

## DRAFT MITIGATED NEGATIVE DECLARATION

### Indirect Reuse Replenishment Project

#### **PROJECT DESCRIPTION**

The Upper San Gabriel Valley Municipal Water District (Upper District) is proposing the Indirect Reuse Replenishment Project (IRRP), which would provide up to 10,000 acre-feet per year (AFY) of recycled water from the San Jose Creek Water Reclamation Plant (SJCWRP) to replenish groundwater in the Main San Gabriel Basin (Main Basin). The proposed project is located within the cities of Irwindale, Baldwin Park and Industry, as well as unincorporated portions of Los Angeles County. The SJCWRP is located near the City of Whittier in unincorporated Los Angeles County. The IRRP would deliver recycled water through a 9-mile pipeline that would be located along the San Gabriel River between the SJCWRP (downstream of the Santa Fe Dam) and the Santa Fe Spreading Grounds (SFSG) (upstream of the Santa Fe Dam). The pipeline corridor would be primarily from the toe of the outer slope of the eastern levee to the easterly United States Corps of Engineers (USACE) right-of-way line. Recycled water would be discharged into the SFSG. Planned IRRP facilities would also consist of a pump station and four groundwater monitoring wells. The pump station would be located on the northwestern side of the SJCWRP, which is part of Los Angeles County Sanitation District's Joint Outfall System. The monitoring wells would be installed within the SFSG and the surrounding area.

Initial construction of the IRRP is anticipated to commence in early 2020, with completion targeted for mid-2021. The project would be designed to avoid sensitive native habitats (e.g., wetlands, and coastal sage scrub), to the extent feasible. A detailed description of the proposed project can be found in the accompanying Initial Study.

#### **ENVIRONMENTAL DETERMINATION**

The attached Initial Study was prepared to assess the potential effects of the IRRP on the environment and the potential significance of those effects. Based on the Initial Study, the IRRP would have less-than-significant or no impacts in the following areas:

- Aesthetics
- Agriculture and Forest Resources
- Air Quality
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems

The Initial Study indicates that the impacts of the IRRP in the following areas would be less than significant with incorporation of the mitigation measures identified below.

- Biological Resources
- Cultural Resources/Tribal Cultural Resources
- Hazards and Hazardous Materials
- Noise
- Transportation/Traffic

## **MITIGATION MEASURES**

### **Biological Resources**

**BIO-1 Least Bell's Vireo.** If the breeding season for the least Bell's vireo (March 15 through September 15) cannot be avoided, the following measures would be implemented to reduce direct and indirect impacts to a less than significant level for construction that would occur adjacent to southern willow scrub:

- The Upper District shall employ a qualified biologist to ensure that the limits of work in association with the HDD construction near San Jose Creek are located outside of southern willow scrub habitat to avoid direct impacts to riparian vegetation.
- The Upper District may choose to assume presence of least Bell's vireo in the southern willow scrub at San Jose Creek or conduct pre-construction surveys for the species. If surveys are conducted, they shall follow the current U.S. Fish and Wildlife Service protocol, and shall be conducted by a qualified biologist. If the species is determined not to be present, no noise attenuation would be required. If the vireo is present or the habitat is assumed to be occupied, the following additional measures would be required:
  - The Upper District shall employ a qualified acoustician to conduct a noise analysis at San Jose Creek to determine ambient noise levels, projected noise levels at the edge of occupied or assumed occupied vireo habitat, and the noise attenuation measures (e.g., berms, walls) that would be needed to ensure that noise levels resulting from construction activities shall not exceed 60 dB(A) hourly average at the edge of occupied habitat (or a 3 dB(A) increase in noise levels if ambient noise levels exceed 60 dB(A)). Concurrent with the commencement of construction in these areas, noise monitoring shall be conducted at the edge of habitat to ensure that noise levels do not exceed 60 dB(A) hourly average (or a

3 dB(A) increase in noise levels if ambient noise levels exceed 60 dB(A)). If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season.

- Construction noise shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the activity, to verify that noise levels at the edge of occupied vireo habitat are maintained below 60 dB (A) hourly average (or a 3 dB(A) increase in noise levels if ambient noise levels exceed 60 dB(A)). If not, other measures shall be implemented in consultation with the biologist and acoustician, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to no more than a 3 dB(A) increase if to the ambient noise level already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

**BIO-2 Coastal California Gnatcatcher.** To avoid direct impacts to coastal California gnatcatcher habitat south of the Santa Fe Dam spillway, west of I-605, and to the northeast of Live Oak Avenue, the final pipeline construction footprint in this area shall be developed to avoid the coastal sage scrub that is mapped on the west side of the paved access road shown on Figure 4b in the Proposed Project biological technical report. The disturbed habitat that occurs on either side of the existing paved road provides for a 20-foot-wide area for the pipeline installation. Staging and other construction disturbance through this area shall be sited in areas mapped as disturbed habitat, including those areas that are being maintained around the existing transmission line towers.

If the breeding season for the coastal California gnatcatcher (February 15 through August 30) cannot be avoided, the following additional measures would be required to reduce indirect impacts to a less than significant level for pipeline construction that would occur in or adjacent to coastal sage scrub:

- At least two weeks prior to the commencement of construction, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities shall not exceed 60 dB(A) hourly average at the edge of occupied habitat. Concurrent with the commencement of construction in these areas, noise monitoring shall be conducted at the edge of habitat to ensure that noise levels do not exceed 60 dB(A) hourly average (or a 3 dB(A) increase in noise levels if ambient noise levels exceed 60 dB(A)). If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season.
- Construction noise shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the activity, to verify that noise levels at the edge of occupied gnatcatcher habitat are maintained below 60 dB (A) hourly average. If not, other measures shall be implemented in consultation with the biologist and acoustician, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to no more than a 3 dB(A) increase if to the ambient noise level already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.
- Noise attenuation measures for coastal California gnatcatcher shall not be required if preconstruction presence/absence surveys are conducted by a biologist with a 10(a)(1)(A) permit to survey for the species and no coastal California gnatcatchers are present within 300 feet of the Proposed Project footprint. Surveys for the coastal California gnatcatcher shall include a total of three surveys conducted at least seven days apart in accordance with the current survey protocol (USFWS 1997).

**BIO-3 Nesting Bird and Raptor.** If construction activity must occur during the general bird breeding season for migratory birds and raptors (January 15 through September 15), the Upper District shall retain a qualified biologist to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Act and California Fish and Game Code. Due to the urban environment in which work would be occurring, most avian species utilizing areas within, or adjacent to the Proposed Project site are likely habituated to noise levels exceeding 60 dB(A) hourly average. For this reason, nest surveys will not need to be conducted in areas that are 1) surrounded by development and 2) have been mapped as urban/developed land provided that trees and shrubs are not being removed or trimmed in these areas during the breeding season. The pre-construction survey shall be performed no more than seven days prior to the commencement of the activities. If the qualified biologist

determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no impacts shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist, or if noise attenuation measures are implemented to maintain construction noise levels at the nest site below 60 dB (A). If ambient noise level in the San Gabriel River exceeds 60 dB(A) at the nest site, no additional protection for active migratory bird or raptor nests would be required.

**BIO-4 Western Pond Turtle.** Prior to the start of construction, the Upper District shall retain a qualified biologist to attend a pre-construction meeting with the construction contractor to review the environmental requirements and protection measures for the Proposed Project. The biologist will also conduct a pre-construction survey at the crossing of the San Gabriel River tributaries to inspect the limits of work and survey for western pond turtles. If no pond turtles are present, exclusion fencing shall be installed around the Proposed Project work area to prevent pond turtles from entering the work area prior to the start of construction. Fencing shall be required to stay in place for the duration of the HDD work at this location to ensure that pond turtles do not enter the work area or construction areas.

If the qualified biologist determines that a western pond turtle is present in the HDD construction area, no construction shall occur until the qualified biologist determines that the pond turtles have moved at least 100 feet away from the work areas on their own accord.

**BIO-5 Sensitive Habitat.** Wherever possible, construction activities adjacent to coastal sage scrub (including disturbed) shall be located to minimize impacts. As described in BIO-2, the coastal sage scrub on the west side of the paved existing road (Figure 4b of the Proposed Project biological technical report) shall be avoided by ensuring the final construction footprint avoids this habitat. The coastal sage scrub areas to be avoided will be clearly marked with fencing or flagging. Areas of coastal sage scrub that cannot be avoided will be seeded with a coastal sage scrub seed mix obtained from a local source and the habitat will be allowed to recover naturally.

## **Cultural Resources**

**CUL-1** The Upper District shall employ a qualified archaeologist and Native American representative to attend a pre-construction meeting with the contractor and Upper District staff and explain the requirements of the monitoring program.

**CUL-2** A qualified archaeologist and a Native American representative shall be on site to observe all ground-disturbing activity, including brushing/grubbing, grading, trenching, and excavation, in soils with a reasonable potential for encountering

cultural resources. Monitoring is not required for excavation in formational material below any potential cultural layers. If cultural material is encountered during monitoring, the archaeologist and the Native American representative shall have the authority to temporarily halt or redirect grading/trenching/excavation while the cultural material is documented and assessed. If the discovery is determined to be a significant resource, additional mitigation measures, such as data recovery, may be required.

**CUL-3** In the unlikely event that potentially significant paleontological materials (e.g., fossils) are encountered during construction of the project, all work shall be halted in the vicinity of the paleontological discovery until a qualified paleontologist can visit the site of discovery, assess the significance of the paleontological resource, and provide proper management recommendations. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted. The treatment and disposition of paleontological materials that might be discovered during excavation shall be in accordance with applicable laws and regulations. A treatment plan shall be prepared for Upper District concurrence prior to the initiation of ground disturbance.

## **Hazards and Hazardous Materials**

**HAZ-1** During construction, the contractor shall implement the following measures to address the potential environmental constraints associated with the presence of hazardous materials along the proposed pipeline alignment to the satisfaction of the Upper District engineers:

- During excavation and construction activities, soil shall be monitored for the presence of discolored or odorous soil.
- If impacted soil is encountered, the site shall be evaluated by a qualified hazardous materials professional, and handled in accordance with applicable environmental laws and regulations. During excavation and construction activities, environmental monitoring for the presence of contamination and impacted groundwater shall be conducted. Health and safety measures shall be followed to minimize the risk of human exposure to contaminants during excavation and construction activities.
- Impacted soil shall be exported to an approved off-site disposal or recycling facility. If impacted soil is encountered and planned to be used as backfill, such a scenario must be evaluated by a local regulatory agency such as the RWQCB. The stockpiling and reuse of impacted soil would likely be subject to Waste Discharge Requirements mandated by the RWQCB. If construction requires export of excavated soil, the construction contractor shall be required to screen the soil for potential contaminants prior to its removal from the site.
- Dewatering methods shall be selected by the construction contractor based on groundwater conditions encountered during construction. If dewatering

operations occur in areas that have been impacted with hazardous materials, a groundwater treatment system shall be required. The groundwater treatment system must be designed by a qualified engineer or geologist. Dewatering plans and operations shall be evaluated by the appropriate regulatory agencies, and may include pre-treatment and off-site disposal of contaminated groundwater.

- All contractors and workers shall be made aware of the presence or likely presence of hazardous materials along the proposed alignment. The construction contractor shall hold all necessary licenses and certifications to perform the construction operations that may occur in the areas impacted with hazardous materials.

## Noise

**NOI-1** The construction contractor shall implement the following measures to minimize short-term noise levels caused by construction activities associated with drilling of the monitoring well MW-4. Measures to reduce construction noise shall be listed in contractor specifications and shall include, but not be limited to, the following:

- A 16-foot-high perimeter sound wall with a Sound Transmission Class (STC) rating of at least 25 shall be installed along the southwest and northwest sides of the site.
- A 12-foot-high acoustical panels with a STC rating of at least 25 shall be installed around air compressors and generators.
- An 8-foot-high barrier of acoustical blankets with a STC rating of at least 25 shall be installed on the northwest side of rotary tables, drawworks, and rig engines.

## Transportation/Traffic

**TRA-1** Prior to the initiation of construction activities, a traffic management plan shall be prepared by the construction contractor and approved by the Upper District and other appropriate jurisdiction(s), prior to commencing construction. The traffic management plan shall be implemented by the construction contractor during Project construction. Elements of the traffic management plan should include, but are not limited to, the following:

- Access to properties along the construction work zone shall be ensured.
- Emergency vehicle access shall be ensured at all times.
- All cuts to roadways shall be covered with “plates”, when appropriate, during non-working hours.
- Appropriate signage shall be posted informing the public of construction

activities, work zone areas, road closures, and detour routes, as applicable.

- Haul trucks shall be directed via the shortest routes on arterial streets, avoiding impacts to residential streets.

## **Summary**

In light of the analysis in the Initial Study, and the mitigation measures identified therein (and listed above) for inclusion in the Proposed Project, the Upper District finds that the Indirect Reuse Replenishment Project would not have a significant effect on the environment.