RECLAMATION

Managing Water in the West

Recovery Act Funding for the Short-Term Phase I Component of the South County Recycled Water Master Plan Project

Gilroy, California

Draft Finding of No Significant Impact

FONSI 10-15-MP

Recommended by: _____ Date: _____
Brian L. Buttazoni
Natural Resources Specialist

Concurred by: _____ Date: _____
David T. White
Title XVI Program Manager

Approved by: _____ Date: _____
Michele H. Denning
Planning Division Chief

U.S. Department of the Interior
Bureau of Reclamation

May 2010

Draft Finding of No Significant Impact

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Mid-Pacific Region of the Bureau of Reclamation (Reclamation) finds that the execution of Cooperative Agreements with the Santa Clara Valley Water District (District) and provision of American Recovery and Reinvestment Act (Recovery Act) funding for the implementation of the Short-Term Phase I Capital Improvement Program (CIP) component of the Master Plan (Proposed Action) is not a major federal action that will significantly affect the quality of the human environment and an environmental impact statement is not required. This Draft Finding of No Significant Impact (FONSI) is supported by Reclamation's Draft Environmental Assessment (EA) Number EA-10-15-MP, *Recovery Act Funding for the Short-Term Phase I Component of the South County Recycled Water Master Plan Project,* and is hereby incorporated by reference.

Background

The Proposed Action would provide Recovery Act funding to the District for connecting an existing recycled water plant to new recycled water pipelines and connecting the existing pipeline to a new customer (Cintas Corporation) while improving capacity to current users served by the existing pipeline in Monterey Road.

Dependable water supplies in California are becoming increasingly limited. Multiple-year droughts, which are experienced periodically, further stress the water system and make balancing among these needs even more difficult. Risks and uncertainties such as possible earthquakes, more stringent water quality standards, global warming, and other factors further complicate the water resources supply. Funding the implementation of the Short-Term Phase I CIP recycled water project would increase dependable water supplies in California, which are becoming more difficult to develop and maintain as traditional imported water sources become increasingly less reliable. With Recovery Act funding from Reclamation, the District plans to expand the use of recycled water to meet long-term water supply and wastewater needs in south Santa Clara County.

Findings

An EA with a FONSI has been prepared to disclose potential environmental impacts. A number of protective measures have been included that will minimize environmental impacts, avoid impacts, or further reduce impacts to the extent possible. These protective measures will be implemented for the Short-Term Phase I CIP construction and operation, unless otherwise specified.

Aesthetics. The overall character of the study area is established by the developed community of Gilroy and nearby areas, and is influenced by the surrounding large scale agricultural lands and agricultural processing plants, mixed residential uses, mixed institutional and recreational uses,

and commercial/light industrial areas all located within the Santa Clara Valley. While implementation of the Proposed Action could result in temporary disturbance along the pipeline route during construction, the alignment would not be prominently visible from residences, roads, or other public viewsheds. Installation of pipelines would occur primarily in existing and planned roadways. Furthermore, impacts would be reduced or eliminated upon the completion of construction. Pipelines installed below grade in roadways would have no visual effect when completed. Therefore, there would be no significant impacts to Aesthetics.

Agricultural Resources. Surrounding community uses along the proposed recycled water pipeline consist of commercial development and large-scale agricultural operations. Construction and installation of the recycled water pipelines would occur primarily within existing or proposed road rights-of-way and easements. The proposed connection would be placed entirely within the road right-of-way and would not significantly impact agricultural resources. The Proposed Action would not result in the irreversible conversion of farmland to non-agricultural uses and would be compatible with state, local, and private programs and policies to protect farmland. Therefore, there would be no significant impacts to Agricultural Resources.

Air Quality. Construction emissions are generally considered less than significant if the contractor implements dust control best management practices (BMP). Short-term increases in windblown dust and/or tailpipe emissions could result in an impact, particularly where construction occurs in close proximity to homes or school facilities. This impact is therefore considered potentially significant. Protective measures outlined in the EA would be implemented to reduce impacts to air quality resulting from the Proposed Action to less than significant levels.

Biological Resources. The majority of the study area is located within existing road rights-of-way or agricultural roadways. Disturbed or developed land within the study area includes hardscapes such as roads, rip-rap, berms, and other structures. The Proposed Action would result in temporary impacts to a relatively small surface area of developed land and road rights-of-way. All disturbed areas would be returned to the pre-construction grade and originally vegetated areas would be reseeded with native grass and forb species. Therefore, impacts from the Proposed Action to these habitats would be less than significant.

No riparian vegetation is found within or adjacent to the study area and no potential breeding or foraging habitat for the federally listed least Bell's vireo would be removed or disturbed during implementation of the Proposed Action. The Proposed Action is not expected to result in appreciable effects on regional populations of state-listed special status bird species that occur only as occasional non-breeding visitors, migrants, or foragers. Protective measures outlined in the EA would be implemented to reduce potential impacts to migratory birds that may forage in the study area. Therefore, impacts to these species are considered less than significant.

Burrowing owls are known to occur within the study area, and potential habitat for this species is present. Construction activities in occupied burrowing owl habitat could result in injury or mortality of individual owls if occupied burrows are destroyed or blocked by construction, trapping owls within. Construction-related disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings by disrupting incubation or provisioning of young, or leading to nest abandonment. Protective measures outlined in the EA would be implemented

to reduce impacts to burrowing owls resulting from the Proposed Action to less than significant levels.

Occasional individual American badgers may disperse through portions of the study area, particularly in less developed areas. Badger habitat would not be permanently affected by the Proposed Action, as areas disturbed during construction would be restored following pipeline installation. Construction activities in occupied badger habitat could result in injury or mortality of individuals if occupied dens are destroyed or blocked by construction. In the unlikely event that badgers breed in the study area, construction-related disturbance during the breeding season could result in disturbance of adults to the point of abandonment of young. Protective measures outlined in the EA would be implemented to reduce impacts to badgers resulting from the Proposed Action to less than significant levels.

Cultural Resources. The only cultural resource identified within the Area of Potential Effect of the Short-Term Phase I CIP was the UPRR track (mainline and spur). The Proposed Action would not cause a substantial adverse change in the significance of a cultural resource because the pipeline would be installed under the railroad track via jack-and-bore or micro-tunneling technique. No known human remains are present. Since there would be a federal action, the Proposed Action meets the definition of an undertaking as defined by Section 301(7) of the NHPA and is subject to Section 106 of the NHPA. As part of that process, Reclamation has determined that the Proposed Action would result in no adverse effect to historic properties and is seeking concurrence from the State Historic Preservation Officer.

Indian Trust Assets. No Indian Trust Assets are located within 50 miles of the Proposed Action study area. No impacts to an Indian Trust Assets would occur as a result of the Proposed Action.

Geology and Soils. Construction activities related to the Proposed Action would disturb soil resources in the study area. Soil disturbance would result in the potential for wind and water erosion. Construction activities related to the Proposed Action would require the preparation of a Storm Water Pollution Prevention Plan (SWPPP). Compliance with the Permit for Discharges of Storm Water Associated with Construction Activity administered by the State Water Resources Control Board would reduce impacts to a level of less than significant.

Hazards and Hazardous Materials. According to the review of the environmental database search report, underground storage tank facilities may be encountered during construction activities related to the Proposed Action. Proper implementation of soil and/or groundwater management plans and a worker and community health and safety plan would reduce the potential impacts of the Proposed Action and related construction activities.

The Proposed Action is not anticipated to generate hazardous materials or wastes in quantities or types that could not be accommodated by the current disposal system; increase the likelihood of an uncontrolled release of hazardous materials that could contaminate soil, surface water, and groundwater; or endanger or put at risk workers, visitors, nearby residents, or the general public. No significant effects or impacts related to hazards or hazards materials are anticipated to occur as a result of the Proposed Action.

Hydrology and Water Quality. The study area lies in the Llagas and Uvas Creek sub-watersheds, which flow south to the Pajaro River. Virtually the entire southern Santa Clara valley floor draining to the Pajaro River is underlain by the Llagas groundwater sub-basin.

Under the Proposed Action, construction activity would result in impacts to hydrology and water quality associated with the initial installation of new pipelines, and possibly during some long-term maintenance and repair procedures. The grading and installation of pipelines may impact surface water drainage, erosion, and water quality. Devegetated slopes and disturbed soils would be susceptible to erosion, which may introduce sediments into storm drains and creeks. Construction access and staging areas would also disturb vegetation and soils, adding to erosion and runoff volume from the site. In addition to hydrologic concerns, the operation and staging of heavy equipment may also introduce oils, solvents, fuels, heavy metals, and detergents into surface water drainage.

A SWPPP outlining appropriate construction practices would be prepared in accordance with Regional Water Quality Control Board requirements. The SWPPP is site-specific and is a required component of the National Pollutant Discharge Elimination System general permit. The SWPPP outlines revegetation techniques, erosion control measures, spill prevention practices, and emergency spill cleanup procedures. It also identifies the required cleanup and emergency response materials to have on site. If necessary, construction activities would be limited to dry months. The SWPPP also contains a summary of BMP to be implemented during the post-construction period. In general, because the SWPPP details the BMP to be applied to control erosion and sedimentation and maintain water quality, impacts to water quality or drainage patterns from runoff during short-term construction activities would be less than significant. Protective measures outlined in the EA would be implemented to reduce impacts to hydrology and water quality resulting from the Proposed Action to less than significant levels.

The study area may fall within the Federal Emergency Management Agency flood zones along the pipeline spur off the existing pipeline to Cintas Corporation along Camino Arroyo Drive. Underground pipelines are not anticipated to impede or re-direct flood flows. In addition, the Proposed Action does not include any permanent or habitable structures within the flood plain; thus impacts would be less than significant. Protective measures as outlined in the EA would reduce impacts to surface water hydrology and drainage to below a level of significance.

Under the Proposed Action, implementation of the Short-Term Phase I CIP project would not likely significantly alter the groundwater hydrology of the basin. Provided the recharge mechanisms for the unconfined and confined aquifers in the Llagas sub-basin have not significantly changed, the estimated four percent increase in salt concentrations associated with implementation of the Proposed Action is not expected to affect the unconfined aquifer. In addition to total dissolved solids, other constituents such as chloride, sulfate, calcium, magnesium, and carbonate were determined to not be affected by the application of recycled water and are considered less than significant.

Ground-water quality characteristics in the shallow, confined, and unconfined aquifers differ. The shallow aquifer beneath and to the southeast of Gilroy is relatively more impaired, with higher measured levels of total dissolved solids, chloride, sulfate, boron, and sodium than the

confined and unconfined aquifers. Protective measures as outlined in the EA would reduce impacts to groundwater quality to below a level of significance.

Noise and Light. The study area is exposed to a wide range of ambient noise sources. Noise sources consist primarily of agriculture and industry activities, including the wastewater treatment plant. The Proposed Action would facilitate installation of transmission and distribution pipelines in local roads and rights-of-way. Potential noise and light impacts would occur during construction activities. Noise associated with excavation, pipeline placement, and surface preparation would result in short-term transient impacts. Except for a small number of residences in the vicinity of the pipeline connection west of Monterey Road at Luchessa Avenue, noise sensitive receptors such as schools and residences are not located in the vicinity of the study area, and as such would not be exposed to elevated noise levels during construction of the pipeline. City of Gilroy ordinances do not specify noise level thresholds for construction, but if these noise levels were to occur during night-time hours, an adverse impact could result. Protective measures as outlined in the EA would reduce noise and light impacts to below a level of significance.

Construction of the Short-Term Phase I CIP project would result in the use of night lighting within some portions of the study area. The impacts of the use of lighting would likely be minimal given the location, duration, and proposed protective measures outlined in the EA.

Transportation/Traffic. The Proposed Action would facilitate installation of transmission and distribution pipelines in local roads and rights-of-way. Potential impacts to transportation and traffic could occur during construction, which would involve cut and cover trenching in some travel lanes along the pipeline alignment. Due to construction related road and lane closures, the Proposed Action would impact the level of service at some arterial roadways in the study area. Implementation of protective measures outlined in the EA would reduce these impacts to a less than significant level.

Socioeconomics/Environmental Justice. The study area is not located within an area of high minority or low income populations. The Proposed Action would not disproportionately affect minority or low-income communities.

Climate Change. The Proposed Action would temporarily cause direct greenhouse gas (GHG) emissions from the combustion of fossil fuels (i.e., diesel, gasoline) used to run construction equipment and vehicles, both onsite and offsite during pipeline placement activities. The Proposed Action would directly and indirectly cause negligible GHG emissions from occasional maintenance and personal vehicle use, the periodic use of diesel-powered generators, and/or the use of electric power used to run hydraulic pumps on an intermittent basis over the lifetime of the Proposed Action. Implementation of protective measures outlined in the EA for air quality would reduce construction related emissions to less than significant levels. These protective measures would also reduce GHG emissions.

Due to the very small quantities involved and the temporary nature of the construction activities, the Proposed Action would not conflict with any applicable plan, policy, or regulation of an

agency adopted for the purpose of reducing GHG emissions, and impacts would be considered minor.

Cumulative Effects. The Proposed Action would not result in long-term impacts to existing air quality, vegetation, biological resources, geology and soils, hydrology and water quality, noise, infrastructure, or climate change that would combine with the individual impacts to other related projects to produce significant cumulative impacts. The periodic modification or improvement or infrastructure at recycled water use sites would not generate significant cumulative impacts in conjunction with other site improvement efforts.