

# RECLAMATION

*Managing Water in the West*

## Finding of No Significant Impact

### South Bay Water Recycling Program San Jose Hedding Extension

Recommended by: Douglas W. Smith date: 12/15/10  
Environmental Specialist

Concurrence by: Dan T. White date: 01/12/11  
Program Manager, Title XVI Program

Approved by: [Signature] date: 1/25/11  
Chief, Division of Planning

FONSI No. 11-01-MP



## **Background**

The City of San José (City) has planned and implemented the San José Nonpotable Reclamation Project, now known as the South Bay Water Recycling Program (Program), to provide recycled water from the San José/Santa Clara Water Pollution Control Plant for industrial and a variety of irrigation uses, including agriculture and landscaping in institutional, commercial, and residential areas. The Program includes installing pipelines, pump stations, storage tanks, and appurtenant facilities. The Bureau of Reclamation (Reclamation), pursuant to funding provided through Title XVI of Public Law 102-575, the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992, has been providing up to 25 percent of the total cost to the City to help fund the Program.

The City certified a final Environmental Impact Report (EIR) for the Program in November 1992. Reclamation released a final Environmental Impact Statement (EIS) for the Program in May 1996 and issued a Record of Decision in July 1996. The EIR and EIS included both project-level analysis for those facilities and users that had been identified at that time, and programmatic-level analysis for the remainder of the Program.

Since then, the City has expanded the service area and slightly revised the distribution facilities. Reclamation prepared an Environmental Assessment (EA) and signed a Finding of No Significant Impact (FONSI) on December 3, 1996 for these changes. The City prepared an Initial Study/Negative Declaration in 2000.

The City has continued to design additional pipelines and associated facilities within the Program area. For these additional projects, the City has adopted addenda to the Program EIR, as required by the California Environmental Quality Act. Reclamation has continued to provide funding for these projects under Title XVI, and has prepared EAs and categorical exclusion checklists as appropriate, tiering off of the original EIS, as required by the National Environmental Policy Act (NEPA).

## **Project Description**

Since the preparation of the most recent Addendum an additional pipeline extension within the original Program area has been identified for construction as part of the SBWR Program. This pipeline, termed San José Hedding Extension, will connect to the existing pipelines. The project will occur in the City of San José, connecting to existing recycled water pipeline on Coleman Avenue, and provide recycled water to the College Park and Rose Garden areas. Three alignment options are under consideration for crossing the existing Union Pacific Railroad (UPRR), and one option will be selected for construction. Option A is the preferred alignment and will be selected if there is sufficient room to fit the bore under the UPRR tracks. The South Bay Water Recycling Program, San José Hedding Extension project consists of 6-inch and 12-inch recycled water pipeline. The length of the selected pipeline route depends on which option is selected for construction as follows:



Option A: 9,320-feet

Option B: 9,810-feet

Option C: 9,303-feet

The recycled water lines will be installed using open-cut method, except at locations where bore and jack construction will occur underneath the railroad tracks.

The additional users will help fulfill the Program goal of diverting an additional 20 mgd of effluent from discharges to the South San Francisco Bay to beneficial reuse in the Program area. Construction of the pipeline is scheduled to begin in the 2011 Fiscal Year.

## Findings

Reclamation has adopted the addendum to the EIR and Supplemental EA that was prepared by the City on March 15, 2010 and revised by Reclamation on May 11, 2010. Based on the addendum, the Planning Officer of the Mid-Pacific Region of Reclamation has found that the Proposed Action is not a major Federal action that will significantly affect the quality of the human environment. Therefore, an environmental impact statement is not required for carrying out the Proposed Action. The EA complies with the Council of Environmental Quality's NEPA Regulations and other requirements such as the Endangered Species Act, the National Historic Preservation Act, and local and State requirements. It meets Reclamation's public involvement requirements.

The following are the reasons why the impacts of the Proposed Action are not significant:

1. *Geology and seismicity.* The project area does not cross a fault line, and is in a level area not subject to landslides. The Proposed Action will comply with measures identified in the Design Guidance Manual for the project. The measures include: seismic design features, protection measures for areas with high liquefaction potential, and measures to protect the pipeline against corrosive and expansive soils. With the implementation of these mitigation measures, the Proposed Action will have no significant impact on geology and seismicity.
2. *Surface water hydrology and water quality.* No aboveground facilities are proposed in areas subject to flooding. The pipeline extension is not in an area subject to seiches, tsunamis or mudflows, and does not include construction of levees or dams. Recycled water quality was evaluated in previous documents and determined to be acceptable for use in landscape irrigation. The project will comply with previously identified mitigation measures for this impact category, which include monitoring and management of recycled water quality, control of irrigation to avoid surface runoff from excessive irrigation, and preparation of a Storm Water Pollution Prevention Plan to ensure that there are no adverse effects on water quality during pipeline construction. With implementation of these mitigation measures, the Proposed Action will have no significant impact on surface water hydrology and water quality.
3. *Groundwater hydrology and water quality.* The project does not involve extraction or use of groundwater and will thus not cause subsidence of land. The area served by this pipeline



extension is already being irrigated, so irrigation with recycled water will not affect groundwater levels or gradients. The project will comply with previously identified mitigation measures for this impact category, which include measures to protect groundwater during construction and a Groundwater Monitoring and Mitigation Plan for the South Bay Water Recycling Program. With implementation of these mitigation measures, the Proposed Action will have no significant impact on groundwater hydrology and water quality.

4. *Land use.* The land use along the proposed pipeline route is primarily industrial (east of the UPRR) and residential (west of the UPRR). No new impacts have been identified. The installation of a buried pipeline will have no long-term impacts on existing land uses; construction impacts will be temporary and not significant. The project will comply with previously identified mitigation measures for traffic, noise, air quality and visual impacts of construction, which will address the construction-period land use impacts. The Proposed Action will have no significant impact on land use.

5. *Air quality.* As noted above, land use along the pipeline route is mostly industrial and residential. The area could be affected by short-term construction-related emissions and dust. The project will not generate operational emissions, and no odor problems are expected to be associated with pipeline operation. The project will comply with previously identified construction-period mitigation measures for this impact category, which follow the Bay Area Air Quality Management District's Basic Control Measures for construction air quality impacts. With implementation of these mitigation measures, the Proposed Action will have no significant impact on air quality.

6. *Traffic.* The bore and jack pit locations will be located so as not to impact traffic on streets in the vicinity. Before the start of construction, a traffic management plan will be prepared for the pipeline extension. The project will comply with previously identified mitigation measures for this impact category, which include time of day restrictions, temporary detours for any areas requiring lane closures, bike lane, and pedestrian mitigation measures. With implementation of these mitigation measures, the Proposed Action will have no significant impact on traffic.

7. *Biological resources.* Because of the urban nature (e.g., highly developed/disturbed) of the pipeline routes, construction will not have significant impacts on biological resources. Construction will stay within public right of way. The project will not affect threatened or endangered species. The Proposed Action will have no significant impact on biological resources.

8. *Hazardous materials.* The project will comply with adopted protocols for handling any contaminated materials that might be uncovered during construction activities. The project will comply with all other previously identified mitigation measures for this impact category. The contractor will be informed of any known hazardous materials sites in the area of the proposed pipeline alignment or other construction area, and the contractor will be responsible for implementing the construction-period mitigation measures. With implementation of these mitigation measures, the Proposed Action will not result in significant impacts related to hazardous materials.



9. *Public health.* Previous environmental documentation determined that the use of recycled water for industrial and irrigation uses does not pose significant public health risks. The Proposed Action will comply with previously identified measures, including Regional Water Quality Control Board general requirements and Title 22 requirements for water reclamation. With implementation of these mitigation measures, the Proposed Action will have no significant impact on public health.

10. *Noise.* Land uses along the pipeline routes include residential and institutional. These uses could be affected by short-term construction-related noise that will temporarily increase noise levels above the background noise in areas around the project site. Although noise increases during the construction period will be considered significant, the overall impact will be reduced to a less-than-significant level by the short duration of the impact and the implementation of noise controls and restricted hours of construction. This construction noise impact was fully addressed in the 1992 EIR and in the 2000 Negative Declaration. There will be no operational noise impacts associated with the pipeline. The project will comply with previously identified noise control measures for construction noise impacts. With implementation of these mitigation measures, the Proposed Action will have no significant impact on noise.

11. *Public services and utilities.* During construction there is the potential for effects on police and fire services due to construction in roadways. However, the project will comply with all required procedures for noticing appropriate agencies regarding roadway work. With these noticing procedures construction will not cause significant problems during construction. Measures are also in place to prevent disruption of utility lines. With implementation of these mitigation measures, the Proposed Action will have no significant impact on public services and utilities.

12. *Visual resources.* No new impacts have been identified. Because pipelines will be buried and will not be visible after construction, there will be no long-term visual impacts. The Proposed Action will have no significant impact on visual resources.

13. *Historic and archeological resources.* Two linear historic era resources were identified in the APE, Union Pacific Railroad (UPRR) and the Alameda (segment of the El Camino Real). The Alameda is part of the *El Camino Real*, which is listed in *The California History Plan* and *California Inventory of Historic Resources* and is also a State of California Landmark #784. As a landmark designated after #770, it is automatically on the California Register of Historical Resources.

Reclamation assumed that both resource segments in the APE were eligible under Criterion A for the purposes of this undertaking only. As the pipeline will be installed via jack-and-bore underneath the UPRR railroad grade and the trench used to cross the Alameda will be restored to its original appearance and function as a contemporary paved roadway, Reclamation concluded that a finding of no adverse effect pursuant to 36 CFR Part 800.5(b) is appropriate for this undertaking.

In a letter dated April 26th, 2010 and received at Reclamation on May 3, 2010, SHPO concurred with Reclamation's finding that the project will result in no adverse effect to historic properties (attached).

Post-review discoveries shall be handled as per 36 CFR Part 800.13(b). The development of a formal Post-Review Discovery Plan is not recommended due to the very low potential for exposing prehistoric or historic archaeological material within or adjacent to the APE. The exposure of any Native American burials shall be handled in accordance with state law.

The Proposed Action will have no significant impact on historic and archeological resources.

14. *Recreation.* The project will comply with previously identified mitigation measures for this impact category. The Proposed Action will have no significant impact on recreation.

15. *Indian Trust Assets.* There are no Indian Trust Assets (ITAs) within or near the project area. The Proposed Action will have no significant impact on ITAs.

16. *Socioeconomics.* The project will have a limited duration and it is not anticipated to cause a change in housing or employment patterns. Temporary construction workers needed for the project will most likely come from nearby communities. The Proposed Action will have no significant impact on socioeconomics.

17. *Environmental justice.* Implementation of the Proposed Action will not disproportionately affect any minority or low-income populations. The Proposed Action will have no significant impact on environmental justice.

18. *Cumulative effects.* The Proposed Action is short term in duration and will have no cumulative effects.

19. *Controversy.* There is no potential for the effects to be considered highly controversial.



**ADDENDUM**  
**to the**  
**ENVIRONMENTAL IMPACT REPORT**  
**and**  
**SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT**  
**to the**  
**ENVIRONMENTAL IMPACT STATEMENT**  
**for the**  
**SAN JOSÉ NONPOTABLE RECLAMATION PROJECT**  
**now known as the**  
**SOUTH BAY WATER RECYCLING PROGRAM**

March 15, 2010; modified May 11, 2010 by USBR

### **Purpose and Background**

The City of San José certified a Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project, now known as the South Bay Water Recycling Program (SBWR), on November 18, 1992. This EIR evaluated the City's overall water recycling program and provided project-level analysis for those pipelines and users that had been identified at that time. Twenty-two Addenda to the FEIR have been adopted subsequent to its certification. The Addenda addressed additional pipelines and other facilities to serve users within the original Program area, where impacts were determined to have been fully evaluated in the original Program EIR. These Addenda and the SBWR projects they cover are listed below:

- Addendum #1 – Diversion Facility (August 1995)
- Addendum #2 – Changes to Golden Triangle facilities (December 1995)
- Addendum #3 – Expanded Phase I Area (April 1996)
- Addendum #4 – Miscellaneous Golden Triangle items (May 1996)
- Addendum #5 – Deferred/Infill Projects (June 1998)
- Addendum #6 – Stage 1 Pipeline Extensions (November 1999)
- Addendum #7 – Additional Santa Clara and Milpitas Pipeline Extensions (December 1999)
- Addendum #8 – Silver Creek Pipeline (September 2001)
- Addendum #9 – Central Park (SC-6) Pipeline (September 2003)
- Addendum #10 – City of Santa Clara Realignment (August 2003)
- Addendum #11 – San José Infill Extension Projects (July 2004)
- Addendum #12 – SJ/SC (SJ12) Connector and Related Extensions (February 2005)
- Addendum #13 – Zone 3 Reservoir and Pipeline (March 2005)
- Addendum #14 – Airport Main (SJ-19) Extension (February 2010)



- Addendum #15 – Industrial 1 Pipeline Extension (October 2009)
- Addendum #16 – Santa Clara Central Park (October 2009)
- Addendum #17 – Industrial 2 Pipeline Extension (October 2009)
- Addendum #18 – Industrial 3A Pipeline Extension (December 2009)
- Addendum #19 – San José Laterals and Gardens Pipeline Extension (December 2009)
- Addendum #20 – San José Schools Pipeline Extension (February 2010)
- Addendum #21 – San José State University Pipeline Extension (February 2010)
- Addendum #22 – San José Convention Center Extension (February 2010)

In addition to the Addenda listed above, the City of San José prepared the following document pursuant to the California Environmental Quality Act (CEQA) for the Phase 2 Pipelines, which extended pipelines in Santa Clara and San José, and slightly expanded the program area:

- Initial Study/Environmental Assessment for the South Bay Water Recycling Program Phase 2 (May 2000), which lead to the adoption of a Negative Declaration in July 2000

Because the project is funded in part by the U.S. Bureau of Reclamation (USBR), environmental documents pursuant to the National Environmental Policy Act (NEPA) have also been prepared for the project, as listed below:

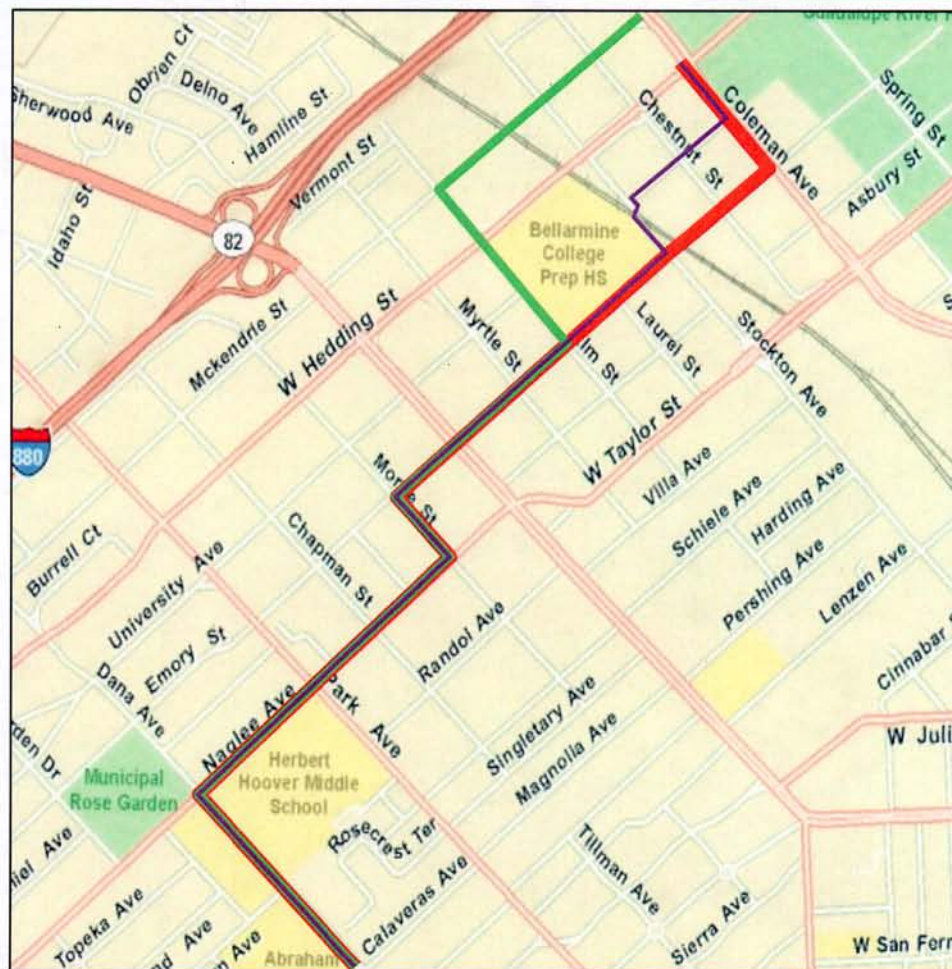
- Final EIS – May 1996
- Record of Decision for EIS – July 1996
- Final EA/FONSI – December 1996

Since the preparation of the most recent Addendum an additional pipeline extension within the original Program area has been identified for construction as part of the SBWR Program. This pipeline, termed San José Hedding Extension, would connect to the existing pipelines on streets identified in Table 1 in the City of San José, and would provide recycled water to nearby facilities. The additional users would help fulfill the SBWR's goal of diverting an additional 20 million gallons per day (mgd) of effluent from discharge to the south San Francisco Bay to beneficial reuse in the Program area. The purpose of this Addendum is to document that environmental review for this pipeline either has already been accomplished through previously certified environmental documents or to provide additional review where required. Construction of the pipelines is scheduled to begin in the 2010 Fiscal Year. This Addendum has been prepared in accordance with Section 15164 of the CEQA Guidelines, which state that an Addendum to a previously certified EIR may be prepared if only minor technical changes or additions to the EIR are necessary. USBR is using this Addendum for NEPA compliance.

## **Description of Pipeline Extension**

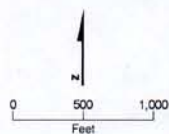
Figure 1 shows the Hedding pipeline extension, which is addressed in this document. The pipeline segments and their environmental review status are listed below:





LEGEND

- Option A
- Option B
- Option C



**FIGURE 1**  
**San José Hedding Extension**  
 South Bay Water Recycling Program

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**TABLE 1**  
Hedding Extension

| Extension         | Street Segments Included   | Environmental Review Status   |
|-------------------|--|---|
| Hedding Extension | <u>Option A</u><br>Coleman Avenue  | Addressed at program level but not at project level in existing environmental documents |
|                   | <u>Option B</u><br>McKendrie Street<br>Elm Street                                  |   |
|                   | <u>Option C</u><br>Coleman Avenue<br>University Avenue<br>Stockton Avenue          |   |
|                   | <u>ALL Options</u><br>Emory Street<br>Morse Street<br>Naglee Avenue<br>Dana Avenue |   |
|                   |  |   |

The project would occur in the City of San José, connecting to existing recycled water pipeline on Coleman Avenue, and provide recycled water to the College Park and Rose Garden areas. Three alignment options are under consideration for crossing the existing Union Pacific Railroad (UPRR), and one option would be selected for construction. Option A is the preferred alignment and would be selected if there is sufficient room to fit the bore under the UPRR tracks. The South Bay Water Recycling Program, San José Hedding Extension project consists of 6-inch and 12-inch recycled water pipeline. The length of the selected pipeline route depends on which option is selected for construction as follows:

Option A: 9,320-feet

Option B: 9,810-feet

Option C: 9,303-feet

The recycled water lines would be installed using open-cut method, except at locations where bore and jack construction would occur underneath the railroad tracks.

Zoning designations in these areas are Single-Family, Two-Family, and Multi-Family Residential (R-1-8, R-2, R-M); Pedestrian and Office Commercial (CP and CO); Light and Heavy Industrial (LI and HI); and Planned Development (PD).

## Operation

Proposed recycled water users are consistent with those described in the 1992 EIR. Operation of the pipelines would be the same as described in previous environmental documents and would be similar to operation of the existing potable water distribution



system, with the addition of safeguards for use of recycled water. Signs would be posted to notify the public of areas where recycled water is being used. Pipelines and taps supplying recycled water at user sites would be identified.

## **Construction Methods**

Construction of the pipelines would occur within existing roadway rights-of-way, using the "cut and cover" method. The selected option would require bore and jack construction underneath the existing UPRR tracks. This method involves excavating an open trench sized to accommodate the size of the pipe, laying pipe, and replacing and compacting soil to refill the trench. This method involves excavating a pit on either side of the area to be crossed. The pipeline is then installed by "jacking" or tunneling between the two pits. This method is more time consuming than the cut and cover technique, but allows the installation of pipeline without disrupting the surface along the whole length of the pipe. The ground surface is restored to original or better condition. Construction equipment would typically occupy approximately 20 to 26 feet of the affected roadway.

## **Setting**

The environmental setting of the South Bay Water Recycling Program area has been described in Sections 3.1 through 3.16 of the 1992 Environmental Impact Report (City of San José, 1992), the Final Environmental Impact Statement (U.S. Bureau of Reclamation, 1996), and the Environmental Assessment for the Revised South Bay Water Recycling Program (U.S. Bureau of Reclamation, 1996). This information was updated and expanded to include new areas in south San José in the Initial Study/Environmental Assessment for the South Bay Water Recycling Program Phase 2 (City of San José, 2000). The following environmental analysis section provides a summary description of the setting, including any changes from the information provided in those documents.

## **Environmental Analysis**

The pipeline extension evaluated in this Addendum is located in an area that has been previously addressed in certified environmental documents, as noted above. The conclusions in this Addendum are based on information contained in the certified environmental documents and subsequent field verification. Following are conclusions for each impact category.

### **Geology and Seismicity**

No new impacts have been identified. The pipeline does not cross a fault zone, and is in a level area not subject to landslides. The project would comply with previously identified mitigation measures for this impact category. These measures include appropriate seismic design features, liquefaction protection in areas of high liquefaction potential, and measures to protect the pipeline against corrosive and expansive soils. With this mitigation there would be no significant impacts.

### **Surface Water Hydrology and Water Quality**

No new impacts have been identified. No aboveground facilities are proposed in areas subject to flooding. The pipeline extension is not in an area subject to seiches, tsunamis or mudflows, and does not include construction of levees or dams. Recycled water quality was



evaluated in previous documents and determined to be acceptable for use in landscape irrigation. The project would comply with previously identified mitigation measures for this impact category, which include monitoring and management of recycled water quality, control of irrigation to avoid surface runoff from excessive irrigation, and preparation of a Storm Water Pollution Prevention Plan to ensure that there are no adverse effects on water quality during pipeline construction. With this mitigation there would be no significant impacts.

### **Groundwater Hydrology and Water Quality**

No new impacts have been identified. The project does not involve extraction or use of groundwater and would thus not cause subsidence of land. The area served by this pipeline extension is already being irrigated, so irrigation with recycled water would not affect groundwater levels or gradients. The project would comply with previously identified mitigation measures for this impact category, which include measures to protect groundwater during construction and a Groundwater Monitoring and Mitigation Plan for the South Bay Water Recycling Program. With this mitigation there would be no significant impacts.

### **Land Use**

The land use along the proposed pipeline route is primarily industrial (east of the UPRR) and residential (west of the UPRR). No new impacts have been identified. The installation of a buried pipeline would have no long-term impacts on existing land uses; construction impacts would be temporary and not significant. The project would comply with previously identified mitigation measures for traffic, noise, air quality and visual impacts of construction, which would address the construction-period land use impacts.

### **Air Quality**

As noted above land use along the pipeline route is mostly industrial and residential. The area could be affected by short-term construction-related emissions and dust. The project would not generate operational emissions, and no odor problems are expected to be associated with pipeline operation. The project would comply with previously identified construction-period mitigation measures for this impact category, which follow the Bay Area Air Quality Management District's Basic Control Measures for construction air quality impacts. With this mitigation there would be no significant impacts.

### **Traffic**

No new impacts have been identified. The bore and jack pit locations would be located so as not to impact traffic on streets in the vicinity. Before the start of construction, a traffic management plan would be prepared for the pipeline extension. The project would comply with previously identified mitigation measures for this impact category, which include time of day restrictions, temporary detours for any areas requiring lane closures, bike lane, and pedestrian mitigation measures. With these mitigation measures there would be no significant impacts.



**Biological Resources**

Because of the urban nature (e.g., highly developed/disturbed) of the pipeline routes, construction would not have significant impacts on biological resources. Construction would stay within public right of way. The project would not affect threatened or endangered species.

**Hazardous Materials**

No new impacts have been identified. The project would comply with adopted protocols for handling any contaminated materials that might be uncovered during construction activities. The project would comply with all other previously identified mitigation measures for this impact category. The contractor would be informed of any known hazardous materials sites in the area of the proposed pipeline alignment or other construction area, and would be responsible for implementing the construction-period mitigation measures. With this mitigation there would be no significant impacts.

**Public Health**

Previous environmental documents have determined that use of recycled water does not pose significant risks. No new impacts have been identified. The project would comply with previously identified mitigation measures for this impact category, including Regional Water Quality Control Board general requirements and Title 22 requirements for water reclamation. With this mitigation there would be no significant impacts.

**Noise**

Land uses along the pipeline routes include residential and institutional. These uses could be affected by short-term construction-related noise that would temporarily increase noise levels above the background noise in areas around the project site. Although noise increases during the construction period would be considered significant, the overall impact would be reduced to a less-than-significant level by the short duration of the impact and the implementation of noise controls and restricted hours of construction. This construction noise impact was fully addressed in the 1992 EIR and in the 2000 Negative Declaration. There would be no operational noise impacts associated with the pipeline. The project would comply with previously identified noise control measures for construction noise impacts.

**Public Services and Utilities**

No new impacts have been identified. During construction there is the potential for effects on police and fire services due to construction in roadways. However, the project would comply with all required procedures for noticing appropriate agencies regarding roadway work. With these noticing procedures construction would not be expected to cause significant problems during construction. Measures are also in place to prevent disruption of utility lines.

**Visual Resources**

No new impacts have been identified. The majority of pipelines would be buried and would not be visible after construction, and would thus have no long-term visual impacts.



## Historic and Archaeological Resources

SBWRP hired archaeological consulting firm Basin Research Associates to complete the cultural resource inventory as part of the compliance with Section 106 of the NHPA. The consultant produced a survey report in April 2010 that covered the entire area of potential effects (APE) entitled, "Historic Property Survey Report/Finding of Effect, South Bay Water Recycling (SBWR) Stimulus Projects, San Jose Extension, City of San Jose, Santa Clara County". The APE is defined as the areas subject to direct impact including the pipeline corridor and any temporary construction easements.

Two linear historic era resources were identified in the APE, Union Pacific Railroad (UPRR) and the Alameda (segment of the El Camino Real). The Alameda is part of the *El Camino Real*, which is listed in *The California History Plan* and *California Inventory of Historic Resources* and is also a State of California Landmark #784. As a landmark designated after #770, it is automatically on the California Register of Historical Resources.

Although lacking the resources, within the constraints of this project, to fully evaluate the linear historic properties under National Register of Historic Places (NRHP) criteria, Reclamation assumed that both resource segments in the APE were eligible under Criterion A for the purposes of this undertaking only. As the pipeline would be installed via jack-and-bore underneath the UPRR railroad grade and the trench used to cross the Alameda would be restored to its original appearance and function as a contemporary paved roadway, Reclamation concluded that a finding of no adverse effect pursuant to 36 CFR Part 800.5(b) is appropriate for this undertaking.

On a letter dated April 26th, 2010 and received at Reclamation on May 3, 2010, SHPO concurred with Reclamation's finding that the project would result in no adverse effect to historic properties (attached).

Post-review discoveries shall be handled as per 36 CFR Part 800.13(b). The development of a formal Post-Review Discovery Plan is not recommended due to the very low potential for exposing prehistoric or historic archaeological material within or adjacent to the APE. The exposure of any Native American burials shall be handled in accordance with state law.

## Recreation

No new impacts have been identified. The project would comply with previously identified mitigation measures for this impact category.

## Indian Trust Assets

Indian trust assets (ITAs) are legal interests in assets that are held in trust by the U.S. government for Federally recognized Indian tribes or individuals. Assets can be real property, physical assets, or intangible property rights, such as a lease, or right to use something. ITAs may include lands, minerals, and natural resources, as well as hunting, fishing, and water rights. Indian reservations, Rancherias, and public domain allotments are examples of lands that are often considered trust assets.

The proposed action does not have a potential to affect Indian Trust Assets. The nearest ITA is Lytton Rancheria, which is approximately 48 miles NW of the project location.



## Environmental Justice

Federal actions are required to address environmental justice in minority populations and low-income populations. The purpose is to avoid the disproportionate placement of any adverse environmental, economic, social, or health effects resulting from Federal actions and policies on minority and low-income populations.

The Project would supply recycled water to customers and includes construction of an additional recycled water pipeline to an existing system. The proposed project would have construction impacts that would be temporary and limited to the area of pipeline being constructed each day. Operation of the Project would be conducted in accordance with all applicable federal and state requirements. There are no Federal standards governing wastewater reuse in the United States. The California Department of Public Health established water quality criteria for reclamation operations, which are set forth in Title 22, Division 4, Chapter 3, of the California Code of Regulations. The Project would be designed and operated in accordance with the applicable Title 22 requirements and would therefore not have a significant impact on public health or water quality.

Project impacts would be temporary (during construction) and would be mitigated to less than significant levels. Implementation of the Project would not disproportionately affect any minority or low-income populations.

## Cumulative Impacts

No new impacts have been identified.

## Conclusions

The proposed additional pipeline extension would not result in any new environmental impacts that were not previously identified in certified environmental documents. The project would comply with all appropriate mitigation measures that have already been identified and incorporated into the SBWR Mitigation Monitoring Program. Pursuant to Section 15164 of the CEQA Guidelines, the minor changes made to the project by the Additional Pipeline Extensions do not raise important new issues about significant impacts on the environment.

## References

Basin Research Associates. 2010. Historic Property Survey Report/Finding of Effect for South Bay Water Recycling (SBWR) Stimulus Projects, San José Hedding Extension Project, City of San José, Santa Clara County. Prepared for U.S. Department of the Interior, Bureau of Reclamation (Project 09-SCAO-092.7). February 2010.

Busby, Colin I., Donna M. Garaventa, Melody E. Tannam and Stuart A. Guedon, 1996. Historic Properties Treatment Plan: South Bay Water Recycling Program [Cities of Milpitas, San José, Santa Clara, Santa Clara County, California]. On file with City of San José.

City of San José 1992. Final EIR for the San José Nonpotable Reclamation Project. November.



City of San José, August 1995. Addendum #1 to the Final EIR for the South Bay Water Recycling Program (Diversion Facility).

City of San José, December 1995. Addendum #2 to the Final EIR for the South Bay Water Recycling Program (Golden Triangle).

City of San José, April 1996. Addendum #3 to the Final EIR for the South Bay Water Recycling Program (Expanded Phase I Area).

City of San José, May 1996. Addendum #4 for the Final EIR for the South Bay Water Recycling Program (Miscellaneous Golden Triangle items).

City of San José 1998. Addendum #5 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project – Deferred/Infill Projects (June 1998).

City of San José 1999. Addendum #6 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project – Stage 1 Pipeline Extensions (November 1999).

City of San José 2000. Addendum #7 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project – Milpitas Extension, Tasman Drive Interconnection Extension (November 2000).

City of San José 2000. Initial Study/Environmental Assessment for the South Bay Water Recycling Program Phase 2, May.

City of San José 2000. Negative Declaration for the South Bay Water Recycling Program Phase 2, July 12.

City of San José 2003. Addendum #8 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project – Silver Creek Pipeline (February 2003).

City of San José 2003. Addendum #9 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project – now known as the South Bay Water Recycling Program – Central Park Pipeline (September 2003).

City of San José 2003. Addendum #10 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project – now known as the South Bay Water Recycling Program – City of Santa Clara Realignment (August 2003).

City of San José 2004. Addendum #11 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project – San José Infill Extension Projects (2004/2005).

City of San José 2005. Addendum #12 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project – San José/Santa Clara Connector and Related Extensions (February 2005).

City of San José 2005. Addendum #13 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project – Zone 3 Reservoir and Pipeline (March 2005).

City of San José 2010. Addendum #14 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project – Airport Main (SJ-19) Extension (February 2010).

City of San José 2009. Addendum #15 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project – Industrial 1 Pipeline Extension (October 2009).



City of San José 2009. Addendum #16 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project—Santa Clara Central Park (October 2009).

City of San José 2009. Addendum #17 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project—Industrial 2 Pipeline Extension (October 2009).

City of San José 2009. Addendum #18 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project—Industrial 3A Pipeline Extension (December 2009).

City of San José 2009. Addendum #19 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project—San José Laterals and Garden Pipeline Extension (December 2009).

City of San José 2009. Addendum #20 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project—San José Schools Pipeline Extension (December 2009).

City of San José 2010. Addendum #21 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project—San José State University Pipeline Extension (February 2010).

City of San José 2010. Addendum #2 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project—San José Convention Center Pipeline Extension (February 2010).

Fault Rupture Hazard Zone data provided by County of Santa Clara - 2/26/2002



**From:** Overly, Stephen A  
**Sent:** Friday, May 07, 2010 9:21 AM  
**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:** Section 106 complete for Hedding Street Extension  
**Attachments:** 09-SCAO-092.11\_CASHPO\_Concurrence.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

09-SCAO-092.11  
Title XVI Project  
SBWR Phase 1C Hedding Street Extension

Doug,

The proposal to provide federal appropriations to the South Bay Water Recycling Program (SBWRP) through the Title XVI funds for the Hedding Street Extension was reviewed by Reclamation to comply with Section 106 of the National Historic Preservation Act (NHPA) pursuant to the implementing regulations found at 36 CFR part 800. During the review it was determined that the undertaking was the type of action that had the potential to cause effects to historic properties since the project involves installation of approximately 10,000 lineal feet of pipeline to service the College Park and Rose Garden areas in the City of San Jose, Santa Clara County, California.

SBWRP hired archaeological consulting firm Basin Research Associates to complete the cultural resource inventory as part of the compliance with Section 106 of the NHPA. The consultant produced a survey report in April 2010 that covered the entire area of potential effects (APE) entitled, "Historic Property Survey Report/Finding of Effect, South Bay Water Recycling (SBWR) Stimulus Projects, San Jose Extension, City of San Jose, Santa Clara County".

Two linear historic era resources were identified in the APE, Union Pacific Railroad (UPRR) and the Alameda (segment of the El Camino Real). Although lacking the resources, within the constraints of this project, to fully evaluate the linear historic properties under National Register of Historic Places (NRHP) criteria, Reclamation assumed that both resource segments in the APE were eligible under Criterion A for the purposes of this undertaking only. As the pipeline will be installed via jack-and-bore underneath the UPRR railroad grade and the trench used to cross the Alameda will be restored to its original appearance and function as a contemporary paved roadway, Reclamation concluded that a finding of no adverse effect pursuant to 36 CFR Part 800.5(b) is appropriate for this undertaking.

On a letter dated April 26th, 2010 and received at Reclamation on May 3, 2010, SHPO concurred with Reclamation's finding that the project would result in no adverse effect to historic properties (attached).

After receiving SHPO concurrence, the Section 106 process has been completed. Please retain a copy of this e-mail memo and the concurrence with the administrative record of the EA for this project. Please note that if project plans or actions change, these revisions may require additional Section 106 consultation with the SHPO.

Sincerely,



Tony

Stephen (Tony) Overly, M.A. Archaeologist  
U.S. Bureau of Reclamation, Mid-Pacific Region  
2800 Cottage Way, MP-153  
Sacramento, CA 95825  
916-978-5552





**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

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| BUREAU OF RECLAMATION<br>OFFICIAL FILE COPY<br>RECEIVED |        |          |
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| MAY 3 2010  |        |          |
| CODE  | ACTION | DATE     |
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April 26, 2010

In Reply Refer To: BUR100422B

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: South Bay Water Recycling Program (SBWRP) Phase 1C Projects (Hedding Street Extension), City of San Jose, Santa Clara County, California (Project No. 09-SCAO-092.11).

Dear Mr. Chotkowski:

Thank you for seeking consultation 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. The BUR has identified this use of federal expenditures as an undertaking subject to compliance with Section 106 regulations. The proposed project is an extension of the existing SBWRP system that services three cities and eight special districts in the Santa Clara Valley.

The undertaking consists of the installation of approximately 10,000 linear feet of recycled water pipeline with diameters ranging from 6 to 20 inches. The Hedding Street extension pipelines will connect to existing recycled water facilities on Coleman Avenue and will provide recycled water service to the College Park and Rose Garden areas of San Jose, Santa Clara County, California. The pipeline will be installed in open trenches in existing city streets with the exception of a jack-and-bore installation of the pipeline crossing of the Union Pacific Railroad (UPRR).

The BUR has defined the Area of Potential Effects (APE) as a corridor varying from 35-feet to 65-feet along the public rights-of-way in the affected city streets. The trenches will range from 2-4 feet in width and will be excavated to an average depth of approximately five feet, although actual depths will range up to a maximum of 14-feet. The depth as the jack-and-bore pits will be approximately 20 feet. The total APE encompasses an area of approximately ten acres. An architectural APE was not determined as the visual effects of the undertaking will be transitory. In addition

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|-----------------------|---------------|
| Classification        | EW-3.00       |
| Project               | 214           |
| Control No.           | 10028711      |
| Folder ID             | 1174652       |
| Date Input & Initials | 5/3/2010 J.S. |



to your letter of April 20, 2010, and attachments, you have submitted the following report as documentation of your efforts to identify and evaluate historic properties in the project APE:

- *Historic Property Survey Report/Finding of Effect South Bay Water Recycling (SBWR) Stimulus Projects San Jose Hedding Extension, City of San Jose, Santa Clara County* (Basin Research Associates: March 2010, Revised April 2010).

Historic property identification efforts by the BUR concluded that the only historic properties in the APE are two linear historic-era resources, the Union Pacific Railroad (UPRR) and the Alameda, a segment of the El Camino Real (State Historic Landmark #784), the Spanish/Mexican era trail that extended from San Diego to San Francisco, connecting the various missions in California. Although lacking the resources, within the constraints of this undertaking, to fully evaluate these linear historic properties under NRHP criteria, the BUR assumes that both are eligible for the NRHP under criterion A for the purposes of this undertaking only.

As the pipeline will be installed under the UPRR grade using jack-and-bore technology, the BUR has concluded that this linear historic property will not be adversely affected by the undertaking as designed. Regarding the Alameda (aka: El Camino Real), which presently exists at the project location as a modern day road (much of it as SR 82), the project will cross this site as an open trench, but the Alameda will be restored to its original appearance and function as a contemporary paved roadway. The BUR has also determined that the Alameda will not be adversely affected by the project as designed and has concluded that a finding of No Adverse Effect is appropriate for this undertaking pursuant to 36 CFR Part 800.5(b). I have no objection to this finding.

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](mailto:wsoule@parks.ca.gov).

Sincerely,

*Susan H Stratton for*

Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer