

Categorical Exclusion and Extraordinary Circumstances Review Form

United States Environmental Protection Agency
Washington, DC 20460

I. General Information

Project Name	WIFIA Id Number
Baltimore City Wastewater Infrastructure Rehabilitation	19112MD
Borrower Name	
Baltimore City Department of Public Works	
Project Description	
Maintenance and expansion on the existing wastewater system in Baltimore City, Maryland, which consists of sanitary sewers, force mains and pumping stations which are tributary to two wastewater treatment plants.	
Project Location Description (<i>street address/city/state/ZIP code; site characteristics</i>)	
Various Locations in Baltimore City, Maryland	

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

Name	Title	Phone Number
Alaina McCurdy	WIFIA Contact	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 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.

<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
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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.

- Communities with potential environmental justice concerns were identified in the project area. The project is intended to have an overall beneficial effect on the environment and local population by providing improved water quality. Potential construction-related impacts are not expected to disproportionately impact communities of environmental justice concern. Construction impacts would be temporary, such as construction noise, air emissions from construction vehicles, erosion from disturbed surfaces and construction vehicle traffic or traffic detours. Best management practices (BMPs) will be implemented for noise, traffic, and air emissions minimization measures.
- The U.S. Fish and Wildlife Service's Information for Planning and Consultation (IPaC) tool was used to generate a species list for the project area. The IPaC report indicated that two federally listed species may be affected by the proposed projects: the northern long-eared bat and Eastern Black Rail. The majority of the projects will take place within existing developed facilities or within paved roadways that does not contain suitable habitat for these species; therefore, EPA has made a no effect determination.
- Under the National Historic Preservation Act, Maryland Historic Trust reviewed the proposed activities and project areas and determined that these activities with the exception of project SC-982 will have no effect or no adverse effect on historic properties. On October 26, 2021, EPA provided additional design information for SC-982 Eastern Avenue Pump Station to MHT with the determination that the project will have no adverse effect to historic properties. On November 22, 2021 MHT concurred with EPA's no adverse effect determination.
- The project will not have a significant impact on wetlands or waterbodies; the majority of the projects will take place within existing developed facilities or within paved roadways and are not expected to result in significant impacts to the surrounding waters. Project SC-969 will occur within proximity to Armistead Run. This project will be designed to comply with the conditions of a U.S Army Corps of Engineers Nationwide Permit to comply with the Clean Water Act.
- The projects are located within the Maryland coastal zone. EPA has determined that the proposed projects are consistent with the Coastal Zone Management Act.
- The projects will not have significant impacts to air quality. The projects may cause short-term, minimal to moderate localized effects on air quality during construction activities, including dust, odors and emissions from heavy equipment during construction activities. Construction BMPs will be used to minimize generation of these pollutants. There are no anticipated long-term air impacts from the Project and are not predicted to affect the area's attainment of air quality standards.
- The project will not have significant impacts to sole source aquifers, farmland, coast barriers, wild and scenic rivers, essential fish habitat, migratory birds, wilderness areas, marine mammals, or floodplains.