

Categorical Exclusion and Extraordinary Circumstances Review Form

United States Environmental Protection Agency

Washington, DC 20460

I. General Information

Project Name	WIFIA Id Number
South District Wastewater Treatment Plant Expansion and Additional Municipal Injection Wells at Central District Wastewater Treatment Plant and North District Wastewater Treatment Plant	N19146FL

Borrower Name

Miami-Dade County Water and Sewer Department (WASD)

Project Description

The WIFIA Project consists of several discrete Ocean Outfall Legislation (OOL) Program projects to upgrade treatment processes at the South District Wastewater Treatment Plant (WWTP) and install additional municipal injection wells at the North District and Central District WWTPs. The WIFIA Project also consists of one rehabilitation project that is required under a Consent Decree between the Florida Department of Environment Protection (FDEP) and Miami-Dade County (the County) (Case No. 1:12-cv-24400-FAM).

Florida's OOL (as amended in 2013) requires wastewater utilities in southeast Florida (covering Miami-Dade, Broward, and Palm Beach Counties) that are currently disposing treated wastewater through ocean outfalls to reduce nutrient discharges by 2018, cease using the outfalls by 2025 (except for limited continued use to manage peak sewer flows), and reuse 60% of the wastewater flows by 2025. The OOL Program projects at South District WWTP will include additions to the existing filter backwash treatment (ST-1C), headworks and oxygenation trains (ST-2A), secondary clarification (ST-2B), return activated sludge (ST-2E) and chlorination processes (ST-2C) to expand the treatment capacity at the plant. The OOL Program projects at North District and Central District WWTPs solely include installation of municipal injection wells. The North District WWTP will install one additional well (NE-2), which will bring the total number of municipal injection wells at the plant to five. The Central District WWTP will install two additional wells (CE-2), which will bring the total number of municipal injection wells at this plant to nine.

The Consent Decree project will rehabilitate the existing oxygenation tanks (ST-1B) and also add step-feed to improve operability of the process. The County will structurally repair the existing Oxygenation Trains 1-7 and replace the existing mechanical aerators. New controls rooms and substations will be constructed for Oxygenation Trains 1-4 and Oxygenation Trains 5-7.

Project Location Description (*street address/city/state/ZIP code; site characteristics*)

The South District WWTP is located at 8950 SW 232 Street, Miami, Florida 33190; Miami-Dade County; Latitude 25°32'57.5", Longitude 80°20'02" (operations building).

The Central District WWTP is located at 3969 Rickenbacker Causeway, Virginia Key, Florida 33149; Miami-Dade County Latitude 25°44'45", Longitude 80°09'11" (operations building).

The North District WWTP is located at 2575 NE 156 Street, Miami, Florida 33133; Miami-Dade County Latitude 25°55'12", Longitude 80°9'09.3" (operations building).

II. EPA Contact for Environmental Review on this Project (if different from Responsible Official)

Name	Title	Phone Number
Dan-Tam Nguyen	Environmental Engineer	(202) 564-2784

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III.A. Categorical Exclusion Eligibility (Check YES or NO) Complete the following questions in their entirety to determine if the project is eligible for a Categorical Exclusion (CATEX) pursuant to 40 CFR § 6.204(a)(1)(ii). Additionally, supporting statements and documentation can be included in Attachment 1.

If yes to any, CATEX applies	Does the project involve actions relating to existing infrastructure systems (e.g., sewer systems; drinking water supply systems; and stormwater systems, including combined sewer overflow systems) and involve:		
	YES	NO	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Minor upgrading
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and its 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)
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction of new minor ancillary facilities next to or on the same property as existing facilities
If yes to any, CATEX does not apply	Will the project include actions that:		
	YES	NO	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Involve new or relocated discharges to surface or ground water
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will likely result in the substantial increase in the volume or the loading of pollutant to the receiving water
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will provide capacity to serve a population 30% greater than the existing population
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are not supported by the state, or other regional growth plan or strategy
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Directly or indirectly involve or relate to upgrading or extending infrastructure systems primarily for the purpose of future development

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III.B. Extraordinary Circumstances (Check YES or NO) Complete the following questions in their entirety to determine if the project involves any of the following extraordinary circumstances which would make it ineligible for a CATEX pursuant to 40 CFR § 6.204(b)(1) through (b)(10). Additionally, supporting statements and documentation can be included in Attachment 1.

YES	NO	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1) Is the action known or expected to have potentially significant environmental impacts on the quality of the human environment either individually or cumulatively over time?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2) Is the action 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?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3) Is the action known or expected to significantly affect federally listed threatened or endangered species or their critical habitat?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4) Is the action known or expected to significantly affect national natural landmarks or any property with naturally 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?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5) Is the action 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?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6) Is the action known or expected to cause significant adverse air quality effects?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7) Is the action 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 or may not be consistent with state or local government, or federally-recognized Indian tribe approved land use plans or federal land management plans?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8) Is the action known or expected to significantly cause significant public controversy about potential environmental impacts of the proposed action?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9) Is the action 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?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10) Is the action 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?

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III.C. Extraordinary Circumstances Statement (*Check ONLY ONE box*) If the responses to Section III.A indicate the project is CATEX eligible, and if a **NO** response was recorded for each of the questions in Section III.B, then no Extraordinary Circumstances are present pursuant to 40 CFR § 6.204(b) and one of the following statements should be selected.

- ☐ 1) **No extraordinary circumstances apply** to the proposed action pursuant to 40 CFR §§ 6.204(a)(1) and 6.204(b). This statement is based on either past experience with similar actions **at the proposed action site** resulting in a CATEX and/or information gathered as part of previous NEPA or environmental due diligence review conducted **at the proposed action site**. Provide any supporting documentation or references in Attachment I.
- ☒ 2) A statement and supporting documentation is attached explaining why no extraordinary circumstances exist or apply to the proposed action pursuant to 40 CFR §§ 6.204(a)(1) and 6.204(b).

IV. NEPA Review Determination and Responsible Official Signature

Sections I through III must be completed to satisfy EPA's documentation requirements for CATEX eligibility. If completion of this form indicates that a CATEX *does apply*, the Responsible Official must sign below.

Categorical Exclusion Determination 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 delineated under 40 CFR § 6.204(b)(1) through (b)(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.

As the Responsible Official, I have determined that **this action is eligible for a Categorical Exclusion** per the substantive environmental review requirements under EPA regulations at 40 CFR § 6.204. Section III. C of this form has been completed providing the required Extraordinary Circumstances Statement.

<p>_____ Signature of Responsible Official</p>	<p>Director, Office of Wastewater Management _____ Title</p>	<p>_____ Date</p>
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Attachment 1. CATEX Eligibility and/or Extraordinary Circumstances Statement(s)

The space below may be used for a statement and supporting documentation explaining CATEX eligibility why no extraordinary circumstances exist or apply to the proposed action pursuant to 40 CFR §§ 6.204(a)(1) and 6.204(b). Attach additional pages as needed.

- EPA received an Endangered Species Act (ESA) consistency letter from the U.S. Fish and Wildlife Service (USFWS) for the Central District and South District WWTPs for threatened and endangered species that may occur in the proposed project locations, pursuant to the USFWS's Information for Planning and Consultation (IPaC) tool determination key titled 'Clearance to Proceed with Federally-Insured Loan and Grant Project Requests'. Based on the IPaC determination key, it was determined that the proposed projects are unlikely to affect species of concern or critical habitats for the Central District and South District WWTPs. The determination key is for all federally insured loans, loan transfers, or grant requests.
- As part of the Clean Water Act Section 404 permitting process, the borrower is coordinating with the U.S. Army Corps of Engineers to assess and mitigate impacts to threatened and endangered species that may occur in the vicinity of the proposed project location at the North District WWTP. As such, EPA will rely on the results of the ESA consultation conducted as part of this permitting process for the North District WWTP.
- No historic properties were found within or in proximity to the project boundaries and EPA made a determination of no effect to historic properties. EPA submitted the project for review to the Florida State Clearinghouse on March 23, 2020, proposing a determination of no effect historic properties. On May 21, 2020, the Florida State Clearinghouse responded but did not provide comments regarding cultural resources and therefore, did not object to the proposed action or EPA's determination.
- The proposed project is located in flat topography along the coast of Florida that is within the 100-year flood floodplain. The climate is sub-tropical which can create large numbers of intense thunderstorms and is also subject to severe impacts from tropical storms and hurricanes. The combination of flat terrain, sub-tropical climate, and coastal boundary creates a flood risk to the project site from coastal surge, as well as rainfall. To reduce risk to structures and facilities from storm surge, Miami-Dade County WASD has evaluated new storm surge elevations at the plants using future sea level rise (SLR) projections. Consequently, new facilities will be designed with critical infrastructure located above the revised projected elevations, or with appropriate water-proofed accessories (hardening).
- The entire State of Florida is designated as a coastal zone. Therefore, the project is located within the coastal zone and subject to the requirements of the Coastal Zone Management Act (CZMA). On March 23, 2020, EPA submitted a CZMA consistency determination to the Florida State Clearinghouse. On May 21, 2020, the Clearinghouse responded with no objection to allocation of federal funds for the WIFIA project and determined the funding award to be consistent with the Florida Coastal Management Program (FCMP).