

DRAFT

FINDING OF NO SIGNIFICANT IMPACT

Wastewater Treatment Plant Improvements for the Niland Sanitary District, Niland, California, United States

The U.S. Environmental Protection Agency (EPA) Region 9 intends to award a Border Environmental Infrastructure Fund (BEIF) grant to the Niland Sanitary District (NSD) in Niland, California, for improvements to the Niland Wastewater Treatment Plant.

EPA Region 9's award of a 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. This finding of no significant impact (FONSI) documents EPA Region 9's decision that the proposed project will not have a significant effect on the environment.

Project Location and Description

The Town of Niland is an unincorporated area of Imperial County. It is approximately 45 miles north of the U.S.-Mexico border, eight miles north of the City of Calipatria, and four miles east of the Salton Sea. State Highway 111 runs north and south along the western portion of the community and is the main road through the town.

The project consists of the construction of new evaporation ponds at a 58-acre site located immediately west of the Niland Sanitary District (NSD) Wastewater Treatment Plant (WWTP). Wastewater treated at the NSD WWTP would be discharged to the new evaporation ponds thus eliminating the need for a discharge to the Imperial Irrigation District's "R" Drain. In addition to construction of new evaporation ponds, improvements will be made to the existing WWTP and to sections of the existing sanitary sewer collection pipeline between the town and the WWTP. (See attached Location Map.)

Purpose and Need for the Proposed Project

Currently, the treated discharge from the NSD WWTP tests high in copper, violating permit limits, which may result in negative environmental consequences. In addition, there have been thallium and bacteria (*E. coli*) violations although no recent exceedances have occurred. As a result, the Colorado River Basin Regional Water Quality Board (Regional Board) issued a Cease and Desist Order (CDO- R7-2012-0024) to the NSD due to the violations of the WWTP's National Pollutant Discharge Elimination System (NPDES) permit. The CDO included a timetable to construct alternative wastewater treatment facilities.

The proposed project would provide the residents of Niland with reliable wastewater collection and treatment services. By ceasing the discharge to the "R" Drain, the NSD will no longer discharge treated effluent high in copper, and sometimes thallium and bacteria, in violation of the NPDES permit. The NSD WWTP would come into compliance with the requirements of EPA and the Regional Board. In addition, the proposed project would also be able to accommodate limited future development within NSD's approved service area as long as it is within the permitted capacity of the WWTP.

In preparing the EA, EPA examined several alternatives for the improvements to the NSD WWTP. A no-action alternative was considered in addition to a constructed wetlands treatment alternative. The proposed alternative was selected based upon engineering feasibility, compliance with regulatory requirements, preliminary cost estimates and environmental considerations.

In 2014, EPA released a FONSI for the NSD which selected percolation ponds as an alternative to discharging to the "R" Drain. Based on subsequent geotechnical studies performed, land at the existing WWTP and within close proximity to the WWTP would not percolate at acceptable rates and thus the percolation pond proposal was not pursued.

Environmental Consequences

After carefully considering 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 the implementation of the proposed project.

Public Review

The EA is on file and available for public review at the EPA Region 9 Office at 75 Hawthorne Street, San Francisco, California 94105 or by contacting Elizabeth Borowiec at (415) 972-3419. The EA and FONSI will also be posted on the Border Environment Cooperation Commission (BECC) website at <http://www.cocef.org>. The documents are also available at the Imperial County Community & Economic Development Office at 940 W Main Street, Suite 203, El Centro, California 92243 by contacting Esperanza Colio Warren at (442) 265-1100. Comments on the EA and FONSI may be submitted to the EPA until the close of business June 24, 2016 and can be sent via letter to Elizabeth Borowiec (Mailcode W-3-3) at the EPA Region 9 Office or at by email to borowiec.elizabeth@epa.gov.

EPA Region 9 will not take administrative action on the proposed project prior to the close of the comment period. If, after considering public comments, EPA Region 9 concludes the proposed project will not have significant environmental impacts, EPA Region 9 will revise this FONSI by adding a summary of the comments received and EPA Region 9's responses. The revised FONSI will be forwarded to the Water Division Director for review and signature. The FONSI will be final upon signature. EPA Region 9 will not recirculate the signed FONSI for public review, but will make it available to any individual upon request.

