

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Napa Berryessa Resort Improvement District - Water and Wastewater Treatment Upgrades and Expansion

FONSI 13-2-CCAO

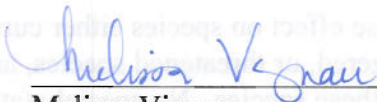
Recommended by:



Date: 2/21/2013

Melissa Harris
Natural Resource Specialist
Central California Area Office

Concurred by:



Date: 2/21/2013

Melissa Vignau
Chief, Resources Management Division
Central California Area Office

Approved by:



Date: 2/21/2013

Mary Johannis
Acting Area Manager
Central California Area Office

FINDINGS

The Bureau of Reclamation has determined that the Napa Berryessa Resort Improvement District (District) proposed water and wastewater treatment upgrades to facilities located on existing Reclamation easements and issuance of a new 25 year license to the District for wastewater pond expansion will not have a significant impact on the quality of the human environment.

Therefore, an Environmental Impact Statement (EIS) is not required and will not be prepared for this project, based on the fact that there will be no short-term or long-term adverse impacts on the human environment resulting from the proposed action.

This decision is based on a thorough review of the Napa Berryessa Resort Improvement District –Water and Wastewater Treatment Upgrades and Expansion Environmental Assessment (EA dated January 2013). This decision is in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), and the Department of the Interior (DOI) regulations for implementation of NEPA (43 CFR Part 46).

The prepared EA disclosed potential environmental impacts, which are summarized below. A number of protective measures have been incorporated into the proposed action that will minimize environmental impacts, avoid impacts, or further reduce impacts to the extent possible.

A finding of no significant impact is based on the following:

Air Quality

- Air quality impacts will be intermittent and short term. Emissions will be generated by the construction equipment, vehicles traveling within the project site as well as to and from the site. The action will comply with the standards set forth by Bay Area Air Quality Management District (BAAQMD) by adhering to Best Management Practices (BMPs) for construction-related dust and emissions particulate matter increase.

Biological Resources

- The Proposed Action will have no adverse effect on species either currently listed or proposed for listing as candidate, endangered, or threatened species, and no adverse effects on designated critical habitat for these species. No special-status plants, including federally listed threatened or endangered species, are known to occur in the Project Area. There are no habitat conservation plans, natural community conservation plans or similar plans applicable to the Project Area. The Proposed Action will have no adverse effect on such unique characteristics as biological resources and riparian areas upon implementation of mitigation.

Cultural Resources

- Authorizing a project on Federal lands constitutes an undertaking pursuant to Section 301(7) of the NHPA (16 U.S.C. 470) as amended, and requires compliance with Section 106 of the NHPA. The Proposed Action involves the types of activities that have the potential to affect historic properties, pursuant to the regulations at 36 CFR Part

800.3(a)(1). Reclamation has concluded a cultural resource investigation and has reached a finding of no historic properties affected for this undertaking.

Environmental Justice

- The Proposed Action will not have any disproportionately negative impact on low-income or minority individuals within the project area.

Hydrology, Water Quality and Groundwater

- The Proposed Action will have positive impact on hydrology and water quality because the purpose of the Proposed Action is to improve water and wastewater treatment, and wastewater retention by the District.

Indian Tribal Assets (ITAs)

- There are no known ITA's or treaty rights exercised by tribes, nor are there any reservations or trust lands located within or adjacent to the Proposed Action that would be affected. The nearest ITA is a Public Domain Allotment approximately 60 miles northeast of the Proposed Action area.
- There are no identified Indian Sacred Sites within the action area of the proposed project and therefore this project will not inhibit use or access to any Indian Sacred Sites.

Land Use, Planning, and Zoning

- The Proposed Action has a positive impact on land use, planning and zoning impacts. The Proposed Action is consistent with all applicable land use plans, policies, or regulations.

Noise

- The Proposed Action will not result in significant effects from noise at adjacent sensitive receptors. The Proposed Action will result in short-term construction related noise increases; however, appropriate BMPs would be in place and all activities would be subject to Napa County noise ordinances and therefore not be a significant noise impact. Long-term use of the project would not cause a significant increase in noise in the project area.

Public Health and Safety

- The Proposed Action is a positive impact to public health and safety. The Proposed Action would help to prevent future discharges of treated wastewater. The proposed upgrades to the water treatment plant (WTP) are to meet the California Department of Public Health guidelines for surface water treatment.

Public Services and Utilities

The Proposed Action is a positive impact to public services and utilities by allowing the District to make the necessary improvements to the WTP and wastewater treatment plant (WWTP), and increase wastewater storage. The improvements to the WTP and WWTP are on an existing easement with Reclamation, therefore there will be no additional land use fees associated with this action.

- The Proposed Action is not expected to contribute any substantial cumulative public services and utilities impacts. The Proposed Action may allow for additional residential development within the Berryessa Highlands subdivision and at the nearby concession area. Napa County oversees the development of private land in the area serviced by the District. Napa County has zoned the area for residential development and has completed a General Plan which recognizes the development of the Berryessa Highlands subdivision. Any development within the Steele Park/Lupine Shores concession area will be covered by a separate NEPA analysis and require additional Reclamation approvals.

Recreation Resources

- The Proposed Action will allow for development of greater recreation services as described in the Visitor Services Plan (Reclamation 2006) and therefore will have a positive cumulative impact on recreation resources.

Soils, Minerals, and Geological Resources

- The Proposed Action has a less than significant impact to soils, minerals and geological resources based on the BMPs to minimize soil erosion, soil loss and sedimentation, and the mitigation measures proposed to limit the risk of debris flow to existing levels. Existing conditions allow for the possibility of debris flow due to landslides. Even without any improvements, debris flow event could take place in the affected areas. The design of the improvements incorporates elements to protect the integrity of the pond berms as debris flows cannot be prevented due to existing conditions.
- The Proposed Action, in combination with heavy precipitation and a seismic event, could cause localized flooding. Steele Canyon Road would likely convey water, wastewater and debris from the ponds to Lake Berryessa in the event of such a failure, posing a temporary impact. This failure is unlikely and not a significant change due to the current geologic conditions onsite, therefore is not a significant cumulative impact to soils, minerals and geological resources.

Socioeconomics, Population and Housing

- The Proposed Action has a positive impact on socioeconomics, population and housing. The Proposed Action would perform the necessary improvements to the WTP and WWTP to allow for residential development within the Berryessa Highlands subdivision and at the Steele Park/Lupine Shores concession area. Any development within the concession area will be covered under a separate NEPA process and Reclamation approval process.

Transportation and Circulation

- The Proposed Action would involve the temporary increase in traffic as a result of construction activities, however, traffic volumes associated with the Proposed Action are not anticipated to increase to a level that would diminish the Level of Service beyond existing levels within the area of the project site. Once the Proposed Action is complete, there will be the same number of employees as are currently working for the District.

Therefore no permanent impacts to transportation and circulation are associated with the Proposed Action.

Visual Resources

- Comments were received during the public comment period, regarding the visual impacts of the WTP portion of the Proposed Action. To mitigate the visual impacts to less than significant, the District will eliminate the wastewater tank and relocate the water storage tank to the north of the existing WTP. The color scheme will be changed to neutral colors such as a green to blend with the surrounding vegetation, and native species of trees will be planted as close as allowable per Napa County Building Code to the east and west of the WTP. The District will also plant additional trees on the property located to the east of the WTP to mitigate for additional impacts to the resident's visual corridor.
- The Proposed Action would bury the existing Backwash Force Main in the current alignment. The Proposed Action would utilize the same footprint as the existing WWTP. These portions of the Proposed Action would not alter the current use of the land or footprint, therefore there will be no significant impact to visual resources.
- The Pond Expansion portion of the Proposed Action would convert approximately 10 acres of undeveloped oak woodland, removing approximately 150 oak trees as well as other vegetation. The new wastewater ponds would be 3.8 acres, which would be visible from higher elevations to the east. The berms surrounding Ponds 2, 3 and 4 will be 20 to 100 feet high and visible from Steele Canyon Road and the nearby concession area. Ponds 2 and 3 will not be visible from Steele Canyon Road due to the height of the berms. Pond 4 will not be visible from Steele Canyon Road due to the existing topography and the height of the berms. The pump house would be visible from Steele Canyon Road and the nearby concession area. All berms and cut and fill slopes will be planted with a native seed mix.

SUMMARY OF ENVIRONMENTAL IMPACTS

The expected environmental effects of the Proposed Action are described in Chapter 3 of the EA. Negligible effects will be caused to the human environment from the proposed action.

ENVIRONMENTAL COMMITMENTS

Reclamation will ensure fulfillment of any environmental commitments prescribed to mitigate or eliminate impacts resulting from implementation of the Proposed Action. Mitigation measures within Chapter 3 of the EA will be followed and Reclamation will monitor construction and past construction activities to ensure avoidance or minimization of effects to the environment.

The following commitments are assumed under the Proposed Action:

- All required air quality permits from BAAQMD will be obtained by the District.

- Prior to the Proposed Action, the District will employ a qualified biologist to conduct a habitat assessment for potential suitable bat habitat within six months of project activities. If bats are found to be present during peak activity periods, the District shall submit an avoidance plan to the County and the California Department of Fish and Wildlife (DFW) for approval prior to the beginning of the project as described in the EA: Mitigation Measure BIO-1.
- During the migrating bird breeding season (February 15 to August 31) a qualified biologist will perform a survey of vegetation to verify that no nesting migratory birds are utilizing the area before vegetation removal and earth-disturbing activities prior to the Proposed Action as described in the EA: Mitigation Measures BIO-2. If an active nest is found near the proposed project areas, the nesting area will be avoided. In the event it cannot be avoided appropriate mitigation measures will be followed.
- All necessary mitigation plans required by DFW and Army Corp of Engineers (USCOE) will be completed and provided to Reclamation for approval prior to beginning the Proposed Action. All appropriate permits will be obtained from DFW and USCOE by the District prior to beginning the project.
- A Stormwater Quality Management Plan (SQMP) and Construction Activities Storm Water General Permit will be required prior to beginning the Proposed Action. A Storm Water Pollution Prevention Plan (SWPPP) will be prepared and submitted to Reclamation prior to any earth movement. Appropriate BMPs will be installed prior to the start of construction to protect the site in accordance with Napa County and State guidelines for stormwater protection.
- The District will notify nearby residents, Reclamation and any concessionaire operating at the nearby by concession area in advance when activities exceeding the noise threshold will occur at least two weeks in advance. The District will limit activities exceeding the noise threshold to weekdays between 7 a.m. and 5 p.m. All equipment should have sound-control devices no less effective than those provided on the original equipment. Motorized equipment should be adequately muffled and maintained. Whenever feasible, schedule different noise generating activities to occur at the same time, since additional sources of noise generally do not add a significant amount of noise. To the extent feasible, the District will route heavy-truck away from residences and other sensitive receptors and/or enclose the noise source.
- Prior to beginning the Proposed Action the District would develop a Worker Health and Safety Plan. With the development and implementation of a Worker Health and Safety Plan, health risks to construction workers will be less than significant.
- Debris flow that may be experienced at Pond 1 will be addressed operationally by keeping the volume in the pond low most of the year including the wet season. The District will implement all requirements of the geotechnical report by Bauer and Associates.

- Prior to the beginning of the Proposed Action the District will complete a traffic plan and make it available to the public. Any traffic delays must be identified and residents notified at least two weeks in advance.
- Prior to the beginning of the Proposed Action the District will obtain all necessary easements and agreements for accessing the Project Area from private land and roads. Any damage to private roads, public roads or roads within the nearby concession area will be repaired by the District.
- Prior to the Proposed Action an Oak Mitigation Plan shall be developed by a qualified biologist submitted to Reclamation for approval as described in the EA: Mitigation Measures BIO-3. Once the enhancement plan has been approved by Reclamation, implementation shall be initiated within 1 year of completion of the Proposed Action. All oak trees removed from Reclamation land will be replaced on Reclamation land at a ratio of 2:1. At a minimum the enhancement plan shall include planting guidelines, planting survival rate of 80% or greater over a three to five year period, and monitoring and reporting program to be submitted to Reclamation annually.
- All appropriate permits will be obtained from DFW and USCOE by the District prior to beginning the Proposed Action. All necessary mitigation plans required by DFW and USCOE will be completed and provided to Reclamation for approval prior to beginning the Proposed Action. The District will implement mitigation measures BIO-3 and BIO-4 to offset any losses to riparian habitat.
- The District will be responsible for the operation and maintenance of all of the District facilities on Reclamation land, including removal.
- The District will confer with Reclamation on and significant changes to existing or future facilities.
- The District will comply with all applicable environmental laws for existing and future facilities, including removal and maintenance.
- Work is expected to begin in February 2013 and end in October 2013. No work is permitted beyond December 31, 2013.