

RECLAMATION

Managing Water in the West

Finding of No Significant Impact

License Agreement – Upgrade and Operation of Wastewater System Percolation Beds - Lewiston Community Services District – Lewiston, CA

FONSI 17-02-NCAO

Prepared by:

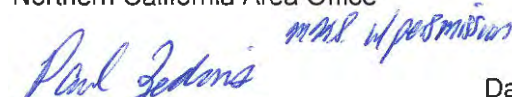


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1 Background

In accordance with Section 102(2)(c) of the National Environmental Policy Act of 1969 (NEPA), as amended, the US Department of Agriculture (USDA), prepared an Environmental Assessment (EA) to analyze the potential for impacts associated with providing financial assistance to update and consolidate three existing community wastewater collection, treatment, and disposal systems in Lewiston, CA, into one (Project).

As part of the over-arching Project, the proponent, Lewiston Community Services District (LCSD), will upgrade and expand existing percolation beds, located on Reclamation property to the adjacent north of the Trinity River and currently owned and operated by Lewiston Park Mutual Water Company. Reclamation will issue a license agreement for its Proposed Action to approve the upgrades to, and the continued operation of, the percolation beds, installed in 1956. The analysis of resources and the potential for impacts to these resources from issuance of a license agreement were included in the EA prepared by the USDA as the Federal NEPA lead for the Project, which is hereby incorporated by reference (USDA 2018). Reclamation participated in the assessment process as a Cooperating Agency to the USDA.

Resources present in the Project area include the Trinity River as a Federally-designated Wild and Scenic River (WSR), with Outstandingly Remarkable Values (ORVs) that include anadromous and resident fisheries. An approximate 100-mile stretch of the mainstem Trinity River, which includes the Project area and vicinity, is also classified as a state “Recreational River”. Historical operations of the existing wastewater treatment facilities have a record of non-compliance with permit requirements and water quality regulation.

The USDA made the draft EA for the Project available for a 14-day public review period from June 13 through 27, 2018. The document was made available in Lewiston and Yreka; Its availability was announced in a legal notice in the Trinity Journal, a local area newspaper. No comments on the content of the EA were received.

2 Alternatives Including the Proposed Action

LCSD performed a feasibility study to identify alternate locations for the upgraded system components, including the percolation beds, as well as alternate wastewater treatment mechanisms and treatment system design criteria. These alternate locations, means and mechanisms were dismissed from detailed consideration due to one or more complicating factors, including: complexities associated with property purchase; anticipated inefficiency of the system with regard to effluent volume and energy and water use; an anticipated inability of the discharge to comply with current and future regulatory standards, and/or; other considerations, as

detailed in Section 2.2 of the EA (Other Alternatives Evaluated) and a preceding Planning Grant Project Report prepared by Pace Engineering (Pace 2016). The impacts analysis documented in the EA focused on potential impacts from the LCSD's Project and the No Action Alternative.

2.1 No Action

Under No Action, Reclamation would not issue the license agreement to approve the upgrades to, and continued operation of, the percolation beds as part of the Project. Because neither the EA nor the feasibility analysis identified a viable alternative location for the percolation beds, or a viable treatment methodology that would not require their continued use, LCSD would forego the Project. No construction activities would occur; the existing systems would remain in use in their current condition.

Berms surround the percolation beds providing a four-foot separation between the elevation of the percolation beds and the 100-year flood elevation. However, the distribution pipe in the percolation beds has fallen into disrepair so that effluent leaks through the pipe in areas other than the intended discharge point, which is one central location and does not meet design requirements for equitable distribution of effluent across the fields. The concentrated effluent disposal increases potential connectivity between effluent and shallow groundwater, thereby reducing the chance for removal of contaminants by filtration through the soil column.

Under No Action, sewage overflows and spills associated with other Project systems constraints would continue to occur and the percolation beds would continue to leak and perform poorly, affecting both groundwater and surface water quality.

2.2 Proposed Action

Under the Proposed Action, Reclamation would issue a license agreement to approve the upgrades to, and the continued operation of, the existing percolation beds. The percolation beds would be reconstructed with eight leach field banks in comparison to the current three for more equitable distribution of effluent. Internal berms and debris within the beds would be removed, and the side slopes would be reshaped. Granular fill material would be imported and used to add approximately two feet to the existing elevation to ensure that there is at least three feet of separation between the leach pipe and groundwater.

Pipe replacement from an aerial crossing carrying the treated effluent from the wastewater treatment plant on the south side of the Trinity River to the leach field would either be done by temporarily creating an approximate one-foot wide open trench in uplands or by using a pipe burst method requiring less disturbance.

Portions of Reclamation's property within the existing percolation beds and along the graveled access road that leads to the percolation beds may also be used as a staging area for construction equipment and materials during Project activities.

Once the Project construction is complete, system operators would rotate flow between active banks depending upon the loading rates required during average dry weather flows (ADWF), maximum monthly flow (MMF), and Peak Wet Weather flows (PWWF). It is anticipated that the new percolation beds would perform to the following design standards:

- Distribution of approximately 35,000 gallons per day across the percolation beds under ADWF;
- Even distribution of effluent across a much larger area, reducing ponding and concentrated loading of effluent and increasing filtration capacity, and;
- Removal of 90 to 98 percent of influent BOD, 10-40 percent total nitrogen, 99–99.99 percent fecal coliform and minor additional removal of BOD, total suspended solids, nitrate, and pathogens.

As part of the Proposed Action, additional piezometers would be installed to supplement groundwater depth monitoring capabilities. Three sample ports, placed in each of eight banks, would be used to check for ponding. If the required groundwater separation criteria cannot be met, then waste water would be stored in Emergency Retention Basins located elsewhere in the Project area.

2.3 Findings

Because the existing wastewater treatment and disposal system have met the end of their useful service lives, the No Action Alternative is likely to result in the unauthorized discharge of under-treated wastewater to groundwater, wetlands and/or the Trinity River. In addition to biological impacts to protected fisheries and other resources for which the Project area is habitat, such discharges would have negative impacts on aesthetics and recreational use of the river. Further, unauthorized discharges of wastewater under No Action would be a violation of law that would expose LCSD and other local service providers to financial penalties, the payment of which their customer base could not support. Failure to correct such violations could lead to termination of the service providers' operating licenses by the State. Thus, under No Action, most the community of Lewiston could ultimately have no legal means of disposing of its wastewater, a situation which would constitute a public health and safety risk.

The percolation beds are located outside the 100 (due to the construction of berms) and 500-year flood zones on land not delineated as wetlands. The consolidated treatment system for the Project was designed for discharges to meet the Northcoast Regional Water Quality Control Board (NCRWQCB) Basin Plan (Basin Plan) Water Quality-Based Assessment Thresholds for the reasonable protection of the beneficial uses of groundwater and prevention of nuisance water, and related California Water Code and Federal regulatory requirements. A localized improvement to ground and surface water quality is anticipated from the Project and the Proposed Action.

Measures to be implemented to avoid or minimize the potential for Project-related adverse impacts to Federally-protected anadromous fish and nesting migratory birds and raptors, are detailed in Sections 5.2.4 and 5.2.5 of the EA, respectively.

The EA was prepared in accordance with NEPA Council on Environmental Quality regulations (40 CFR 1500-1508), and Department of the Interior Regulations (43 CFR Part 46). Effects on several environmental resources were examined and found to be absent, minor, or fully mitigated by project controls.

Based on the findings detailed in the EA, Reclamation has determined that its Proposed Action is not a major Federal action that will significantly affect the quality of the human environment. Rationale for this determination and laws, regulations and Executive Orders (EO) defining the threshold of “significance” are as follows:

1. Reclamation’s Proposed Action will not significantly affect public health or safety (40 CFR 1508.27(b)(3)).
2. Reclamation’s Proposed Action will not significantly impact natural resources and unique geographical characteristics such as historic or cultural resources; parks, recreation, and refuge lands; wilderness areas; WSRs; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order (EO) 11990); flood plains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas (40 CFR 1508.27(b)(3) and 43 CFR 46.215(b)). The Proposed Action is a component of a larger Project intended to provide a local improvement to the water quality of the Trinity River.
3. Reclamation’s Proposed Action will not have possible effects on the human environment that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)).
4. Reclamation’s Proposed Action will neither establish a precedent for future actions with significant effects nor represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)).
5. There is no potential for the effects of Reclamation’s Proposed Action to be considered highly controversial (40 CFR 1508.27(b)(4)). The community of Lewiston is supportive of the Project.
6. Reclamation’s Proposed Action will not have significant cumulative impacts (40 CFR 1508.27(b)(7)).
7. Reclamation’s Proposed Action will not adversely affect any districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (40 CFR 1508.27(b)(8)). Pursuant to 54 USC § 306108, commonly known as Section 106 of the National Historic Preservation Act, and its implementing regulations at 36 CFR Part 800, Reclamation notified the State Historic Preservation Officer (SHPO) of a finding of No Historic Properties Affected for the undertaking. In correspondence dated January 11, 2018, the SHPO responded with no objection to Reclamation’s finding. Measures to be implemented to assure the avoidance of construction-related impacts to unanticipated cultural resources finds, are detailed in sections 5.2.2 and 5.2.3 of the EA.
8. Reclamation’s Proposed Action and other elements of the Project may have indirect impacts on the southern Oregon/northern California coasts Evolutionarily Significant Unit of Coho

salmon as Critical Habitat and Essential Fish Habitat for this species was identified in the Project area and vicinity. Thus, the USDA consulted with the National Marine Fisheries Service (NMFS) on a determination that the Project, including the Proposed Action, May Affect, (but is) Not Likely to Adversely Affect this species and its habitat in correspondence dated October 27, 2017. The NMFS concurred with the USDA's determination in correspondence dated November 28, 2017. No other species listed, or proposed for listing, as threatened or endangered species under the Federal Endangered Species Act were identified in the Project area (40 CFR 1508.27(b)(9)).

9. Reclamation's Proposed Action will not violate Federal, state, tribal or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).

10. Reclamation's Proposed Action will not affect any Indian Trust Assets (ITA; 512 DM 2, Policy Memorandum dated December 15, 1993). The nearest ITA is located approximately three miles northwest of the Proposed Action.

11. Implementing Reclamation's Proposed Action will not disproportionately affect minorities or low-income populations and communities (EO 12898). The USDA's Rural Development Environmental Justice and Civil Rights Impacts Analysis Certification is included in the EA as Appendix E.

12. Reclamation's Proposed Action will not limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007 and 512 DM 3).

3 References

US Department of Agriculture, Rural Development Office (2018, March). *Environmental Assessment – Lewiston Community Services District Wastewater Collection, Treatment, and Disposal Project*. Yreka, CA.

Pace Engineering (2016, November 9). *Planning Grant Project Report for Lewiston Community Services District - Job No. 2399.02*. Redding, CA.