

FINDING OF NO SIGNIFICANT IMPACT
City of Hermiston Recycled Water Pipeline and Outfall License Agreement

U.S. Department of Interior
Bureau of Reclamation
Pacific Northwest Region
Columbia-Cascade Area Office
PN-FONSI-11-02

Introduction

The Bureau of Reclamation (Reclamation) has prepared an Environmental Assessment (EA) to authorize a license agreement to the City of Hermiston to install, operate and maintain a recycled water pipeline and outfall structure on Reclamation fee title land.

The pipeline and outfall structure will be used by the City to transport and deliver Class A recycled water from the City's municipal Recycled Water Plant (RWP) to the West Extension Irrigation District (WEID) Main Canal during the irrigation season for irrigated agricultural purposes.

This action will be to help the City meet National Pollutant Discharge Elimination System (NPDES) permit levels for the next 20 years, address environmental concerns impacting the Umatilla River and threatened salmonid species, and discharge Class A recycled water to the Umatilla River within approved limits.

Alternatives Considered

Two alternatives were developed and evaluated in the EA, the No Action Alternative and the Issuance of License Agreement to the City of Hermiston for Modifications to Existing Water Treatment Facilities Alternative.

The Recommended Alternative

Reclamation has selected the Issuance of License Agreement to the City of Hermiston alternative as the recommended alternative for implementation.

Proposal

Reclamation proposes to issue the license agreement to the City of Hermiston. This project consists of the following:

- License agreement to install, operate and maintain a recycled water pipeline and one outfall structure located on Reclamation fee title land
- Allow the discharge of Class A Recycled Water

Consultation, Coordination, and Public Involvement

Endangered Species Act

In compliance with Section 7 of the Endangered Species Act (ESA), Environmental Protection Agency (EPA) prepared a biological assessment for the improvements to the City's Recycled Water Plant as

well as impacts of recycled water discharge on two ESA-listed species: Middle Columbia River (MCR) steelhead (*Oncorhynchus mykiss*) and bull trout (*Salvelinus confluentus*). EPA's BA also addressed the essential fish habitat (EFH requirements of the Magnuson-Stevens Fishery Conservation and Management Act of 1996. The portion of the project that involves structures and facilities on Reclamation property was also included in this BA.

The National Marine Fisheries Service (NMFS) issued a biological opinion, under Section 7 of the ESA, regarding EPA funding provided to the City for constructing the RWP project. NMFS biological opinion concluded that the proposed action is not likely to jeopardize the continued existence of Middle Columbia River steelhead or result in the destruction or adverse modification of designated critical habitat for MCR steelhead.

The U.S. Fish and Wildlife Service concurred with EPA's determination that the City's proposed project may affect, but is not likely to adversely affect bull trout or its designated critical habitat.

National Historic Preservation Act

The National Historic Preservation Act (NHPA) requires that Federal agencies complete inventories and site evaluation actions to identify cultural resources that may be eligible to the National Register, and then ensure those resources "are not inadvertently transferred, sold, demolished, substantially altered, or allowed to deteriorate significantly". Regulations entitled "Protection of Historic Properties" (36 CFR 800) define the process for implementing requirements of the NHPA, including consultation with the appropriate State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation.

Reclamation reviewed the proposed area of potential affect and determined that the project would have no potential to cause affect to cultural resources. There is minimal potential for intact subsurface archaeological deposits along the proposed alignment for the buried pipeline on Reclamation property due to past land disturbance activities in the project area. Also, there would be no impacts to current facilities therefore, no affects to historic properties.

Summary of Review Comments and Reclamations Responses

There were 6 comments received for the draft EA. There were comments in support of the project however, some comments received included:

- Issues about the structural integrity of the WEID Canal and possible contaminants from the RWP leaching through cracks in the canal.
- Potential impacts to wetlands located on neighboring property, LGW Ranch, Inc.
- Costs associated with the pipeline installation.
- Issues if the discharge of recycled water into the canal does not meet Class A standards.

In 2009, the City sought out funding from the U.S. Environmental Protection Agency (EPA) Clean Water State Revolving Fund to improve the City's current water treatment facility, associated recycled water pipelines, and outfalls structures. As a result, EPA took the position of lead action agency to

ensure compliance with NEPA. EPA and associated consultants completed an EA regarding federal funding from the EPA and state funding through the Oregon Department of Environmental Quality for planned improvements to the City's existing RWP facilities. The information provided in the EPA's EA proposed upgrades to their existing water treatment facility to create an RWP, complete with a new outfall pipeline with three discharge locations. This EA, prepared by Reclamation, will only address the structures associated with the City's RWP pipeline installation on Reclamation property and the construction of the water outfall facility on the WEID Main Canal.

As addressed in EPA's EA, a wetland delineation was conducted as part of the City's improvements to their existing RWP facilities and was submitted the Oregon Department of State Lands and the Corps of Engineers to acquire any required permits.

Regarding concerns with containments leaching from the canal, the City shall obtain and continue to maintain a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of Class A recycled water from the recycled water treatment plant into the Canal. The City shall ensure that any water discharged into the canal always meets or exceeds at least, Class A standards and all other applicable existing and future Federal and State water quality standards. Reclamation or the District can immediately suspend or terminate this permit if a situation occurs that results in water being discharged to the Canal that does not meet or exceed standards.

The City of Hermiston will be responsible for the costs associated with the installation, and operation and maintenance of the pipeline. Under this proposal, Reclamation will only grant a license agreement to the City to build on Reclamation fee title land.

Findings

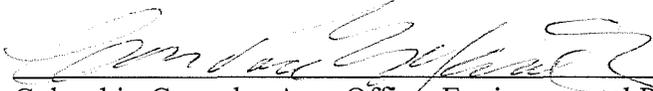
This Finding of No Significant Impact (FONSI) is based upon the following:

- Impacts to may affect, but is not likely to adversely affect bull trout or its designated critical habitat.
- Impacts not likely to jeopardize the continued existence of Middle Columbia River steelhead or result in the destruction or adverse modification of designated critical habitat for MCR steelhead.
- No affects to historic properties and no potential to cause affect to cultural resources.

Based on the environmental analysis as presented in the final EA, Reclamation concludes that implementation of preferred action and associated environmental commitments would have no significant impact on the quality of the human environment or the natural resources in the affected area.

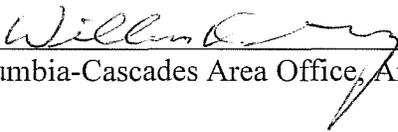
This Finding of No Significant Impact has therefore been prepared and submitted to document environmental review and evaluation in compliance with the National Environmental Policy Act of 1969, as amended.

RECOMMENDED:


Columbia-Cascades Area Office, Environmental Program Manager

4/18/11
Date

APPROVED:


Columbia-Cascades Area Office, Area Manager

4/15/11
Date