

## Categorical Exclusion and Extraordinary Circumstances Review Form

United States Environmental Protection Agency  
Washington, DC 20460

### I. General Information

Project Name	WIFIA Id Number
Rogue Valley Water Supply Resiliency Project - Phase 1	20152OR
Borrower Name	
Medford Water Commission	
Project Description	
Rogue Valley Water Supply Resiliency Project includes the following: Duff Water Treatment Plant (WTP) Ozone Replacement, Duff WTP Filter Expansion, and Water Quality Improvements Projects	
Project Location Description ( <i>street address/city/state/ZIP code; site characteristics</i> )	
The Ozone component and Filter Expansion components are located at the Duff WTP. The water quality improvements will take place at the Duff WTP and Big Butte Springs (BBS). The Duff WTP address is 8301 Table Rock Road, Central Point, Jackson County, OR. The BBS is located at 4800 Fish Lake Road, Butte Falls, Jackson County, OR.	

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

Name	Title	Phone Number
Alaina McCurdy	Environmental Scientist	(202) 564-9669

**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:		
			<b>YES</b>	<b>NO</b>
			<input type="checkbox"/>	<input checked="" 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:		
			<b>YES</b>	<b>NO</b>
			<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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<b>III.B. Extraordinary Circumstances</b> (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.		
<b>YES</b>	<b>NO</b>	
<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) <b>No extraordinary circumstances apply</b> 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 <b>at the proposed action site</b> resulting in a CATEX and/or information gathered as part of previous NEPA or environmental due diligence review conducted <b>at the proposed action site</b> . 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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<b>Attachment 1. CATEX Eligibility and/or Extraordinary Circumstances Statement(s)</b>	
<p>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.</p>	
<p>The low-income and people of color populations for the project construction areas are lower than the County and State low-income and people of color population percentages; therefore, no communities with potential environmental justice concerns are located in the project construction area. There are communities within the service area that have either low-income or people of color populations that are meaningfully greater than county or state populations; therefore, communities with potential environmental justice concern are present in the larger service area. Communities with potential environmental justice concerns within the service area are benefited by a more resilient water supply system and increased water quality.</p> <p>EPA prepared the official endangered species list using U.S. Fish and Wildlife Service's <i>Information for Planning and Consultation</i> (IPaC) tool on September 13 and 22, 2021, for the Duff WTP and BBS, which identified six and two, respectively, candidate, threatened or endangered species with the potential to occur in the project area. The official endangered species list identified one critical habitat within the Duff WTP project area and none at the BBS. After evaluating each species, EPA has made a no effect determination for all species and critical habitats.</p> <p>The Duff WTP project site was evaluated for historic resources as part of a Clean Water Act Section 404 permitting by the Army Corps of Engineers, with permit issuance in April 2016. Consultation took place as part of the permitting process. The permit covered improvements and upgrades to the Duff WTP, which includes the currently proposed work. Therefore, this portion of the project has not been included in EPA's most recent consultation. As part of the Corps Section 106 consultation, a cultural resources survey was completed and no cultural resources were located during the archaeological survey, archival research, background research, or Native American outreach. Grading and excavation that took place as part of that permit included cultural resources monitoring prior to ground disturbing activities in coordination with the Confederated Tribes of the Grand Ronde Community of Oregon.</p> <p>On November 24, 2021 consultation was initiated with the Oregon State Historic Preservation Officer (SHPO) for the BBS WQIP with the determination of no historic properties affected. After 30 days, no response was received from OR SHPO; therefore, EPA has completed its consultation responsibilities under Section 106.</p> <p>The project will not affect marine mammals, wetlands, floodplains, sole source aquifers, farmlands, coastal zones, coastal barriers, wild and scenic rivers, essential fish habitat, migratory birds, air quality, or wilderness areas.</p>	