United States
Environmental Protection
Agency

Region 10
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Seattle WA 98101

Alaska
Idaho
Oregon
Washington

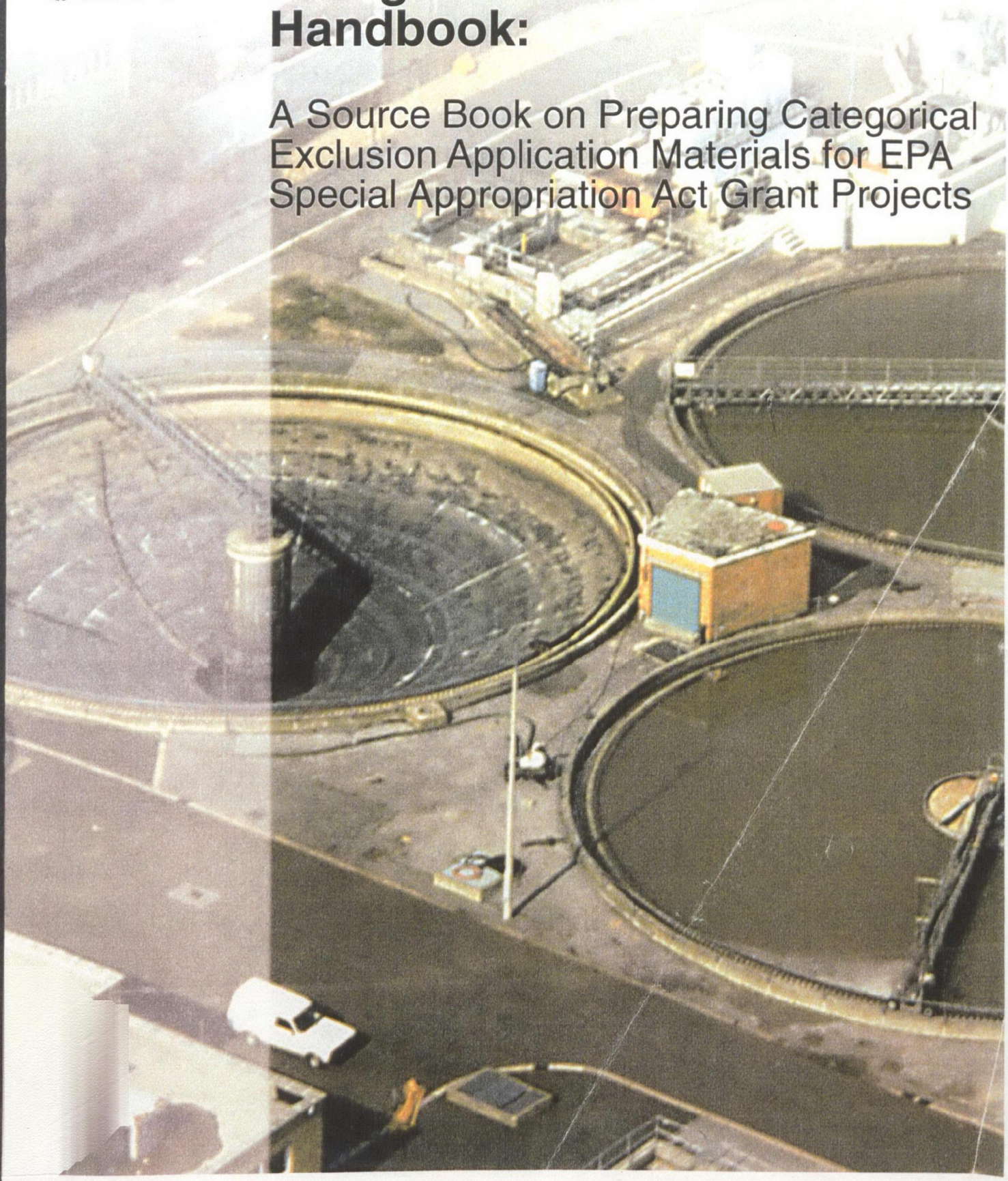
Office of Water

February 2001

EPA

Categorical Exclusion Handbook:

A Source Book on Preparing Categorical Exclusion Application Materials for EPA Special Appropriation Act Grant Projects



CATEGORICAL EXCLUSION Handbook:

A Source Book on Preparing Categorical Exclusion Application Materials for EPA Special Appropriation Act Grant Projects

Prepared By:

John Matthew Harrington
NEPA Compliance Coordinator
Office of Water

For:

U.S. EPA Region 10

Table of Contents

INTRODUCTION

The Categorical Exclusion Handbook is intended for use by the EPA Project Officers in ensuring that the Special Act Appropriation grant projects are in compliance with the National Environmental Policy Act (NEPA). The Handbook delineates how minor rehabilitation and improvement projects may be eligible for exclusion from detailed environmental reviews under NEPA (i.e., Environmental Assessment or Environmental Impact Statement).

The Handbook discusses the following topics:

- categorical exclusion background information and criteria;
- categorical exclusion application;
- coordination and consultation requirements with other State and Federal Agencies;
- how the EPA Project Officers are to work with grantees to ensure that categorical exclusion application requests are appropriate for the particular proposed action to be funded and to ensure that the categorical exclusion request applications are adequately prepared and documented.
- the responsibilities of the EPA Project Officer and the EPA NEPA Compliance Officer

Section 1

Office of General Counsel for EPA Memorandum Addressing the Applicability of NEPA to EPA Special Appropriation Act Projects

January 3, 1995

MEMORANDUM

SUBJECT: Applicability of NEPA Requirements to the Special Projects Authorized by the FY 1995 Appropriations Act

FROM: Larry McGee, Environmental Engineer
Construction Grants Branch
Municipal Support Division

TO: Coordinators for the Special Projects Authorized by the FY 1995 Appropriations Act

Attached is an analysis of NEPA requirements and the applicability of these requirements to the special projects authorized by the FY 1995 Appropriations Act.

This analysis was prepared by Jim Havard, Office of General Counsel, Headquarters. If you have any questions concerning this analysis, you can contact Jim directly at (202) 260-1003.

Attachment

Analysis of NEPA applicability to special grants authorized by FY 1995 Appropriations Act

The following are some general guidelines re: the application of NEPA to the special grants authorized by the FY 1995 Appropriations Act.

- For many water-related actions, EPA is exempt from NEPA under the Clean Water Act (CWA) § 511(c). Thus, NEPA does not apply to demonstration projects funded under § 104(b)(3) of CWA (three projects on the special grants chart are denoted as demonstration). However, **NEPA does apply to projects funded under the authority of the Appropriations Act.** In addition, other cross-cutting Federal statutes, such as the ESA, also apply to these projects.

- Where state NEPA-like processes have already occurred, EPA may be able to make use of the work done by the states to limit the amount of work EPA must do in its own analysis. NEPA regulations require agencies to "cooperate with State and local agencies to the fullest extent possible to reduce duplication between NEPA and State and local requirements . . . ." 40 C.F.R. § 1506.2. In cases where states have performed environmental reviews under NEPA-like statutes or pursuant to the SRF regulations, EPA officials can incorporate the state analysis into the Federal NEPA analysis. However, EPA may not simply adopt the state analysis. **EPA must independently evaluate the state documentation and process and is responsible for the accuracy of the documentation and adequacy of the process.** 40 C.F.R. § 1506.5. EPA must ensure that the documentation is correct and complete. In addition, EPA must ensure that there was an adequate opportunity for public participation and that the public's concerns were fully considered; for example, EPA must be satisfied that state responses to comments were adequate.

- Where state reviews have found no significant impacts, and EPA approves of that finding and the state process, EPA may issue an EA summarizing and referencing the state analysis. A FONSI may accompany the EA. Pursuant to EPA's NEPA regulations, EPA "shall not take administrative action on the project for at least thirty (30) calendar days after release of the FNSI . . . ." 40 C.F.R. § 6.400(d). As noted above, EPA must independently evaluate the state work and will be responsible for the accuracy of the documentation and adequacy of the process.

- Where state reviews have found significant impacts, or EPA independently determines that there are significant impacts, EPA must issue a notice of intent and a draft EIS. In the EIS, EPA may summarize the state's analysis, incorporate it by reference, and include any additional analysis EPA deems

appropriate. The EPA document, on its own, must be sufficient to "fully inform decisionmakers and the public of the environmental effects of the proposal and those of the reasonable alternatives." CEQ 40 Qs # 21. EPA must then allow for a minimum comment period of 45 days. EPA may then issue a Final EIS. According to the CEQ regulations, EPA must wait 45 additional days before issuing a ROD. 40 C.F.R. § 1506.10(b) (a total of 90 days). Again, EPA must independently evaluate the state work and will be responsible for the accuracy of the documentation and adequacy of the process.

- Where construction of projects is completed or nearly completed, EPA will not have to do NEPA analyses. Such analyses would be wasteful. In addition, if EPA were challenged under NEPA, it is likely that such a legal action would be found moot.

- Where construction has started, and the project is not nearly completed, EPA will have to do a NEPA analysis. Until a NEPA analysis has been performed, EPA cannot take an "action concerning the proposal . . . which would: 1) have an adverse environmental impact; or 2) limit the choice of reasonable alternatives." 40 C.F.R. § 1506.1(a). Several factors may ameliorate this situation. First, if the project is well under way, other alternatives may become less reasonable. Reasonable alternatives include those that are "practicable or feasible from the technical and economic standpoint and using common sense. . . ." CEQ 40 Qs #2(a). Courts will use a rule of reason in evaluating our alternatives analysis. Second, OFA, upon compelling reasons of national policy may reduce the prescribed time periods for review. 40 C.F.R. § 6.401(d).

- In cases where projects to be funded have been ongoing for several years, EPA already may have done Federal NEPA work regarding all or a portion of the project to be funded. In such cases, EPA must comply with the supplementation requirement contained in the CEQ regulations and EPA's Part 6 regulations. See 40 C.F.R. § 1502.9(c); 40 C.F.R. § 6.404. The CEQ regulations require agencies to prepare supplements to draft or final EISs if: "1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or 2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts." 40 C.F.R. § 1502.9(c).

- The regulations applicable to the special project grants at issue are the CEQ regulations (40 C.F.R. Pts. 1500-1508) and EPA's general NEPA regulations (40 C.F.R. Pt. 6, Subpts. A-D). While they do not apply to the special project grants at issue, EPA's regulations at 40 C.F.R. Part 6, Subpart E may be looked to for guidance.

Section 2

Office of Federal Activities Memorandum on NEPA Guidance for Special Appropriation Act Wastewater Treatment Projects

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

JAN 20 1995

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: NEPA Guidance for Special Wastewater Treatment Projects in the FY95 Appropriation Bill

FROM: Richard E. Sanderson
Director
Office of Federal Activities (2252)

TO: NEPA Coordinators

The purpose of this memorandum is to provide guidance on the requirements for compliance with the National Environmental Policy Act (NEPA) for special projects authorized for EPA grant funding by the FY95 Appropriations Act (Act). The Act appropriated "no-year" money to fund special wastewater treatment projects identified by Congress. Each region has projects on this list. The list is included in the attached copy of the guidance memorandum prepared by the Office of Water Management (OWM).

The OWM memorandum indicates that NEPA applies to all of these projects except the three to be funded as Clean Water Act (CWA) section 104(b)(3) demonstration projects. These three are exempted from NEPA under the CWA section 511(c). The Office of General Counsel (OGC) has prepared an "Analysis of NEPA applicability to special grants authorized by FY 1995 Appropriations Act." This analysis is also attached.

OFA Guidance to Regional NEPA Coordinators

An independent EPA NEPA analysis for the non-demonstration projects is required. In addition, other cross-cutting federal statutes, such as the Endangered Species Act and the National Historic Preservation Act, also apply to these projects. The Council on Environmental Quality's (CEQ) NEPA regulations do not allow EPA to adopt a state analysis. However, the NEPA regulations do require agencies to "cooperate with State and local agencies to the fullest extent possible to reduce

duplication between NEPA and State and local requirements ..." (40 CFR 1506.2). There are several ways the regions can use the existing information and assessments for these projects as summarized below and as discussed in greater detail in the attached OGC analysis. **In all cases, EPA must independently evaluate the state documentation and review process and is responsible for the accuracy of the NEPA documentation and the adequacy of the process (40 CFR 1506.5).**

- Where states have performed environmental reviews under NEPA-like statutes or pursuant to State Revolving Fund regulations, EPA can incorporate, but not simply adopt, the state analysis into the Agency's NEPA analysis.

- Where state reviews have found no significant impacts and EPA approves of that finding and the state process, EPA may issue an environmental assessment (EA) summarizing and referencing the state analysis and an accompanying Finding of No Significant Impact (FONSI).

- Where state reviews have found significant impacts or EPA independently determines that there are significant impacts, EPA must issue a notice of intent and proceed with an environmental impact statement (EIS) and record of decision (ROD) in accordance with the Agency's regulations at 40 CFR Part 6.

- Where construction of projects is complete or nearly completed, a NEPA analysis will not have to be done.

- Where construction has started and the project is not nearly completed, a NEPA analysis is required and a notification of intent to pursue an independent analysis must be sent to the grantee.

- Where projects to be funded have been ongoing for several years, additional assessment may not be required if prior federal NEPA documentation has addressed the portions of the project to be funded by the FY95 grant. The region will need to assure that since the previous assessment: 1) there are no substantial changes in the proposed action relevant to environmental concerns, or 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.

If the NEPA analysis was carried out under an earlier construction grant action and is no longer adequate or the project has not previously been assessed by EPA, it will be necessary to issue either an EA/FONSI or an EIS/ROD. The regulations applicable to these special project grants are the CEQ regulations (40 CFR Parts 1500-1508) and EPA's NEPA regulations (40 CFR Part 6, Subparts A-D). EPA's regulations at 40 CFR Part 6, Subpart E, while they do not apply to these special project grants, may provide additional guidance.

We anticipate that additional issues or sub-issues may arise which are not fully treated in this general guidance memorandum. These should be brought to our attention as soon as possible. In addition, we have scheduled a teleconference on Tuesday, January 24, 1995 from 11:00 a.m. to 12:00 noon eastern standard time to discuss this guidance and additional issues or concerns with the process. The call in number is (202) 260-4257. We look forward to your participation. Please inform John Gerba (202/260-5910) if you or your staff will not be on the call.

Attachments

cc: Jim Havard, OGC
Ed Gross, OWM

Section 3

Categorical Exclusion Background Information and Criteria

January 7, 1983

Categorical Exclusions from EPA Procedures Implementing the National Environmental Policy Act

Background

1

Since its inception, the Environmental Protection Agency's procedures implementing the National Environmental Policy Act (NEPA) have included a thorough environmental review of all publicly owned projects in which Federal funds will be used for construction of wastewater treatment facilities. Experience has shown that many projects have not required an environmental impact statement (EIS) to comply with the National Environmental Policy Act (40 CFR, Part 6). These have been projects that were routine or small scale actions that have not had a significant effect upon the human environment. The Environmental Protection Agency, therefore, wishes to reduce the regulatory requirements burden upon municipalities receiving Environmental Protection Agency grant monies for minor construction activities. An Interim-Final Rule providing for categorical exclusions was published in the Federal Register on March 8, 1982, to be effectively immediately. Revisions to the Interim-Final Rules also were published in the Federal Register on January 7, 1983. While the Environmental Protection Agency, Region 10, intends to maintain the integrity of its environmental review responsibilities, it also intends to provide assistance through the following guidance to grantees who may be eligible for a categorical exclusion.

Definition

The Council on Environmental Quality (CEQ) defines categorical exclusion as "a category of actions which does not individually or cumulatively have a significant effect on the human environment and which has been found to have no such effect in procedures adopted by a Federal agency...and for which, therefore, neither an environmental assessment nor an environmental impact statement is required.'"

Policy

In amending its regulations to include categorical exclusions, the Environmental Protection Agency has determined that small scale, minor or routine actions, such as (1) minor rehabilitations, (2) minor expansions or replacement, and (3) minor upgrading of **wastewater treatment facilities** that do not increase the overall **treatment capacity, (4) minor** interceptor or collection sewer projects, would meet the requirements for a categorical exclusion. (See Criteria for Actions Eligible for Exclusion). To meet the following criteria, proposed projects cannot result in new development beyond incidental infilling of built-up areas. Some new development unrelated to the wastewater treatment project may occur, and such incidental development should not disqualify the proposed action for exclusion. New community development actions,

however, will not receive categorical exclusions, and Environmental Protection Agency regulations will continue to require that such projects be subject to comprehensive environmental reviews.

2

Categorical exclusions are the responsibility of the Environmental Protection Agency, which shall approve, finalize and issue a letter of determination of categorical exclusion, signed by the Environmental Protection Agency's Water Division Director. A categorical exclusion may be revoked by the Water Division Director when (1) the proposed action no longer qualifies for exclusion due to changes in the project; (2) significant local or environmental issues are identified; or (3) violation of local, state or Federal laws is likely to occur. In the event of revocation, a full environmental review of the proposed action must be completed as soon as practicable prior to Step 3 funding.

Criteria for Actions Eligible for Exclusion

1

Proposed actions or projects which would qualify for Federal funding and which fit the following categories are eligible for consideration for exclusion:

(1) Minor rehabilitation of existing facilities; replacement of equipment; construction of new ancillary facilities which do not affect the degree of treatment or capacity of the existing facility; sewer system rehabilitation; replacement of existing mechanical equipment or structures; a-nd the construction of new, small, on-site structures.

(2)

Actions in sewered communities of less than 10,000 persons for minor upgrading or expansion of existing treatment facilities, not including extension of new collection systems funded with Federal or other sources of funds.

(3) Actions where facilities would provide capacity to serve a population increase of less than 30~ over a 20-year period.

(4) Other categories of exclusion may be proposed. However, no categorical exclusions can be granted for any project-which would:

(a) result in new discharges to surface or ground waters or large increases in volume of discharges or loadings of pollutants to any receiving waters;

(b) have potentially significant environmental impacts;

(c) directly or indirectly affect areas such as floodplains, wetlands, prime or unique agricultural lands, aquifer recharge

zones, archaeological and historic sites, endangered or threatened species;

(d) are known or expected not to be cost effective;

(e) cause significant public controversy; or

3

Procedures for Categorical Exclusion Determination

Although a categorical exclusion determination may be made at any time prior to award of Step 3 funding, the Environmental Protection Agency recommends early action by the grantee who is eligible for a categorical exclusion. During the early stages of facilities planning, the grantee should evaluate the project for potential exclusion eligibility and prepare a letter of application for exclusion. Existing information, or information generated during the facilities planning process, should be used to support the application. If pertinent supporting information is not available or is not generated during the facilities planning, however, no exclusion can be considered.

The grantee's request for categorical exclusion should be made to the Environmental Protection Agency, or if facilities planning review has been delegated to the state, to the state project manager. The request should include:

1

(1) a letter of application describing likely project alternatives and identifying environmentally sensitive areas in the planning area; and

(2) a description of the elements which meet the criteria for categorical exclusion.

The Environmental Protection Agency's review of the application for exclusion will be brief and concise, drawing upon existing information, data provided by state agencies, regional planning agencies, water quality management agencies, and grantees. Upon completion of the review, and having the state's recommendation where review has been delegated, the Region 10 Water Division Director will determine the project's eligibility for exclusion from the substantive environmental review requirements of the National Environmental Policy Act.

If a categorical exclusion is granted, the Step 3 grantee will not be required to prepare a formal Environmental Information Document. A copy of the letter of determination of categorical exclusion should be included, however, within the facilities plan.

The Environmental Protection Agency will document its decision to issue or deny an exclusion. The documentation will include the

letter of application, a brief **description of the proposed action, and a brief** statement of how the action meets the criteria for a categorical exclusion. This documentation will be made available to the public and will be filed with the Environmental Protection Agency's Office of Federal Activities.

Section 4

Categorical Exclusion Application

CATEGORICAL EXCLUSIONS

Application letters for Categorical Exclusions (CEs) should include a map, a very brief project description, and a brief statement of whether the action meets the criteria for a CE [Sections 6.107(d) and 6.505(b)] without violating the criteria for not granting a CE [Sections 6.107(e) and 6.505(c)].

The documentation should be able to answer the first questions and one of the following questions (2, 3, or 4) in the affirmative:

(1) Will the action only involve minor rehabilitation of existing facilities, functional replacement of equipment, or construction of new ancillary facilities adjacent or appurtenant to existing facilities? [6.107(d)(1)]

(2) Is the action consistent with (1) above and will the action take place in a community of any size but have no effect on the degree of treatment or capacity of the existing facility? [6.505(b)(1)] This could include, but is not limited to, infiltration and inflow corrections, replacement of existing mechanical equipment or structures, and the construction of small structures on existing sites. [6.505(b)(1)]

(3) Will the action take place in a sewered community of less than 10,000 persons and involve no more than minor upgrading and minor expansion of existing wastewater treatment works? [6.505(b)(2)]

(4) Will the action take place in an unsewered community of less than 10,000 persons and consist of a proposal for on-site technologies? [6.505(b)(3)]

(Basically, the difference between the categories in (2) and (3) is that no upgrade in treatment or expansion in capacity is allowed for a CE in most communities, but minor upgrade and expansion are potentially allowed for communities of less than 10,000 persons.)

The documentation should be able to answer all of the following questions in the negative:

(1) Is the action known or expected to have a significant effect on the human environment, either individually, cumulatively over time, or in conjunction with other federal, state, local, tribal, or private actions? [6.107(e)(1)(i)]

(2) Is the action known or expected to directly or indirectly affect cultural resource areas, such as archaeological or historic sites listed on or eligible for listing on the National Register of Historic Places? L6.107(e)(1)(ii)]

(3) Will the action cause irreparable loss or destruction of significant scientific, prehistoric, historic, or archaeologic data, as identified by the State Historic Preservation Officer (SHPO)? [6.107(e)(1)(ii)]

(4) Is the action known or expected to directly or indirectly affect endangered or threatened species and their critical habitats as listed by the U.S. Fish and Wildlife Service, the U.S. National Marine Fisheries Service, or state fish and wildlife agencies? [6.107(e)(1)(ii)]

(5) Is the action known or expected to directly or indirectly affect environmentally important natural resource areas such as floodplains, wetlands, important farmlands, or aquifer recharge zones? [6.107(e)(1)(ii)]

Examples would be floodplains identified by the U.S. Army Corps of Engineers; wetlands identified by the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, or U.S. Fish and Wildlife Service; farmlands classified as prime, unique, or of state or local importance by the U.S. Soil Conservation Service; and aquifer recharge areas identified by the U.S. Environmental Protection Agency or state environmental or water resources agencies.

(6) Is the action known or expected not to be cost-effective? [6.107(e)(1)(iii)]

(7) Will the action cause significant public controversy? [6.107(e)(1)(iii)]

(~) Will the action create a new discharge to surface or ground waters L6.505(c)(1)(i)]?

(9) Will the action relocate an existing discharge to surface or ground waters? [6.505(c)(1)(i)]

(10) Will the action result in substantial increases in the volume of discharge (from an existing source or new facilities) to receiving waters? [~.505(c)(1)(ii),

(11) Will the action result in substantial increases in the loading of pollutants (from an existing source or new facilities) to receiving waters? [6.505(c)(1)(ii)]

(12) Will the facilities provide capacity to serve a population 30% greater than the existing population? [6.505(c)(1)(iii)]

Revised march 1989

Section 5

Specific Questions of the CE Application that Require Coordination and Consultation with Other State and FederalAgencies

Coordination with other State or Federal Agencies and Documentation for Categorical Exclusion Applications

As part of the CE application request process, the grantee will need to contact several different state and/or federal agencies to be able to provide adequate responses to the questions denoted in the CE application. Please refer to the CE application when reading this section of the guidebook.

Below are a list of the questions that EPA requires the grantee to provide adeqaute documentation on from other state and/or federal agencies. A list of possible sources for the information are denoted with the question to assist the grantee when preparing the CE application. All correspondence with other state/federal agecnies should be attached with to the CE application.

Questions requiring the grantee to contact and provide documentation of coordination:

Will the action take place in a sewered community of less than 10,000 persons and involve no more than minor upgrading and minor expansion of exisitng wastewater treatment works?

The grantee should contact any local,city, county, or state community officies for information on population size of the City and provide documentation with the CE on how the information was obtained or who was contacted and when. If the size of the community is larger than 10,000, then EPA CE crtieria preclude the grantee from receving a CE. Grantees with community populations larger than 10,000 will be subject to a a full environmental review of the project and will have to prepare a draft Environmental Assessment for EPA.

Is the action known or expected to directly or indirectly affect cultural resource areas, such as archaeological or historic sites listed or eligible for listing on the National Register of Historic Places?

The grantee will need to contact the State Department of History and Archaeology and request that the State Historic Preservation Officer (SHPO) provide a response in writing on the presence or absence of cultural/historic properties in the project area. If the grantee is unable to find the appropriate contact, then the grantee should contact the EPA grant Officer for assistance.

Is the action known or expected to directly or indirectly affect endangered or threatened species and their critic1 habitats as listed by the U.S. Fish and Wildlife Service, the U.S. National Marine Fisheries Service, or state fish and wildlife agencies?

The grantee will need to contact the U.S. Fish and Wildlife, National Marine Fisheries Service, and State Fish and Game to obtain a list of threatened or endangered species or state listed species of concern. The grantee should provide the written documentation from these agencies with the CE application along with the grantees determination of effect.

Is the action known or expected to directly or indirectly affect environmentally important natural resource areas such as floodplains, wetlands, important farmlands, or aquifer recharge zones?

The grantee will need to conatct the following agecnies for written or phone documented conversations on the information about the presence/absence of these environmental resources in the project area:

Floodplain information can be obtained by contacting the U.S. Corps of Engineers.
Wetlands information can be obtained by contacting the U.S. Corps of Engineers.
Farmland infromation can be obtained by contacting the U.S. Soil Conservation Service.
Acquifer recharge zone information can be obtained by contacting the EPA.

Section 6

Example Coordination Documentation From Other State and Federal Agencies

EXAMPLES OF COORDINATION LETTERS

EXAMPLE 1. REQUEST: U.S. FISH AND WILDLIFE SERVICE (FWS)

The attached example:

1) locates the facilities using township and range coordinates and a USGS topographic map;

2) describes the basic aspects of the project;

3) provides baseline information that may assist the FWS, in this case a biological survey (and in other cases, records of past coordination at or near the site);

4) notes that a similar request is being sent to the State biological resources contact, effectively anticipating that one FWS response would be that such a State request be made.

EXAMPLE 1

LEE WILSON & ASSOCIATES
HYDROLOGY • ENVIRONMENT • RESOURCES

May 31, 1991

U S Fish and Wildlife Service
Ecological Services
Attn John C Peterson
Suite D, 3530 Pan American Highway NE
Albuquerque New Mexico 87107

Dear Mr Peterson

Lee Wilson and Associates is preparing an Environmental Information Document for proposed septage disposal facilities to be located on the Pueblo of Pojoaque in northern New Mexico (SW 1/4, Section 18, Township 19N, Range 9E, see attached location map) With this letter we are requesting information concerning threatened or endangered species or their habitats in the vicinity of the project Attached is a biological survey of the site, prepared for the Pueblo by the Northern Pueblo Agency of the U S Bureau of Indian Affairs

Septage facilities are to consist of multi celled total retention lagoons, with some cells for active use and some for drying Dried sludge is to be buried in a dedicated landfill The site will be fenced, with controlled access Both ground water and lagoons will be monitored for hazardous materials

As indicated on the attached map, the facilities will be located adjacent to new wastewater lagoons The wastewater lagoons were the subject of a letter from yourself to Mr William A Dodge of the Indian Health Service on January 29, 1988, in which you indicated no listed species would be affected by the lagoons

A nearly identical copy of this letter and attachments has been sent to the New Mexico Department of Game and Fish

If you require further information, please let me know

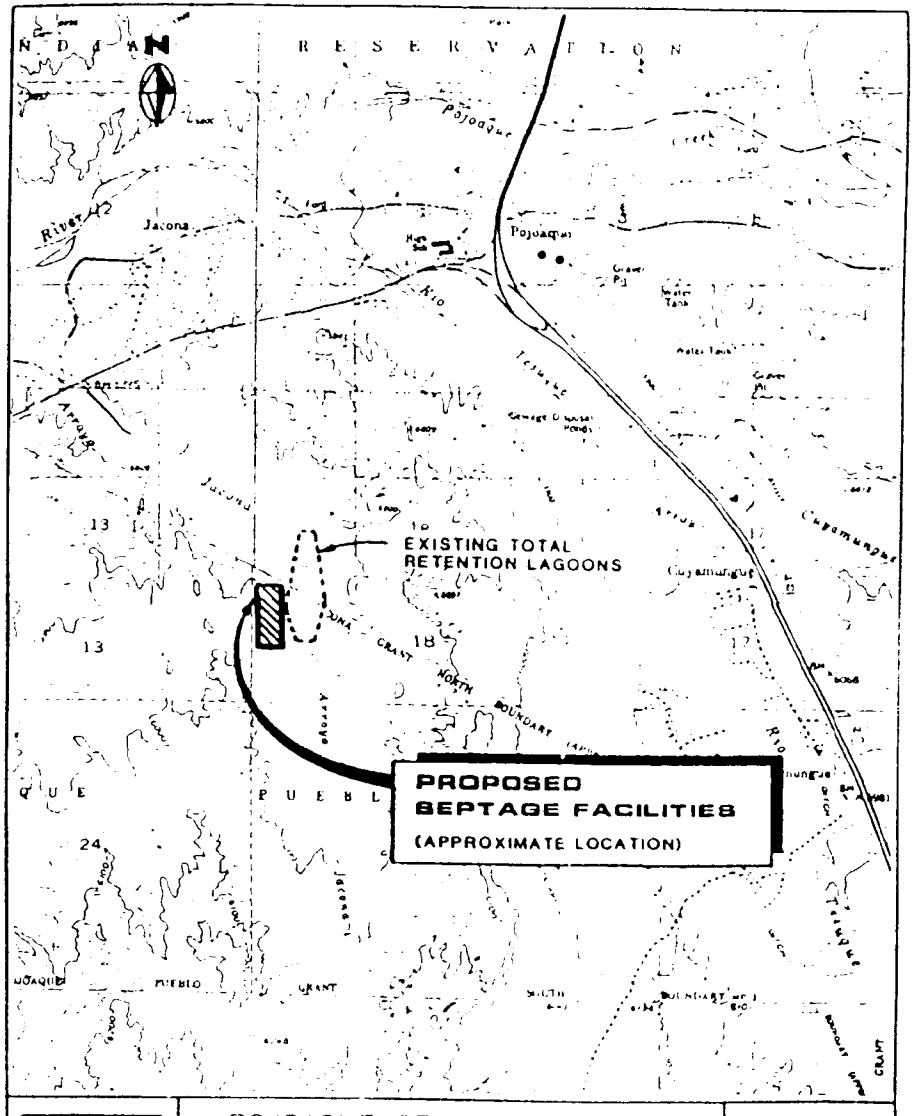
Sincerely,

Steve Anderson

105 CIENEGA STREET
PO BOX 931
SANTA FE, NEW MEXICO 87504

FAX (505) 986-0972

1420 CARLISLE NE
SUITE 200 B
ALBUQUERQUE, NEW MEXICO 87110



POJOAQUE SEPTAGE FACILITIES
GENERAL LOCATION MAP
FIGURE 3-2

LOC3-2

Example 1-2

EXAMPLE 1, CONTINUED

memorandum

DATE JUL 18 1990

SUBJECT Merlin Hennke, Natural Resources Manager

SUBJECT Fish, Wildlife and Vegetation Survey of the Pojoaque Septage Facility Project Area Report

TO Pojoaque Septage Facility File

On July 17, 1990, Carlos Salazar and I complete the subject survey of the 10 acre project area located at Township 19 North, Range 9 East, Sections W 1/2 18 and E 1/2 13. The results of the on the ground survey are as follows.

VEGETATION

1. Galleta, Hilaria Jamesii
2. Indian Ricegrass, Oryzopsis hymenoides
3. Sandhill muhly, Muhlenbergia pungens
4. Sideoats grama, Bouteloua curtipendula
5. Needle and thread, Stipa comata
6. Bottlebrush squirreltail, Sitanion hystrix
7. Alkali sacaton, Sporobolus airoides
8. Bluegama, Bouteloua gracilis
9. Fourwing saltbrush, Atriplex canescens
10. Narrowleaf yucca, Yucca angustissima
11. Cottonwood, Populus spp
12. One Seed Juniper, Juniperus monosperma
13. Broom Snakeweed, Xanthocephalum sarothea
14. Rabbitbrush, Chrysothamus nauseosus
15. Cliffrose, Cowania mexicana

WILDLIFE

1. Coyote, Canis latrans
2. Jack Rabbit, Lepus americanus
3. Mule Deer, Odocoilus hemionus
4. Striped Skunk, Spilogale putorius
5. Badger, Taxidea taxus
6. Ferral Domestic Dogs, Canis sp

REPTILES

1. Bullsnake, Pituophis melanoleucus sayi
2. Gopher Snake, Pituophis melanoleucus deserticola
3. Western Rattle Snake, Crotalus viridis

BIRDS

1. Meadow Lark, Sturnella neglecta
2. House Sparrow, Passer domesticus
3. House Finch, Carpodacus mexicanus
4. Raven, Corvus corax
5. Sparrow Hawk, Falco sparverius
6. Red-Tailed Hawk, Buteo regalis
7. Morning Dove, Zenaida macroura

No threathened and/or endangered (T&E) species/habitat of any type was found to occupy the project area. Also a check of all information and records reveals that no T&E species has ever been known to occupy the project area. The project area was found to be highly disturbed by man's activities. Recommended mitigation measures for the project are summarized as follows.

Mitigation: all areas that are disturbed, then abandoned and no longer used should be reseeded with the following seed mix.

Plant Species	LBS/AC/PLS
Indian Ricegrass	2
Galleta	2
Fourwing Saltbush	2
Burnet	8

Purity X Germination = % Pure Live Seed

Seeding should be done with a disc-type drill capable of handling various seed sizes. The drill rows should be 6-8 inches apart and the seed should be drilled to a depth of .5 to .75 inches deep. Grain drill should be followed by a drag or packer to insure uniform coverage of the seed and adequate compaction.

Mulching is also recommended to control erosion, promote germination of seeds, and increase retention of the soil. Sloping of the slopes and embankments should be done in such a manner to achieve an ecologically sound land use with the prevailing land uses. The slopes of the pit should be tapered so as not to exceed a 3:1 slope. Too steep a slope will result in rills or possibly even gullies forming.

Merlin Hennke

Natural Resources Manager

OPTIONAL FORM NO. 10
(REV. 1-80)
GSA FPMR (41 CFR) 101-11.6
5010-114

Example 1-2

EXAMPLE 2. REQUEST: STATE CULTURAL RESOURCES CONTACT

The attached example provides the same kinds of information as Example 1.

1) clear location;

2) project description;

3) baseline information;

4) related coordination.

EXAMPLE 2

MINE SERVICES, INC.

- 1890 N. Sioux
- Claremore OK 74017
- (918) 342 8773
- (918) 342 8774

November 15, 1991

David L. Saley
State Historic Preservation Officer
Oklahoma Historical Society
621 North Robinson, Suite 175
Oklahoma City, OK 73102

RE: Hickory Coal Corp., permit #4230, Rogers County

Dear Mr. Saley:

Hickory Coal Corporation, P.O. Box 188, Claremore, OK 74018, is making plans to conduct surface mining activities on lands located in the S/2 of Section 9 and the N/2 of Section 16, T24N, R17E, Rogers County, Oklahoma (see attached location map). We are requesting clearance from your office for the proposed project. Also please provide any available information on the cultural or historic resources listed or eligible for listing on the National Register of Historic Places located within or adjacent to the project area.

We have contacted the Oklahoma Archeological Survey concerning clearance from their office. They responded by stating that an on-site survey would not be necessary (see attached letter).

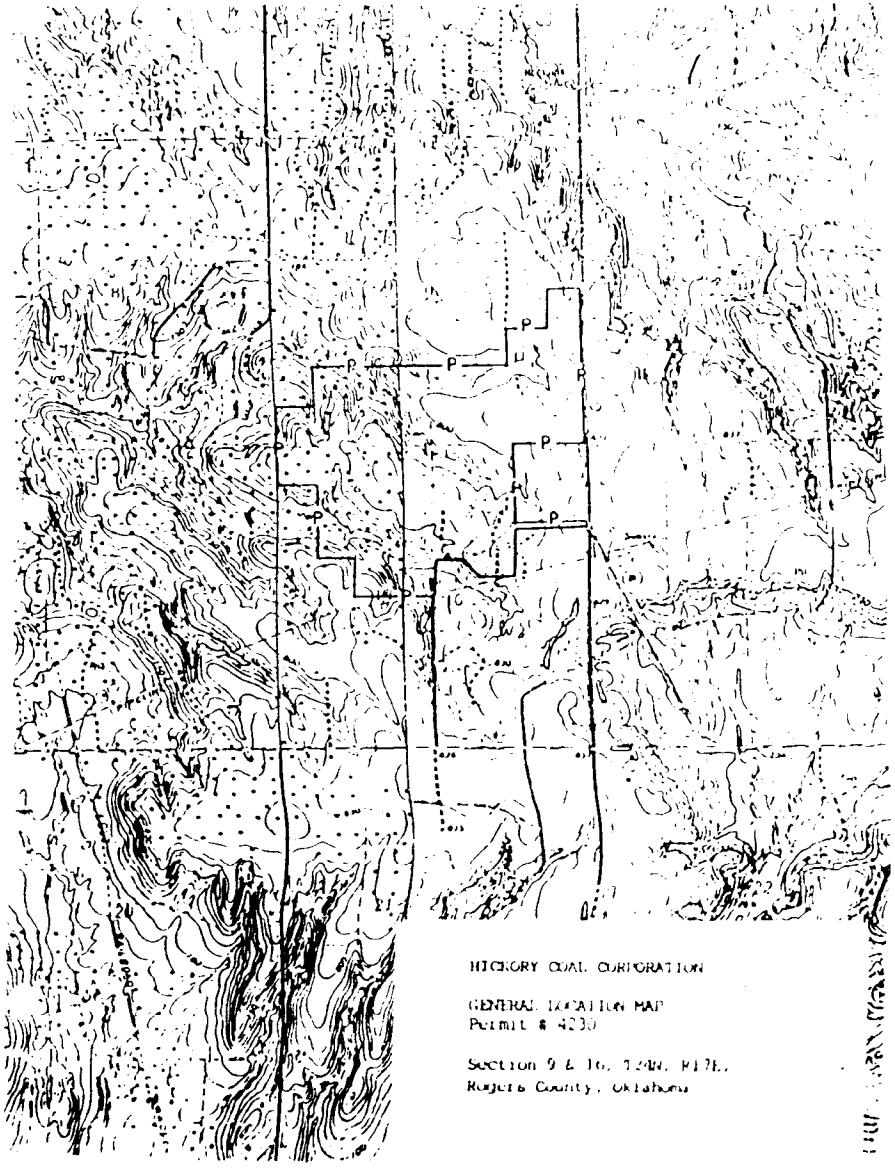
There is one residential structure and other structures located in Section 16 in the southern part of the permit area, however none of them will be disturbed by the operation, nor have there been any structures removed in the recent past. Therefore the Historic Preservation Resource Identification Form will not be required for the referenced project.

Please call or write if we can provide any additional information.

Very truly yours,

Robert H. Collins
Mine Services, Inc.

enc.
cc: Russell. E. Wienecke, Hickory



EXAMPLES 3A AND 3B. RESPONSE: U.S. FISH AND WILDLIFE SERVICE

The attached example (3a) for a swine farm:

1) indicates no Federally-listed threatened or endangered species or habitats will be impacted;

2) indicates other concerns such as potential downstream impacts, and suggests mitigation measures.

Often as not, some species will be in the area, and the Service will either indicate no effect is expected or will ask the applicant to provide more information, such as a field survey. The field survey will either show no effect or the applicant will be asked to mitigate impacts (for example, locate and move American Burying Beetles).

The attached example (3b) for a mine:

1) provides a list of endangered species;

2) requests a field survey;

3) contains maps of area wetlands;

4) says to coordinate with the Corps of Engineers.

EXAMPLE 3A

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
222 S. Houston, Suite A
Tulsa, Oklahoma 74127

January 6, 1994

2-14-94-I-168

Mr. Paul Hairston
Tyson Foods, Inc.
Dept. CP 521
P.O. Box 2020
Springdale, Arkansas 72765-2020

Dear Mr. Hairston:

This responds to your letter dated November 9, 1993, regarding expansion of the Gerald Smith swine farm in Sections 26 and 27, T. 4 N., R. 9 E., Hughes County, Oklahoma. The proposed project would not affect federally listed threatened or endangered species or their habitats. Our main concern is the potential effect of the project on water quality of the Muddy Boggy River and its tributaries.

According to the soil survey map, bottomland soils (alluvial and Verdigris silt loams) occupy the western half of the project area (SE/4 SE/4 SE/4 Section 27), within the historic floodplain of Big Sandy Creek, a tributary to the Muddy Boggy River. To protect these aquatic resources, we recommend no intentional discharges of animal wastes, other chemicals, or fill material into Big Sandy Creek. Precautions should be taken to ensure that digging activities do not affect the ground water table. Holding ponds should safely store animal wastes without leaching into the ground water. A contingency plan for safely storing waste due to unforeseen repair jobs or other emergencies is desirable. Precautions also should be taken to eliminate or minimize chances that floods would flush the contents of the waste holding ponds or drying fields into the creek. If these protective measures are incorporated into the project design, the Fish and Wildlife Service would have no objections to the action. Please keep us advised of how our recommendations were implemented.

We appreciate the opportunity to review this project during the early planning stage. Please call Laura Hill (918/581-7458) if you have questions.

Sincerely,

Charles M. Scott

Charles M. Scott
Acting Field Supervisor

Example 3-2

EXAMPLE 3B

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
222 S. Houston, Suite A
Tulsa, Oklahoma 74127

December 29, 1994

#2-14-95-I-195

Mr. Robert Collins
1330 McFarland Place
Claremore, Oklahoma 74107

Dear Mr. Collins:

This letter responds to your requests dated December 4, 1994, and December 9, 1994, for information on listed species and/or wetlands that could occur on two proposed surface coal mine sites. The proposed mines are to be operated by Phoenix Mineral Company and are located in Rogers and Craig counties, Oklahoma. The Rogers County proposal was evaluated by this office for effects on listed species in January, 1994.

We have provided updated county lists of federally-listed species, including candidate species, for the subject counties. Candidate species receive no legal protection under the Endangered Species Act, and they are included in this document for planning purposes only. Responsible planning could help reverse the declining population trends exhibited by candidate species and delay or prevent the need to list these species in the future.

The only Federally-listed species likely to be affected by the proposed Craig County surface mine is the threatened western prairie fringed orchid. This orchid is found on tallgrass prairies where the native vegetation has been maintained in relatively good condition. If tracts of good quality, tallgrass prairie remain on the site of the proposed mine, they should be surveyed for western prairie fringed orchids.

As per your request, we have enclosed copies of the Fish and Wildlife Service's National Wetlands Inventory maps for both proposed mine sites. For your convenience, we have roughly outlined the project areas in red and highlighted the wetland areas in green.

The Rogers County site contains portions of two seasonally flooded, intermittent streambeds and several small, artificial impoundments. The Craig County site supports temporarily flooded, palustrine, forested wetlands along the headwaters of Thompson Creek and its tributaries. If the forested wetlands along Thompson Creek and its tributaries still remain intact, they could provide high quality habitat and a movement corridor for wildlife. We recommend that these forested wetlands be protected from mining activity. Maintenance of these forested corridors would buffer the streams from runoff from the mine site.

The Tulsa Office of the U.S. Army Corps of Engineers or the Natural Resources Conservation Service (formerly the Soil Conservation Service) should be contacted to determine if jurisdictional wetlands exist on the proposed mine sites.

EXAMPLE 3B, CONTINUED

We appreciate the opportunity to review the project plans and provide these comments. If you have questions or need further assistance, please contact Virginia Brubeck of this office at 918/581-7458.

Sincerely,

Kenneth D. Brazier

for Jerry J. Brabander
Field Supervisor

Enclosures

MVB vj TEXPHOENIX MIN

cc
Director, Oklahoma Department of Wildlife Conservation, Oklahoma City, OK
Attn: Natural Resources Section
Director, Office of Surface Mining, Denver, CO
Director, Tulsa Field Office, Office of Surface Mining, Tulsa, OK
Director, Oklahoma Department of Mines, Oklahoma City, OK
Director, Oklahoma Department of Environmental Quality, Oklahoma City, OK
Attn: Wayne Craney, Water Quality Programs Division 0207
District Engineer, U.S. Army Corps of Engineers, Tulsa, OK
Attn: Regulatory Functions Branch

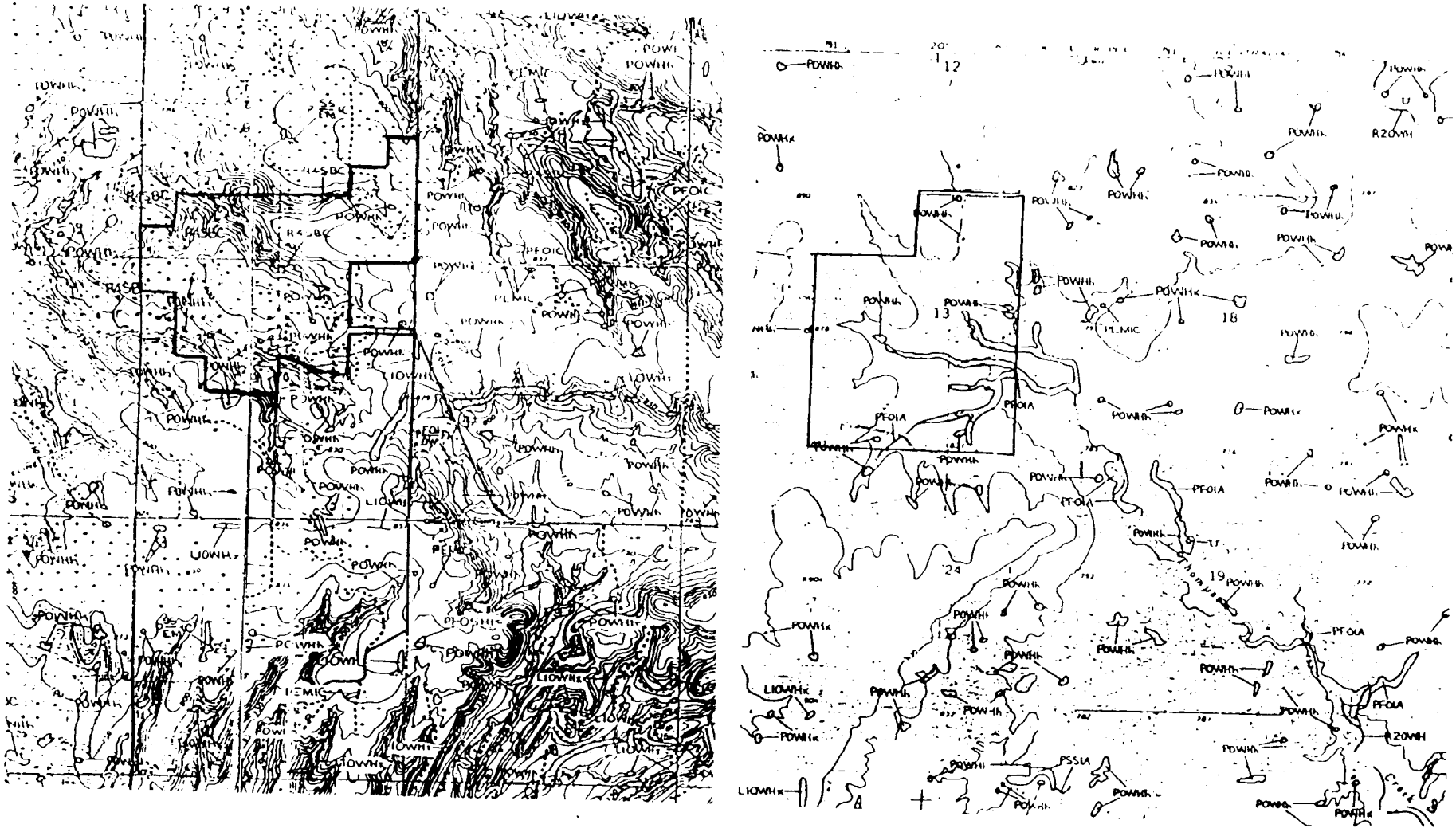
OKLAHOMA'S FEDERALLY LISTED THREATENED AND ENDANGERED SPECIES
(Including Candidate Species)

COUNTY LIST

County	Species	Classification
Craig	Bald eagle	Endangered*
	Peregrine falcon	Endangered
	Neosho mucket	Threatened
	Western prairie fringed orchid	Threatened
	Arkansas darter	Category 1 Candidate
	Alligator snapping turtle	Category 2 Candidate
	Blue sucker	Category 2 Candidate
	Loggerhead shrike	Category 2 Candidate
	Neosho mucket	Category 2 Candidate
	Paddlefish	Category 2 Candidate
	Prairie mole cricket	Category 2 Candidate
	Texas horned lizard	Category 2 Candidate
Rogers	Bald eagle	Endangered*
	Interior least tern	Endangered
	Peregrine falcon	Endangered
	Whooping crane	Endangered
	Piping plover	Threatened
	Western prairie fringed orchid	Threatened
	Arkansas darter	Category 1 Candidate
	Alligator snapping turtle	Category 2 Candidate
	Baird's sparrow	Category 2 Candidate
	Cerulean warbler	Category 2 Candidate
	Ferruginous hawk	Category 2 Candidate
	Loggerhead shrike	Category 2 Candidate
	Northern goshawk	Category 2 Candidate
	Prairie mole cricket	Category 2 Candidate
	Texas horned lizard	Category 2 Candidate
	Western snowy plover	Category 2 Candidate
	White-faced ibis	Category 2 Candidate
	Ozark chub sucker	Category 2 Candidate

* The bald eagle has been proposed for downlisting to threatened status

EXAMPLE 3B, CONTINUED



EXAMPLE 4. RESPONSE: U.S. ARMY CORPS OF ENGINEERS

The attached example:

1) indicates no wetlands will be impacted;

2) shows on a flood hazard map that the project is partially in a 100-year flood plain, and requires that no hazard result from the project (basically, no construction in the flood zone).

When wetlands may be affected, a common outcome is for the Corps to allow the impacts under a Nationwide permit (and attach the permit requirements); or require specific mitigation, such as avoidance; or require a project-specific individual permit.

EXAMPLE 4

DEPARTMENT OF THE ARMY
[illegible] DISTRICT, CORPS OF ENGINEERS
POST OFFICE BOX 61
TULSA, OKLAHOMA 74121-0061

December 7, 1993

Operations Division
Regulatory Branch

Mr. Paul Hairston
Tyson Foods, Inc.
Dept. CP 521
Post Office Box 2020
Springdale, AR 72765-2020

Dear Mr. Hairston:

This is in reference to your letter of November 9, 1993, regarding the expansion of the Gerald Smith swine growing operation in Hughes County, Oklahoma. You requested information on wetlands and flood plains.

Wetlands: The identified property does not appear to contain wetlands subject to Section 404 of the Clean Water Act. There are areas adjacent to the property which may contain wetlands in shallow depressions that pond water. Section 404 of the Clean Water Act requires prior authorization from the U.S. Army Corps of Engineers for the placement of fill material into or the excavation of material from wetlands, creeks, rivers, and lakes.

Flood Plains: A portion of the property is in the 100-year flood plain (Zone A) for Sandy Creek (map enclosed). The proposed construction of facilities for the expansion of the swine growing operation should be completed so that there is no increase in flood hazard and must comply with all local, state, and Federal flood plain ordinances.

So that our response will be most meaningful to you, we ask that you please include in any future requests, any known specific features or construction actions involved in the proposed expansions.

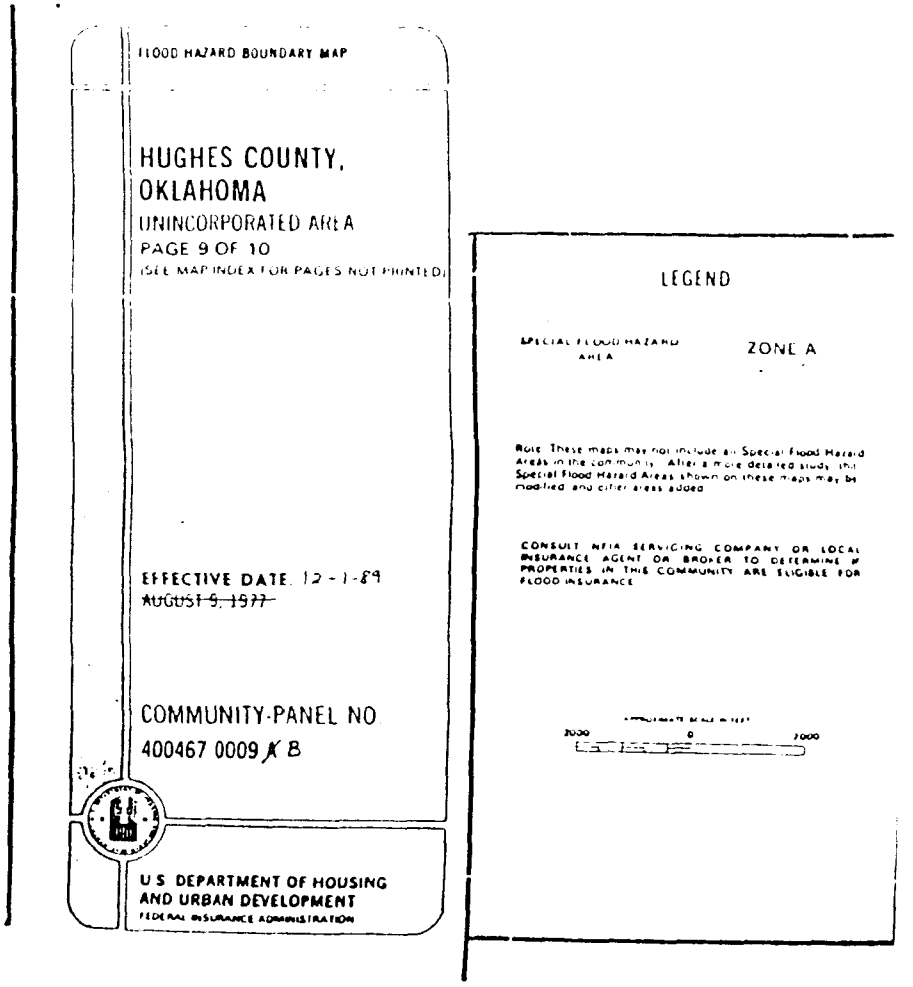
This project has been assigned Identification No. 04455. Please reference this number in any future correspondence. If you have any questions, contact Mr. Andrew Commer at 918-669-7401.

Sincerely,

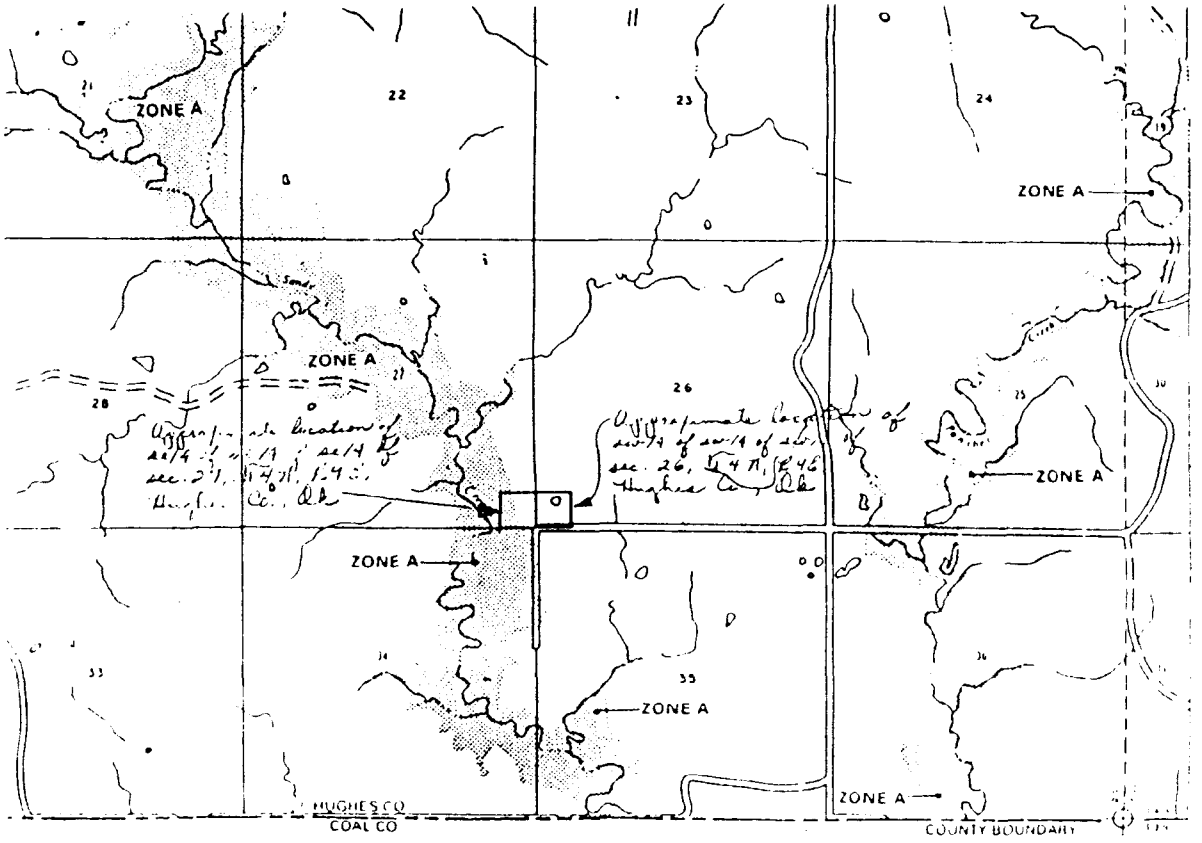
David A. Manning

David A. Manning
Chief, Regulatory Branch

Enclosure



EXAMPLE 4, CONTINUED



EXAMPLE 5. RESPONSE: U.S. NATURAL RESOURCE CONSERVATION SERVICE (SOIL CONSERVATION SERVICE)

The example below:

1) indicates which prime soils will be affected (often as not the Applicant just receives a list and map, and must figure it out directly);

2) indicates that no adverse impact will occur if a waste management plan is followed (in this case, the SCS prepared the waste management plan).

United States Department of Agriculture
Soil Conservation Service
Holdenville Field Office
419 E. Highway
Holdenville, OK 74848

Subject: Prime Farmlands
Gerald Smith Farm

Date: January 18, 1994

File Code:

To:
Paul Hairston
Tyson Foods, Inc.

As requested, a review of the soils in Gerald Smith swine operation area has been made.

Two soils exist in the project area which are classed as prime farmland. These soils are Verdigris silt loam, and Dennis loam, 1 to 3 percent slopes. All facilities including lagoons and barns will be constructed on these soils. An area of approximately 20 acres will be dedicated to this use.

Waste utilization will be carried out on these soils on other areas of the farm but will pose no adverse impact to these lands if properly carried out according to a waste management plan.

Brent Reavis
District Conservationist

EXAMPLE 6. RESPONSE: STATE CULTURAL RESOURCES CONTACT

The attached example is from Oklahoma, which has two agencies that need to be contacted concerning historical and archeological resouces (some states have just one). This example:

1) indicates an archeological survey is necessary;

2) indicates that the area contains no sites on the National Register of Historic Places;

3) indicates that the survey was acceptable.

Note that the survey reports are often well done, with good descriptions of site landforms, vegetation, etc. which may be useful to an EID in general.

EXAMPLE 6

Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

November 12, 1993

Paul Harriston
Tyson Foods, Inc.
Dept. CP 521
P.O. Box 2020
Springdale, Arkansas 72765-2020

Re: Tyson Foods proposed expansion of swine growing facility. Legal Description: SW1/4 SW1/4 SW1/4, Section 26 and SE1/4 SE1/4 SE1/4, Section 27 T4N R9E, Hughes County, Oklahoma.

Dear Mr. Harriston:

The above referenced project has been reviewed by the Community Assistance Program staff of this agency to identify potential areas that may contain prehistoric or historic archaeological materials. The location of your project has been cross-checked with the state site files containing approximately 14,000 archaeological sites which are currently recorded for the state of Oklahoma. No sites are listed as occurring within your project area, but based on the topographic and hydrologic setting of your project, archaeological materials are likely to be encountered. An archaeological field inspection is considered necessary prior to project construction in order to identify significant archaeological resources that may exist in the project area. Please contact this office at (405)325-7211 if you require additional information on this project.

This environmental review and evaluation is performed in order to locate, record, and preserve Oklahoma's prehistoric and historic cultural heritage in cooperation with the State Historic Preservation Office, Oklahoma Historical Society. Thank you for your cooperation.

Sincerely,

Heather York
Staff Archaeologist

Robert Brooks
State Archaeologist

:lw

cc: SHPO

111 E. Chesapeake Norman Oklahoma 73019-0575 Physical (405) 325-7211 FAX (405) 325-7604
A UNIT OF ARTS AND SCIENCES SERVING THE PEOPLE OF OKLAHOMA

Example 6 - 2

Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

December 6, 1993

Paul Harriston
Tyson Foods
Dept. CP 21
P.O. Box 2020
Springdale, Arizona 72765-2020

Re: Proposed swine finishing plant, G. Smith Facility. Legal Description: SE1/4, SE1/4, SE1/4, Section 27, T4N R9E, Hughes County, Oklahoma.

Dear Mr. Harriston:

A cultural resources report of investigations has been received by this agency on the above referenced project. This agency confirms the recommendations contained in the report. The review was conducted in cooperation with the State Historic Preservation Office, Oklahoma Historical Society.

Please contact this office at (405) 325-7211 if buried archaeological materials such as chipped stone tools, pottery, bone, historic crockery, glass, metal items, or building materials are exposed during construction activities.

Sincerely,

Staff Archaeologist

Robert L. Brooks
State Archaeologist

RLB:lw

cc SHPO

111 E. Chesapeake Norman Oklahoma 73019-0575 Physical (405) 325-7211 FAX (405) 325-7604
A UNIT OF ARTS AND SCIENCES SERVING THE PEOPLE OF OKLAHOMA

EXAMPLE 6, CONTINUED

Oklahoma Historical Society

STATE HISTORIC PRESERVATION OFFICE
CHRISTOPHER STATE 375 • OKLAHOMA CITY OK 73102 • (405) 521-6249

December 7, 1993

Mr. Paul Hairston
Tyson Foods, Inc.
P.O. Box 72020
Springdale, Arkansas 72765

RE: File #0357-94; Tyson Foods Expansion of Gerald Smith Farm

Dear Mr. Hairston:

We have received and reviewed the documentation submitted concerning the referenced project in Hughes County.

Examination of historic resource files in this office finds no properties documented within the project area that meet the criteria for listing on the National Register of Historic Places. Our research indicates that there is little likelihood such historic properties will occur.

In addition to review by this office, a review focusing on prehistoric resources by the Oklahoma Archeological Survey is required for determining the presence of National Register quality prehistoric sites. Documentation on any historic archaeological site discovered in the course of archaeological surveys should be submitted to the State Historic Preservation Office for review. This is an integral part of the Section 106 process.

Should the Oklahoma Archeological Survey conclude that there are no prehistoric archaeological sites of National Register quality, and should no historic site have been discovered in the process of survey, the State Historic Preservation Office finds no properties eligible for the National Register of Historic Places within the referenced project boundaries.

Should further correspondence pertaining to this project be necessary, the above underlined file number must be referenced. If you have any questions, please contact Mr. Marshall Gettys, Historical Archaeologist, at 405/521-6249. Thank you.

Sincerely,

Melvena Heisch
Deputy State Historic
Preservation Officer

MH:pm

EXAMPLE 7. RESPONSE: STATE BIOLOGICAL RESOURCES CONTACT

This example is from Oklahoma. As with cultural resources, Oklahoma has two biological resource agencies that should be contacted. This example:

1) indicates that there are no state-listed threatened or endangered species in the area of the project;

2) identfies other concerns such as potential downstream impacts, and suggests mitigation measures;

3) lists rare species and significant ecological communities in the vicinity of the project.

EXAMPLE 7

November 18, 1993

Mr. Paul Hairston
Tyson Foods, Inc.
Dept. CP 521
P.O. Box 2020
Springdale, AR 72765-2020

Subject: Gerald Smith Farm

Dear Mr. Hairston:

This responds to your letter of November 9, 1993 requesting information on sensitive species with regard to the following:

Project: Expanded Swine Growing Operation

Location: Sections 26 and 27, T4N, R9E, Hughes County

Based upon our current records, we have no information that threatened or endangered species occur at the proposed site; however, please note that this Department has not conducted a field survey of this specific location. We do have records for one federal candidate species, the Alligator Snapping Turtle, at sites downstream from these two sections. Our primary concern in this case is the potential impact run-off water from the swine operation may have on water quality and the downstream aquatic community in Sandy and Muddy Boggy Creeks. Problems of this nature can be avoided through the construction of a dike or berm around the facility to contain and direct run-off water into an adequate-sized retention pond(s).

For additional information on sensitive species, we recommend that you contact the Oklahoma Natural Heritage Inventory, 2001 Priestly Avenue, Building 605, Norman, Oklahoma 73019. For information on federally listed threatened or endangered species, contact the U.S. Fish and Wildlife Service, Ecological Services, 222 South Houston, Suite A, Tulsa, OK 74127.

We appreciate the opportunity to comment on this project. If we can be of further assistance, please contact our Natural Resources Section at 405/521-4616.

Sincerely,

Mark D. Howery

Mark D. Howery
Natural Resources Biologist

EXAMPLE 7, CONTINUED

Oklahoma Biological Survey

Oklahoma Natural Heritage Inventory

OKLAHOMA BIOLOGICAL SURVEY
2001 Priestly Avenue, Building 605
Norman, Oklahoma 73019-0543 USA
(405) 325-1985
FAX (405) 325-7702

Robert Collins
Bob Collins Consulting
1330 McFarland Place
Claremore, Oklahoma 74017

January 27, 1994

Dear Mr. Collins,

This letter is in response to your request for information on possible endangered species or other elements of biological significance at the following sites

(1) T24N R17E Section 9 of IM, Rogers County, Oklahoma

(2) T24N R17E Section 16 of IM, Rogers County, Oklahoma

The Oklahoma Natural Heritage Inventory maintains a database on the status and location of rare species and significant ecological communities in Oklahoma. We have reviewed the information currently in the Heritage Inventory database and found a record of an on-site element on SITE #2. Also, elements were found within a five mile radius make downstream from the SITE #1 and SITE #2. These are listed on the attached table.

The Heritage Inventory database is the most current comprehensive one available on the rare biota of Oklahoma. However, such a database is only as complete as the information that has been collected. For this reason, we cannot be certain whether or not a given site harbors rare species or significant communities. We suggest you also contact the Environmental Division of the Oklahoma Department of Wildlife Conservation, as they may have site specific information of which we are unaware.

Thank you for the opportunity to respond to your request.

Sincerely,

Ian M. Butler
Data Coordinator

cc: Charlie Scott, U.S. Fish & Wildlife Service

IMB:sll

OKLAHOMA NATURAL HERITAGE INVENTORY
TABLE OF PROXIMAL ELEMENT OCCURRENCES

REQUESTED BY: Bob Collins Consulting
DATE OF REQUEST: January 27, 1994

SITE SPECIES NAME		STATUS FED	STATE	ONHI RANK GLOBAL	STATE	LAST SEEN
SITE NAME: T24N R17E Section 9						
Gryllotopa major (Prairie Mole Cricket: insect)	*	C2	SS2	G2	S2	1992
Andropogon gerardii-Schizachyrium scoparium (Tallgrass Prairie: community)	*	none	none	G4	S3	1988
SITE NAME: T24N R17E Section 16						
Andropogon gerardii- (Tallgrass Prairie: community)		none	none	G4	S3	1988
Gryllotopa major (Prairie Mole Cricket: insect)	*	C2	SS2	G2	S2	1992

Elements occur on-site unless otherwise noted as follows:

* Occurrence within approximate 5 mile radius of site.

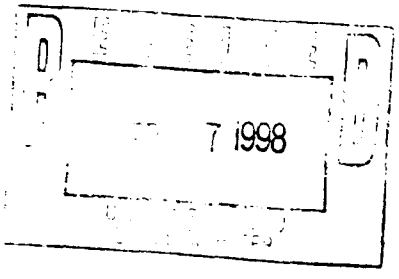
Example 7

Section 7

Example of a Categorical Exclusion Application

SARAH H. PALIN
MAYOR

CITY OF WASILLA
290 E. Herning Ave.
Wasilla, Alaska 99654-7091
Phone: (907) 373-9055
Fax: (907) 373-9096



Matthew Harrington
EPA- Region 10
Office of Water - OW -130
1200 Sixth Avenue
Seattle, WA 98101

Re: Request for Categorical Exclusion
Wasilla Septage Facility Construction

Dear Mr. Harrington:

The City respectfully submits this request for a Categorical Exclusion. Supporting documentation is included.

The City's sewer system was constructed in the mid-1980's as an "innovative/alternative" technology. The City's STEP (septic tank effluent pumping) system is truly unique. Each property has an on-site septic tank and lift station with extensive control and alarm systems. Wastewater from each structure enters the septic tanks and primary settlement occurs, just like a conventional septic system. The settled effluent is then pumped into force mains and is transported to the treatment plant. The system's Operation & Maintenance documents require periodic septic tank pumping for all customers.

There are multiple purposes for this project:

- The project will provide a sanitary method for City sewer workers to empty the City's pumper truck into the digester and considerably lessen workers' direct exposure to raw septage during digester cleaning, maintenance, and repairs.
- Frequent septage spills onto the ground surface will be eliminated.
- The project will result in lower operating costs.
- Lastly, the septage treatment will be improved through steady rate feeding into the digester instead of the current practice of periodic "slug" loading, possibly resulting in lowering nitrate impacts to ground water.

This septage receiving and pre-treatment project will be constructed in two phases at the existing sewer treatment plant site. Phase A consists of site improvements and constructing a new structure with sanitary dumping facilities within the existing sewer plant footprint. Phase B will provide the pretreatment equipment, controls, and backup generation. A detailed project narrative is attached.

This project meets the Categorical Exclusion criteria:

1. Will the action only involve minor rehabilitation of existing facilities, functional replacement of equipment, or construction of new, ancillary facilities adjacent or appurtenant to existing facilities?
YES

The project will only involve minor rehabilitation of existing facilities (less than 1%) and constructing new ancillary facilities adjacent to existing facilities.

There will be minor modifications made to the existing digester in order to receive septage from the new septage receiving building. The new septage receiving and pretreatment building will be built adjacent to the existing digester within the existing paved parking lot area (located within the existing fence line).

2. Is the action consistent with 1) above, and will the action take place in a community of any size but have no effect on the degree of treatment or capacity of the existing facilities?
YES

There will be no additional septage received due to this project. There will be no additional wastewater to be treated, except for wash water generated within the structure. There will be no detrimental effect on either wastewater treatment or septage treatment. (There should be an incremental improvement in the digester's septage treatment and in wastewater treatment due to better scheduling of septic tank pumping.)

3. Will the action take place in a sewered community of less than 10,000 persons and involve no more than minor upgrading and minor expansion of the existing wastewater treatment works?
YES

The City of Wasilla's 1999 population was approximately 5,200 according to the official State of Alaska documents, and remains significantly under 10,000 persons.

The existing treatment works will have minor upgrading only. That minor upgrade will be done to the digester to receive septage from the new structure and to remove some mechanical equipment currently located inside the digester. The project includes a minor expansion of existing treatment works in that the septage receiving building will include pretreatment aeration.

This project meets the following additional Categorical Exclusion criteria:

1. *Is the action known or expected to have a significant effect on the human environment, either individually, cumulatively over time, or in conjunction with other federal, state, local, tribal or other private actions?*
NO

There will be no detrimental impacts on the human environment in the short- and long-term. (In fact, City sewer plant workers will have lessened exposure to raw septage.) This project will have no effect on other federal, state, city, borough, tribal or private actions.

2. *Is the action known or expected to directly or indirectly affect cultural resource areas, such as archaeological or historic sites listed on or eligible for listing on the National Register of Historic Places?*
NO

This project will be constructed within the existing facility boundaries. All improvements will be done within the existing fence line, with the exception of clearing and grubbing for a new short driveway entrance. All excavation for the structure will be done adjacent to and within 75 feet of the existing digester (bottom of existing digester is approximately 30 feet below ground surface), with the minor exception of upsizing an existing well water line. That narrow trench excavation will be done along the same route where the existing waterline was installed during plant construction.

There are no known archaeological or cultural sites in the vicinity of the project. There were no archaeological or historic places evidence encountered during original plant construction in the mid-1980's. The sewer plant site is not within any historic site and there are no sites on or eligible for the National Register.

3. *Will the action cause irreparable loss or destruction of significant scientific, prehistoric, historic, or archaeological data as identified by the State Historic Preservation Officer?*
NO

This project is being constructed in a small area at the treatment plant that was cleared, excavated, and backfilled during original plant construction in 1985. This area has not been identified by any organization, including the State Historic Preservation Officer, as having any scientific, prehistoric, historic, or archaeological status.

4. *Is the action known or expected to directly or indirectly affect endangered or threatened species and their critical habitats as listed by the US Fish & Wildlife Service, the US National Marine Fisheries Service, or state fish and wildlife agencies?*
NO

This project consists of a structure that will be built where a parking lot currently exists. The new driveway will be located in an area that received gravel fill during original plant construction. There will be no discharges to surface water and no indirect activities that

would affect any fish, waterfowl, or other animals. No habitat or endangered species will be directly or indirectly affected.

5. Is the action known or expected to directly or indirectly affect environmentally important natural areas such as floodplains, wetlands, important farmlands, or aquifer recharge areas?
NO

This project consists of a structure that will be built where a parking lot currently exists. The new driveway will be located in an area that received gravel fill during original plant construction. No environmentally sensitive areas will be directly or indirectly affected.

6. Is the action known or expected to not be cost-effective?
NO

The City expects that maintenance costs will be significantly lessened for septic tank pumping and digester operations. Digester cleaning will be reduced due to the grit and debris removal pretreatment. This lessens the considerable cost of confined space entry to hand shovel rocks and debris and to remove rags, etc by hand. Digester inspections will not need to be done as frequently due to removing much of the mechanically operated equipment inside the digester.

7. Will the action cause significant public controversy?
NO

Funding of this project has been the subject of public City Council meetings, has been included in the City's Capital Improvement program (discussed in Planning Commission) voted by the City Council, and included in the State Capital Improvements budgets for Fiscal Year 2000 and 2001). No public comments have been received concerning this project even with the extensive public processes.

It is hoped that improved digester operations and treatment will result in lessened odors when the treated sludge is placed onto the existing drying beds, resulting in increased public satisfaction with plant operations.

8. Will the action create a new discharge to surface or ground waters?
NO

No new discharge volume will be created, with the minor exception of the dump station wash down water (discharging into the digester). No new sewage is created. The treated sludge will still be discharged to the existing drying beds, used for 15 years.

9. Will the action relocate an existing discharge to surface or ground waters?
NO

The treated sludge will still be discharged to the existing drying beds, used for 15 years. There will be no relocation of the treated sludge discharge.

10. Will the action result in substantial increases in the volume of discharge (from an existing source or new facilities) to receiving waters?
NO

No additional wastewater will be created or discharged to receiving waters.

11. Will the action result in substantial increases in the loading of pollutants (from an existing source or new facilities) to receiving waters?
NO

No additional wastewater will be created or discharged to receiving waters, therefore, there will not be additional pollutants. The treated sludge will still be discharged to the existing drying beds, used for 15 years. It is hoped that there will be an incremental improvement in treated digester sludge resulting in a slight lowering of nitrate impacts to the ground water. It is also hoped that better septic tank pumping will result in fewer pollutants entering the wastewater stream and therefore, fewer pollutant entering the ground water after discharge to the drain fields.

12. Will the facilities provide capacity to serve a population 30% greater than the existing population?
NO

The septage receiving facility is being sized to match the existing plant. There is no plant capacity expansion capability with this project.

Summary
This septage facility will be constructed abutting existing sewer treatment works (a site drawing from the construction plans is attached) and there will be no archaeological, scientific, or environmental impacts due to this project. The City believes that this project meets the Categorical Exclusion from NEPA criteria. We respectfully request your concurrence.

If you have any questions concerning this request, please contact Mr. Don Shiesl, Public Works Director, at 907-373-9095.

Sincerely,

Sarah Palin
Mayor

Alaska Department of Community and Economic Development

Alaska Community Database
Detailed Query Results

Wasilla

For Photos of Wasilla click here

Population and Housing

The following Population and Housing data is from the **1990 U.S. Census**.
This is the only available source of detailed community-level information available on a statewide basis.

Wasilla is located in the Mat-Su Census Area.
The figures are estimates, subject to sample variability.
The percent of all households sampled in Wasilla was: 14.1%.
Note: Current socio-economic measures could differ significantly.

Population and Ethnicity

Total Population **(1990)***:	4,028	American Indian:	80
Male:	2,045	Eskimo:	71
Female:	1,983	Aleut:	61
Native:	212	Caucasian:	3,728
% Native:	5.3%	African American:	24
Non-Native:	3,816	Asian/Pac Islands:	36
		Other Ethnic:	28

***Current Population**, 5,213 (certified December, 1999, by DCED)

Population History

1880:	0	1940:	96
1890:	0	1950:	97
1900:	0	1960:	112
1910:	0	1970:	300
1920:	0	1980:	1,559
1930:	51	1990:	4,028

Housing Characteristics

Total Housing Units:	1,723	Owner Occupied:	732
Occupied Housing:	1,410	Median Value Owned Homes:	$ 81,600
Vacant Housing:	313	Renter Occupied:	678
		Median Rent Payed:	$443
Persons in Owned Units:	2,221		

Persons in Rented Units:	1,788
Persons in Institutions:	0
Persons in Group Quarters:	19

Structure types:

Single Family:	870		
Single Family Attached:	46	10 to 19 Units:	61
Duplex:	155	20 plus Units:	0
3 or 4 Units:	385	Trailers/Mobile Homes:	99
5 to 9 Units:	103	Boats/Other Types:	14

Household types:

Occupied Households:	1,410	Family Households:	1,031
Avg. Persons per House:	2.80	Non-Related Households:	379

Housing: Plumbing/Water/Sewer/Heating/Phones

Plumbing, Percent of Households That do not Have:

Complete Plumbing:	1.1%	(lack sink, bath/shower, or flush toilet)
Complete Kitchen:	0.4%	(lack stove, fridge, or running water)

Water, Percent of Households Using:

Public Water System:	37.1%	
Individual Well:	62.1%	
Other:	0.8%	(River, Cistern, etc.)

Sewer, Percent of Households Using:

Public Sewer System:	28.8%
Septic Tank/Cesspool:	70.7%
Other Disposal:	0.4%

Heating Methods, Percent of Households Using:

Electricity:	11.2%	Piped Gas (utility):	72.3%
Fuel Oil, Kerosene:	8.7%	Coal or Coke:	0.0%
Wood:	6.3%	Solar Energy:	0.0%
Bottled, Tank, LP Gas:	1.4%	Other Fuel:	0.0%
		No Fuel Used:	0.0%

Phones, Percent of Households That do not Have:

Phone:	24.6%

Back to Detailed Information Query Page

Back to Alaska Community Database - Home Page

Department of Community & Economic Development
Research & Analysis Section
Phone: 907-465-4750 Fax: (907) 465-5085
e-mail: Michael_Cushing@dced.state.ak.us

PROJECT NARRATIVE

The City of Wasilla's sewer system was constructed in 1985-1987, jointly funded by the EPA, the State of Alaska, Farmer's Home Administration (now the Rural Development Administration) and the City. The project received 85% funding from EPA because of the "Innovative/Alternative" design classification.

The City's STEP (septic tank effluent pumping) system is truly unique. Each property has an on-site septic tank and lift station with extensive control and alarm systems. Wastewater from each structure enters the septic tanks and primary settlement occurs, just like a conventional septic system. The settled effluent is then pumped into force mains and is transported to the treatment plant. (The initially constructed "treatment plant" consisted of multiple drain fields and a digester for septage. The City has since added a two aerated lagoons attempting to solve ground water contamination violations of the ADEC discharge permit, which remains unresolved.)

This "Innovative/Alternative" system has high maintenance requirements. Extensive electrical and float controls problems in our cold climate and corrosive conditions result in high City operating costs.

Septic Tank Pumping

One of the most time-consuming, high cost aspects is the tank pumping maintenance requirement. Large commercial customers are pumped yearly, small commercial every two years and residential customers are pumped every three years. The pumped septage is then placed into the digester at the treatment plant.

Digester

The digester remains the same as when the system was constructed, as do its problems:

- There is no sanitary method to discharge septage into the digester. In fact, the discharge point would be in violation of the Uniform Plumbing Code for a small RV dump station. There is no spillway. Sewage is frequently spilled onto the ground and there is no wash down hose. Combining a lack of sanitary facilities with freezing conditions results in unacceptable health risks to City employees.
- Every two years, the digester is emptied into drying beds and taken off line for inspection and repairs. Extensive volumes of rock and other debris need to be hand shoveled (in order for surface suction pumps to carry debris to the surface from the 20-foot plus deep digester). Weeks of

OSHA confined space entry procedures, with their inherently high costs, are required. The grit and debris foul pump pulling chairs and gear, and cause hardware damage.

- Maintenance manpower is limited. Fewer than 500 customers are on the system, supporting minimal employees. Tank pumping is difficult to schedule during winter months. Digester maintenance needs to be done in warmer months. However, the conflict is the need to do both during the short summer. Therefore, the result is pumping and digester maintenance can not be done according to the O&M manual, the system continues to deteriorate, and ground water contamination remains.
- The digester was designed to receive up to 4,200 gallons/day of sludge, based on a 7-day average. With the limited time to perform tank pumping during summer months, the digester receives "slugs" of septage, instead of the steady design feed rate, especially when a large commercial tank (up to 20,000 gallons) is pumped. The digester can not be operated as designed.

The initial proposed solution was to construct a second digester. (The ADEC and State Legislature approved a $420,000 matching grant.) The second digester would provide the City with sufficient flexibility to pump tanks as scheduled or on an emergency basis, and would provide a dumping point for tanks when a digester would be off-line for maintenance. However, that solution would not provide three key requirements:

1. Improve worker health and safety, and minimize potential environmental impacts due to septage spills.
2. Decrease maintenance expenses by eliminating extensive manpower to clean and repair the digester by removing grit and debris, and by eliminating hardware within the digester.
3. Increase the level of septage treatment by having a steady rate feed instead of batch, "slug" loads (resulting in a higher treated sludge being applied to the drying beds, decreasing nitrate impacts to shallow ground water and odor complaints).

For additional technical background, please review the attached March 16, 1998 City memorandum by William Harvey, RE: Digester Construction Project FY 98.

Septage Facility

In 1998 and early 1999, the City reevaluated the proposed second digester in conjunction with the design engineering firm of CH2MHill. The December 10, 1998 CH2MHill technical memorandum entitled, City of Wasilla Septage Handling Improvements Alternative Description, is attached.

The reevaluation resulted in a decision to construct a septage receiving and pretreatment facility. A structure will be built that will contain septage receiving equipment (pumper truck connection, screening and grit removal equipment) aerated pretreatment/holding basin, truck wash down and wastewater collection, worker hygiene facilities, digester improvements, and backup electrical generation upgrade (for entire plant). Also included in the project is a potable water well, drain field discharge piping reconfiguration, gravel access drive and gate, and paving adjacent to treatment works.

ADEC and the State Legislature concurred with the revised project and reappropriated the $420,000 grant to a Septage Facility for state fiscal year 2000. The ADE C continues to support this project by recommending an additional $430,000 for State FY 2001. This $430,000 grant is included in the Governor's proposed budget and the Legislature is expected to approve the appropriation by early May, 2000.

Septage Facility Phased Construction

The City intends on constructing this facility in two phases. This is due to the ADEC grant not becoming available until July, well into Alaska's short construction season.

Phase A is "structure and site construction." Phase B is the equipment works.

Phase A: Phase A consists of the site improvements and constructing the structure. The structure includes a subsurface 30,000-gallon aerated holding tank and other construction features (such as conduit and piping) that will facilitate Phase B construction.

The construction plans have been approved by ADEC. Plans and specifications are included in the bid documents that have been provided to EPA.

Phase A is currently out to bid, with the bid opening scheduled for April 29. The schedule calls for the bid to be awarded by Council on May 22, 2000. Substantial completion of the structure and site work is September 1, 2000. Phase A is to be completed by October 31, 2000.

Phase B: This phase includes the mechanical equipment, electrical controls, and backup generation, among other miscellaneous items. Phase B has been designed but not put out to bid, pending award of the $430,000 ADEC grant. The City intends on advertising for bids starting in mid-October, 2000. Bid award is anticipated for late November 2000. Completion of construction is scheduled for April 2000.

If this project is not funded, several problems result:

- Raw sewage will continue to be spilled onto the ground during pump truck emptying directly into the digester, subjecting City employees to raw septage exposure.
- The new facility will provide septic truck wash down equipment, which can not be done in a sanitary manner with the current treatment works, again exposing the equipment operators to raw septage.
- Personal hygiene of sewer plant workers will continue to be at risk.
- Pretreating raw septage will not be done.
- No standby storage will be available when the digester needs to be taken down for maintenance.
- No screening of rags, rocks, grit and other materials undesired in the digester will be done, leading to further maintenance problems such as level sensor fouling, slide gate jamming, etc.
- Digester feeding will continue to be in batches instead of continuous feeding, contrary to optimum treatment.
- Backup electrical generation for the existing treatment works will remain inadequate.

Eng design

TECHNICAL MEMORANDUM 1 CH2MHILL

City of Wasilla Septage Handling Improvements Alternative Description

PREPARED FOR: Mike Krieber/City of Wasilla
Bill Harvey/City of Wasilla
Mike Becwar/ City of Wasilla

PREPARED BY: Chris Arts

COPIES: Mike Guthrie/SFO
Jim Wodrich/ANC

DATE: December 10, 1998

This memo presents a basic description of the alternative recommended by CH2M HILL to enable the City of Wasilla to more effectively process septage at their existing wastewater treatment plant.

Problem Description

Currently, a single aerobic digester at Wasilla's wastewater treatment plant is used for processing septage hauled in from domestic and commercial sources. Problems with the current septage handling, or holding, system include the following:

- There is no receiving, holding or treatment system for septage when the digester is down for maintenance.
- Plastics, rags, grit and other undesirable materials are not removed prior to discharge into the aerobic digester. These materials accumulate within the digester and require that the digester be taken off-line periodically for maintenance. The stringy materials clog pumps, and the accumulated grit must be shoveled out manually.
- Additional maintenance issues with internal components of the digester include: level sensor fouling; slide gate jamming; and corrosion of header floor mounts, pump guide rails and other internal equipment.
- After maintenance and removal of materials from the digester, the digester requires a 'seed' source, (activated sludge) to initiate the biological digestion process in the digester. Feed sludge is typically removed from the WWTP aeration lagoons and represents additional labor during these maintenance periods.
- Septage haul trucks need a wash down area prior to leaving the WWTP site.
- Septage material is fed to the digester in batches during short periods. When material is held over the weekend, the digester is not fed. The preferred operational mode for a digester, and when the best performance is obtained, is by continuous feeding.

Alternative Description and Features

The basic design philosophy for the alternative recommended by CH2M HILL includes the following criteria:

- Minimize exposure of mechanical equipment to inaccessible and damaging environments (e.g., within the digester tank).
- Provide a covered, heated area for unloading of septage
- Remove plastics, rags, grit and other deleterious materials from the septage prior to feeding the digester.
- Provide a holding tank (wide spot) upstream of the digester.
- Provide a steady, daily septage feed rate to the digester to provide better process performance.
- Provide facilities that can be utilized with future expansion / modifications of the treatment plant.
- Provide a facility that requires minimum staffing requirements.

These criteria were used to develop the recommended alternative described in this memorandum. The alternative includes the following major features:

- An enclosed heated septage receiving building containing all major equipment.
- Two 3,500 gallon septage receiving tanks – sized to handle a 3,000 gallon septage trucks.
- All required transfer feed and mix pumps located in the septage receiving building easily accessible for maintenance (no submersible pumps).
- Septage screening equipment (Parkson Strainpress sludgecleaner) – this piece of equipment removes all trash, large rocks, rags, hair etc. from the septage stream.
- A grit removal system (Eutek Systems Teacup) - this equipment will remove fine sand and grit from the septage stream.
- A 30,000 gallon septage holding tank – a storage tank this size will provide seven days of storage at the maximum 1998 seven day average flow (4,200 gallons). The tank volume will provide for storage of septage during the time that the aerobic digester is off-line for cleaning or maintenance, and a solids inventory source to the digester when it comes back on-line. Air will be provided to assure aerobic conditions during storage. A high pressure hot water wash system for cleaning trucks and septage equipment prior to leaving the site.
- A PLC to automate the operation of the septage receiving system and aerobic digester.

Alternative Process Description

This section provides a basic description of the process. The system is designed to minimize operations and maintenance requirements, and the PLC based system will provide automated operation of the septage receiving and treatment operations

A septage tank truck will drive into the extreme end of the building through a 12-foot wide by 12-foot high roll-up door. The driver would connect discharge hosing from the truck to one of the two dump station connections. The dump stations discharge into 3,500-gallon receiving tanks located in the basement of the building. Having two dump stations allows the City to test a tank load if it is suspected of being unacceptable, as well as allows for rapid off-loading during high volume periods. The receiving tanks are equipped with an internal pressure transmitter which signals the operation of shut-off valves and transfer pumps at a pre-set liquid level. The tanks and pumps will be in the basement area of the building.

The transfer pumps convey the septage through the ¼-inch opening septic screen where rags, plastics etc. are removed. The rags and plastics are continuously dewatered and extruded to a dumpster, located in the truck receiving bay for landfill disposal. The screened septage is discharged directly to the septage holding tank. Removing trash and large rocks from the septage offers several advantages: 1) it minimizes wear on downstream pumps and equipment, 2) eliminates the need to clean the aerobic digester and 3) allows for a cleaner final sludge product that can be more used beneficially.

The septage holding tank is a 30,000-gallon concrete tank located in the basement of the building. It's primary purpose is to allow for equalization of the incoming septage loads and to provide sufficient storage capacity of septage to feed the digester at a steady, controlled rate. The septage holding tank will be connected by piping and pumps, to both the existing aerobic digester and the new grit removal system. A separate pumping system will keep the solids in the holding tank mixed. Its other purpose is to provide storage of digested sludge if the aerobic digester is out of service. Air from the existing blower system will be routed to the septage holding tank to keep the solids aerobic when the aerobic digester is off-line for maintenance.

Grit removal is accomplished by pumping the holding tank contents through the Teacup, which removes grit through a combination of centrifugal and gravitational forces. The vortex created separates high density, inorganic solids (grit) from organic solids and water. The grit removed is collected in a decanter hopper. This device allows drainage of excess liquid through a wedgewire underdrain screen. Dewatered solids are typically in excess of 90%. The decanter is portable, allowing it to be towed to a disposal site. The degritted septage is pumped back to the septage holding tank.

The sizing of the septage holding tank was based on providing seven days of storage at the maximum seven-day average conditions. The existing aerobic digester will undergo the following modifications:

- Existing submersible pumps, rail system and associated 4-inch piping will be removed.
- All sluice gates will be removed.
- The sloped floor of the digester will be back-filled with concrete.

- A 12-inch piping connection to the septage holding tank will be core-drilled into the digester tank wall.
- Connections for decant piping will be core-drilled

The digester will be fed on a daily basis and a v-ball flow control valve will accomplish flow control. Decanting of the digester is through the operation of automatic valves.

Sludge will be removed from the digester after an automatic decant cycle, using the digester feed pump. The sludge will be discharged to the existing drying beds.

Future Capabilities

Sufficient room is provided for a gravity belt thickener or belt filter press equipment and required support systems (i.e. polymer systems). Additional area in the electrical panels will be provided for future electrical loads.

CITY OF WASILLA
290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
PHONE: (907) 373-9050
FAX: (907) 373-9085

MEMO

TO: Cindy Roberts
Director of Public Works

FROM: William W. Harvey
Deputy Director of Public Works

DATE: March 16, 1998

RE: Digester Construction Project FY98

The current number of sewer customers is 470 as provided by Utility Billing. Installation records show there are 225 residential tanks, 154 small or light commercial tanks, and 47 heavy commercial tanks. Tank size can range from 1000 gallons to 20,000 gallons. Residential tanks are normally in the range of 1000 gallons to 2000 gallons. Light commercial are in the range of 1500 gallons to 3000 gallons. Heavy commercial range from 5000 gallons to 20,000 gallons.

Wasilla Municipal Code states that residential tanks are to be pumped once every three years , commercial tanks with less than 60,000 gallons of flow per month every two years and commercial that exceeds 60,000 gallons per month, each year. Residential systems are pumped during warm weather to eliminate layered freezing if done during the winter months. The two types of commercial systems are pumped during the winter months due to the volume of water entering the system as it eliminates freezing that is encountered in residential systems with low flow.

The current digester is 35 feet in diameter and has a 20 foot high side wall. The operational height of the digester is 19 feet. A minimum level of 11.5 feet must be maintained in the digester at all times in order to provide the necessary back pressure for the blowers. The actual working capacity as to gallonage fill is 7.5 feet or a total of 52,500 gallons. This was calculated as one foot of height is 7000 gallons. The above information was obtained from the Operation and Maintenance manual. The O and M manual also says that the total gallonage dumped is 4200 gallons per day on a seven day average.

The function of the digester is to treat the solids from the septic tanks through aerobic microbial bacteria, essentially eating the solids. The loading capacity of the digester is based on the ability of the aerobic bacteria to handle the gallonage of septage dumped each day. The strength of the septage (BOD) also effects the number of gallons per day that can be dumped.

The digester is usually cleaned every 12 to 18 months. This is the removal of the solids from digester to drying beds and inspection of system components and repair as needed. The Operation and Maintenance manual says that the digester has to run for 30 days from last dumping of septage until it is ready to be placed on the drying beds. It is possible, if repairs are needed, that the digester would be out of service for up to 60 days.

Problems arising from single digester:

1. Lack of ability to pump tanks on a scheduled basis due to gallonage of wastewater and strength of wastewater.

2. Not able to meet Wasilla Municipal Code requirements.

3. Odor - Increased potential due to shock loading system. This means unbalancing the delicate relationship of PH, dissolved oxygen and microorganisms during the treatment process.

4. Emergency septic pumper cost when digester cannot be utilized by City pumper.

5. Lack of power to run plant during an extended power outage.

6. Ineffective use of time as to collection personnel.

The installation of a second digester will eliminate the above problems as well as lower personnel costs over the life cycle of the treatment plant.

The City Council has appropriated $600,000 for the FY98 CIP to construct this project. Through the efforts of Public Works staff, the City of Wasilla is on the Alaska Department of Environmental Conservation grant list to be funded for $420,000 for FY99. As part of the digester project, a dump and wash building was included along with an electrical upgrade for the entire plant to provide emergency power in case of an extended power outage by Matanuska Electric Association. It is felt that the cost of the design of these areas could be reduced through sole sourcing of professional services as provided for by the Wasilla Municipal Code. Attached is a proposal from CH2MHill and ADEC.

PAGE NOT

AVAILABLE

DIGITALLY

Section 8

Example of an EPA Categorical Exclusion Determination Letter and Public Notice of CE for Grantee's Publication in a Local Newspaper

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

Reply To
Attn Of: OW-130

City of Wasilla
Mayor Sarah Palin
290 E. Herning Ave.
Wasilla, Alaska 99654-7091

Dear Mayor Palin:

The following is written in regards to the categorical exclusion application material submitted by the City of Wasilla on April 3, 2000 to the Environmental Protection Agency (EPA). Upon review of the application material, EPA has decided that the Wasilla Septage Facility Construction Project does fulfill the National Environmental Policy Act (NEPA) criteria at 6.107 (d) and (e) and 6.605 for categorical exclusion from further NEPA review. A categorical exclusion determination letter is provided as an enclosure to this letter for your records.

As a condition for receiving the categorical exclusion, the NEPA regulations at 40 CFR Part 6.400 (f) require the applicant to "publish a notice indicating the determination of eligibility (for categorical exclusion) or recession in a local newspaper of community-wide circulation and indicate the availability of the supporting documentation for public inspection." A draft public notice of eligibility for categorical exclusion from further NEPA review has been included for your use or modification. The timing for publication of the notice should be coordinated with Matt Harrington. In further compliance with 40 CFR Part 6.400 (f), Mr. Harrington will be responsible for making available to the public and distributing to known interested parties a copy of the determination notice.

Please feel free to contact Matt Harrington, NEPA Compliance Coordinator, at (206) 553-0246 with any questions regarding this issue.

Sincerely,

Randall F. Smith
Director
Office of Water

Enclosure

Categorical Exclusion Determination

for

Wasilla Septage Facility Construction Project

Project Description-

The project action is for the development and construction of a sepatge receiving and pretreatment facility. The project is divided into two phases. Phase A consists of minor site improvements and constructing the sepatge facility. The structure includes a subsurface 30,000-gallon aerated holding tank and other construction features (conduit and piping) that will facilitate Phase B construction. Phase B includes the mechanical equipment, electrical controls, and backup generation, among other miscellaneous items.

The City of Wasilla's sewer system was constructed in 1985-1987, jointly funded by the EPA, the State of Alaska, Farmer's Home Administration (now the Rural Development Administration) and the City. The project received 85% funding from EPA because of the "Innovative/Alternative" design classification.

The City's STEP (septic tank effluent pumping) system is truly unique. Each property has an on-site septic tank and lift station with extensive control and alarm systems. Wastewater from each structure enters the septic tanks and primary settlement occurs, just like a conventional septic system. The settled effluent is then pumped into force mains and is transported to the treatment plant. (The initially constructed "treatment plant" consisted of multiple drain fields and a digester for septage. The City has since added a two aerated lagoons attempting to solve ground water contamination violations of the ADEC discharge permit, which remains unresolved.)

This "Innovative/Alternative" system has high maintenance requirements. Extensive electrical and float controls problems in our cold climate and corrosive conditions result in high City operating costs.

Septic Tank Pumping

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Digester

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OSHA confined space entry procedures, with their inherently high costs, are required. The grit and debris foul pump pulling chairs and gear, and cause hardware damage.

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1. Improve worker health and safety, and minimize potential environmental impacts due to septage spills.
2. Decrease maintenance expenses by eliminating extensive manpower to clean and repair the digester by removing grit and debris, and by eliminating hardware within the digester.
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Septage Facility

In 1998 and early 1999, the City reevaluated the proposed second digester in conjunction with the design engineering firm of CH2MHill. The December 10, 1998 CH2MHill technical memorandum entitled, City of Wasilla Septage Handling Improvements Alternative Description, is attached.

The reevaluation resulted in a decision to construct a septage receiving and pretreatment facility. A structure will be built that will contain septage receiving equipment (pumper truck connection, screening and grit removal equipment) aerated pretreatment/holding basin, truck wash down and wastewater collection, worker hygiene facilities, digester improvements, and backup electrical generation upgrade (for entire plant). Also included in the project is a potable water well, drain field discharge piping reconfiguration, gravel access drive and gate, and paving adjacent to treatment works.

ADEC and the State Legislature concurred with the revised project and reappropriated the $420,000 grant to a Septage Facility for state fiscal year 2000. The ADEC C continues to support this project by recommending an additional $430,000 for State FY 2001. This $430,000 grant is included in the Governor's proposed budget and the Legislature is expected to approve the appropriation by early May, 2000.

Septage Facility Phased Construction

The City intends on constructing this facility in two phases. This is due to the ADEC grant not becoming available until July, well into Alaska's short construction season.

Phase A is "structure and site construction." Phase B is the equipment works.

Phase A: Phase A consists of the site improvements and constructing the structure. The structure includes a subsurface 30,000-gallon aerated holding tank and other construction features (such as conduit and piping) that will facilitate Phase B construction.

The construction plans have been approved by ADEC. Plans and specifications are included in the bid documents that have been provided to EPA.

Phase A is currently out to bid, with the bid opening scheduled for April 29. The schedule calls for the bid to be awarded by Council on May 22, 2000. Substantial completion of the structure and site work is September 1, 2000. Phase A is to be completed by October 31, 2000.

Phase B: This phase includes the mechanical equipment, electrical controls, and backup generation,

among other miscellaneous items. Phase B has been designed but not put out to bid, pending award of the $430,000 ADEC grant. The City intends on advertising for bids starting in mid-October, 2000. Bid award is anticipated for late November 2000. Completion of construction is scheduled for April 2000.

Categorical Exclusion Criteria-

The Wasilla Sepatge Facility Construction Project will not only rehabilitate existing facilities, but also will involve construction of new ancillary facilities adjacent to or appurtenant to existing facilities. Therefore, the proposed project does meet the general criteria for a categorical exclusion delineated at 40 CFR 6.107 (d) (1).

The proposed project meets the criteria of specialized categories of actions eligible for categorical exclusion by being a project that takes place in an unsewered community of less than 10,000 people (40 CFR 6.605 (b)).

In addition to meeting the general requirements for a categorical exclusion, construction grant wastewater treatment projects must also not violate the criteria for granting a categorical exclusion which are delineated at 40 CFR 6.107 (e) and 6.605 (c). For the proposed Wasilla Septage Construction Facility Project, the criteria have not been violated. A detailed explanation by the City of Wasilla for how the project does not violate the CE criteria is provided as an addendum to this finding.

Finding-

Upon review of the application material and NEPA regulations pertaining to the granting of a categorical exclusion determination, it is the finding of the undersigned that the Wasilla Septage Facility Construction Project has met the criteria to be categorically excluded from further NEPA review.

Matt Harrington
NEPA Compliance Coordinator

Public Notice
City of Wasilla
Wasilla, Alaska
Wasilla Septage Facility Construction Project

The City of Wasilla is planning to undertake minor rehabilitation activities at the existing Wasilla Sepatge Facility and to construct a septage receiving and pretreatment facility.

The Environmental Protection Agency (EPA) has determined that the proposed project is consistent with the criteria found in 40 CFR 6.107 (d) and 40 CFR 6.6505 (b) and is eligible for exclusion from further environmental review.

The categorical exclusion and supporting documentation are available for public inspection by contacting Matt Harrington. EPA Seattle Office, at 206-553-0246.

Section 9

Example Public Notice Affidavit of Publication in Local Newspaper from Grantee

Frontiersman/Valley Sun Newspapers

Alaska's Best Small Town Newspaper

5751 E. Mayflower Court
(907) 376-5225

Wasilla, AK 99654
(907) 352-2277 Fax

AFFIDAVIT OF PUBLICATION

UNITED STATES OF AMERICA

STATE OF ALASKA

THIRD DIVISION.

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC THIS DAY PERSONALLY APPEARED **KARI SLEIGHT**, WHO, BEING FIRST DULY SWORN, ACCORDING TO LAW, SAYS THAT SHE IS THE PUBLISHER OF THE **FRONTIERSMAN NEWSPAPER** PUBLISHED AT WASILLA IN SAID DIVISION THREE AND STATE OF ALASKA AND THAT THE ADVERTISEMENT, OF WHICH THE ANNEXED IS A TRUE COPY, WAS PUBLISHED ON THE 18th DAY OF April, **2000**, AND THEREAFTER FOR 7 ADDITIONAL ISSUES, THE LAST PUBLICATION APPEARING ON THE 12 DAY OF May **2000**, AND THAT THE RATE CHARGED THERE ON IS NOT IN EXCESS OF THE RATE CHARGED PRIVATE INDIVIDUALS.

Kari Sleight

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 12 DAY OF May, 2000.

Tammy J. Cook

NOTARY PUBLIC FOR STATE OF ALASKA
MY COMMISSION EXPIRES 3/20/02

PUBLIC NOTICE
CITY OF WASILLA
WASILLA, ALASKA
SEPTAGE FACILITY

The City of Wasilla is planning to undertake minor rehabilitation activities at the existing Wasilla Sewer Plant and to construct a septage receiving and pretreatment facility.

The Environmental Protection Agency (EPA) has determined that the proposed project is consistent with the criteria found in 40 CFR 6.107(d) and 40 CFRR 6.505(b) and is eligible for exclusion from further environmental review.

The categorical exclusion and supporting documentation are available for public inspection at the City of Wasilla Public Works Office and by contacting Matt Harrington, EPA Region 10 Seattle Office at 206-553-0246.

Publish: April 18, 21, 25, 28, May 2, 5, 9, 12, 2000
FR8254

Section 10

Step by Step Process Grantees, EPA PO, and EPA NEPA Compliance Coordinators Should Follow to Prepare a CE Request Application

Roles and Responsibilities of Grantees, EPA Project Officers, and EPA NEPA Compliance Coordinator

- Step 1.) Grantee Contacts EPA Project Officer (PO) to discuss project and schedule for proposed project.
- Step 2.) Grantee and EPA PO determine other potential state and federal agencies with permits or SEPA/NEPA responsibilities.
- Step 3.) Grantee coordinates with other State and Federal Agencies for documentation of response for EPA CE application.
- Step 4.) Grantee prepares CE application.
- Step 5.) Grantee submits CE application to EPA PO.
- Step 6.) EPA PO reviews the CE application for consistency with EPA CE criteria.

Roles and Responsibilities of Grantees, EPA Project Officers, and EPA NEPA Compliance Coordinator *(continued)*

- Step 7.) EPA PO either determines that the Grantee's CE application needs to be revised to include missing information, etc. or the EPA PO sends the CE application to the NEPA Compliance Coordinator for final approval.

- Step 8.) EPA NEPA Compliance Coordinator prepares CE approval documentation and public notice.

- Step 9.) EPA NEPA Compliance Coordinator obtains the Director of the Office of Water's signature on the CE approval documentation.

- Step 10.) EPA NEPA Compliance Coordinator provides a copy of the CE approval documentation and public notice to the Grantee and the EPA PO.

Roles and Responsibilities of Grantees, EPA Project Officers, and EPA NEPA Compliance Coordinator *(continued)*

- Step 11.) Grantee publishes the EPA CE approval public notice in a local newspaper.

- Step 12.) Grantee provides a public review copy of the Grantee's CE application and EPA CE approval documentation in one public location as specified in the public notice. (The documents must be accessible to the public for review. City Hall is a typical place utilized for display of these materials).

- Step 13.) There is a mandatory thirty day public review period for the CE documents prior to EPA being able to proceed with Grant award. The thirty day public review timeframe starts from the date of the CE approval documents from EPA. The public notice should be timed closely with the date of the CE approval by EPA.

Roles and Responsibilities of Grantees, EPA Project Officers, and EPA NEPA Compliance Coordinator *(continued)*

- Step 14.) Grantee is required to provide an affidavit of publication of the CE public notice to the EPA NEPA Compliance Coordinator and EPA PO.

- Step 15.) If there are no comments received by EPA on the CE within the thirty day public comment period, then the EPA NEPA Compliance Coordinator will notify the EPA PO that the PO can proceed with grant fund release.

- Step 16.) EPA PO will notify the Grantee that grant fund release can proceed.