dogs; street sign on Ponderosa was blown off and needs replaced; a globe on a streetlight located on Cottonwood needs tightened and the lot owned by the City on Washoe Road & NW 6th Avenue has a dead tree that needs to be removed. It was explained to Mr. Dille that some of these issues have just recently been addressed and in the future it would be beneficial to call City Hall and request service orders to be completed for these types of items.

A public hearing was opened at 7:30 P.M. for the purpose of receiving testimony regarding the City of Fruitland submitting a proposal to the Idaho Department of Commerce for an Idaho Community Development Block Grant (CDBG) in the amount of \$500,000. The proposed project is to construct approximately 1,250 linear feet of NW 7th Street east of US Highway 95.

Grant Administrator, Carol Garrison and Transportation Engineer, Jeff Warner explained this project will help fill the need for economic development and will create jobs. This street is listed as a high priority street in the City of Fruitland's Master Transportation plan. The application is due by the third Monday in September, 2019. If the grant is funded this would result in early spring of 2020 for construction. Swire Coca Cola is donating the property needed to construct the street. The City will be requesting \$500,000. Ten percent of the awarded grant is reserved for Grant Administration services.

No further testimony was given and the hearing was closed at 7:38 P.M.

A public hearing was opened at 7:38 P.M. for the purpose of receiving testimony regarding the City of Fruitland submitting a proposal to the Idaho Department of Commerce for a Rural Community Block Grant (RCBG) in the amount of \$230,000. The proposed project is to construct approximately 750 linear feet of NW 9th Street east of U.S. Highway 95.

Grant Administrator, Carol Garrison and Transportation Engineer, Jeff Warner explained the economic benefits and job creation opportunities this project will provide for the surrounding businesses and property owners. The City is requesting \$230,000. Five percent of the awarded grant is reserved for Grant Administration services. Half of the actual construction costs will be paid by the Subaru Dealership developer who is developing the five acres at NW 9th Street & U.S. Highway 95.

No further testimony was given and the hearing was closed at 7:45 P.M.

Councilor Grimes moved to approve the request by the City of Fruitland for the annexation and zone designation of Heavy Industrial for a portion of land located at 600 NW 21st Street. Seconded by Councilor Carpenter. Motion carried.

Councilor Peterson moved to approve the request by Plum Coulee Farm, LLC for the annexation, comprehensive plan change from Neighborhood Commercial to General Commercial and zone designation of General Commercial for two parcels NW and SE of NW 11th Street. Seconded by Councilor Grimes. Motion carried.

Councilor Peterson moved to approve the request by EM, LLC for the annexation, comprehensive plan change from Light Industrial to Multi-Family Residential and zone designation of Multi-Family Residential for a parcel in the North 400 Block of NW 9th Street, subject to written consent to annexation of the balance of the property in the future. Seconded by Councilor Grimes. Motion carried.

Councilor Carpenter moved to approve the request by RCG/R2B, LLC to amend the Development Agreement for White Pine Country Acres Subdivision. Seconded by Councilor Grimes. Motion carried.

Telephone communication with Councilor Pierson was restored at 8:11 P.M.

Councilor Peterson moved to read Ordinance No. 653 - Amending 2018-2019 Appropriations Ordinance, by title only. Seconded by Councilor Grimes. Motion carried. Councilor Grimes moved to suspend the rules and adopt Ordinance No. 653. Seconded by Councilor Peterson. Roll call vote: Grimes, aye. Pierson, aye. Carpenter, aye. Peterson, aye. Motion carried.

The Transportation Engineer Report was reviewed. Councilor Peterson moved to approve the report. Seconded by Councilor Grimes. Motion carried.

The Water/Sewer Engineer Report was reviewed. Councilor Pierson moved to approve the report. Seconded by Councilor Grimes. Motion carried.

The May 2019 Police Department Activity Report was presented by Chief Huff. Councilor Grimes moved to approve the report. Seconded by Councilor Carpenter. Motion carried.

The May 2019 Fire Department Activity Report was presented by Chief Campbell. Councilor Pierson moved to approve the report. Seconded by Councilor Carpenter. Motion carried.

Fire Chief, Jerry Campbell requested permission to donate six (6) surplus SCBA air packs and 6 surplus helmets to the Silver Creek Fire District. Councilor Pierson moved to approve the surplus equipment disposal request. Seconded by Councilor Grimes. Motion carried.

The May 2019 Public Works Department Activity Report was presented by Public Works Supervisor, Jerry Campbell. Councilor Grimes moved to approve the report. Seconded by Councilor Carpenter. Motion carried.

The Council reviewed a sales contract between the City of Fruitland and RCG/R2B, LLC for Lot 1, Block 2 of the White Pines Country Acres Subdivision in the amount of \$15,150.00 for the purchase of a site to construct the E. 1st Street Sewer Lift Station. Councilor Grimes moved to approve the sales contract. Seconded by Councilor Carpenter. Roll call vote: Grimes, aye. Pierson, aye. Carpenter, aye. Peterson, aye. Motion carried.

The Council reviewed the E. 1st Street Lift Station contract between the City of Fruitland and Star Construction, LLC in the amount of \$274,326.00. Councilor Grimes moved to approve the contract. Seconded by Councilor Peterson. Roll call vote: Grimes, aye. Pierson, aye. Carpenter, aye. Peterson, aye. Motion carried.

The May 2019 Building Department Activity Report was presented by Building Official, Danny Little. Councilor Pierson moved to approve the report. Seconded by Councilor Carpenter. Motion carried.

The May 2019 Ambulance Department Activity Report was reviewed. Councilor Peterson moved to approve the report. Seconded by Councilor Grimes. Motion carried.

Councilor Grimes moved to adopt Resolution No. 2019-01-Ambulance Fees. Seconded by Councilor Peterson. Roll call vote: Grimes, aye. Pierson, aye. Carpenter, aye. Peterson, aye. Motion carried.

The Council reviewed the May 2019 Parks & Trails Committees report. Councilor Peterson stated she is currently working with Southern Idaho RC&D regarding a potential grant opportunity and St. Luke's regarding possible partnership in the development of a trail system.

The Council reviewed proposals submitted from communications professionals to provide public relations and campaign information services to the City in order to increase the level and quality of effective communication to the public regarding an upcoming \$2.7 million bond election for the construction of a police department facility and City Hall remodel. The Council reviewed proposals from Atlas Strategic Communications and Portman Square Group. Councilor Pierson moved to accept the proposal submitted by Atlas Strategic Communications with funds to be used from State Revenue Sharing-Capital Projects. Seconded by Councilor Carpenter. Roll call vote: Grimes, aye. Pierson, aye. Carpenter, aye. Peterson, aye. Motion carried.

The Council reviewed a Grant Administrator Service proposal from CG Enterprises for a proposed Community Development Block Grant (CDBG) Administrator for the NW 7th Street project. Councilor Pierson moved accept the service proposal from CG Enterprises. Seconded by Councilor Grimes. Roll call vote: Grimes, aye. Pierson, aye. Carpenter, aye. Peterson, aye. Motion carried.

The April 2019 Finance Report was reviewed by the Council. Councilor Pierson moved to approve the April 2019 Finance Report. Seconded by Councilor Grimes. Motion carried.

The May 2019 bills were reviewed by the Council. Councilor Carpenter moved to approve the bills. Seconded by Councilor Grimes. Motion carried.

Councilor Carpenter moved to adjourn. Seconded by Councilor Peterson. Motion carried at 9:13 P.M.

Brian Howell, Mayor

ATTEST:

Rick S. Watkins, City Clerk