

US EPA ARCHIVE DOCUMENT

FINDING OF NO SIGNIFICANT IMPACT

Boulder City, Nevada Tertiary Effluent Polishing and Pipeline Project

The U.S. Environmental Protection Agency (EPA) Region 9 intends to award a grant in the amount of \$149,550 to the City of Boulder City, Nevada, in accordance with P. L. 111-88, the "Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010," also referred to as the Agency's FY 2010 Appropriations Act. This legislation included \$156,777,000 in the STAG account for 317 drinking water, wastewater and stormwater infrastructure and water quality protection projects. Specifically, project #201 is to the City of Boulder City, Nevada for Water Infrastructure Improvements.

EPA Region 9's award of a \$149,550 grant for the proposed project is a federal action requiring compliance with the National Environmental Policy Act (NEPA), 42 USC §§4321-4370f. In accordance with NEPA, Council of Environmental Quality Regulations at 40 CFR §§1500.1-1508.28, and EPA NEPA regulations at 40 CFR Part 6, EPA Region 9 has prepared an environmental assessment (EA) describing the potential environmental impacts associated with, and the alternatives to, the proposed project. 40 CFR, Section 1506.3(c) allows another federal agency to adopt this decision. The City of Boulder City and the Army Corps of Engineers (ACOE) have entered into a Project Cooperative Agreement under the authority of Section 595 of the Water Resources Development Act of 1999. Per this agreement, the ACOE will contribute up to approximately \$1,300,000 to the project and will be adopting this NEPA finding. This finding of no significant impact (FONSI) documents EPA Region 9's and the Army Corps of Engineers decision that the proposed project will not have a significant effect on the environment.

Project Location and Description

The City of Boulder City (Boulder City) currently operates a 2 million gallon per day (mgd) wastewater treatment plant (WWTP) south of the city core, which discharges effluent to two effluent percolation and evaporation channels.

In 2008, Boulder City began studying alternate effluent disposal methods. As a result of that study, Boulder City began developing alternatives for a new treated effluent distribution system to serve industrial users, including gravel pits and solar energy generation facilities along the US 95 corridor. This distribution system would include additional treatment facilities at the WWTP and a pipeline extending to proposed users. This project will promote environmental responsibility by providing a sustainable supply of industrial water and promoting development of solar energy production plants. The City of Boulder City is proposing to build a wastewater effluent pipeline in the City of Boulder City, Clark County, Nevada.

Purpose and Need for Proposed Project

The pipeline will provide users with water and in the process conserve limited potable water. The pipeline will be the primary way of delivering effluent to users. Boulder City desires to increase water re-use. This is particularly important in an arid environment. The existing primary disposal method for the effluent is through infiltration trenches, where disposal occurs through percolation, evaporation, and transpiration. A 2007 bank failure of the existing percolation channels resulted in a need to identify a new primary method of effluent disposal.

Environmental Consequences

The primary impacts to the project are to endangered species. EPA has made the decision that this project may impact and is likely to adversely impact endangered species. In consultation with the United States Fish and Wildlife Service, the following mitigation measures established in the EA for the proposed project are enforceable under this FONSI:

The impact to desert tortoises during the construction phase of this project will be mitigated by one of two approaches. Approach A involves employing a trained desert tortoise biologist to be on site to monitor construction of the tortoise exclusionary fence. Once the fence is complete, the biologist shall relocate all tortoises outside the project area. From this point on, the biologist shall make monthly field visits to inspect the tortoise exclusionary fence and ensure any repairs are properly addressed. Approach B involves employing a trained desert tortoise biologist to be on site during all construction activities to survey the area ahead of construction and relocate any tortoise in harm's way. The contractor shall use one of these approaches or a combination of both to complete all aspects of the project.

In addition to mitigation for tortoises, all on-site construction personnel will be trained in desert tortoise identification, desert tortoise safety, and the following stipulations: keeping construction traffic confined to the existing or dedicated roads and within designated sites; reducing speed limits on project roads; ensuring that all on-site personnel should also be asked to check under vehicles for tortoises; to contact a biologist when desert tortoises are encountered; and to properly dispose of garbage to prevent attracting ravens and other desert tortoise predators to the project site. Desert tortoise training will be provided to on-site personnel to reduce or eliminate the possibility of accidental desert tortoise "takes" during project construction.

The project will have a long-term impact on 103 acres of desert tortoise habitat, of which 9 acres falls within the BCCE, a critical habitat area. In order to mitigate habitat loss, construction and travel on the project area will be confined to the right-of-way, roads, and project alignment. Work areas will be confined to the minimum space possible to complete the work safely and as designed. Following these measures will minimize habitat loss and reduce the possibility of desert tortoise "takes" during construction activities. Additional mitigation measures are outlined beginning on page 45 of the Environmental Assessment. Boulder City will pay remuneration fees to

Clark County at the current per acre rate for disturbance of desert tortoise habitat as stipulated by the USFWS.

Because suitable habitat is present, it is possible Gila monsters could be encountered during construction of the proposed pipeline. Should this reptile be encountered during construction activity, the contractor shall immediately contact NDOW and refrain from work activities in the vicinity of the Gila monster.

After carefully considering the mitigation measures being implemented as described above, the regulatory, environmental (both natural and human) and socio-economic factors as described in the EA, EPA Region 9 has not identified any significant impacts to the environment that would result from implementation of the proposed project.

Public Review

EPA Region 9 made the EA and unsigned FONSI available for public review through June 6, 2011 on the internet at <http://www.epa.gov/region9/nepa/epa-generated.html> and at the offices of EPA Region 9 (75 Hawthorne Street, San Francisco, CA 94015-3901) and at the offices of the City of Boulder City, Nevada (401 California Avenue, Boulder City, NV 89005). Notice of the public comment period was published in the Las Vegas Review Journal in May 5, 2011.

EPA did not receive any comments on the EA and unsigned FONSI prior to the close of the public comment period on June 6, 2011.

Finding

Based on the information contained in the EA, and after opportunity for public comment, EPA has determined the proposed project will not result in significant impacts to the environment and an environmental impact statement is not required.

Alexis Strauss
Director, Water Division

Date