

Revised Categorical Exclusion and Extraordinary Circumstances Review Form

United States Environmental Protection Agency
Washington, DC 20460

I. General Information

Project Name	WIFIA Id Number
Water Supply Rehabilitation Project	N18135FL
Borrower Name	
Florida Keys Aqueduct Authority (FKAA)	
Revised Project Description	
The update to the project description includes a component swap related to P-04 Old Town Key West Distribution Project. Pipe replacement along Front and Whitehead Street will be removed and pipe replacement along United and South Streets will be added. No changes are proposed to P-01, 02, 03, 05 or 06. See revised detailed project description attached.	
Revised Project Location Description (<i>street address/city/state/ZIP code; site characteristics</i>)	
City of Key West, Florida. See attached for revised detailed location descriptions.	

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

Name	Title	Phone Number
Alaina McCurdy	Environmental Scientist	202-564-6996

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 type="checkbox"/>	<input checked="" 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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Supply Rehabilitation Project		N18135FL

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.

<input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	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 The 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, the EPA will not prepare an environmental impact statement or an environmental assessment for the proposed project. The 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.

Signature of Responsible Official	Title	Date
Andrew D. Sawyers	Director, Office of Wastewater Management	

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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.

The applicant made minor alignment changes that were outside of the originally evaluated area of potential effects, which have been evaluated by EPA.

On May 3, 2021, EPA provided the updated project scope to the Florida State Clearinghouse via email for evaluation under the National Historic Preservation Act and the Coastal Zone Management Act. On May 12, 2021, the Clearinghouse responded that they still do not select the project for review and that the action may proceed, which is consistent with the initial consultation conducted in November 2019.

On May 3, 2021, EPA provided the updated project scope to U.S. Fish and Wildlife Service via email. On May 4, 2021, the USFWS responded via email stating that the revised scope falls within the effects previously analyzed; therefore, the standing consultation is still valid. The USFWS concurs that the proposed Project is not likely to adversely affect any federally listed species.

The revised scope and changes to the project do not impact any extraordinary circumstances. EPA has also determined that the proposed changes do not alter the environmental impacts of the project. The action still qualifies under the CATEX issued on April 27, 2020.

Original P-04 Description	
Location	Description
Located along Simonton, Front*, Whitehead* and Southard Streets, making a complete loop, in downtown City of Key West.	Replacing approximately 1 mile of expired 12-inch water distribution ductile iron piping,
*indicates components that will be removed as part of the revised project description.	
Revised P-04 Description	
Location	Description
Simonton St between Front Street and Southard Street	Replacing approximately 2475 linear feet of expired 12-inch water distribution ductile iron piping
United St between Whitehead St and Grinnell Street, and Royal, William and Elizabeth St between United and South St	Replacing approximately 4000 LF of water distribution pipe ranging in size between 4-8 inches, and approximately 100 customer service connections
South St between Elizabeth St and William Street; South St between Leon and George St, and Eaton Street between Whitehead and Simonton St.	Replace approximately 1800 LF of distribution pipe ranging in size from 6-12 inches along South Street. Replace approximately 1000 LF of 8 inch distribution pipe along Eaton St.