

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

City of Huron Land Use Authorization

FONSI-16-011



U.S. Department of the Interior
Bureau of Reclamation
South-Central California Area Office

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Mission Statements

The Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

BUREAU OF RECLAMATION
South-Central California Area Office, Fresno, California

FONSI-16-011

City of Huron Land Use Authorization

for



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08/22/2017


Date



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08/22/2017

Date



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8/28/2017

Date

Introduction

In accordance with section 102(2)(c) of the National Environmental Policy Act of 1969, as amended, the South-Central California Area Office of the Bureau of Reclamation (Reclamation), has determined that an environmental impact statement is not required for issuance of a land use authorization to the City of Huron (City) for their proposed conversion of 188 acres of Reclamation-owned land located adjacent to the City's wastewater treatment plant (Treatment Plant) into an alfalfa field. This Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA)-16-011 *City of Huron Land Use Authorization*, and is hereby incorporated by reference.

Reclamation provided the public with an opportunity to comment on the Draft FONSI and Draft EA between June 29, 2017 and July 29, 2017. Reclamation received one comment letter. The comment letter and Reclamation's response to comments are included in Appendix A of Final EA-16-011.

Background

The City owns and operates a Treatment Plant in the easternmost portion of Huron, California. On December 5, 2014, the Regional Water Quality Control Board issued Waste Discharge Requirements Order Number R5-2014-0163 (Order) to the City regarding its Treatment Plant. One of the provisions in the Order require the City to reduce nitrogen (a by-product of wastewater treatment) concentrations in its effluent, or otherwise demonstrate that its disposal practices would not cause groundwater nitrogen concentrations to rise above the maximum contaminant level.

To comply with the provisions of the Order, the City proposed a project to use its treated effluent to irrigate approximately 200 acres of alfalfa crops that would uptake (remove) nitrogen from the treated effluent and prevent it from seeping into the groundwater (Proposed Project). As the nearest available land adjacent to the City's Treatment Plant, is owned by Reclamation, the City requested a land use authorization from Reclamation for their Proposed Project. The City analyzed its Proposed Project in an Initial Study and issued a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (City 2017).

The Reclamation land that the City has requested to use for their Proposed Project is part of the Arroyo Pasajero Westside Detention Basin (Detention Basin) that lies adjacent to the San Luis Canal. When this segment of the San Luis Canal was constructed in 1967, it intercepted Los Gatos Creek and agricultural lands to the west flooded. Reclamation purchased the affected agricultural lands and constructed the Detention Basin to contain Los Gatos Creek floodwaters within an approximate 3,800-acre area along the western edge of the San Luis Canal from Highway 198 south to Gale Avenue.

Proposed Action

Reclamation proposes to issue a 25-year land use authorization to the City for its Proposed Project. This would allow the City to convert 188 acres of Reclamation land located to the north of the Treatment Plant for agricultural use (i.e., growing alfalfa). Specific project details are included in Section 2.2 of EA-16-011.

Environmental Commitments

The City shall implement the environmental protection measures listed in Table 1 of EA-16-011 to avoid and/or reduce environmental consequences associated with the Proposed Action. Environmental consequences for resource areas assume the measures specified would be fully implemented.

Findings

Reclamation's finding that implementation of the Proposed Action will result in no significant impact to the quality of the human environment is supported by the following findings:

Resources Eliminated from Detailed Analysis

As described in Table 2 of EA-16-011, Reclamation analyzed the affected environment and determined that the Proposed Action does not have the potential to cause direct, indirect, or cumulative adverse effects to the following resources: cultural resources, environmental justice, Indian Sacred Sites, Indian Trust Assets, or recreation.

Air Quality

As shown in Table 3 of EA-16-011, the estimated criteria pollutant emissions from the Proposed Action are well below both the San Joaquin Valley Air Pollution Control District's thresholds of significance. Consequently, the Proposed Action would not result in significant impacts to air quality and a conformity analysis pursuant to the Clean Air Act is not required.

Biological Resources

There is no Critical Habitat in the Proposed Action area. Several of the special-status species named on the official species list (Table 4 in EA-16-011) have no potential to occur within the Proposed Action area due to a lack of suitable habitat, and would therefore not be affected by the Proposed Action. Federally protected species with some potential to occur in or near the Proposed Action area include: Swainson's hawk, burrowing owl, and San Joaquin kit fox. Potential effects from the Proposed Action are discussed in further detail for each special-status species with the potential to occur in the Proposed Action Area in Section 3.3.2 of EA-16-011. With the implementation of avoidance measures (Table 1 in EA-16-011), Reclamation determined that the Proposed Action would result in No Take of Swainson's hawks or burrowing owls.

San Joaquin kit foxes are not expected to den within the Proposed Action area, but there is some potential for dispersing kit foxes to move through or forage within the Proposed Action area. On September 20, 2016, Reclamation sent a letter to the U.S. Fish and Wildlife Service requesting concurrence with a Not Likely to Adversely Affect determination for the federally endangered

San Joaquin kit fox. On February 27, 2017 Reclamation received a letter from the U.S. Fish and Wildlife Service stating that they concurred with Reclamation's determination (Appendix C in EA-16-011).

Cultural Resources

Reclamation determined that there would be no historic properties affected pursuant to 36 CFR § 800.4(d)(1); therefore, there would be no cumulative impacts to cultural resources as a result of implementing the Proposed Action.

Global Climate Change

As shown in Table 3 of EA-16-011, annual construction and operational emissions of carbon dioxide equivalents are estimated to be 319.22 metric tons, well less than the EPA's 25,000 metric tons per year threshold for annually reporting greenhouse gases emissions. Accordingly, the Proposed Action would result in below *de minimis* impacts to global climate change.

Hazardous Materials

The Proposed Action would be consistent with the plans established by Reclamation and California Department of Water Resources (i.e., planting cover crops to reduce exposure to airborne asbestos) that was previously approved by the Environmental Protection Agency. As alfalfa fields would reduce the potential for airborne asbestos, the Proposed Action would beneficially reduce the hazards posed by the existing asbestos within the Proposed Action area.

During construction, the City and/or its designee shall implement best management practices included in Table 1 of EA-16-011 to ensure that airborne dust containing asbestos is minimized.

Water Resources

The high levels of nitrogen in the City's effluent could impact groundwater levels within the Proposed Action area; however, as a result of natural processes, it is expected that most of the nitrogen would be converted to ammonium or nitrate and would therefore be available for uptake by the alfalfa plants during the growing season. In addition, nitrogen may also be lost in the system through denitrification and volatilization of ammonia. Ammonia loss rates through volatilization have been estimated at up to 20 percent in wastewater. Loss of nitrogen through denitrification has been estimated at 10 percent to 20 percent for sandy loam and loam soils, such as those in the Proposed Action area, with a medium denitrification potential (AM Consulting Engineers, Inc. 2016). Due to losses from volatilization and denitrification, only a certain portion of the nitrogen in the applied wastewater would be left over for the alfalfa plants for uptake.

The City conducted a water feasibility study which determined that a minimum of 140 acres of alfalfa would be necessary to bind the nitrogen present in the typical 1.0 million gallons of effluent processed each day at the Treatment Plant (AM Consulting Engineers, Inc. 2016). Based on these processes discussed in the previous paragraph, the City estimates that the Proposed Action area of 188 acres would be sufficient to uptake the entire nitrogen load contained within the applied recycled water (AM Consulting Engineers, Inc. 2016).

The Proposed Action would not require a disruption of the City's customers in service for water or the treatment of wastewater. The Regional Water Quality Control Board has determined that,

“The Discharger is not required to obtain coverage under a National Pollutant Discharge Elimination System General Industrial Storm Water Permit for the discharge because all storm water runoff is retained onsite and does not discharge to a water of the United States.” Completion of the Proposed Action would allow the City to meet its wastewater treatment requirements from the Order. The City does not use groundwater so its use would not change under this action.

The land would be planted in alfalfa irrigated with treated effluent from the Treatment Plant in order to remove nitrogen. The removal of nitrogen by alfalfa would reduce the amount of nitrogen that have previously permeated into the groundwater beneath the City’s Treatment Plant. This would be an overall beneficial impact to groundwater quality and would enable the City to meet the requirements of the Order.

The City has confirmed that they would join the Westlands Water Quality Coalition’s irrigated lands program in order to annually monitor for any nitrogen impacts program in order to annually monitor nitrogen impacts consistent with the Regional Water Quality Control Board’s General Order R5-2014-0001. Annual monitoring reports shall be provided to Reclamation for confirmation that there are no adverse groundwater impacts due to the project.

No facilities are being proposed that would alter the existing drainage pattern of the area. Reclamation would continue to use the surrounding Detention Basin for flood control when needed. Berms would be installed around the alfalfa fields to ensure that no treated effluent would leave the area and potentially enter the San Luis Canal.

Cumulative Impacts

Cumulative impacts result from incremental impacts of the Proposed Action when added to other past, present, and reasonably foreseeable future actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment.

Air Quality

Emissions for the Proposed Action are well below the *de minimis* thresholds established by the San Joaquin Valley Air Pollution Control District and would not considerably contribute to cumulative adverse impacts on air quality.

Biological Resources

There is no Critical Habitat in the Proposed Action area. Several of the special-status species named on the official species list have no potential to occur within the Proposed Action area due to a lack of suitable habitat, and would therefore not be affected by the Proposed Action. Federally protected species with some potential to occur in or near the Proposed Action area include Swainson’s hawk, burrowing owl, and San Joaquin kit fox.

With the implementation of the avoidance measures included in Table 1 of EA-16-011, Reclamation determined that the Proposed Action would result in *No Take* of burrowing owls or Swainson’s hawks.

San Joaquin kit foxes are not expected to den within the Proposed Action area, but there is some potential for dispersing kit foxes to move through or forage within the Proposed Action area. If kit foxes are present during construction, they may be disturbed or displaced; however, with the implementation of the environmental protection measures included in Appendix C of EA-16-011, no mortality take or destruction of active kit fox dens is expected to occur as a result of the Proposed Action. Reclamation determined that the Proposed Action is *Not Likely to Adversely Affect* the San Joaquin kit fox, and on February 12, 2017 the U.S. Fish and Wildlife Service concurred with Reclamation's determination.

Global Climate Change

Greenhouse gas emissions generated by the Proposed Action are expected to be extremely small, as seen in Table 3 of EA-16-011. While any increase in greenhouse gas emissions would add to the global inventory of gases that would contribute to global climate change, the Proposed would result in potentially minimal to no increases in greenhouse gas emissions and a net increase in greenhouse gases emissions among the pool of greenhouse gas would not be detectable.

Hazardous Materials

The planting of cover crops such as alfalfa to reduce the chance of asbestos entering the waterway or becoming airborne is consistent with the EPA determination and would have a cumulatively beneficially impact to reducing this hazard in the Proposed Action area.

Land Use

The Proposed Action, along with all known projects in the City, would not change the intensity of land uses within the City's planning area. All projects proposed and constructed within Huron are reviewed for consistency with citywide land use controls and development standards during the course of the project review and approval process.

Water Resources

As the Proposed Action would not disrupt the City's customer's water service or water treatment, there would be cumulatively beneficial impacts over the long term as the potential for local groundwater contamination from nitrogen would be greatly reduced.