



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF WATER

**Categorical Exclusion**

**For the Silicon Valley Clean Water Regional Environmental Sewer Conveyance Upgrade (RESCU) Project**

**Pursuant to 40 CFR §6.204**

The U.S. Environmental Protection Agency (EPA) is planning to award a loan under the Water Infrastructure Finance and Innovation Act (WIFIA) to Silicon Valley Clean Water (SVCW) in Redwood City, California. The EPA intends for this loan to fund the Regional Environmental Sewer Conveyance Upgrade (RESCU) Project.

The 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, 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 (40 CFR § 1508.4). An action undertaken by the EPA can qualify as a categorical exclusion if it falls under any category within 40 CFR § 6.204(a) and does not exhibit any of the extraordinary circumstances listed in § 6.204(b).

**Project Description**

The Silicon Valley Clean Water Regional Environmental Sewer Conveyance Upgrade (RESCU) Project aims to replace and rehabilitate a wastewater conveyance system so that it can reliably and safely transport future wastewater flows up to 108 million gallons per day (MGD). (This project was formerly known as the Wastewater Conveyance System and Treatment Plant Reliability Improvement Project.) The RESCU Project consists of a combination of rehabilitating, repurposing, and decommissioning existing SVCW conveyance system assets and the construction of replacement assets. The project consists of three project components: the Front of Plant project, the Gravity Pipeline project, and the Pump Station Improvements project. Each of these components is being constructed under separate progressive design-build contracts. Details about the project components are described below.

- Front of Plant: SVCW is constructing improvements to its existing WWTP including a new influent lift station, headworks facility, and influent connector pipes as part of the Front of Plant project. The influent lift station will be constructed at the terminus of the gravity pipeline and will pump wastewater from 80 feet below grade. The initial capacity

of the pump station will be 76 MGD with provisions for future expansion to 80 MGD. The headworks facility will be used for screening and grit removal. The new facility will house fine screen mechanical bar screens, grit removal with a screenings washer, odor control, electrical service including backup electrical service generators and instrumentation and controls. An influent pipeline will connect the new headworks to the existing WWTP via a 1,200 foot long pipe.

- Gravity Pipeline: A new 11-foot diameter pipeline will be constructed at the northern end of a recently installed 48-inch pipeline for a distance of 3.3 miles to the wastewater treatment plant. The new gravity pipeline will replace the existing 48-inch and 54-inch forcemains. Unlike the forcemains, which are under pressure, wastewater would flow by gravity the entire length of the 11-foot diameter pipeline. The pipeline may also be used for storage of wastewater during peak flows.
- Pump Station Improvements: This project component includes the rehabilitation, replacement, and decommissioning of four pump stations.
  - The work at the Menlo Park Pump Station will consist of rehabilitation of the existing pump station including replacing five existing pumps with new dry-pit, submersible, chopper-style pumps, modifications to the influent channel, new flow meter, structural improvements, and replacement of electrical components.
  - Work at the Belmont Pump Station includes rehabilitation of the existing pump station including replacement of three existing pumps with three new dry-pit submersible pumps, replacing existing electrical systems, structural improvements and rehabilitation of existing 24-inch forcemain and 54-inch forcemain.
  - Work at the Redwood City Pump Station includes construction of a new 60 MGD pump station. The pump station will include screens and two self-cleaning trench-style wet wells and eight dry-pit submersible pumps. The existing pump station will be repurposed to house new odor control facilities, new electrical facilities with a standby generator and new instrumentation and controls for the pump station.
  - The San Carlos Pump Station will be decommissioned as it will no longer be needed after the replacement of the forcemain with the gravity pipeline.

### **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.”

SVCW is a Joint Powers Authority made up of four member agencies—the City of Belmont, the City of Redwood City, the City of San Carlos, and the West Bay Sanitary District. SVCW’s wastewater conveyance system includes a wastewater treatment plant, wastewater conveyance system force mains, five wastewater conveyance pump stations, and an effluent outfall into the San Francisco Bay.<sup>1</sup> The proposed project affects four of the five pump stations, forcemains that are a part of the conveyance system, and the front end of the WWTP. The project constitutes a minor expansion because the project entails the rehabilitation of existing pump stations, rehabilitation of forcemains and replacement of a section of the forcemain with a gravity pipeline, as well as a minor expansion of the WWTP.<sup>2</sup> This minor rehabilitation of an existing system is expressly listed as a permissible categorical exclusion under 40 CFR § 6.204(a)(1)(ii).

Additionally, 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% 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.”

First, this project will allow for the continued discharge of water from the existing effluent outfall to the San Francisco Bay. After the proposed minor upgrades to the system are completed, the pollutants in its discharged water will not substantially increase, and its discharged water will continue to enter the same waterway and fit within the system’s existing National Pollutant Discharge Elimination System (NPDES) permit. The variables that the RESCU project will change are the capacity of the conveyance system through the replacement of a section of 54-inch force main with an 11-foot diameter gravity pipeline, and improvements to the facilities at the front end of the WWTP. Neither of these improvements will substantially change the quantity or location of the discharge to the San Francisco Bay. The larger diameter pipeline will be used to convey and store peak flows for a short period of time. This increased storage volume will allow for a more consistent flowrate into the WWTP and will therefore not substantially increase the discharge from the WWTP. The WWTP improvements are the addition of screening and grit removal to improve treatment processes and a lift station to pump water from the gravity pipeline to the WWTP.<sup>3</sup> In sum, this project does not involve a new or relocated discharge.

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<sup>1</sup> Capital Improvement Program 2018 UPDATE FY08-09 to FY25-26 (December 2018)

<sup>2</sup> Draft Environmental Impact Report, Silicon Valley Clean Water Wastewater Conveyance System and Treatment Plant Reliability Improvement Project (DEIR) § ES (November 2016)

<sup>3</sup> DEIR § 3.0 (November 2016)

Second, because the project includes the replacement and rehabilitation of aging infrastructure to prevent leaks and sewage discharges, as well as improvements to the treatment processes at the WWTP, the project is not likely to place a substantially higher quantity of pollutants into the receiving water.

Third, this project will not be providing capacity to serve a population 30 percent greater than the existing population since the project purpose is mainly to replace aging infrastructure and improve reliability of the wastewater conveyance system.<sup>4</sup> The project is not intended to serve new geographic areas or induce growth in the region.

Fourth, the project does not conflict with any regional growth strategy since the local land use plans of the jurisdictions served by SVCW include growth policies that are intended to allow for orderly expansion of urban development supported by adequate public services including wastewater services. The project would serve existing and planned customers already accounted for in these growth policies.<sup>5</sup>

Finally, the project's purpose is not to upgrade infrastructure for future development. SVCW's stated project objectives are to:

1. Replace the existing wastewater infrastructure and other improvements to the conveyance system to ensure reliable operation of the overall wastewater conveyance system in accordance with San Francisco Bay RWQCB NPDES permit conditions.
2. Reduce the likelihood of spills and discharges of untreated sewage to the surrounding environment, which has occurred numerous times with the existing 45 year old concrete sewer force main that operates above its design pressure.
3. Implement a project that minimizes adverse environmental effects, adverse impacts to public health and private property owners, utility interference and disruption during construction, and short- and long-term cost.
4. Improve plant process reliability and increase operational readiness.
5. Meet future regulatory requirements imposed by the RWQCB for nutrients discharged into the San Francisco Bay.<sup>6</sup>

These stated objectives support the conclusion that future population growth or development is not the project driver.

### **Extraordinary Circumstances**

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

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<sup>4</sup> DEIR § 3.0 (November 2016)

<sup>5</sup> DEIR § 6.0 (November 2016)

<sup>6</sup> DEIR § 9.0 (November 2016)

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.*<sup>7</sup> This project aims to rehabilitate an aging conveyance system to reliably convey wastewater flows up to 108 MGD. The project will replace and rehabilitate leaking and failure-prone pipelines, which will reduce discharges of sewage in biologically sensitive habitats. In addition, improvements at the WWTP, including the installation of screening and grit removal, will improve the treatment quality of the wastewater and reduce environmental impacts while complying with the existing NPDES permit.
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.*<sup>8</sup> The project area contains eleven blockgroups with minority populations ranging from 44 percent to 86 percent, excluding one blockgroup with no reported population. Of the ten blockgroups with a reported population, all but one have minority populations above 50%, therefore environmental justice populations are present within the entire study area with the exception of blockgroup 060816091002. San Mateo County has a minority population of 60 percent, and California has a minority population of 62 percent. The low-income population within the project area ranges from 4 to 37 percent, excluding the blockgroup with no reported population. The state low-income population is 35 percent, and county low-income population is 20 percent. Of the ten blockgroups with a reported population, four had low-income populations that were meaningfully greater than the county low-income population. In instances where low-income populations were not meaningfully greater than county populations, the blockgroup had minority populations greater than 50 percent; therefore, the entire study area, with the exception of the blockgroup with no reported population, contains an environmental justice population. Any likelihood of minor, short-term impacts on minority or low-income communities during construction will be addressed by appropriate mitigation measures, such as the Erosion Control Plan and Best Management Practices (BMPs) to control water quality impacts, using appropriate construction equipment meeting EPA emission standards, as well as CARB particulate matter control devices in the form of Verified Diesel Emission Control Strategies (VDECS) to control impacts to air quality, and restricting construction activity and noise levels to certain time periods to control noise impacts.<sup>9</sup> No tribal areas were identified at the project location and the project is not located on federal or tribal lands. At the completion of the project, sewage discharges will be decreased and the quality of treated water will improve the environmental health of the area and ultimately result in improved local water and soil quality for the community. Therefore, implementation of the project would not result in disproportionately high and adverse impacts on minority and low-income populations.

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<sup>7</sup> Letter of Interest WIFIA Program, Silicon Valley Clean Water (July 2018)

<sup>8</sup> EJSCREEN Report SVCW (March 2019)

<sup>9</sup> DEIR (November 2016)

3. *The proposed action is not known or expected to significantly affect federally listed threatened or endangered species or their critical habitat.* The applicant conducted biological surveys of the project area and noted that two federally listed threatened or endangered species may be impacted by the project activity—the salt marsh harvest mouse and the California Ridgeway’s rail.<sup>10</sup> U.S. Fish and Wildlife Service (USFWS) concurred with U.S. Army Corps of Engineers’ (USACE) determination that the project “may affect, but is not likely to adversely affect” the California Ridgeway’s rail.<sup>11</sup> The EPA has reviewed these correspondences and supporting documents, and concurs with this finding. USACE also made the determination that the project may affect and is likely to adversely affect the endangered salt marsh harvest mouse. SVCW and the USACE consulted with USFWS, which provided a biological opinion (BO) on the effects of the project on the salt marsh harvest mouse, which outlined conservation measures that will need to be implemented to minimize adverse effects to the salt marsh harvest mouse. USFWS, made a BO that the project is “not likely to jeopardize the continued existence of the salt marsh harvest mouse<sup>12</sup> with the inclusion of conservation measures detailed in the BO. The conservation measures outlined in the BO are also included as enforceable mitigation measures in SVCW’s Mitigation Monitoring and Reporting Program through the project’s Environmental Impact Report. The incidental take statement included in the BO states that the conservation measures, identified by the USFWS as reasonable and prudent, are non-discretionary and must be undertaken by the Corps as binding conditions in a permit. The EPA has reviewed and is utilizing the BO and supporting documents and concurs with the determinations made, which support the determination that the project will not significantly affect federal listed species or their critical habitat.
4. *The proposed action is not known or expected to significantly affect national landmarks or any property with nationally significant historic, architectural, prehistoric, archaeological, or cultural value, including but not limited to, property listed on or eligible for the National Register of Historic Places.* SVCW conducted a cultural resources assessment to ensure compliance with Section 106 of the National Historic Preservation Act. Records reviews were conducted at the Northwest Information Center at Sonoma State University in April 2016 and February 2017. The records review identified two cultural resources in the project’s area of potential effect (APE) and a pedestrian survey conducted in June 2016 showed no new cultural resources identified within the APE. In addition, SVCW conducted a Native American consultation in 2016 with the Native American Historical Commission (NAHC) and the commission did not identify any recorded resources within the project area, but cautioned that the absence of certain site-specific information did not indicate the absence of resources.<sup>13</sup> The State

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<sup>10</sup> Silicon Valley Clean Water Conveyance and Treatment Reliability Improvements Project: Biological Technical Report, WRA Inc. Appendix E (October 2016)

<sup>11</sup> USFWS Letter in Response to formal consultation for Silicon Valley Clean Water Conveyance and Treatment Reliability Improvements Project, San Mateo County, California (U.S. Army Corps of Engineers File Number: 2012-00304S) (Nov 2017)

<sup>12</sup> USFWS Letter in Response to formal consultation for Silicon Valley Clean Water Conveyance and Treatment Reliability Improvements Project, San Mateo County, California (U.S. Army Corps of Engineers File Number: 2012-00304S) (Nov 2017)

<sup>13</sup> DEIR § 4.5. (November 2016)

Water Quality Control Board sent a letter to the State of California, Office of Historic Preservation with a finding of “No Historic Properties Affected.” The OHP provided a concurrence letter with no objection to the Water Board’s determination of “No Historic Properties Affected” for the proposed project.<sup>14,15</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 significant agricultural lands, aquifer recharge zones, barrier islands or federally recognized wild and scenic rivers.<sup>16</sup> However, most of the project area is within a 100-year flood zone. None of the project components are expected to impede or redirect flows. The Gravity Pipeline will be located underground, the pump station buildings will be constructed in the same location as existing facilities, and the pump station, shafts and WWTP are located behind a flood control levee system that provides protection in the event of a 100-year flood.<sup>17</sup> The project is located adjacent to several wetlands; however, the project activities will avoid all jurisdictional wetlands and waters of the United States.<sup>18</sup> SVCW submitted an application to amend their coastal development permit (M2012.018.01) for the project in October 2016 to the San Francisco Bay Conservation and Development Commission (BCDC) and SVCW received the amended BCDC permit dated May 30, 2019.<sup>19</sup> Based on the EPA’s review of these materials, it is not expected that the project will significantly affect coastal zones.
6. *The proposed action is not known or expected to cause significant adverse air quality effects.* The RESCU project site is in a non-attainment/maintenance area under the EPA classifications for ozone and PM<sub>2.5</sub> and thereby is subject to a State Implementation Plan (SIP). Nonetheless, the emissions associated with this project, which are anticipated to derive from exhaust of mobile equipment, fugitive dust from earthmoving and emissions from stationary and portable equipment (e.g. generators and hydraulic power packs), are not predicted to affect the area’s attainment standards and will be less than significant with implementation of mitigation measures.<sup>20</sup> SVCW plans to take mitigation measures such as ensuring that construction equipment, depending on the type, meet U.S. EPA Tier 2 and 3 engine emission standards, watering exposed surfaces, using wet power vacuum

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<sup>14</sup> CA Department of Parks and Recreation Office of Historic Preservation Letter to Wendy Pierce, Division of Financial Assistance State Water Resources Control Board RE: Section 106 Compliance (November 2017)

<sup>15</sup> CA Department of Parks and Recreation Office of Historic Preservation Letter to Wendy Pierce, Division of Financial Assistance State Water Resources Control Board RE: Section 106 Compliance (November 2017)

<sup>16</sup> Clean Water State Revolving Fund Financing Agreement Silicon Valley Clean Water (Recipient) CWSRF No. C-06-8264-110 (February 2018)

<sup>17</sup> Clean Water State Revolving Fund Financing Agreement Silicon Valley Clean Water (Recipient) CWSRF No. C-06-8264-110 (February 2018), NEPAAssist Report (May 2019)

<sup>18</sup> DEIR § 4.0 (November 2016)

<sup>19</sup> Clean Water State Revolving Fund Financing Agreement Silicon Valley Clean Water (Recipient) CWSRF No. C-06-8264-110 (February 2018), and BDBC Amended Coastal Zone permit (May 2019)

<sup>20</sup> DEIR Table ES-1 (November 2016)

street sweepers and minimizing equipment idling time, in order to reduce fugitive dust and other forms of air pollution.<sup>21</sup>

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.* Land uses in the site of the proposed action are primarily industrial, commercial and residential. The project is not expected to have a significant effect on the pattern or type of land use. The proposed upgraded and repurposed pump stations will utilize the sites of the existing pump stations. The improvements proposed in the Front of Plant project would be constructed within existing WWTP site boundaries. The new gravity pipeline will be constructed below grade with no impacts to land uses at the surface. Furthermore, the new pipeline would occur along the same alignment as the existing pipeline. The tunnel shafts would be located in the City of San Carlos along the Redwood Shores Parkway.<sup>22</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 result in beneficial outcomes, such as improvements to the conveyance and reliability of the area's wastewater system, which would reduce sewage discharges and improve the environmental and health conditions of the area. The project is not expected to cause significant public controversy regarding the potential environmental impacts.
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 a local governmental entity to make improvements to a wastewater conveyance system.
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>23</sup>

## Finding

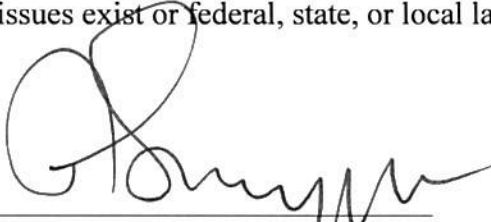
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<sup>21</sup> DEIR Table ES-1 (November 2016)

<sup>22</sup> DEIR § 4.11 (November 2016)

<sup>23</sup> Clean Water State Revolving Fund Financing Agreement Silicon Valley Clean Water (Recipient) CWSRF No. C-06-8264-110 (February 2018)

The 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). Consequently, the EPA will not prepare an environmental impact statement or an environmental assessment for the proposed project. The 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.

  
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Andrew D. Sawyers, Director  
Office of Wastewater Management

6/13/19  
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Date

