Appendix C Categorical Exclusion Determination Checklist

Categorical Exclusion (CE) Determination Instructions and Checklist for Special Appropriations Projects

Some types or categories of projects are so minor in scope that they may be determined by EPA not to need a full environmental review. Such projects are called "Categorical Exclusions". **EPA makes the determination if a project will qualify for a Categorical Exclusion (CE)** based on information provided by the grantee.

If you believe your project may qualify for a CE, you should work with EPA to provide sufficient information for EPA to make that determination early in the process. Attached is the checklist that is used by EPA Region 4 to determine if a project qualifies for a CE. You may use the same checklist as a tool to assess your project's eligibility for a CE, and understand what types of information are needed by EPA to support your assessment.

Documentation to support your assessment includes the following:

- 1) Positive concurrence from the applicable environmental agencies on the crosscutter list at: http://www.epa.gov/region4/water/gtas/workbookdocs/crosscutter_chart.pdf. For CEs this typically includes the following:
 - a. the State's Historical Preservation Office,
 - b. the US Fish and Wildlife Service.
 - c. the US Army Corps of Engineers
 - d. other crosscutter federal agencies as appropriate
- 2) Detailed description of the project and/or preliminary engineering report along with any site plan showing the project location and its extent. Documents should clearly describe the project, including pipe sizes and lengths, pump specifications, etc.
- 3) Any city or regional maps that show the project in relation to the local area and help demonstrate the limited nature of the project.
- 4) Information regarding the environmental results of the proposed project as referenced in EPA's Projected Environmental Results for Drinking Water Projects at http://www.epa.gov/region4/water/gtas/workbookdocs/Projected_ENV_Results_DW102407.pdf or Projected Environmental Results for Wastewater and Storm Water Projects at http://www.epa.gov/region4/water/gtas/workbookdocs/Projected_ENV_Results_WW_SW102407.pdf.

If EPA determines that your project meets the qualifications for a CE, EPA will prepare and distribute a CE document.

10/25/07 EPA Region 4

Categorical Exclusion Checklist – for all Project Types Project Name_____

Project Name_	
Grant Number_	

Categorical Exclusions (CEs) are identified categories of actions which do not individually, cumulatively overtime, or in conjunction with other Federal, State, local or private actions have a significant effect on the quality of the human environment. For a project to be eligible for a CE, it generally relates to an existing infrastructure system which is either (1) an existing sewer collection network and treatment system; (2) a system to collect, treat, store and distribute drinking water; or (3) a stormwater system (including a combined sewer overflow system) and is in accord with determination procedures adopted by EPA [40 CFR 6.204].

Table 1. Special Congressional Earmarks for Reimbursement of Co Already Completed Projects	osts of
>>>PreliminaryEvaluation<<< If the earmark is not for the reimbursement of project, proceed to Table 2.	a completed
Under 40 CFR 6.204(a)(1)(v), actions for the award of grants authorized by Congress annual Appropriations Act may qualify for a CE if they are solely for the reimburser associated with a project completed prior to the enacted appropriation date. The project compliance with EPA guidelines covering the year of the appropriation in order to	nent of costs ect must also be
Indicate the date of the appropriation Indicate the date of project completion	
Is the completion date after the Appropriation date?	Yes No
If the answer is Yes, go to Table 2, the project does not qualify for a CE under to provision, but may otherwise qualify. If the answer is No, proceed to Table 4.	this special

Table 2. Replacement of Existing Onsite Systems in Unsewered Communities		
>>>PreliminaryEvaluation<<< If the project does not consist of actions in unsewered communities involving the replacement of existing onsite systems, proceed to Table 3.		
Under 40 CFR 6.204(a)(1)(iii), actions in unsewered communities involving the replacement of onsite systems with new onsite systems may qualify for a CE.		
Will the project result in substantial increases in the volume of discharge or loadings of pollutants from existing sources, or relocate an existing discharge?	Yes No	

10/25/07 EPA Region 4

If the answer is Yes, the project does not qualify for a CE, <u>STOP</u> . If the answer is No, go to Table 4. Table 3. General Categories of Projects That Qualify for a CE		
1. Is the project for minor upgrade or minor expansion of system capacity? This includes, but is not limited to: minor extensions of sanitary sewers or force mains or drinking water extensions within approximately ½ mile of the existing system to primarily serve existing development; stormwater detention pond and retention pond cleaning and dredging or minor storage increase or culvert upgrades.	Yes No	
2. Is the project for rehabilitation of existing facilities? This includes, but is not limited to: infiltration and inflow corrections in the existing wastewater collection system or equipment rehabilitation at the existing wastewater plant, pumping, or storage facilities; drinking water system equipment replacement or modifications at an existing water plant, or pumping and storage facilities; stormwater culvert rehabilitation and repair, rip-rap renewal or other flow dissipation structure rehabilitation, or storm sewer to grass swale conversions.	Yes No	
3. Is the project for new minor ancillary facilities adjacent to or on the same property as existing facilities? This includes, but is not limited to: new wastewater facilities and equipment for sludge handling, odor control, screening, flow equalization, disinfection, or laboratory facilities; new drinking water facilities such as alum sludge handling, filtration, flow equalization, chemical storage, chlorination, or laboratory facilities; innovative facilities at stormwater control locations, such as sedimentation basins, infiltration trenches, detention pond to retention pond retrofits, or oil and grit separators.	Yes No	
If the answer to all of the above is No, then the project does not qualify for a CF	E. <u>STOP</u> .	
If any answer is Yes, proceed to the next section: Excluding Factors.		
Excluding Factors		
(1) Project will involve new or relocated discharges to surface or ground water	Yes No	
(2) Project will result in substantial increases in the volume of discharge or the loadings of pollutant to the receiving water	Yes No	
(3) Project will provide capacity to serve a population 30 percent greater than the existing population	Yes No	
(4) Project will be in conflict with state or other regional growth plan or strategy	Yes No	
(5) Project will directly or indirectly relate to upgrading or extending infrastructure	Yes	

10/25/07 EPA Region 4

If any answer (1-5) is Yes, then project does not qualify for a CE. <u>STOP</u>. If all answers (1-5) are No, go to Table 4.

Table 4. Extraordinary Circumstances That Disallow a CE	
(1) The action is known or expected to have a significant effect on the quality of the human environment, either individually or cumulatively over time.	Yes No
(2) The action is known or expected to have disproportionately high and adverse human health or environmental effects on any community, including minority communities, low-income communities, or federally-recognized Indian tribal communities.	Yes No
(3) The action is known or expected to significantly affect federally listed threatened or endangered species or their critical habitat.	Yes No
(4) The action is known or expected to significantly affect national natural landmarks or any property with nationally significant historic, architectural, prehistoric, archeological, or cultural value, including but not limited to, property listed on or eligible for the National Register of Historic Places.	Yes No
(5) The action is known or expected to significantly affect environmentally important natural resource areas such as wetlands, floodplains, significant agricultural lands, aquifer recharge zones, coastal zones, barrier islands, wild and scenic rivers, and significant fish or wildlife habitat.	Yes No
(6) The action is known or expected to cause significant adverse air quality effects.	Yes No
(7) The action is known or expected to have a significant effect on the pattern and type of land use or growth and distribution of population including altering the character of existing residential area, or be inconsistent with state of local government, or federally-recognized Indian tribe approved land use plans or federal land management plans.	
(8) The proposed action is known or expected to cause significant public controversy about a potential environmental impact of the proposed action.	Yes No
(9) The proposed action is known or expected to be associated with providing financial assistance through an interagency agreement for a project that is known or expected to have potentially significant environmental impacts.	
(10) The proposed action is known or expected to conflict with federal, state, or local government, or federally-recognized Indian tribe environmental resource-protection, or land-use laws or regulations.	Yes No

10/25/07 EPA Region 4