

Categorical Exclusion
For the City of Baltimore
Comprehensive Wastewater Infrastructure Repair, Rehabilitation and Replacement Program

Pursuant to 40 CFR §6.204(a)(1)(ii)

The U.S. Environmental Protection Agency (EPA) is planning to award a loan under the Water Infrastructure Finance and Innovation Act (WIFIA) to the City of Baltimore, Maryland. EPA intends for this loan to fund multiple projects from the City's Comprehensive Wastewater Infrastructure Repair, Rehabilitation and Replacement Program.

EPA's authorization of funding for the proposed project is a federal action requiring compliance with the National Environmental Policy Act (NEPA), 42 USC §§4321-4370(f). According to the Council on Environmental Quality's NEPA regulations, 40 CFR § 1508.4, a federal agency may categorically exclude an action from detailed environmental review as long as the action does not individually or cumulatively have a significant effect on the human environment. An action undertaken by EPA can qualify as a categorical exclusion if it falls under any category within 40 CFR § 6.204(a)(1)(i)-(iv), and does not exhibit any of the extraordinary circumstances listed in 40 CFR § 6.204(b)(1)-(10).

Project Description

The WIFIA Loan for Baltimore includes the following projects:

SC921 - For the rehabilitation of existing sanitary sewer pipes and manholes within the Gywnns Falls Sewershed. The work will include sanitary sewer pipe lining, external and internal point and spot repairs, joint sealing, pipe and manhole protection, and the replacement or relocation of manholes and sewer mains. The work will result in approximately 20,00 LF of sewer pipe lining, and 7,000 LF of sanitary sewer replacement.

SC926 - For upgrading power reliability at the existing Patapsco wastewater treatment plant. The work will include providing switchgear, power capacitors, switches, electric wiring, monitoring and metering systems, lighting upgrades, new power sources, new underground ductbanks for power distribution, installing new electric feeder, replacing existing motor control centers and distribution centers, and new fiber optic cables.

SC927 - For upgrading power reliability at the existing Back River wastewater treatment plant. The work will include providing switchgear, power capacitors, switches, electric wiring, monitoring and metering systems, lighting upgrades, new power sources, new underground ductbanks for power distribution, installing new electric feeder, and new fiber optic cables.

SC940 - For the rehabilitation of existing sanitary sewer pipes and manholes within the High Level Sewershed. The work will include upsizing sewer section using open cut methods, installing new interceptor sewer utilizing microtunneling, and the replacement or relocation of

manholes. The work will result in approximately 12,100 LF of sanitary sewer replacement by open cut method, and 8,000 LF of sanitary sewer replacement by microtunneling.

SC941 - For the rehabilitation of existing sanitary sewer pipes and manholes within the Jones Falls Sewershed. The work will include sanitary sewer pipe lining, external and internal point and spot repairs, joint sealing, pipe and manhole protection, installation of pressure and gravity sewer structures, installation of grinder pump systems, and the replacement or relocation of manholes and sewer mains. The work will result in approximately 46,100 LF of sewer pipe lining and 178 LF of sanitary sewer replacement.

SC953 - For the rehabilitation of existing sanitary sewer pipes and manholes within the High Level Sewershed. The work will include sanitary sewer pipe lining, external and internal point and spot repairs, joint sealing, pipe and manhole protection, and the replacement or relocation of manholes and sewer mains. The work will result in approximately 94,871 LF of sewer pipe lining, and 1,725 LF of sanitary sewer replacement.

SC955 - For the rehabilitation of existing sanitary sewer pipes and manholes within Powder Mill Run. The work will include sanitary sewer pipe lining, external and internal point and spot repairs, joint sealing, pipe and manhole protection, replacement or relocation of manholes and sewer mains, and stream restoration and stabilization. The work will result in approximately 705 LF of sewer pipe lining, 4,400 LF of sanitary sewer replacement, and 3,900 LF of stream restoration and stabilization.

SC962- For the rehabilitation of existing sanitary sewer pipes and manholes within the southeast Baltimore Sewershed. The work will include sanitary sewer pipe lining, external and internal point and spot repairs, joint sealing, pipe and manhole protection, and the replacement or relocation of manholes and sewer mains. The work will result in approximately 11,335 LF of sewer pipe lining.

SC963 - For the rehabilitation of existing sanitary sewer pipes and manholes within the southwest Baltimore Sewershed. The work will include sanitary sewer pipe lining, external and internal point and spot repairs, joint sealing, pipe and manhole protection and the replacement or relocation of manholes and sewer mains. The work will result in approximately 12,246 LF of sewer pipe lining, and 1,128 LF of sanitary sewer replacement. This project and scope of work includes subcontracts SC906, SC907, SC913 and SC939.

SC964 - For the rehabilitation of existing sanitary sewer pipes and manholes within the northwest Baltimore Sewershed. The work will include sanitary sewer pipe lining, external and internal point and spot repairs, joint sealing, pipe and manhole protection, and the replacement or relocation of manholes and sewer mains. The work will result in approximately 35,175 LF of sewer pipe lining, and 646 LF of sanitary sewer replacement.

SC965 - For the rehabilitation of existing sanitary sewer pipes and manholes within the northeast Baltimore Sewershed. The work will include sanitary sewer pipe lining, external and internal point and spot repairs, joint sealing, pipe and manhole protection and the replacement or relocation of manholes and sewer mains. The work will result in approximately 3,887 LF of

sewer pipe lining, and 390 LF of sanitary sewer replacement. This project and scope of work includes subcontracts SC908, SC909, and SC911.

SC976 - For the rehabilitation of existing sanitary sewer pipes and manholes within the Jones Falls Sewershed. The work will include sanitary sewer pipe lining, external and internal point and spot repairs, joint sealing, pipe and manhole protection, and the replacement or relocation of manholes and sewer mains. The work will result in approximately 28,450 LF feet of sewer pipe lining, and 470 LF of sanitary sewer replacement.

SC977 - For the rehabilitation of existing sanitary sewer pipes and manholes within the Gwynns Falls Sewershed. The work will include sanitary sewer pipe lining, external and internal point and spot repairs, joint sealing, pipe and manhole protection, and the replacement or relocation of manholes and sewer mains. The work will result in approximately 37,000 LF of sewer pipe lining, and 6,200 LF of sanitary sewer replacement.

Project Location

The projects will be located throughout the City of Baltimore, Maryland. The pipeline replacement projects are located in the Gwynns Falls, Jones Falls, Herring Run, and High level sewersheds including the Northwest, Northeast, Southwest, and Southeast portions of the City. Additionally, WWTP upgrades are located at the Patapsco and Back River WWTP, located at 3501 Asiatic Avenue, Baltimore, Maryland and 8201 Eastern Ave, Baltimore, Maryland, respectively.

Eligibility for Categorical Exclusion

This project is eligible for a categorical exclusion under 40 CFR § 6.204(a)(1)(ii), which requires that projects be:

“Actions relating to existing infrastructure systems (such as sewer systems; drinking water supply systems; and stormwater systems, including combined sewer overflow systems) that involve minor upgrading, or minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and system components (such as the sewer collection network and treatment system; the system to collect, treat, store and distribute drinking water; and stormwater systems, including combined sewer overflow systems) or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities.”

EPA has determined the proposed project is eligible for a categorical exclusion under 40 CFR §6.204 (a)(1)(ii), as the project involves minor upgrading, or minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and system components.

Additionally, in order to qualify as a categorical exclusion, a project cannot fall within any of the exceptions listed under 40 CFR § 6.204(a)(1)(ii). Accordingly, projects cannot be designated categorical exclusions if they:

“involve new or relocated discharges to surface or ground water; will likely result in the substantial increase in the volume or the loading of pollutant to the receiving water; will provide capacity to serve a population 30 percent greater than the existing population; are not supported by the state, or other regional growth plan or strategy; or directly or indirectly involve or relate to upgrading or extending infrastructure systems primarily for the purposes of future development.”

EPA has determined that these factors do not apply for this project.

Extraordinary Circumstances

EPA has determined that none of the following extraordinary circumstances outlined in 40 CFR § 6.204(b)(1)-(10) apply to the proposed project:

1. *The proposed action is not known or expected to have potentially significant environmental impacts on the quality of the human environment either individually or cumulatively over time.* These projects are being developed to reduce environmental impacts by repairing and replacing aging infrastructure in the City and upgrading the wastewater treatment plants to operate more efficiently.¹
2. *The proposed action is not 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.* The City of Baltimore has a minority population of 72 percent, which is higher than the 47 percent minority population in Maryland as a whole. As minority demographic data equals or exceeds 50 percent of the population in the City, environmental justice communities are present. The City of Baltimore has a low-income population of 45 percent, which is higher than 23 percent in Maryland.² As low-income populations in portions of the project area are meaningfully greater than state low-income populations, environmental justice communities are present. No tribal areas were identified at the project location.

Minor, short-term impacts on communities during construction may occur such as noise, vibration, increased construction traffic, temporary roadway detours, and erosion and runoff, which would be reduced by implementing necessary drainage, erosion, and sediment control measures prior to initiating any work. These measures shall be in accordance with the most current federal, state, and local regulations. Ultimately, the project would improve the environmental health conditions of the area and result in long-term benefits, and protect public health and safety. Therefore, implementation of the project would not result in disproportionately high and adverse impacts on minority and low-income populations.

3. *The proposed action is not known or expected to significantly affect federally listed threatened or endangered species or their critical habitat.* EPA received a list of

¹ Baltimore Comprehensive Water and Wastewater Plan

² EJSscreen reports for City of Baltimore (May 2018).

threatened and endangered species from United States Fish and Wildlife Service (US FWS) through their Environmental Conservation Online System Information for Planning and Consultation (ECOS-IPaC). According to the US FWS, there are zero threatened, endangered, or candidate species on this species list and no critical habitats within the City of Baltimore.³ EPA has determined that the project will have “no effect” on federally listed threatened or endangered species. There are 52 birds of conservation concern within the City of Baltimore. However, because Baltimore is an urban area, and construction will primarily take place within sewer easements, and all pipeline projects will be restored to pre-construction conditions once the necessary work has been performed, these projects will not affect migratory birds.⁴

4. *The proposed action is not known or expected to significantly affect national landmarks or any property with nationally significant historic, architectural, prehistoric, archaeological, or cultural value, including but not limited to, property listed on or eligible for the National Register of Historic Places.* EPA reviewed the Maryland Inventory of Historic Properties database and supporting documentation from the City of Baltimore for the proposed projects. Some of the projects are located within Baltimore’s historical districts; however, the work for these projects will be performed within existing sewer easements and within previously disturbed areas. All areas will be restored to pre-construction conditions once the necessary work has been performed. These projects are not expected to significantly affect nationally significant historic resources. The Maryland Historical Trust (MHT) concurred with a determination of “no historic properties affected” or “No adverse affected on historic properties” for all the projects.⁵ These projects are not expected to significantly affect nationally significant historic resources.
5. *The proposed action is not 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.* The City of Baltimore contains important natural resources such as wetlands, floodplains, coastal zones, and stream channels. All projects that affect streams, wetlands, or the 100-year flood zone have received letters of authorization from Maryland Department of the Environment and the Army Corps of Engineers (Corps). Four projects will have temporary impacts to streams, four projects will have temporary impacts to wetlands, one project will have a small permanent impact to wetlands, and six projects will have temporary impacts to the 100-year flood zone.⁶ The City of Baltimore is located within a coastal zone. The MDE determined that all the projects are consistent pursuant to Section 307 of the Federal Coastal Zone Management

³ US Fish and Wildlife Services Endangered Species List

⁴ US Fish and Wildlife Services Migratory Birds

⁵ Maryland Historical Trust consultation letters

⁶ MDE and Corps letters of authorization

Act of 1972, as amended (CZMA).⁷ The projects will not significantly affect these resources or other important natural resources.⁸

6. *The proposed action is not known or expected to cause significant adverse air quality effects.* The City of Baltimore is designated as either in attainment or unclassified for most criteria pollutants with the exception of ozone and sulfur dioxide, for which the City is designated as non-attainment for either the state or federal standards.⁹ The emissions associated with this project, which are anticipated to derive from the exhaust of mobile equipment and fugitive dust from earthmoving, are not predicted to affect the area's attainment of air quality standards.
7. *The proposed action is not known or expected to have a significant effect on the pattern and type of land use (industrial, commercial, agricultural, recreational, residential) or growth and distribution of population including altering the character of existing residential areas, and is not expected to be inconsistent with state or local government, or federally-recognized Indian tribe approved land use plans or federal land management plans.* The City of Baltimore contains a mix of land uses including residential, institutional, commercial, and industrial. Land uses and land use patterns will not be modified by the proposed project. Therefore, no land use changes are anticipated from the project.¹⁰
8. *The proposed action is not known or expected to cause significant public controversy about a potential environmental impact of the proposed action.* The project would result in beneficial outcomes, such as improvements to the aging infrastructure in the City and upgrades to the wastewater treatment plants, and is not expected to cause significant public controversy.
9. *The proposed action is not known or expected to be associated with providing financial assistance to a federal agency through an interagency agreement for a project that is known or expected to have potentially significant environmental impacts.* The proposed action is to provide financial assistance to the City of Baltimore and is not expected to have any significant impacts.
10. *The proposed action is not known or expected to conflict with federal, state, local government, or federally-recognized Indian tribe environmental, resource-protection, or land-use laws or regulations.* The project would comply with all applicable federal, state and local regulations.

Finding

EPA finds that the proposed action is eligible for exclusion from detailed environmental review under 40 CFR § 6.204(a)(1)(ii), and will not involve any of the extraordinary circumstances

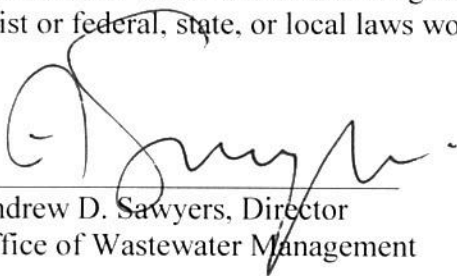
⁷ MDE and Corps letters of authorization and MDE Coastal Zone Management Act consistency determination

⁸ NEPAassist Report

⁹ EPA Nonattainment Areas for Criteria Pollutants (Green Book) accessed May 2, 2018

¹⁰ Baltimore Comprehensive Water and Wastewater Plan

delineated under 40 CFR § 6.204(b)(1) -(10). Consequently, EPA will not prepare an environmental impact statement or an environmental assessment for the proposed project. EPA may revoke this categorical exclusion if changes in the proposed action render it ineligible for exclusion or if new evidence emerges which indicates that serious local or environmental issues exist or federal, state, or local laws would be violated.



Andrew D. Sawyers, Director
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7.23.18

Date

