

RECLAMATION

Managing Water in the West

September 27, 2011

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

No. 11-SCAO-014-FONSI

Sub-Regional Water Reclamation Plants
Victor Valley Wastewater Reclamation Authority
San Bernardino County, California

The Bureau of Reclamation (Reclamation) is providing funds to the Victor Valley Wastewater Reclamation Authority (VWVRA) to construct two sub-regional water reclamation plants that will be used to recharge the groundwater basin and serve recycled water customers in the city of Hesperia and the town of Apple Valley. The project will produce 2,240 acre-feet of recycled water annually.

Based on our review of the Environmental Impact Report for the *Victor Valley Wastewater Reclamation Authority: Town of Apple Valley Wastewater Reclamation Plant, City of Hesperia Wastewater Reclamation Plant, and Related Facilities* (SCH No. 2010051087), certified pursuant to the California Environmental Quality Act (CEQA), we have determined that the proposed financial assistance 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.

Prepared By: _____ /s/ _____ Date: 9/11/2011
Philip Trinh, Environmental Technician

Recommended: _____ /s/ _____ Date: 9/27/2011
Doug McPherson, Environmental Protection Specialist

Reviewed By: _____ /s/ _____ Date: 9/27/2011
Dennis Wolfe, Area Engineer

Approved: _____ /s/ _____ Date: 9/27/2011
William J. Steele, Area Manager



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

Cooperative Agreement No. R11AC35298 provides funds for the VVWRA to design and construct two sub-regional water reclamation plants in the city of Hesperia and the town of Apple Valley, including facilities to transport the recycled water to percolation ponds or recycled water distribution systems.

On February 17, 2011, the VVWRA Board of Commissioners adopted Resolution 2011-7 to certify the Environmental Impact Report entitled *Victor Valley Wastewater Reclamation Authority: Town of Apple Valley Wastewater Reclamation Plant, City of Hesperia Wastewater Reclamation Plant, and Related Facilities* (California State Clearinghouse No. 2010051087) pursuant to the requirements of CEQA.

PURPOSE AND NEED

Dependable water supplies for southern California are becoming more difficult to develop and maintain. Continued reliability of imported water sources such as the Colorado River and northern California is uncertain and the need to develop new supplies and fully utilize existing sources is evident. This includes fully developing and facilitating better use of existing water supplies, including recycled water.

The VVWRA in collaboration with its member agencies, the city of Hesperia and the town of Apple Valley, developed a strategic goal of locating sub-regional Water Reclamation Plants to augment reclaimed water treatment and reuse capabilities of the VVWRA's overall wastewater management system.

AUTHORITY

Division C, Section 214 of Public Law (PL) 110-161, Consolidated Appropriations Act, 2008, amended the Reclamation Wastewater and Groundwater Study and Facilities Act (Title XVI of PL102-575) by adding section 1641 "Southern California Desert Region Integrated Water and Economic Sustainability Plan." The Secretary of Interior is authorized to participate in design, planning, and construction of projects to implement the Mojave Water Agency's Integrated Regional Water Management Plan (43 USC 390h-23).

The Mojave Water Agency has designated VVWRA to receive up to \$5 million of the Title XVI funds to construct subregional water reclamation plants and recycled water distribution systems that implement the water recycling program.

PROJECT DESCRIPTION

The project will construct and install a 1.0 MGD Water Reclamation Plant in the town of Apple Valley expandable to a 4.0 MGD Plant; a 1.0 MGD Water Reclamation Plant in the city of Hesperia expandable to a 4.0 MGD Plant; a lift station and force main to serve the proposed Hesperia WRP; modification of a lift station to serve the proposed Apple Valley WRP; and recycled water distribution infrastructure and disposal percolation ponds to serve each WRP. The wastewater will be treated to meet California Title 22 recycled water requirements and will be used for industrial and landscape irrigation with excess recycled water disposed of in percolation ponds.

ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT

NEPA requires review of a proposed Federal action to determine its impact on the human environment. 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 regulations 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 EIR and supporting information and concluded that the CEQA document adequately identifies and discloses the reasonably foreseeable environmental effects of the proposed action. We adopt this document in accordance with CEQ regulations (40 CFR 1506.3) and Department of the Interior regulations for implementing NEPA (43 CFR 46.320(a)).

FINDINGS

Based on data provided in the EIR, VVWRA concluded the proposed project would not result in significant adverse environmental impacts. All of the potential environmental issues evaluated in the EIR were determined to be less than significant impacts, either without mitigation or with implementation of the mitigation measures identified in the EIR or its attached Initial Study.

Endangered Species Act

The Initial Study found no evidence that the proposed project would have the potential for adverse effect on wildlife resources. The action will not result in direct effects to Federal endangered species or critical habitat. A *de minimus* impact finding was filed pursuant to California Fish and Game Code section 711.2.

Cultural Resources

No documented cultural resources were identified within the Area of Potential Effect. No structures are proposed to be demolished. No properties eligible for listing in the National Register of Historic Places were identified. No archaeological resources are expected within the previously disturbed right-of-way.

Clean Air Act

The South Coast Air Basin is a designated non-attainment area for ozone, PM₁₀ and PM_{2.5}. Project construction must comply with regional fugitive dust reduction practices required by South Coast Air Quality Management District Rule 403. Estimated air emissions will not exceed the Clean Air Act conformity applicability *de minimis* thresholds [40 CFR 93.153 (b)] and will not be regionally significant. No conformity determination is required.

Clean Water Act

Construction of the proposed linear underground project will disturb less than 1-acre, the threshold for the *General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities* under the National Pollutant Discharge Elimination System (NPDES No CAS000002), per California State Water Resources Control Board Order No. 2009-0009-DWQ. No Storm Water Pollution Prevention Plan (SWPPP) is required. Best management Practices will be incorporated into a water control plan to control erosion. Operation of the project will not require Clean Water Act discharge permits.

Wetlands and Floodplain

The Apple Valley WRP is within the 100-year flood hazard area associated with Apple Valley Dry Lake. The type of flood hazard at this location is related to rising surface water at the Dry Lake, as opposed to flowing water in a stream. Potential exposure to flood hazards will be mitigated by incorporating flood protection design measures to withstand the 100-year standing water elevation. No other Subregional WRP facility is located within a 100-year flood hazard area.

Water Resources

The project could result in a total of about 2,240 AFY of recycled water delivered to non-potable uses in the town of Apple Valley and the city of Hesperia. This water would replace potable water supplies currently used on existing industrial and landscape irrigation with excess recycled water disposed of in percolation ponds. The Lahontan Regional Water Quality Control Board has issued Tentative Waste Discharge Requirements and Water Recycling Requirements for the project.

Sole Source Aquifers

No sole source aquifers are designated within the Mojave River watershed.

Land Use

No General Plan amendment or zone change is required. No land use conflicts were identified.

Indian Trust Assets

No known Indian Trust Assets will be affected.

Prime and Unique Agriculture

Project facilities are not located within mapped Prime or Unique farmlands.

Wild and Scenic Rivers

The Mojave River is not a designated Wild and Scenic River. The proposed project does not directly impact the Mojave River. No wild and scenic rivers are designated in the area.

Coastal Zone

The proposed project location is within the Mojave Desert more than 50 miles from the Pacific Ocean and outside the California coastal zone.

Socioeconomic Resources

Adverse socioeconomic impacts are not expected. The project will provide drought year reliability, improve local water supplies, sustain municipal water demands, and support economic vitality in the area. The project will not induce population growth. No housing or people will be displaced. No communities will be divided. No effects to public health and safety were identified. Economic or social effects are not intended by themselves to require preparation of an EIS (40 CFR 1508.14).

Environmental Justice

The project will not disproportionately impact economically disadvantaged or minority populations. The proposed project facility locations are not located within neighborhoods that suffer from exposure to adverse human health or environmental conditions. There are no major industrial activities or sites in the vicinity of the facility locations. No impacts relevant to Environmental Justice are anticipated.

The city of Hesperia and town of Apple Valley are communities with normal annual average incomes, with a modest proportion of low income families, but none within the immediate vicinity of the proposed project facilities. The project has no potential to adversely impact any specific low income or ethnic communities over the short- or long-term.

Geology

Due to the location of the proposed project within a seismically active area, a potential for significant geology and soils resources impacts from implementation of the Project were identified in the Initial Study. Mitigation measures were identified to minimize geology and soils resources impacts. With implementation of these mitigation measures, the project-related geology and soils resources impacts are reduced to a less than significant impact level.

Hazardous Waste Sites

No underground storage tanks, hazardous waste generators, landfills, or other potentially hazardous materials sources were identified within the limits of the proposed project. No significant hazards and hazardous materials issue impacts were forecast to result from implementation of the proposed project.

Cumulative Effects

Cumulative impacts were evaluated and found to be less than significant, based on a determination that the project's contributions are not cumulatively considerable, the threshold identified in Section 15130 of the State CEQA Guidelines.

AGENCY CONSULTATION AND COORDINATION

Fish and Wildlife Service

The proposed action will not affect listed species or critical habitat. No consultation with Fish and Wildlife is required under interagency cooperation regulations for the Endangered Species Act, 50 CFR Part 402.

California State Historic Preservation Officer (SHPO)

SHPO consultation is required under section 106 of the National Historic Preservation Act. Regional Archaeologist staff reviewed the cultural resources report for the project, made a finding of No Historic Properties Affected and prepared a submittal letter to the SHPO.

Natural Resources Conservation Service

No farmlands will be converted. Consultation under the Farmland Protection Policy Act is not required.

ENVIRONMENTAL COMMITMENTS

Cultural Resources

1. Consultation with the California SHPO will be completed in accordance with Section 106 of the National Historic Preservation Act.
2. 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 mitigate measures developed in consultation with the SHPO have been completed.

REFERENCES:

Tom Dodson & Associates, Final Environmental Impact Report *Victor Valley Wastewater Reclamation Authority: Town of Apple Valley Wastewater Reclamation Plant, City of Hesperia Wastewater Reclamation Plant, and Related Facilities*, January 2011