

**Categorical Exclusion**  
**For the Orange County Water District**  
**Groundwater Replenishment System Project Final Expansion and Groundwater**  
**Replenishment System Water Conveyance Facilities Project**

**Pursuant to 40 CFR §6.204(a)(1)(ii)**

The U.S. Environmental Protection Agency (EPA) is planning to award a loan under the Water Infrastructure Finance and Innovation Act (WIFIA) to the Orange County Water District (OCWD) in Fountain Valley and Huntington Beach, California. EPA intends for this loan to fund the Groundwater Replenishment System Project (GWRS) Final Expansion Project and Groundwater Replenishment System Water Conveyance Facilities Project.

EPA's authorization of funding for the proposed project is a federal action requiring compliance with the National Environmental Policy Act (NEPA), 42 USC §§4321-4370(f). According to the Council on Environmental Quality's NEPA regulations, 40 CFR § 1508.4, a federal agency may categorically exclude an action from detailed environmental review as long as the action does not individually or cumulatively have a significant effect on the human environment. An action undertaken by EPA can qualify as a categorical exclusion if it falls under any category within 40 CFR § 6.204(a)(1)(i)-(iv), and does not exhibit any of the extraordinary circumstances listed in § 6.204(b)(1)-(10).

**Project Description**

The Orange County Water District (OCWD, District) and the Orange County Sanitation District (OCSD) are partners in the Groundwater Replenishment System (GWRS) Project to maximize local resources. OCWD and OCSD are currently embarking upon the Final Expansion of the GWRS (GWRSFE or project), which will increase the capacity of the Advanced Water Treatment Facility (AWTF), located in Fountain Valley, California.

The GWRSFE consists of two contracts to be executed through two separate design-bid-build construction contracts. Contract 1 is comprised of the AWTF Expansion and the OCSD Plant 2 Secondary Effluent Facilities. The AWTF Expansion portion of the project includes increasing microfiltration (MF), reverse osmosis (RO) treatment and ultraviolet (UV) treatment capacity. Support facilities included in the AWTF Expansion are a new MF electrical building, MF backwash waste pump, MF backwash pumps, cartridge filters, RO flush pump, decarbonated product water (DPW) pump, product water pump, surge tank, and chemical feed and storage facilities. The OCSD Plant 2 Secondary Effluent Facilities are primarily comprised of secondary effluent equalization tanks, secondary effluent pump station, supporting flow structures and equipment vaults, and appurtenant facilities. Contract 2 is the Pipeline Rehabilitation Project. Contract 2 includes the sliplining of the existing 66-inch interplant pipeline with a new 54-inch pipeline from OCSD Plant 2 to OCWD campus.

In addition, through the funds obtained for the GWRSFE, OCWD will be reimbursing OCSD for construction of a separate headworks and bypass pipeline on the OCSD Plant 2 Site.

## **Project Location**

The OCWD GWRS water treatment site is located at 18700 Ward Street within the City of Fountain Valley. The site is bounded by Ward Street to the east, Ellis Avenue to the north and OCSD Plant No. 1 wastewater treatment site to the south and east. The GWRS Site encompasses 22 acres of area and includes a mix of single story and multiple story structures, water treatment facilities and supporting access ways and parking areas.

The OCSD Plant No. 2 Site is located at 22212 Brookhurst Street within the City of Huntington Beach. OCSD Plant No. 2 site is composed of 110 acres, and is developed with wastewater treatment structures, offices and paved parking areas and roadways. The site is bounded by Hamilton Avenue to the north, Brookhurst Street to the west, Talbert Marsh and Talbert Marsh Bike Trail to the south and the Santa Ana River and the Santa Ana River Trail to the east.

The OCSD easement corridor is 3.5-mile utility easement that extends from OCSD Plant No. 2 Site to OCSD Plant No. 1 Site. The easement corridor is vacant and is composed of mostly of bare land and non-native weeds. To the east of easement is the Santa Ana River Trail. To the west of the easement corridor are a combination of public utilities, community gardens, container plant nursery, and park sites.

## **Eligibility for Categorical Exclusion**

This project is eligible for a categorical exclusion under 40 CFR § 6.204(a)(1)(ii), which requires that projects be:

“Actions relating to existing infrastructure systems (such as sewer systems; drinking water supply systems; and stormwater systems, including combined sewer overflow systems) that involve minor upgrading, or minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and system components (such as the sewer collection network and treatment system; the system to collect, treat, store and distribute drinking water; and stormwater systems, including combined sewer overflow systems) or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities.”

EPA has determined the proposed project is eligible for a categorical exclusion under 40 CFR §6.204 (a)(1)(ii), as the project involves new minor ancillary facilities adjacent to or on the same property as existing facilities and rehabilitation of existing facilities.

Additionally, in order to qualify as a categorical exclusion, a project cannot fall within any of the exceptions listed under 40 CFR § 6.204(a)(1)(ii). Accordingly, projects cannot be designated categorical exclusions if they:

“involve new or relocated discharges to surface or ground water; will likely result in the substantial increase in the volume or the loading of pollutant to the receiving water; will provide capacity to serve a population 30 percent greater than the existing population; are



not supported by the state, or other regional growth plan or strategy; or directly or indirectly involve or relate to upgrading or extending infrastructure systems primarily for the purposes of future development.”

EPA has determined that these factors do not apply for this project.

### **Extraordinary Circumstances**

EPA has determined that none of the following extraordinary circumstances outlined in 40 CFR § 6.204(b)(1)-(10) apply to the proposed project:

1. *The proposed action is not known or expected to have potentially significant environmental impacts on the quality of the human environment either individually or cumulatively over time.* This project is being developed to reduce environmental impacts by increasing the reliability of clean and safe water through upgrading infrastructure for OCWD.<sup>1</sup>
2. *The proposed action is not known or expected to have disproportionately high and adverse human health or environmental effects on any community, including minority communities, low-income communities, or federally-recognized Indian tribal communities.* The block groups around the sites of the proposed action have a minority population of 25 percent and 30 percent, which is lower than the 61 percent minority population in California. As minority demographic data is less than 50 percent of the population, environmental justice communities are not present. Block groups around the sites have a low-income population of 15 percent, which is lower than 36 percent in California.<sup>2</sup> As low-income populations in portions of the project area are lower than state and county low-income populations, environmental justice communities are not present. No tribal areas were identified at the project location.
3. *The proposed action is not known or expected to significantly affect federally listed threatened or endangered species or their critical habitat.* The OCWD performed a biological assessment for endangered species in the project location. The potential occurrence for threatened or endangered species is low due to the project location lacking suitable habitat.<sup>3</sup> EPA has determined that the project will have “no effect” on federally listed threatened or endangered species. Additionally, the project would not affect migratory birds as no trees will be removed and noise concerns would not pose a disruption to nesting birds.<sup>4</sup>
4. *The proposed action is not known or expected to significantly affect national landmarks or any property with nationally significant historic, architectural, prehistoric,*

---

<sup>1</sup> OCWD Groundwater Replenishment System Final Expansion Project Addendum No. 6 and OCWD Groundwater Replenishment System Water Conveyance Facilities Project Initial Study/Mitigated Negative Declaration.

<sup>2</sup> EJScreens reports for project area (March 2018).

<sup>3</sup> OCWD Water Production Enhancement Project Biological Assessment

<sup>4</sup> OCWD Groundwater Replenishment System Final Expansion Project Addendum No. 6 and OCWD Groundwater Replenishment System Water Conveyance Facilities Project Initial Study/Mitigated Negative Declaration.

*archaeological, or cultural value, including but not limited to, property listed on or eligible for the National Register of Historic Places.* EPA has reviewed the cultural resources documents provided for the project and has determined that no historic properties will be adversely affected by the described undertaking. On April 18, 2018, EPA provided the State of California with a letter stating that EPA had made a “No Historic Properties Affected” determination for the proposed undertaking. No response was provided within 30 days of receipt of the letter, therefore it is assumed that the SHPO concurs with EPA’s finding.<sup>5</sup>

5. *The proposed action is not known or expected to significantly affect environmentally important natural resource areas such as wetlands, floodplains, significant agricultural lands, aquifer recharge zones, coastal zones, barrier islands, wild and scenic rivers, and significant fish or wildlife habitat.* The project area does not contain any wetlands, or federally recognized wild and scenic rivers.<sup>6</sup> The project area is next to the Santa Ana River; however, this area is protected from the one-percent-annual-chance flood by levee, dike, or other structures subject to possible failure or overtopping during larger floods. The OCSD Plant No. 2 Site is located within the coastal zone and included within the City of Huntington Beach Coastal Element. The improvements proposed on the OCSD Plant No. 2 Site would require approval of a coastal development permit from the City of Huntington Beach, which is expected in September 2018.
6. *The proposed action is not known or expected to cause significant adverse air quality effects.* The project is located in the South Coast Air Quality Basin and is in non-attainment for ozone, PM<sub>2.5</sub>, and lead and maintenance for PM<sub>10</sub><sup>7</sup> and therefore, subject to a State Implementation Plan (SIP). The emissions associated with this project, which are anticipated to derive from the exhaust of mobile equipment and fugitive dust from earthmoving, are not predicted to affect the area’s attainment of air quality standards.<sup>8</sup> OCWD is implementing construction related BMPs to reduce any air quality impacts.
7. *The proposed action is not known or expected to have a significant effect on the pattern and type of land use (industrial, commercial, agricultural, recreational, residential) or growth and distribution of population including altering the character of existing residential areas, and is not expected to be inconsistent with state or local government, or federally-recognized Indian tribe approved land use plans or federal land management plans.* The project site is situated entirely on previously disturbed land that is currently the location of existing OCSD and OCWD treatment facilities or the replacement on the existing pipeline between the existing facilities. No changes to land

---

<sup>5</sup> EPA letter to SHPO regarding Section 106, April 18, 2018

<sup>6</sup> U.S. Fish and Wildlife National Wetland Inventory and the U.S. Forest Service, National Park Service, Bureau of Land Management, and the US Fish and Wildlife Service National Wild and Scenic Rivers System data accessed through the NEPAassist Report.

<sup>7</sup> EPA Nonattainment Areas for Criteria Pollutants (Green Book) accessed February 28, 2018

<sup>8</sup> OCWD Groundwater Replenishment System Final Expansion Project Addendum No. 6 and OCWD Groundwater Replenishment System Water Conveyance Facilities Project Initial Study/Mitigated Negative Declaration.

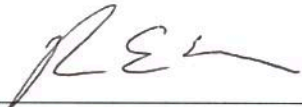


use are anticipated from the project. Land uses and land use patterns will not be modified by the proposed project.<sup>9</sup>

8. *The proposed action is not known or expected to cause significant public controversy about a potential environmental impact of the proposed action.* The project would not cause public controversy. This is the third and final phase in the OCWD ground replenishment system project. The first phase of the project started in 2008 and was completed in 2014.<sup>10</sup>
9. *The proposed action is not known or expected to be associated with providing financial assistance to a federal agency through an interagency agreement for a project that is known or expected to have potentially significant environmental impacts.* The proposed action is to provide financial assistance to the OCWD and is not expected to have any significant impacts.
10. *The proposed action is not known or expected to conflict with federal, state, local government, or federally-recognized Indian tribe environmental, resource-protection, or land-use laws or regulations.* The project would comply with all applicable federal, state and local regulations.<sup>11</sup>

### Finding

EPA finds that the proposed action is eligible for exclusion from detailed environmental review under 40 CFR § 6.204(a)(1)(ii), and will not involve any of the extraordinary circumstances delineated under 40 CFR § 6.204(b)(1) -(10). Consequently, EPA will not prepare an environmental impact statement or an environmental assessment for the proposed project. EPA may revoke this categorical exclusion if changes in the proposed action render it ineligible for exclusion or if new evidence emerges which indicates that serious local or environmental issues exist or federal, state, or local laws would be violated.

  
\_\_\_\_\_  
fol Andrew D. Sawyers, Director  
Office of Wastewater Management

  
\_\_\_\_\_  
Date

<sup>9</sup> OCWD Groundwater Replenishment System Final Expansion Project Addendum No. 6 and OCWD Groundwater Replenishment System Water Conveyance Facilities Project Initial Study/Mitigated Negative Declaration.

<sup>10</sup> OCWD Groundwater Replenishment System Final Expansion Project Addendum No. 6 and OCWD Groundwater Replenishment System Water Conveyance Facilities Project Initial Study/Mitigated Negative Declaration.

<sup>11</sup> OCWD Groundwater Replenishment System Final Expansion Project Addendum No. 6 and OCWD Groundwater Replenishment System Water Conveyance Facilities Project Initial Study/Mitigated Negative Declaration.

