

**U. S. Department of the Interior  
Bureau of Reclamation**

**Mid-Pacific Region  
Lahontan Basin Area Office  
Carson City, Nevada**

**Finding of No Significant Impact  
and  
Environmental Assessment**

**Conveyance of Non-Project Treated Effluent Water from Churchill County's  
Moody Lane Regional Water Reclamation Facility to Stillwater National Wildlife  
Refuge through Newlands Project Facilities  
Churchill County, Nevada**

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**FONSI NO. LO-10-03**

Prepared by:

  
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Date: 12/20/10

Recommended:

  
Act. by Renee Kolvet  
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Date: 12/20/2010

Approved:

  
Terri Edwards  
Deputy Area Manager

Date: 12/20/10

**FINDING OF NO SIGNIFICANT IMPACT**  
**Conveyance of Non-Project Treated Effluent Water from Churchill County's**  
**Moody Lane Regional Water Reclamation Facility to Stillwater National Wildlife**  
**Refuge through Newlands Project Facilities**

**I. Background, Proposed Action, and Purpose and Need**

Churchill County proposes to use Newlands Project Facilities as the least cost option for effluent discharge. The proposed environmental permit from the Nevada Department of Environmental Protection (NDEP) would allow Churchill County to discharge approximately 499,000 gallons per day from their Moody Lane wastewater treatment plant into Project facilities. The treatment plant was constructed in Churchill County in 2008 with an expected discharge of about 499,000 gallons per day at full capacity. The plant serves existing residential development but was also designed for future growth that has not yet occurred. Anticipated population growth in Churchill County by 2020 necessitates the availability of other options for disposal of treated effluent.

Under the proposed action, Reclamation would authorize the conveyance of treated effluent from Moody Lane through Project facilities to Stillwater NWR. Minor modifications to existing Project facilities will be made for the conveyance of treated effluent – in particular a new water control structure to measure and release treated effluent from the D-Line to the F2 Drain. The Fish and Wildlife Service will design and install the water control structure to Reclamation specifications. Expected flows at build out would be approximately 560 af/yr.

Reclamation would enter into a Memorandum of Agreement (MOA) with Churchill County and the Service to define the roles and responsibilities of the three entities for the use of federal water diversion, storage and conveyance facilities to deliver water to Lahontan Valley wetlands. After the MOA is signed, it is expected that Churchill County would apply to the Nevada State Engineer for a primary permit to appropriate its treated effluent. The Service would then apply to the Nevada State Engineer for a secondary permit to appropriate the treated effluent, which would become a federally-owned water right.

The purpose of the proposed action is to authorize the conveyance of treated effluent from Churchill County's Moody Lane Regional Water Reclamation Facility (Moody Lane) to wetlands at Stillwater NWR through Project facilities.

**II. Summary of Impacts**

Proposed Action Alternative:

- Newlands Project Operating Criteria and Procedures (OCAP): The conveyance of treated effluent water through Project facilities would have no effect on existing Project water rights, timing or amount of water diverted from the Truckee

River to serve Project water rights. The conveyance of the treated effluent would not change current use of water from either the Truckee or Carson rivers. The proposed primary and secondary water rights permits for the treated effluent would not increase Project demand under OCAP. Treated effluent from Moody Lane conveyed in Project facilities would not be considered releases to the Project under OCAP. Deliveries of effluent to Stillwater NWR would not be considered as Project deliveries for OCAP purposes.

- **Land Use and Economic:** The conveyance of the non-project water is compatible with the use and purpose for which the Project facilities were constructed. No change in the use of Project water would occur under this proposal. The effluent would be delivered through existing rights-of-way and would not impact adjoining land uses.
- **Water Resources and Quality:** The addition of treated effluent to Project facilities would not result in significant effects to either surface or ground water in the activity area. The treated effluent would mix with high levels of agricultural drain water during irrigation season, and with groundwater in the drains outside of irrigation season. Standards for the proposed effluent are established by NDEP as part of the NPDES permit process. The permit is designed to meet the Clean Water Act and is subject to Environmental Protection Agency (EPA) approval. These standards include weekly, monthly and annual monitoring and reporting requirements. The NDEP permit is within the realm of standard practice for sewage treatment plants and is consistent with domestic discharge (not industrial).

Any infiltration of water from the relatively small amount of additional effluent in the Project facilities compared to irrigation and drainage valley-wide would constitute a very minor addition to the shallow aquifer. Water quality effects in the aquifer from infiltration would be negligible.

- **Public Health and Safety:** The proposed action is conditioned upon treated effluent discharged into Project facilities meeting NDEP environmental permit standards and federal Clean Water Act standards delegated to the State of Nevada for enforcement. The treated effluent does not qualify as a hazardous material. The treated effluent would not mix with any current or planned sources of municipal water supplies. Monitoring the permit compliance by Churchill County will be adequate to prevent public health and safety concerns related to the water quality limitations of the permit. The limits meet the beneficial use standards for human contact per Nevada Administrative Code for the Carson River.
- **Vegetation:** The increased flow could help sustain small areas of vegetation along Project facilities and beneficial wetlands-dependent plant species at the refuge. Adding the effluent flow could slightly decrease the potential for invasion of noxious weeds along small bands of Project facilities and small areas of wetlands at Stillwater NWR.

- **Fish and Wildlife:** The effluent would support minor amounts of habitat along the drains for various wetlands-dependent species. The proposed conveyance of treated effluent would benefit the wetlands by adding water for aquatic habitat, though the amount is not significant compared to the 14,000 acres of wetlands, on average, maintained within Stillwater NWR. The water quality of the treated effluent meets NDEP standards and there would be no expected water quality impacts that would be adverse to fish, wildlife or other resource values.
- **Threatened and Endangered Species:** There are no federally-listed or candidate plant or wildlife species in the proposed action area.
- **Cultural Resources:** Proposed modifications to Wade Drain and the D-Line Canal at the F2 Drain constitutes an undertaking with the potential to effect historic properties, as defined in 36 CFR Part 800.3(a). Reclamation finds no adverse effect to historic properties as the proposed modifications will not change the historic characteristics that make the Wade Drain, D-Line Canal, and the F2 Drain eligible for inclusion in the National Register. Reclamation is consulting on this finding with the Nevada State Historic Preservation Officer under Section 106 of the NHPA.
- **Indian Trust Resources:** No fish, wildlife, water rights, land or trust income resources of either the Pyramid Lake Paiute Tribe or the Fallon Paiute-Shoshone Tribes would be affected under either alternative.
- **Environmental Justice:** Neither alternative would disproportionately affect minority or low-income populations within the community.

The No Action Alternative: No impacts to the existing environment would occur.

Irreversible and Irretrievable Commitments / Cumulative impacts:

No irreversible and irretrievable commitments of resources would occur under either alternative.

There would be no known cumulative effects to the human environment from the proposed action when combined with past actions and any known current or reasonably foreseeable future actions. The Navy has a Memorandum of Agreement with Reclamation and the U.S. Fish and Wildlife Service for discharging treated effluent into Newlands Project facilities that was issued in 2009. The City of Fallon has a permit with NDEP for discharging treated effluent into Old River Drain that is expiring in 2011.

### **III. Comments Received on the EA**

Letters of support were received from the Truckee Carson Irrigation District and

Churchill County.

#### **IV. Findings**

In coordination with Reclamation, BLM prepared an environmental assessment on the impacts of authorizing the various components of authorizing the Conveyance of Non-Project Treated Effluent Water from Churchill County's Moody Lane Regional Water Reclamation Facility to Stillwater National Wildlife Refuge through Newlands Project Facilities. The EA documents that compliance has occurred with the Endangered Species Act, Section 106 of the National Historic Preservation Act, Indian Trust Assets, Clean Air Act, Clean Water Act, Environmental Justice, Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, and the National Environmental Policy Act.

**The Lahontan Basin Area Office has found that the proposed action is not a major federal action that would significantly affect the quality of the human environment. Therefore, an environmental impact statement is not required for carrying out this action.**

Following are the reasons why the impacts of the proposed action are not significant:

1. There would be no impact to most resources analyzed, including OCAP, water quality, land use and economics, and public health and safety.
2. There will be no impact to Threatened or Endangered Species.
3. There may be small-scale positive impacts to vegetation and wildlife.
4. Implementing the proposed action will not disproportionately affect minorities or low-income populations and communities.
5. There will be no impact to Indian Trust Assets.
6. Historic or cultural resources: Proposed modifications to Wade Drain and the D-Line Canal at the F2 Drain constitutes an undertaking with the potential to effect historic properties; however there would be no adverse effect to historic properties.

#### **V. Mitigating Measures / Resource Commitments**

A NPDES permit is required for the proposed action. Churchill County is responsible for obtaining, complying with, and renewing as necessary the State of Nevada permit.

The permit includes multiple standards for water quality monitoring. If future monitoring finds significant adverse water quality impacts from the treated effluent, required mitigation would be the county's responsibility.

Churchill County and the Service must comply with all applicable Reclamation laws, regulations and policies as may be amended and supplemented, and the rules and regulations promulgated by the Secretary under Reclamation law. The County and Service must also comply with other pertinent federal, state and local laws.

## **VI. Decision**

**My Decision is to concur with the environmental assessment and authorize the conveyance of treated effluent from Moody Lane through Project facilities to Stillwater NWR. This includes construction of minor modifications to existing Project facilities to be made for the conveyance of treated effluent.**