



IN REPLY REFER TO:

MP-150
ENV-7.00

United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898



APR 28 2010

MEMORANDUM

To: Files

From: Doug Kleinsmith /s/ Doug Kleinsmith
Environmental Specialist
Division of Environmental Affairs

Subject: South Bay Advanced Recycled Water Treatment Facility Addendum

On February 24, 2010, the Bureau of Reclamation signed a Finding of No Significant Impact (FONSI) for the South Bay Advanced Recycled Water Treatment Facility (ARWTF) Project.

On March 23, 2010, Reclamation received an addendum to the ARWTF Environmental Assessment/Initial Study-Mitigated Negative Declaration (EA/IS), as required by the California Environmental Quality Act. The addendum described minor changes to the project:

- Additional truck haul trips would be required to accommodate the transport of excavated and imported fill materials during the initial phase of project construction. With mitigation described in the EA/IS, the impact descriptions in the EA/IS for traffic, noise, and air quality would be unchanged.
- Up to 19 existing landscape trees would be removed to accommodate construction on the eastside of the property, and installation of new pipelines along the southern boundary of the San Jose/Santa Clara Water Pollution Control Plant. Seventeen non-native eucalyptus trees, an elderberry tree (*Sambucus sp.*), and a saltbush tree (*Baccharis sp.*). The U.S. Fish and Wildlife Service said that the project is not in the range of the valley elderberry longhorn beetle.
- Because of a change in the vertical datum, the base flood elevation and proposed final grade elevations at the site are higher than described in the EA/IS, based on new Federal Emergency Management Agency standards. The actual physical alterations at the site have not changed, only the documented elevation has changed because of the change in the vertical datum.

On April 14, 2010, Reclamation determined for the project as a whole for both the new portion of the Area of Potential Effect (APE) and the original APE that a no historic properties affected determination, pursuant to 36 CFR Part 800.4(d)(1), was still appropriate. In a letter dated

April 19, 2010, the State Historic Preservation Officer concurred with Reclamation's findings (see attachment).

Upon review of the original FONSI, EA/IS, and the addendum, Reclamation has determined that the project has not significantly changed in terms of the proposed action and the impacts. Therefore, a supplemental environmental assessment and FONSI are not necessary.

Attachment

cc: Mr. Andrew Martin
ICF International
2841 Junction Avenue, Suite 114,
San Jose, CA 95134

MP-700 (MDenning)
MP-720 (DWhite)
MP-3800 (MCastaneda)

WBR:DKleinsmith:eamini:4/27/2010:978-5034
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memo.doc

Kleinsmith, Douglas H

From: Overly, Stephen A
Sent: Wednesday, April 21, 2010 3:40 PM
To: Kleinsmith, Douglas H
Cc: White, David T; Barnes, Amy J; Bruce, Brandee E; Goodsell, Joanne E; Leigh, Anastasia T; Nickels, Adam M; Perry, Laureen (Laurie) M; Ramsey, Dawn
Subject: 09-SCAO-256.1 ARWTF Section 106 Complete
Attachments: 09-SCAO-256.1_CASHPO_Concurrence.pdf

09-SCAO-256.1
Title XVI/ARRA Project
South Bay Advanced Recycled Water Treatment Facility Project

Doug,

The proposed undertaking to provide Federal appropriations to the Santa Clara Valley Water District (SCVWD) South Bay Advanced Recycled Water Treatment Facility Project (ARWTF) through the American Recovery and Reinvestment Act (ARRA) and through Title XVI funds was determined to be the type of action that had the potential to cause effects to historic properties pursuant to Reclamation's National Historic Preservation Act, Section 106 responsibilities outlined at 36 CFR Part 800.

The undertaking consists of the construction of ARWTF adjacent to the existing San Jose/Santa Clara Water Pollution Control Plant (SJSC/WPCP) located at the south end of San Francisco Bay. The new ARWTF will treat secondary effluent from the SJ/SC WPCP to produce effluent of suitable quality for a recycled water system. Two alternatives are being considered and include both a northern and a southern footprint.

On January 21st 2010, Reclamation made a finding of no historic properties affected for both alternatives pursuant to 36 CFR Part 800.4(d)(1) and submitted this to the California State Historic Preservation Officer (SHPO) seeking concurrence on the findings. On a letter dated January 26th 2010 and received at Reclamation on January 29th 2010, SHPO concurred with Reclamation's finding that the project would result in no historic properties affected.

On March 25th 2010, Reclamation cultural resource staff was notified via a supplemental EA that the original project area of potential effects (APE) was larger than the 11.5 acre area consulted on and was actually about 16.1 acres. This additional area had not been surveyed by the archaeological consultant and had not been covered in the original consultation with SHPO. That same day, Reclamation notified the project proponent that a supplemental field investigation and another consultation with SHPO was necessary to remain compliant with Section 106.

On April 9th 2010, the project proponent provided the letter report that provided the field results necessary for Reclamation to consult with SHPO on the revised project footprint. Reclamation determined that a no historic properties affected determination, pursuant to 36 CFR Part 800.4(d)(1), was still appropriate. This determination was hand-delivered to SHPO on April 14th 2010. In a letter dated April 19th and received at Reclamation on April 21st 2010, SHPO concurred with Reclamation's findings for the project as a whole for both the new portion of the APE and the original APE (attached).

After receiving SHPO concurrence on Reclamation's findings, the Section 106 process has been completed. Please retain a copy of this e-mail memo with the Administrative Record of the EA for this project. Please note that if project plans or actions change again, then any new revisions may require additional Section 106 consideration including another consultation with the SHPO.

Sincerely,
Tony

Stephen (Tony) Overly, M.A.
Archaeologist

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APR 22 2010		
CODE	ACTION	SIGNATURE & DATE
ISO	✓	Scowry 4-21-10

April 19, 2010

In Reply Refer To: BUR100125B

Michael A. Chotkowski
Regional Environmental Officer
United States Department of the Interior
Bureau of Reclamation
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825-1898

Re: Continued Consultation Regarding the Proposed South Bay Advanced Recycled Water Treatment Facility (ARWTF), Santa Clara Valley Water District, Santa Clara County, California (Project No. 09-SCAO-256).

Dear Mr. Chotkowski:

Classification	ENV 3-00
Project	214
Control No.	10025652
Folder I.D.	1114652
Date Input & Initials	4-21-2010 KJ

Thank you for continuing to consult with me regarding the above noted undertaking. Pursuant to 36 CFR Part 800 (as amended 8-05-04) regulations implementing Section 106 of the National Historic Preservation Act (NHPA), the Bureau of Reclamation (BUR) is the lead federal agency for this undertaking and is seeking my comments on the effects that the proposed project will have on historic properties. The project will be implemented with Title XVI funds and with funds provided through the American Recovery and Reinvestment Act (ARRA). The BUR has identified this use of federal expenditures as an undertaking subject to compliance with Section 106 regulations.

At this time you are notifying me that the undertaking as described in our initial consultation has undergone revisions sufficient to warrant further review by my office. The project now includes additional elements that, while originally planned for this undertaking, were not identified during the original consultation as described in the BUR's letter of January 21, 2010. In my reply to that initial request for consultation, I concurred with your finding of No Historic Properties Affected (SHPO letter of January 26, 2010).

The modified project description and Area of Potential Effects (APE) now includes an area approximately 175 by 400 feet that is adjacent to the proposed treatment facility and a 25-foot wide pipeline corridor that extends for approximately 5,250 feet. With these supplemental portions of the project totaling an additional 4.6 acres, the APE now covers an area of approximately 16.1 acres. Although this additional project APE was covered by the records search and Native American consultation completed for the initial consultation, a supplemental historic property survey was necessary to assess the project additions. This supplemental survey is documented in the following letter report:

• *Memorandum: Cultural Resources Survey for the South Bay Advanced Recycled Water Treatment Project, Environmental Assessment/Initial Study (EA/IS)-Mitigated Negative Declaration (MND) Addendum* (Joanne Grant and Alisa Reynolds, ICF International: April 9, 2010).

The additional Identification efforts by the BUR concluded that there are no historic properties in the project APE. Accordingly, the BUR has determined that a finding of No Historic Properties Affected continues to be the appropriate finding of effect for this undertaking pursuant to 36 CFR Part 800.4(d)(1). I have no objection to this finding for the expanded version of this undertaking. Be advised that under certain circumstances, such as unanticipated discovery or a change in project description, the BUR may have additional future responsibilities for this undertaking under 36 CFR Part 800. Thank you for seeking my comments and for considering historic properties in planning your project. If you require further information, please contact William Soule, Associate State Archeologist, at phone 916-654-4614 or email wsoule@parks.ca.gov.

Sincerely,

Susan H. Stratton for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer