

FINDING OF NO SIGNIFICANT IMPACT
for
Installation of an Ethanol-85 Fueling Station
at the
Veterans Affairs Palo Alto Health Care System
in
Livermore, CA
United States Department of Veterans Affairs

INTRODUCTION

An Environmental Assessment (EA) has been prepared under the direction of an interdisciplinary team analyzing the proposed construction of an Ethanol-85 (E85) fueling station at the Veterans Affairs Medical Center (VAMC) in Livermore, California. The Department of Veterans Affairs (VA) is installing E85 fuel tanks at VAMC campuses nationwide to meet the alternative fuel requirements outlined in Section 701 [42 U.S.C. 6374(a)(3)(E)] of the Energy Policy Act of 2005 (EPACT 2005).

The proposed action, to install a 5,000 gallon E85 alternative fueling station at Palo Alto VAMC, is a federal action subject to the procedural requirements of the *National Environmental Policy Act of 1969* (NEPA) (42 U.S. Code 4321 et seq.). NEPA requires federal agencies consider environmental consequences in their decision-making process. The Council on Environmental Quality (CEQ) issued regulations (40 Code of Federal Regulations [CFR] Parts 1500-1508) to implement NEPA that include provisions for both the content and procedural aspects of the required environmental analysis. The VA complies with NEPA and CEQ implementing regulations in accordance with 38 CFR Part 26 (*Environmental Effects of the Department of Veterans Affairs Actions*).

The VA prepared an Environmental Assessment (EA) to analyze potential direct, indirect, and cumulative environmental impacts of the E85 fueling station installation (proposed action). For purposes of comparison, that EA also evaluated the impacts of not installing an E85 fueling station (no action alternative). There were no other alternatives analyzed in detail.

DECISION

Based on the analysis in the EA for Construction of an *E85 Fueling Station* at the Livermore VAMC, I have decided to implement the *Proposed Action Alternative*. The selected alternative is summarized below.

The proposed action is the installation and operation of a 5,000 gallon E85 Fueling Station. The E85 fueling station will be constructed along the northeast corner (see Figure 2), near the Engineering yard of the VA Livermore Medical Center campus. The estimated footprint of the station, including concrete pad and sufficient access to the tank, would be approximately 225 square feet (SF) maximum. Improvements to infrastructure will be required to accommodate access for vehicles or fuel delivery trucks. The proximity to electrical power, required safety setbacks from buildings and property lines, and the VA Antiterrorism/Force Protection (AT/FP) requirements were considered during the site-selection process.

PURPOSE AND NEED FOR ACTION

Section 701 [42 U.S.C. 6374(a)(3)(E)] of the EPACT 2005 requires federal fleets replace petroleum use with alternative fuels where practical. Executive Order (EO) 13514 requires federal agencies reduce the agency's total consumption of petroleum products for fleets of motor vehicles by a minimum of 2% annually through the end of fiscal year 2020, compared to the baseline of fiscal year 2005. The Livermore VAMC vehicle fleet utilizes "flex-fuel" vehicles (FFV) which can utilize E85 fuel. This action will provide the Livermore VAMC fleet with a resource to meet the EPACT 2005 and EO 13514.

LOCATION of PROPOSED ACTION

The Livermore VAMC is located at 4951 Arroyo Road, Livermore, California (Figure 1).

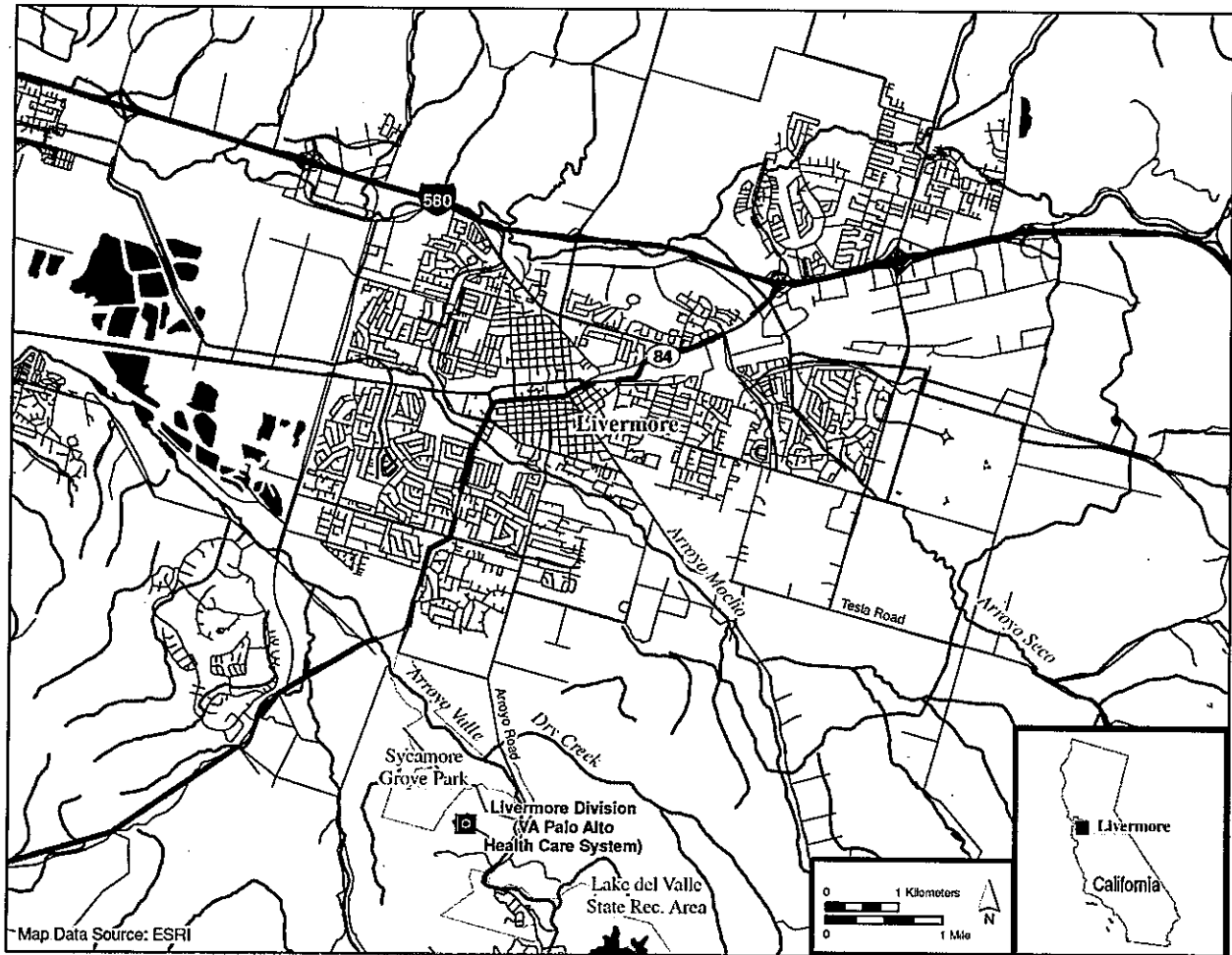


Figure 1. Regional map showing general location of the Livermore VAMC



Figure 2. Aerial view of the Livermore VAMC and surrounding area



Figure 3. Close-up view of the selected site for the E85 fueling station at Livermore VAMC

ALTERNATIVES CONSIDERED

Description of Alternatives

No-Action Alternative

The no action alternative would be to not install an E85 Fueling Station at Livermore VAMC. The Livermore VAMC would continue to receive all required vehicle fuel from petroleum sources. The no action alternative does not meet the purpose and need of reducing the vehicle fleet's petroleum use in accordance with EPACT 2005 and EO 13514.

REASONS FOR THE DECISION

The Proposed Action Alternative was selected because it:

1. Best satisfies the purpose and need and issues developed for the proposal.
2. Minimizes environmental impact.
3. Human health and safety will be protected.

The No Action Alternative was not selected because it fails to satisfy the purpose and need of the Proposed Action and relevant issues identified through scoping.

Legal notifications announcing the availability for review of the EA and public comments were published by the San Jose Mercury News (July 18, 2012), and the Tri-Valley Herald (July 27, 2012). There were no public comments received within 30 days of notification publication.

ISSUES NOT STUDIED IN DETAIL

After careful analysis, the team determined that the following issues would not have a meaningful impact on the quality of the human environment. Following the CEQ regulations (1500.4(c)(g)), we discuss these issues only briefly here, to emphasize the issues most useful to the decision maker and the public.

- **Aviation/Radar**: The E85 Fuel Station would not affect flight patterns or radar communication used by aircraft.
- **Land Use**: Installation of a E85 Fuel Station would not impact existing or planned land use.
- **Potential for Creating Substantial Controversy**: Use of alternative fuel sources is generally viewed by the public as favorable. The installation of an E85 Fuel Station would not likely create any negative controversy for the VA.
- **Real Property**: The E85 Fuel Station would be within the boundaries of Palo Alto VAMC; no change in land ownership, boundaries, or tax values would occur.
- **Transportation and Parking**: The proposed location would not displace or disrupt any parking areas, travel lanes, or roads on Palo Alto VAMC.
- **Wildlife and Threatened and Endangered Species**: The proposed footprint and the suburban setting location make it unlikely that wildlife resources or their habitats would be affected.

ISSUES STUDIED IN DETAIL

- **Noise:** The various equipment options and related activities associated with the Proposed Action are expected to result in only minor increases in noise levels for the operation of an E85 fueling station. Short-term but measurable increases in noise levels are expected during construction. Additionally, the proposed fueling station at the Livermore VAMC would be located adjacent an existing fueling area and collocated with support facilities for the campus.
- **Aesthetics and Visual Resources:** Effects on aesthetics and visual resources as a result of the Proposed Action are not anticipated at the Livermore VAMC. The proposed E85 station would be located near the Engineering yard adjacent to an existing fueling station. The surrounding view shed was considered when selecting the site for the fueling area.
- **Air Quality:** No significant effects on air quality are anticipated from the Proposed Action. The VA FFVs would need to access E85 whether or not it was available at the Livermore VAMC. Having the E85 station located on site would reduce the distance VA employees would need to travel to refuel. Since model year 2000, fuel tank venting has been controlled by onboard refueling vapor recovery devices installed in all cars running on E85 or gasoline. Evaporative emissions from fuel or vapor leaks are less prevalent due to ongoing improvements in leak-resistant materials and fittings.
- **Socioeconomics:** If anything, employment and economic conditions within the region of influence would realize short-term, beneficial effects from the additional labor needed to construct the E85 fueling station and install the AST. The benefits would be short-term as existing facilities management personnel would be responsible for maintaining the E85 fueling station once it is operational; the addition of full-time personnel at the VAMC is not anticipated.
- **Cultural and Historic Resources:** The proposed location of the above ground storage tank (AST) is not proximate to any National Register of Historic Places (NRHP) listed properties, therefore no impacts are anticipated to these historically important resources. At present, there are no known archeological resources in the vicinity of the project. The installation of an AST would result in minimal ground disturbance, thus lessening the potential for effects on archeological resources.
- **Geology and Soils:** The installation of up to a 5,000 gallon AST would only require a small amount of excavation and ground disturbance, which would follow state and local regulations and in accordance with best management practices (BMPs) for controlling sediment and erosion. All county, state, and local permits for earthwork and development would need to be obtained prior to construction at the facility. In addition, subsurface sampling and testing of soil materials may be required if the site of the tank installation has a history of contaminants or hazardous material use. Additional precautions for removal and disposal of soil may be necessary. Soil suspected of contamination must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations.
- **Ground Water and Water Quality:** The installation and operation of an up to 5,000 gallon AST E85 fueling station at the Livermore VAMC would not have significant effects on groundwater resources and water quality. Potential effects on groundwater resources and water quality from E85 AST are not likely. Provided the E85 tank is sited properly and a state-certified Spill Prevention, Control and Countermeasure Plan (SPCC Plan) is followed, there would be no effects on groundwater resources and water quality.

- Wetlands, Floodplains, and Surface Waters: None of these resources are on or proximate to the facility and the proposed location of the AST. Provided the up to 5,000 gallon AST for E85 fuel is sited properly and a state-certified SPCC Plan is followed, there would be no adverse effects on these resources.
- Vegetation and Land Use: Given the minimal footprint required for the up to 5,000 gallon AST fueling station, no significant impact to the surrounding area vegetation and land cover is expected. No significant vegetation or land use impacts are anticipated at the Livermore VAMC, given that the area is currently developed and used for similar facility operations.
- Solid and Hazardous Materials and Wastes: Impacts from hazardous materials and wastes at the Livermore VAMC are likely to be minimal providing that all appropriate state and federal regulations are followed. Given the proposed location of the E85 fueling station only minimal excavation on the site is expected, mainly to provide electricity to the area. If contamination is suspected or discovered, then suspect soil would be field screened, segregated, sampled for disposal characterization, and disposed of appropriately following California regulations.
- Safety: Providing all state and federal AST regulations and setbacks are followed and the facility SPCC Plan is amended, no significant effects on safety are expected.

FINDINGS REQUIRED BY OTHER LAWS

This decision is consistent with applicable laws and regulations:

The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C 4321 et seq.) – Requires analysis of major Federal actions that could have a significant impact on the environment.

The Energy Policy Act of 2005 – Serves as the underlying authority for federal energy management goals and requirements.

Executive Order (EO) 13514 – Establishes a goal for federal agencies to reduce petroleum use in federal fleets by 2% annually from 2005 through 2020.

FINDING OF NO SIGNIFICANT IMPACT

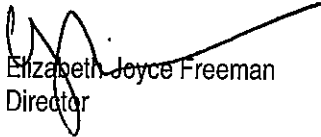
Context – This decision is a site specific action that by itself does not have international, national, or statewide importance. The discussion of the significance criteria that follows applies to this decision and is within the context of local and regional importance.

Intensity – The following discussion is organized around the Ten Significance Criteria described in the NEPA regulations (40 CFR 1508.27).

Based on the EA, I have determined that the Proposed Action is not a major federal action, either individually or cumulatively, and will not significantly affect the quality of the human environment; therefore, the preparation of an environmental impact statement is not necessary. This determination is based upon the following factors found at 40 CFR 1508.27(b):

1. The analysis documented in the EA did not identify any individual or cumulatively significant adverse effects.
2. Public health and safety is not adversely affected.

3. Planned actions will not significantly affect any unique characteristics or features of the geographic area, such as wetlands, park lands, prime farm lands, wild and scenic rivers, floodplains, or ecologically critical areas, etc.
4. The effects on the quality of the human environment are not likely to be highly controversial.
5. The actions do not involve highly uncertain, unique, or unknown environmental risks.
6. The actions in this decision will not set a precedent influencing approval of future actions with significant effects.
7. The possible cumulative effects of the Proposed Action have been analyzed with consideration for past and reasonable foreseeable future activities on adjacent private and public lands. Cumulative impacts over space and time will not be significant.
8. The Proposed Action will have no adverse effect on any sites listed, or eligible for listing, in the National Register of Historic Places nor will they cause the loss or destruction of significant scientific, cultural, or historical resources.
9. Implementing this decision will not adversely affect threatened or endangered species, or result in loss of any other species' viability, or create significant trends toward Federal listing of the species under the Endangered Species Act.
10. None of the actions threaten to lead to violations of federal, state, or local laws imposed for the protection of the environment.


Elizabeth Joyce Freeman
Director

1/16/13
Date of Decision