

## **Environmental Information Document Instructions for Storm Water Projects**

According to the EPA guidelines for the award of grants and cooperative agreements for special projects and programs authorized by the Agency's Appropriations Acts, the National Environmental Policy Act (NEPA) applies to such projects and programs. The applicable NEPA regulations are: the Council of Environmental Quality implementing regulations at 40 CFR Parts 1500-1508; and, the EPA implementing regulations for NEPA at 40 CFR Part 6, subpart A through D. In January 1995, the EPA issued two memorandums describing how the NEPA regulations and the intergovernmental review regulations at 40 CFR Part 29 apply to special appropriations projects that were authorized in fiscal year (FY) 1995. The requirements found in those memorandums also apply to the special appropriations projects authorized in subsequent EPA Appropriations Acts unless otherwise noted here.

The EPA reviews all special appropriations projects to assure compliance with the NEPA and other environmental laws and regulations, such as the Endangered Species Act. Unless a proposed project is eligible for a Categorical Exclusion (CE), as allowed under 40 CFR Part 6 and described in Section 20 of the Workbook, each grantee must complete an Environmental Information Document (EID). An EID describes and evaluates the environmental impacts of the feasible alternatives, including the 'No Action' alternative. The scope (detail and complexity) of the EID should be based on the size and significance of the of the proposed project. The EID assists EPA in making a determination on whether the proposed project will have significant adverse environmental impacts. A suggested outline with descriptions of the headings is provided below.

Prior to determination that a project may be eligible for a CE and before the finalization of the EID, the grantee should obtain concurrence for the proposed project from the implementing agencies of all applicable cross-cutting federal laws and authorities (e.g., the State Historical Preservation Office for the Archeological and Historic Preservation Act). The cross-cutting federal laws and authorities list is found in Section 6 of the Workbook. Written concurrence from these entities must be attached to the final EID or as part of the request for a CE. Issuance of the CE or EA/FNSI cannot occur until such concurrence letters are submitted.

Public participation should be included in the project planning process resulting in a public meeting or hearing that presents the proposed project to the public and includes a discussion of both environmental and financial impacts. A record of the public meeting/hearing and proof of advertising should be included in the EID.

The EPA reviews the EID submitted by the grantee and makes a determination as to the environmental effects of the proposed project. If the proposed project is found to have no significant effect, then the EPA documents the findings with the preparation of an Environmental Assessment (EA) and issues a Finding of No Significant Impact (FNSI) for a thirty (30) day comment period. The EPA will consider all comments received during the thirty day comment period. If no significant adverse comment is received, EPA will issue a letter to the grantee

indicating the NEPA process is complete and proposed project may proceed. If significant adverse comment is received, EPA will consider the comment and make a decision on how to proceed. If the EPA cannot support a FNSI, the grantee will be required to take part in an Environmental Impact Statement.

Submit 3 copies of the EID to: Ms. Dorothy Rayfield, Chief  
Grants and Technical Assistance Section  
US Environmental Protection Agency Region 4  
61 Forsyth Street SW  
Atlanta, Georgia 30303

## **Suggested Environmental Information Document Outline for Storm Water Projects**

### **A. Proposed Project and Funding Status**

This section should include a description of the project, the purpose and need for the project, and the cost of the project.

The Project Description should include the project name, owner and operator of the facilities, location of the facilities, and a description of the contributing watershed(s). Storm water projects must be described on a watershed basis even though the applicant may only have responsibility for storm water management within a portion of the watershed. Include maps and figures no larger than 8.5 X 11 inches and suitable for photo-copying. List all storm water management components and actions proposed. Major components should be listed as separate items. For example, a storm water retention pond is a “major component,” storm water conveyance pipes are a “major component,” a structural treatment control at an outfall is a “major component.” Implementation of a storm water utility, buffer requirement, or storm water ordinance are examples of “actions.”

The Purpose and Need for the project should be described to solve a water quality problem or public health concern, such as to increase treatment due to listing under section 303(d), to meet a required total maximum daily load, reduce mosquito breeding areas due to standing water. If none of the above apply, please describe other public needs such as flooding problems. The emphasis of the EPA grant program is **pollution abatement and protection of human health**, so the need should be based on existing or potential water quality or public health problems.

Relevant Design Parameters should include a description of the design storm(s), major structural components, area of treatment, estimated pollutant removal capability or performance standards for major treatment components, conveyance system sizes and locations, and other important design criteria.

Project Costs should include proposed total project costs and all funding sources for the entire project. The project costs should be listed so as to distinguish what portions of the project will be funded with EPA grant funds including the required non-federal matching funds.

## **B. Existing Environment**

This section should describe aspects of the natural environment in the watershed which affect the alternative selection process or could be affected by implementing the selected project. For example, if there are no known *public health risks or problems* associated with storm water in the watershed, it is not necessary to describe public health problems other than state there are none known. On the other hand, soils, geology, and topography should be described in sufficient detail when the project or alternatives rely on soil as a treatment method or soil as a major source of pollution.

A description of Surface Waters and their quality by watershed is needed in every case. Any Public Health Problems due to Water Quality must also be described. The classification of the surface waters should be stated, and a statement made to indicate if the waters are meeting the required water quality standards for that classification. Any known fish kills, violations of water quality standards, and water quality sampling data should be described. There should be a qualitative statement at a minimum using the State's Water Quality (305(b)) report and listing of impaired waters (303(d)). Identify any NPDES permitted point source discharges in the watershed. Also, identify drinking water intakes in the watershed.

Land Use, Percent Impervious Cover, and Potential Sources of Pollution are important parameters for all storm water projects. A description of the various land uses, acreage, percent impervious cover and potential sources of storm water pollution should be discussed for the watershed. More details should be provided in the areas in the watershed considered as part of the alternatives analysis.

Describe Surface Water and Groundwater Hydrology as they apply to the proposed project and any alternative considered. Describe Physiography, Topography, Geology and Soils as they apply to the proposed project and any alternatives considered.

Describe briefly any Special or Sensitive Environmental Areas --such as wetlands; floodplains; air quality non-attainment areas; federally endangered or threatened species; prime or unique agricultural lands; areas of recognized scenic, recreational, archeological or historic value; coastal barrier islands or coastal zones; valuable floral or faunal communities; wild or scenic river; drinking water (surface or groundwater) sources; recreational or commercial uses of potential receiving streams; parkland or other public land, etc. -- that may be affected by the proposed project or affect the alternatives analysis.

For those special environments not found in the watershed planning area, make a statement such as, "Based on a review of wetlands inventory maps, no wetlands were identified in the project planning area." Or, "Based on a review of the Wildlife and Scenic Rivers list, this project is not

located on or near any waterbodies on this list.” Or, “Based on contact with local conservation office, no prime farmlands are located where they could be impacted by implementation of the recommended facilities.”

Describe Environmental Justice information. The grantee must identify any minority populations and low-income populations which exist within the watershed or which may otherwise be impacted by the project (e.g. downstream or downwind communities). This information should be provided by census tracts within the watershed. Median income should also be included. Native American communities, including their traditional resource areas are included. If these areas would be affected by an alternative under consideration, please refer to our Environmental Justice guidance found in another chapter of the SPAPs work book.

### **C. Existing Storm Water System**

This section should begin with a General Description of Storm Water Management in the watershed and the various entities responsible for storm water management within the watershed. Include a figure indicating the extent of coverage of the various storm water management systems in the watershed. A more Detailed Description of the Applicant’s Storm Water Management System should be provided. The detailed description should include discussion of privately owned and operated storm water controls within the applicant’s jurisdiction including maintenance and operation concerns. Describe the Major Structural Components of the applicant’s system including conveyance systems, treatment controls, and other structural components. Also, describe Non-Structural Actions the applicant currently uses to control storm water, e.g., storm water ordinance, buffer requirements, illicit connection program, etc. Indicate the condition of the structural components, especially insofar as it affects alternative selection. For existing treatment controls, indicate: 1) original design parameters(e.g., attenuate 2 year 24-hour rainfall event); 2) existing permit coverage (e.g., component of Phase 1 NPDES municipal separate storm sewer system); and 3) if known, actual performance over a recent period.

If bacterial contamination is a water quality problem in the watershed, a description of potential wastewater sources in the area, and their problems, should be provided. Indicate areas where septic tanks are prevalent in all or part of the applicant’s jurisdiction. Their performance should be described as well as the potential of septage effluent entering the storm water management system. Also indicate areas served by wastewater sewer lines and any combined sewer lines in the watershed. Describe maintenance and operation of sewer lines in the watershed (e.g., leak detection program) that are owned and/or operated by the applicant. Indicate any problems which may contribute to storm water contamination from the sewer lines. The purpose is to differentiate between storm water and leaking wastewater facilities, including on-site systems.

### **D. Need for Proposed Facilities and Actions**

This section should provide a Summary of the Need for the Storm Water Project, from Section A, emphasizing existing public health or water quality problems. These problems typically include

water quality violations or problems, documented public health hazards, NPDES permit non-compliance, insufficient capacity for projected storm water loads, in-stream scour, etc.

For storm water projects, indicate if the project is included as part of a NPDES municipal separate storm sewer system (MS4) permit requirement, or will be located in an area covered by an existing or future MS4 permit. Describe how the project supports the MS4 permit and likely water quality improvements. Other special situation may justify proposed facilities.

Include the Planning Period for the project. The planning period is basically the planned life of the proposed project. The planning period should be used in comparing alternatives on a present worth or annual basis. Projected Land Uses, Pollution Sources, and Percent Impervious Cover should be presented through the end of the planning period. Include Population Projections, which should be based on U.S. Census projections or some recognized source of demographic data. The Future Environment Without the Project should be described including land use, percent impervious cover, population projections, etc., if they would be different than with the project.

#### **E. Alternative Analysis**

All alternatives analyzed should be described. The Development of Alternatives should include the 1) No-Action Alternative (the environment without the project); 2) Source Reduction (e.g., limit future impervious cover, new construction controls, etc.); 3) Optimization of Existing Controls (e.g., retrofit existing ponds); and 4) Other Alternatives which could include new structural components and non-structural actions, or combinations of any of the above. Each alternative considered should include a brief discussion of the alternative, significant environmental impacts, present worth or equivalent annual cost comparisons, reliability of the alternatives, and implementability of the alternatives (i.e., legal or institutional constraints).

Alternatives Screening should provide an explanation for rejecting or selecting alternatives based on the items described above (i.e., environmental impact, present worth, reliability, etc.). This section emphasizes the basis of selection, advantages and disadvantages rather than descriptions of hardware, storm events, etc. That kind of detail needs to be described in this section only to the extent necessary to explain selection, or to bring out environmentally significant features. The selected project should be clearly identified.

#### **F. Environmental Consequences; Mitigative Measures for the Selected Alternative**

This section should describe the selected alternative and the state the reasons why this alternative has been chosen. This includes describing anticipated impacts on the environment and measures proposed to mitigate adverse impacts of the selected project. Include consultation and recommendations letters from all agencies responsible for implementing the environmental cross-cutting federal authorities (as described in Section 6 (§6) of the Region 4 SPAPs workbook). The Cross-Cutting Environmental Laws Review includes:

Archeological and Historic Preservation Act of 1974, Pub. L. 86-523, as amended  
Clean Air Act, Pub. L. 84-159, as amended  
Coastal Barrier Resources Act, Pub. L. 97-348  
Coastal Zone Management Act, Pub. L. 92-583, as amended  
Endangered Species Act, Pub. L. 93-205, as amended  
Environmental Justice, Executive Order 12898  
Floodplain Management, Executive Order 11988 as amended by E.O. 12148  
Protection of Wetlands, Executive Order 11990  
Farmland Protection Policy Act, Pub. L. 97-98  
National Historic Preservation Act of 1966, Pub. L. 89-665  
Fish and Wildlife Coordination Act, Pub. L. 85-665, as amended  
Safe Drinking Water Act, Pub. L. 93-523, as amended  
Wild and Scenic Rivers Act, Pub. L. 90-542, as amended

Describe the Unavoidable Adverse Environmental Impacts of the selected project. This would include discussion of any items identified by agencies consulted for compliance with the cross-cutting environmental laws. The description should also address all special environments (wetlands, flood plains, etc.) described in “Section B. Existing Environment.” It is not necessary to discuss special environments not located in the project area as indicated in Section B. There may also be direct or indirect impacts on land use practices, neighborhood stability, air quality and noise levels; any such impacts should be described. Items to discuss could include acres of wetlands impacted through fill activity, archeological sites that will be disturbed as a result of new storm water conveyance lines, temporary increase of noise levels at construction sites, etc.

The grantee should also describe the efforts undertaken to Minimize Adverse Environmental Impacts, such as relocating proposed conveyance lines to impact fewer wetland acres, and so on. This section should describe the actions taken by the grantee to Mitigate for the Unavoidable Adverse Impacts. All structural and non-structural mitigative measures should be described. If the usual minimizing of erosion during construction is the only expected mitigative measure, this can be disposed of in one short sentence indicating the proper land disturbing permits, such as the State or EPA NPDES construction site general permit, will be obtained. Detailed description is needed only for more unusual mitigative measures which respond to some public or regulatory agency concern over a perceived threat to the environment or public health, such as restoring wetlands at another site to mitigate for wetlands lost due to project construction.

Include a brief discussion of the State Clearing House Review, Necessary Permits (NPDES, 404, 401, etc.) issued or needed, and Necessary Inter-Municipal Agreements executed or pending. Describe any issues noted as a result of these items and how they were resolved.

### **G. Public Participation; Sources Consulted**

Summarize Public Participation in the development of the project including public meetings, regularly scheduled council/commission meetings, newspaper coverage, or other activities open to the general public where the project was discussed. Note any negative comments or public

objections. Region 4 has identified minimum requirements for the public participation process for special appropriations projects (see Section 20 (§20) of the Region 4 SPAPs workbook). The holding of a final public meeting or public hearing is required. Note any public objection expressed during the public meeting/hearing. If there has been significant public objection based on an environmental concern, an Environmental Impact Statement may be necessary. Include documentation of the necessary public meeting or hearing. This should include the public meeting/hearing date, meeting minutes or hearing transcripts or audio/visual record, and proof of publication of the notice of the meeting/hearing in the local newspaper.

List all sources consulted for information and/or concurrence. The State Clearinghouse, the U.S. Fish and Wildlife Service, the Army Corps of Engineers, and the State Historic Preservation Office should always be listed. If any comments have been offered requesting action or opposing any aspect of the plan, explain how those comments have been resolved.

