



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF WATER

Categorical Exclusion
For the San Mateo-Foster City Public Financing Authority
Wastewater Treatment Plant (WWTP) Upgrade and Expansion 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 San Mateo-Foster City Public Financing Authority located in San Mateo County, California. The EPA intends for this loan to fund the Wastewater Treatment Plant (WWTP) Upgrade and Expansion Project (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, 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 the 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 primary purpose of the WWTP Project is to repair, rehabilitate, and replace the aging WWTP infrastructure. This Project is part of the City of San Mateo's \$1 billion, 10-year, capital improvement program (Clean Water Program, or CWP) to upgrade the aging wastewater collection system and WWTP.

Components and activities include mobilization activities, demolition, site preparation, mass excavation, perimeter shoring, dewatering, electrical upgrades, and stormwater management improvements. New and upgraded facilities include:

- Headworks—78 million gallons per day (MGD) peak hour
- Primary clarifiers—42 MGD peak hour, 21 MGD maximum month
- BIOACTFLO—39 MGD
- Biological nutrient removal and membrane bioreactor—42 MGD peak hour, 21 MGD maximum month
- Flow equalization basins—5 MG

- Disinfection—60 MGD
- Odor control, chemical storage and feed, and improvements to the existing disinfection system
- Administration and control building—15,170 square feet (SF)
- Maintenance warehouse—4,000 SF

Project Location

The Project is located in San Mateo, San Mateo County, California, within the San Francisco Bay Area. The existing WWTP is located at 2050 Detroit Drive, and the new facility will be constructed on the adjacent parcel. The plant is located at the coordinates 37° 34' 7.8024" N 122° 17' 46.1652" W.

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.”

This project involves the repair, rehabilitation or replacement of existing components. As the Project involves construction of new minor ancillary facilities adjacent to and on the same property as the existing WWTP, the EPA has determined the proposed project is eligible for a 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 eligible for this categorical exclusion 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.”

The EPA has determined that these factors do not apply to this project. The Project will not be providing capacity to serve a population 30 percent greater than the existing population. The Project will allow for the continued use of the existing water and wastewater infrastructure as presently located and in use. The Project will prevent discharge exceedances caused by partial treatment during wet weather events, to comply with the 2009 cease and desist order from the Regional Water Quality Control Board. This will be accomplished with the operation of wet weather treatment facilities and on-site storage. The

Project will reduce effluent concentrations of total ammonia and total nitrogen to below anticipated future nutrient targets.

Additionally, the Project does not conflict with any regional growth strategies as the Project is occurring within the existing service area and infrastructure in place and no significant changes in land use or demographics are expected. The Project's purpose is not to expand infrastructure for future development; instead, its "primary objective" is to reduce system failures, improve wet weather treatment capacity, and comply with discharge regulations.

Extraordinary Circumstances

The 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.* The Project is being developed to prevent discharge exceedances caused by partial treatment during wet weather events, to comply with the 2009 Cease and Desist Order from the Regional Water Quality Control Board. The Project will reduce effluent concentrations of total ammonia and total nitrogen to below anticipated future nutrient targets.
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 Project is located in census blockgroup 060816077013, which has a minority population of 71 percent and low-income population of 23 percent. The California state minority population is 62 percent and the San Mateo County minority population is 60 percent. As the minority population is greater than 50 percent, the Project is located within a minority-based environmental justice community of concern. The low-income population in California is 34 percent and is 19 percent in San Mateo County.¹ As low-income populations in the study area are meaningfully greater than county populations, this blockgroup is also considered to be a low-income-based environmental justice community. There are no federally-recognized Indian tribal communities in the project area.

Temporary construction-related air and noise impacts are expected to occur. Implementation of mitigation measures outlined in the California Environmental Quality Act (CEQA) Final Program Environmental Impact Report (PEIR) would help minimize noise impacts from WWTP construction projects.² The borrower will also be operating a construction noise hot line and has set up procedures to resolve any noise complaints. Construction will include pile driving, which may still exceed noise thresholds at the property plane, even with mitigation incorporated. However, the environmental effects are likely to be temporary, short term, and minor in duration. In addition, the design of the facility incorporates noise reduction techniques; therefore, operational noise impacts are not expected. Thus, implementation of the Project would not result in disproportionately high and adverse impacts on minority and low-income populations, or

¹ EPA EJSscreen Reports accessed December 2019.

² San Mateo Final Programmatic Environmental Impact Report, April 2016.

tribes.

3. *The proposed action is not known or expected to significantly affect federally listed threatened or endangered species or their critical habitat.* Consultation was conducted with the U.S. Fish and Wildlife Service (USFWS), to which USFWS provided concurrence on February 21, 2017. The Project applicant updated their May 2016 Biological Assessment (used in the Section 7 Consultation) in November 2017.³

On August 29, 2019, the California State Water Resources Control Board (SWRCB) requested review by National Marine Fisheries Service (NMFS) to assess the potential effects of proposed upgrades to the WWTP on listed fish in San Francisco Bay. On November 11, 2019, NMFS responded to the SWRCB's technical assistance request.⁴ NMFS stated that the proposed project is expected to improve the quality of treated wastewater water being discharged daily from the City of San Mateo's WWTP and result in benefits to the water quality of South San Francisco Bay. The Project's compliance with current and future National Pollutant Discharge Elimination System (NPDES) permit conditions are expected to contain and limit the discharge of contaminants to levels that are protective of all beneficial uses in San Francisco Bay, including estuarine and anadromous fish. Additionally, project construction activities will occur in upland areas and will not contact the waters of San Francisco Bay or contact any freshwater streams that provide habitat for anadromous fishes.

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.* A Cultural Resources Assessment for the WWTP was completed in October 2016 and revised in November 2017.⁵ The City applied for a Section 404 permit with the U.S. Army Corps of Engineers (USACE) (submitted May 2016). USACE initiated a National Historic Preservation Act (NHPA) Section 106 consultation for the Project on August 11, 2016. The State Historic Preservation Officer (SHPO) concurred with USACE's "no historic properties affected" determination on November 2, 2016.⁶

On July 18, 2019, the SWRCB re-initiated consultation with the SHPO to expand the area of potential effects (APE) from the previously conducted USACE Section 106 consultation. The SWRCB made a finding of "no historic properties affected". On September 2, 2019, the SHPO stated no objections to the revised APE and did not object to SWRCB's finding of "no historic

³ USFWS Biological Assessment, November 2017 and USACE Section 7 Consultation with USFWS, June 2, 2016.

⁴ NMFS Biological Assessment, August 2017 and SWRCB Technical Assistance NMFS Request, November 13, 2019.

⁵ Cultural Resources Assessment, October 2016, November 2017.

⁶ SHPO Section 106 letter to USACE, November 2, 2016.

properties affected” for the proposed undertaking.⁷

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.* Project activities are expected to occur in a seasonal wetland and the Project received USACE authorization on March 6, 2017, for permanent fill of the 0.142-acre wetland on the Project site.⁸ The Project is not located within the floodplain, coastal zone, significant agricultural lands, aquifer recharge zones, barrier islands, wild and scenic rivers or significant fish or wildlife habitats will be affected at the project locations.⁹

The Action Area is within designated essential fish habitat (EFH); however, project construction will occur in upland areas and will not contact any waters that provide habitat for anadromous fishes. Based on coordination with NMFS, no impacts to EFH are expected. NMFS stated that the proposed project is expected to improve the quality of treated wastewater water being discharged daily from the City of San Mateo’s WWTP and result in benefits to the water quality of South San Francisco Bay. The Project’s compliance with current and future NPDES permit conditions are expected to contain and limit the discharge of contaminants to levels that are protective of all beneficial uses in San Francisco Bay, including estuarine and anadromous fish.¹⁰

6. *The proposed action is not known or expected to cause significant adverse air quality effects.* The area is currently designated as marginal nonattainment for ozone (O₃), moderate nonattainment for particulate matter (PM_{2.5}), and maintenance for carbon monoxide (CO) under the National Ambient Air Quality Standards. The Program Area is designated as attainment/unclassified for all other pollutants. The annual average criteria pollutant emissions from the WWTP operation are expected to be similar to, if not less than, the current condition and emissions from construction are below the de minimis thresholds. Therefore, the Project is not expected to cause significant adverse air quality effects.¹¹
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 within and adjacent to the existing WWTP. The Project will take place entirely on land owned and used by the City of San Mateo for wastewater treatment purposes. The Project will not change the pattern or type of land use.

⁷ SWRCB correspondences with SHPO, July 18 and September 2, 2019.

⁸ USACE Clean Water Act Section 404 Permit, March 6, 2017.

⁹ USFWS’s National Wetland Inventory data accessed through NEPAassist (March 2020).

¹⁰ CEQA Plus for the City of San Mateo Clean Water Program –Wastewater Treatment Plant. February 2017; Updated August 2017.

¹¹ U.S. EPA Non-attainment Area data accessed through NEPAassist for project sites (March 2020).

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 is not expected to cause public controversy about a potential environmental impact. The City of San Mateo maintains a robust outreach program and consistently invites and responds to the comments and concerns of the community. The residents of the area are aware and supportive of the Project.
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 San Mateo 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, local government, or tribal environmental, resource-protection, or land-use laws or regulations.

Finding

The EPA finds that the 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, 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.

Andrew D. Sawyers, Director
Office of Wastewater Management

Date