

RECLAMATION

Managing Water in the West

**National Environmental Policy Act
FINDING OF NO SIGNIFICANT IMPACT**

No. 10-SCAO-007-FONSI

Yucaipa Valley Regional Brineline Extension Project
San Bernardino and Riverside Counties, California

The Bureau of Reclamation (Reclamation) is providing American Recovery and Reinvestment Act (ARRA) funds to the Yucaipa Valley Water District to implement the Yucaipa Valley Regional Brineline Extension Project (Project). The Project will install 14 miles of pipeline connecting the Wochholz Regional Water Recycling Facility (WRWRF) to the Santa Ana Regional Interceptor (SARI), to convey reverse-osmosis brine waste and surplus recycled wastewater to the Orange County Sanitation District for treatment and disposal to the Pacific Ocean.

Based on our review and evaluation of the Final Mitigated Negative Declaration (MND) for the Yucaipa Valley Regional Brineline Extension Project (SCH No. 2009021105), certified under the California Environmental Quality Act (CEQA) in May 2009, we have determined that the project does not constitute a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA). Accordingly, preparation of an environmental impact statement on the proposed action is not required.

Recommended: _____/s/_____ Date: 2/17/10
Doug McPherson, Environmental Protection Specialist

Reviewed By: _____/s/_____ Date: 2/17/10
Dennis Wolfe, Area Engineer

Approved: _____/s/_____ Date: 2/17/10
William J. Steele, Area Manager



**U.S. Department of the Interior
Bureau of Reclamation
Lower Colorado Region
Southern California Area Office
Temecula, California**

BACKGROUND

The Yucaipa Valley Water District (District) supplies water, wastewater, and recycled water services to the cities of Yucaipa and Calimesa and unincorporated areas of Riverside and San Bernardino counties, encompassing approximately 50 square miles in southern California. The District currently meets the water supply needs of its service area using a combination of local groundwater sources, surface water and imported water from the California State Water Project. Wastewater is treated at the Wochholz Regional Water Recycling Facility (WRWRF) and discharged to San Timoteo Creek.

The District's service area is within the upper watershed of the Santa Ana River where stringent water quality objectives have been adopted by the Santa Ana Regional Water Quality Control Board (RWQCB) to protect downstream beneficial uses. The District may be restricted from using recycled water that exceeds water quality objectives for Total Dissolved Solids (TDS) and nitrogen. The District decided to install reverse-osmosis at the WRWRF to remove excess TDS and nitrogen from its water supplies.

A byproduct of reverse-osmosis is waste brine, comprising of concentrated minerals and salts. To dispose waste brine and excess wastewater, the District plans to extend the existing Santa Ana Regional Interceptor (SARI) pipeline into the Yucaipa Valley. The Yucaipa Valley Regional Brineline Extension Project will be installed in three phases.

Cooperative Agreement No. R10AC35R03 provides Federal ARRA funding to design and construct Phases I and II of the proposed brine line extension. Phase III and other components of the Project may be funded with future appropriations. Identified environmental effects were evaluated in the *Mitigated Negative Declaration for the Yucaipa Valley Regional Brineline Extension Project* (SCH No. 2009021105) prepared under the California Environmental Quality Act (CEQA).

PURPOSE AND NEED

The proposed project will allow the District to use recycled water from the WRWRF to replace imported water from the State Water Project. The project will allow waste brine and excess non-reclaimable wastewater to be conveyed to the Orange County Sanitation District for disposal into the Pacific Ocean. The project is needed to meet water quality objectives of the Santa Ana RWQCB.

AUTHORITY

Section 9114 of Public Law 111-11, the Omnibus Public Land Management Act of 2009 (123 Stat. 1320), amended the Reclamation Wastewater and Groundwater Study and Facilities Act (Title XVI of Public Law 102-575, 43 USC 390h, *et seq.*) by adding Section 1655: Yucaipa Valley Regional Water Supply Renewal Project. The Secretary of the Interior, in cooperation with the Yucaipa Valley Water District, may participate in the design, planning, and construction of projects to treat impaired surface water, reclaim and reuse impaired groundwater, and provide brine disposal within the Santa Ana Watershed.

PROJECT DESCRIPTION

The Yucaipa Valley Regional Brineline Extension Project will extend the existing SARI pipeline by approximately 14 miles, connecting the WRWRF in Yucaipa to the San Bernardino wastewater treatment plant. The planned alignment is within the cities of Yucaipa, Redlands, Loma Linda and San Bernardino, as well as unincorporated areas of San Bernardino and Riverside counties. The final design is based on the assumption of a District-only project for Phase 1, resulting in a 12-inch pipe size. To allow other regional dischargers to join the project, the Phase 2 pipeline will be designed to a 16-inch pipeline. The Phase 3 pipeline may be upsized to a 20-inch pipeline.

The Project will install a reverse-osmosis treatment system within the existing developed footprint of the WRWRF. The reverse-osmosis facilities would be enclosed in a pre-manufactured building with a footprint measuring approximately 80 feet by 225 feet, and would not be more than approximately 25 feet high. The reverse-osmosis system will consist of feeder pumps, cartridge filters, pressure vessel racks, membrane pressure vessels, membrane elements, an interstage booster pump, piping, valves, and instrumentation. Collectively these components make up a reverse-osmosis train.

Please refer to the Mitigated Negative Declaration for more details.

ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT

The National Environmental Policy act (NEPA) requires review of a proposed Federal action to determine its impact on the human environment. The Council on Environmental Quality (CEQ) regulations direct Federal agencies to cooperate with State and local agencies to the fullest extent possible to reduce duplication between NEPA and State and local requirements (40 CFR 1506.2). Department of Interior procedures for implementing NEPA encourage tiering of environmental documents and provide for adoption of existing environmental documents if, upon evaluation by a responsible official, it is found to comply with relevant provisions of the CEQ regulations.

In accordance with CEQ regulations for implementing the procedural requirements of NEPA, Reclamation staff reviewed the certified MND and concluded that the document adequately identifies and discloses the reasonably foreseeable environmental effects of the proposed action. We adopt the document as our Environmental Assessment in accordance with CEQ regulations (40 CFR 1506.3) and Department of the Interior policies for implementing NEPA (43 CFR 46.320(a)).

SUMMARY OF CEQA FINDINGS

The District prepared a Mitigated Negative Declaration (MND) which determined that the proposed project could have a potentially significant environmental effect. Specific mitigation measures will be implemented by the District to reduce potential effects to air quality, biological resources, cultural resources, geology/soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, recreation, and transportation/circulation. All potential impacts are temporary as they are construction related. Refer to the attached Mitigated Negative Declaration for additional details.

The project as revised avoids or mitigates the potentially significant environmental effects previously identified, and preparation of an Environmental Impact Report was not required under CEQA.

OTHER FEDERAL REQUIREMENTS

Endangered Species Act, Section 7

Within areas directly affected by the Project, no federally listed threatened or endangered plant or wildlife species are known to occur. In adjacent aquatic and terrestrial habitats, the MND identified potential impacts to the endangered southwestern willow flycatcher (*Empidonax traillii extimus*), least Bell's vireo (*Vireo bellii pusillus*) and Santa Ana River woollystar (*Eriastrum densifolium ssp. sanctorum*), and threatened coastal California gnatcatcher (*Polioptila californica californica*) and Santa Ana sucker (*Catostomus santaanae*).

There will be no direct impacts to any native habitats. Construction related noise could cause minor indirect effects to the gnatcatcher, vireo or flycatcher if occupying adjacent habitat. A small risk of "frac-out" during directional boring under the Santa Ana River is unlikely to affect critical habitat designated for the flycatcher and proposed for the Santa Ana sucker.

National Historic Preservation Act, Section 106

Construction of the project is not likely to result in any damage to any recorded cultural resources. Most of the brine line will be installed within existing roadways. All staging areas, access routes, and pipeline construction will be within existing roadways when possible in order to avoid and minimize impacts to cultural resources. Construction that must occur outside of existing roadways will be within developed areas or below the Santa Ana River. Seven cultural resources were identified within the Area of Potential Effect. None are known to be eligible for inclusion in the National Register of Historic Places. Reclamation has determined that the undertaking will not affect any eligible properties.

Indian Trust Assets

The proposed project will not affect tribal water rights or other Indian Trust Assets.

Clean Water Act and Protection of Wetlands – Executive Order 11990

No wetland habitat will be affected. Portions of the proposed project are adjacent to or cross jurisdictional waters and/or wetlands. The pipeline will cross Live Oak Creek, San Timoteo Creek and the Santa Ana River. Crossings over jurisdictional waters and/or wetlands would occur within or alongside existing roads

and bridges. At the Santa Ana River, the proposed project would utilize directional drilling to construct the pipeline beneath the Santa Ana River.

No Clean Water Act Section 404 Wetland Fill Permits are believed to be necessary. In response to comments provided by the California Regional Water Quality Control Board (Santa Ana Region), the applicant has contacted the U.S. Army Corps of Engineers to verify that no permit is required. If necessary, a nationwide 404 permit will be obtained prior to construction.

All construction activities, including access and temporary staging areas, will be outside of the ordinary high water mark (OHWM) for the respective drainages. Adverse impacts to water quality that could occur during pipeline installation due to spills, accidents or negligence will be avoided with the implementation of BMP. A National Pollution Discharge Elimination System (NPDES) Construction Stormwater Permit and Stormwater Pollution Prevention Plan will be required prior to construction. No significant water quality impacts related to construction or operation of the proposed project have been identified.

Flood Plain Management – Executive Order 11988

The western portion of the Phase II alignment and most of Phase III is located in the 100-year floodplain (Federal Emergency Management Agency Zone A). The finished product would be a buried pipeline; it is unlikely that the project components within the 100-year floodplain would impede or redirect flows. Existing drainage patterns will remain unchanged and no flood hazards will be imposed on other properties. No practicable alternatives to avoid the floodplain were identified. The Project appears to comply with Executive Order No. 11988.

Clear Air Act

Implementation of the proposed project would result in short-term impacts to air quality in association with construction. Construction emission would come from heavy equipment exhaust, construction-related trips by workers, material hauling trucks, and associated fugitive dust generation from clearing and grading activities. The principal pollutants would be carbon monoxide (CO), volatile organic compounds (VOC), oxides of nitrogen (NOx) and 10-micron particulates (fugitive dust). Fugitive dust will be controlled during grading and excavation activities with a dust abatement protocol while CO, O3 and NOx will be restricted through vehicle maintenance and traffic management practices, as described in the attached MND. Emissions will not exceed Clean Air Act conformity applicability *de minimis* thresholds [40 CFR 93.153 (b)] and will not be regionally significant. No conformity determination is required.

Environmental Justice

The proposed project will not disproportionately impact economically disadvantaged or minority populations. No impacts relevant to Environmental Justice are anticipated.

Farmland Protection Policy Act

Prime and unique farmlands are mapped along the proposed pipeline alignment at San Timoteo Canyon Road, adjacent to and north of Mission Road, and north of Van Leuven Street. One segment of the project will be installed within an unpaved perimeter road on the western edge of Prime farmlands owned by Loma Linda University. The project will not convert the prime and unique farmland.

Wild and Scenic Rivers Act

The proposed project will not impact any designated Wild and Scenic Rivers.

Coastal Zone Management Act

The proposed project is outside the California Coastal Zone boundary. No Coastal Zone Management Act consistency certification is needed.

AGENCY CONSULTATION AND COORDINATION

U.S. Fish and Wildlife Service (FWS)

Reclamation entered into informal consultation with the Carlsbad Field Office on December 4, 2009. On December 16, 2009, Reclamation documented the consultation under Section 7 of the Endangered Species Act with a memorandum requesting concurrence with a “not likely to adversely affect” finding, see attached memorandum. FWS concurred on January 26, 2010.

California State Historic Preservation Officer (SHPO)

Reclamation submitted a finding of no effect to properties eligible for the national Register of Historic Places to the California SHPO.

U.S. Army Corp of Engineers (ACOE)

Yucaipa has asked the ACOE for a jurisdictional determination under Section 404 of the Clean Water Act. Reclamation staff contact ACOE staff and verified that

ENVIRONMENTAL COMMITMENTS

Cultural Resources

Should cultural resources be discovered during project construction, all ground disturbing activities in the area of the archeological resource will stop and the Regional Archeologist, Patricia Hicks, will be contacted at 702-293-8075. Construction will not resume in the area of the discovery until all mitigation measures developed in consultation with the State Historic Preservation Officer have been completed.

Clean Water Act

If a Clean Water Act 404 permit is required by the ACOE, Yucaipa will also apply to the RWQCB for a water quality certification as required under Section 401 of the Clean Water Act.

Attachment:

1. FWS concurrence memo, January 26, 2010
2. No effect determination to California SHPO, February 12, 2010

References:

Mitigated Negative Declaration for the Yucaipa Valley Regional Brineline Extension Project. (California State Clearinghouse No. 2009021105), Dudek, May 2009.