

# RECLAMATION

*Managing Water in the West*

## Finding of No Significant Impact

### South Bay Water Recycling Program Santa Clara Industrial 3b

Recommended by: Doug Kleinsmith date: 2/15/11  
Environmental Specialist

Concurrence by: Dan T. White date: 3/07/2011  
Program Manager, Title XVI Program

Approved by: [Signature] date: 3/14/11  
Chief, Division of Planning

FONSI No. 11-04-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, is authorized to provide 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 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 Program. This pipeline, termed Santa Clara Industrial 3B, will connect to the existing pipelines on streets in the City of San José, and will provide recycled water to nearby facilities.

The Santa Clara Industrial 3B project consists of approximately 13,400 feet of 12-inch recycled water pipeline. The recycled water lines will be installed using open-cut method. Construction of the pipeline is scheduled to begin in Fiscal Year 2011.

The additional users will help fulfill the Program'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.



## Findings

Reclamation has adopted the addendum to the EIR that was prepared by the City on December 8, 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 addendum 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 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 light industrial with some heavy industrial and public or quasi-public uses. 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 streets are mainly used for local industrial services. 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 previously disturbed areas of the public right of way and easements on private and publicly owned property. 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 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 heavy and light industrial as well as public facilities. 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 are 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 be expected to 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.* The archaeological consulting firm, Basin Research Associates, completed the cultural resource identification effort for compliance with Section 106 of the National Historic Preservation Act. The consultant produced a survey report in December 2010 that covered the entire area of potential effects entitled, *Historic Property Survey Report/Finding of Effect, South Bay Water Recycling (SBWR), Santa Clara Industrial 3B, City of Santa Clara, Santa Clara County.*

Based in part on the results described in that report, Reclamation made a finding of no historic properties affected pursuant to 36 CFR Part 800.4(d)(1). Reclamation submitted the report to the California State Historic Preservation Officer (SHPO) on January 10, 2011 seeking concurrence on the findings. In a letter dated January 27, 2011 to Reclamation, SHPO concurred with Reclamation's finding that the project will have no adverse effect to historic properties (attached).

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 nearest ITA is Lytton Rancheria, which is approximately 45 miles northwest of the project location. 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**

December 8, 2010

**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-three 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 – Milpitas Light Rail Median Extension (March 2010)
- Addendum #23 – Hedding Extension (March 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 additional 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), additional federal documentation has also been prepared for the project, as listed below:

- Final Environmental Impact Statement (EIS) – May 1996
- Record of Decision for EIS – July 1996
- Final Environmental Assessment/Finding of No Significant Impact – December 1996

The Addenda described above also are considered supplemental information to the National Environmental Policy Act (NEPA) documents. The Santa Clara Industrial 3B pipeline will serve areas previously described in the CEQA/NEPA documents.

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 Santa Clara Industrial 3B, will connect to the existing pipelines on streets identified in Table 1 in the City of San José, and will provide recycled water to nearby facilities. The additional users will help fulfill the Program'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. The USBR may also use this Addendum for NEPA compliance.



## Description of Pipeline Extension

Figure 1 shows the Santa Clara Industrial 3B pipeline extension, which is addressed in this document. The pipeline segments and their environmental review status are listed below:

**TABLE 1**  
Santa Clara Industrial 3B Pipeline Extension

Extension	Street Segments Included	Environmental Review Status
Industrial 3B	Comstock Street Kenneth Street Space Park Drive Alfred Street Duane Avenue Jay Street Arbuckle Court Raymond Street	Addressed at program level but not at project level in existing environmental documents

The project would occur in the City of Santa Clara, connecting to existing recycled water pipelines on Comstock Street and Duane Avenue. The additional pipeline will provide water to facilities located within the identified Santa Clara Industrial 3B project area. The South Bay Water Recycling Program, Industrial 3B project consists of approximately 13,400 feet of 12-inch recycled water pipeline. The recycled water lines will be installed using open-cut method.

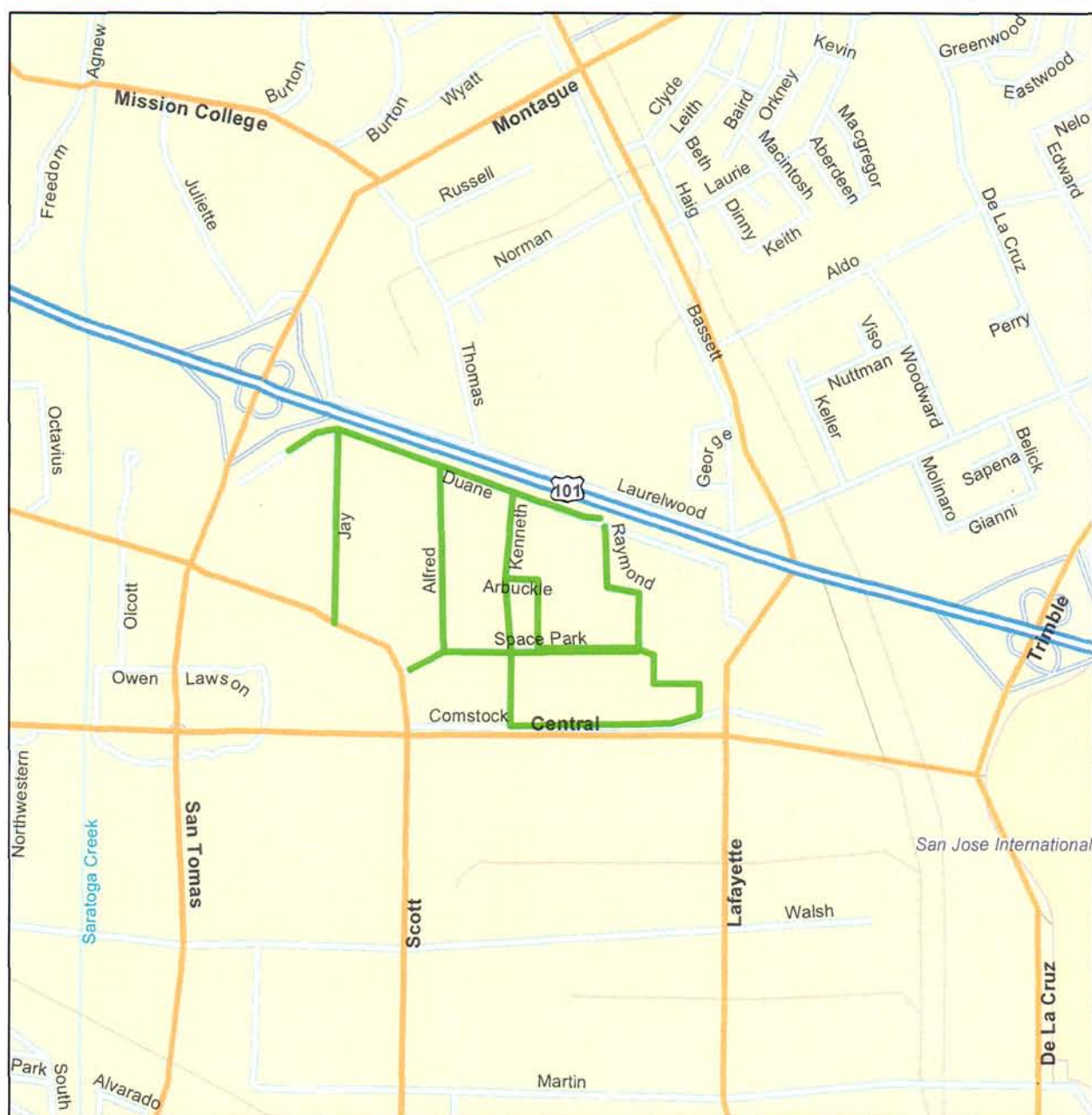
Land use in these areas is heavy industrial; light industrial, and public or quasi-public.

## 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.

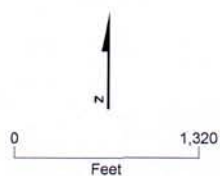
## Construction Methods

Construction of the pipelines would occur within existing roadway rights-of-way, easements on private property, or easements on city owned property, using the "cut and cover" method. The ground surface is restored to original or better condition. Construction equipment would typically occupy approximately 20 to 26 feet of the affected roadway.



### LEGEND

 SANTA CLARA INDUSTRIAL 3B



**FIGURE 1**  
**Santa Clara Industrial 3B**  
**Pipeline Extension**  
South Bay Water Recycling Program, California



## **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.

The project area is urbanized, with land uses including industrial and public. The zoning designations for the project area include Light Industrial (ML) and Public or Quasi-Public (B) at a few locations on Comstock Street.

## **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 will comply with previously identified mitigation measures for this impact category, which are detailed in the Design Guidance Manual for the project. 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 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 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 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 this mitigation there would be no significant impacts.

### **Land Use**

The land use along the proposed pipeline route is primarily light industrial with some heavy industrial and public or quasi-public uses. 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 will 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. 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 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 this mitigation there would be no significant impacts.

### **Traffic**

No new impacts have been identified and the streets are mainly used for local industrial services. 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 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 will stay within previously disturbed areas of the public right of way and easements on private and publicly owned property. The project would not affect threatened or endangered species.

### **Hazardous Materials**

No new impacts have been identified. 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 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 will 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 heavy and light industrial as well as public facilities. 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 will be no operational noise impacts associated with the pipeline. The project will 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**

Historic and archaeological resources are identified and evaluated in the Historic Property Survey Report and is based on record searches and field surveys (Basin Research Associates, 2010).

No prehistoric, combined prehistoric/historic era or historic era sites have been recorded or reported in or adjacent to the proposed project Area of Potential Effects (APE). The APE is defined as the areas subject to direct impact including the pipeline corridor and any temporary construction easements.

No other historic properties listed, determined eligible, or potentially eligible for inclusion on the NRHP have been identified in or adjacent to the APE as result of archival research, consultation, and a field inventory. 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 will 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.

Based on a review of ITA data, the project does not impact ITAs.

### **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 will 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) – Santa Clara Industrial 3B Project, City of Santa Clara, Santa Clara County. Prepared for U.S. Department of the Interior, Bureau of Reclamation (Project 09-SCAO-092.13). December 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 Milpitas 2010. Addendum #22 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project—Milpitas Great Mall Parkway Pipeline Extension (March 2010).

City of San José 2010. Addendum #23 to Final Environmental Impact Report (FEIR) for the San José Nonpotable Reclamation Project—San José Hedding Extension (March 2010).

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



**From:** Dunay, Amy L  
**Sent:** Friday, February 04, 2011 8:57 AM  
**To:** Kleinsmith, Douglas H  
**Cc:** White, David T; Barnes, Amy J; Nickels, Adam M; Bruce, Brandee E; Perry, Laureen (Laurie) M; Overly, Stephen A; Fogerty, John A; Goodsell, Joanne E  
**Subject:** 09-SCAO-092.13 (SBWR Phase 1C Industrial 3B) Section 106 Complete  
**Attachments:** SHPO Concurrence.pdf; SHPO Consultation.pdf

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

09-SCAO-092.13  
Title XVI Project  
SBWR Phase 1C Industrial 3B

Doug,

The proposed undertaking to provide federal appropriations to the South Bay Water Recycling Program (SBWRP) through the Title XVI funds for the Industrial 3B Project was determined to be the type of action that had the potential to cause effects to historic properties. The project involves installation of approximately 14,250 linear feet of buried pipeline to connect the existing SBWRP system to industrial and commercial facilities in the City of Santa Clara, California.

SBWRP hired archaeological consulting firm Basin Research Associates to complete the cultural resource identification effort for compliance with Section 106 of the National Historic Preservation Act. The consultant produced a survey report in December 2010 that covered the entire area of potential effects (APE) entitled, *Historic Property Survey Report/Finding of Effect, South Bay Water Recycling (SBWR), Santa Clara Industrial 3B, City of Santa Clara, Santa Clara County*.

Based in part on the results described in that report, Reclamation made a finding of no historic properties affected pursuant to 36 CFR Part 800.4(d)(1). Reclamation submitted the report to the California State Historic Preservation Officer (SHPO) on January 10, 2010 seeking their concurrence on our findings. On a letter dated January 27, 2011 and received at Reclamation on January 31, 2011, 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.

Best,

Amy Dunay, M.A., R.P.A  
Archaeologist  
U.S. Bureau of Reclamation  
Mid-Pacific Region  
2800 Cottage Way, MP-153



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January 27, 2011

In Reply Refer To: BUR110110B

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 (Industrial 3B)  
Santa Clara County, California (Project No. 09-SCAO-092.13).

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.

This aspect of the SBWRP involves the installation of 14,250 feet of buried recycled water pipeline to connect the existing SBWRP system to industrial and commercial facilities in the City of Santa Clara. The new segments will be installed in eight existing urban roadways using open trenches. The average depth for the installations will be 5-6 feet below grade. The BUR has determined that the total area to be affected at the eight project locations totals approximately 12.3 acres. This is the project Area of Potential Effects (APE). In addition to your letter of January 10, 2011, 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) Santa Clara Industrial 3B, City of Santa Clara, Santa Clara County (Basin Research Associates: Revised December, 2010).*

After reviewing your letter and supporting documentation, I have ~~no objection to your~~ finding of No Historic Properties Affected. Be advised that under certain circumstances, such as unanticipated discovery or a change in project description, the BUR may have

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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 916-445-7022 or email [wsoule@parks.ca.gov](mailto:wsoule@parks.ca.gov).

Sincerely,

*Susan H. Stratton for*

Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer