

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

**CATEGORICAL EXCLUSION**  
**City of Barstow, California**  
**Fine Screen System Upgrade**  
**March 2011**

The U.S. Environmental Protection Agency (EPA) Region 9 intends to award a grant in the amount of \$485,000 to the City of Barstow, in accordance with the Omnibus Appropriations Act, 2009.

EPA Region 9's award of a grant for the proposed project is a federal action requiring compliance with the National Environmental Policy Act (NEPA), 42 USC §§4321-4370f. In accordance with Council on Environmental Quality regulation, 40 CFR §1508.4, a federal agency may categorically exclude an action from detailed environmental review, provided the proposed action meets certain criteria which EPA has previously determined indicate the undertaking will not have significant environmental impact and provided no extraordinary circumstances exist. EPA's categorical exclusions are set forth in 40 CFR Part 6.

**Eligibility for Categorical Exclusion**

The City of Barstow plans to use EPA Region 9 grant funds to design and construct a new primary fine screen system at the existing wastewater treatment plant. The proposed project will treat influent at the current flow rates of 2.7 million gallon per day (MGD) and up to 4.5 MGD. The proposed project will help the wastewater treatment plant run more efficiently and produce effluent of a higher quality.

40 CFR §6.204 (a)(1)(ii) allows a project to be categorically excluded when the project involves:

“actions relating to existing infrastructure systems ... that involve minor upgrading, or minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and system components ...”

EPA Region 9 has determined the proposed project is eligible for a categorical exclusion under 40 CFR §6.204 (a)(1)(ii) as the project involves the minor upgrading of the existing wastewater treatment plant to include a primary fine screen system.

**Extraordinary Circumstances**

EPA Region 9 has reviewed the proposed action to ascertain whether the proposed project involves any of the extraordinary circumstances identified at 40 CFR § 6.204(b)(1)-(10) and has determined:

(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.

(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.

(3) The proposed action is not known or expected to significantly affect federally listed threatened or endangered species or their critical habitat. The EPA sent a letter to the United States Fish and Wildlife Service on June 6, 2008, requesting concurrence on EPA's determination that a project to modify the aeration basins at the City of Barstow's wastewater treatment plant would have no effect on listed species in accordance with Section 7 of the Endangered Species Act. The Fish and Wildlife Service, through electronic communication on July 7, 2008, concluded that no species or critical habitat are expected to be present at the project location and stated this conclusion is consistent with EPA's no effect determination. EPA has determined that the proposed project will have no effect on listed species, based on results of the correspondence with the Fish and Wildlife Service on the aeration basin project and the fact that the aeration basin project and the proposed project are located at the same wastewater treatment plant.

(4) The proposed action is not known or expected to significantly affect national natural landmarks or any property with nationally significant historic, architectural, prehistoric, archeological, or cultural value, including but not limited to, property listed on or eligible for the National Register of Historic Places. The State Historic Preservation Office (SHPO) has concurred, in a letter dated May 12, 2008, with EPA's determination that no historic properties will be significantly affected by the aeration basin project. EPA has determined that the proposed project will not affect historic properties, based on the correspondence with SHPO on the aeration basin project and the fact that the aeration basin project and the proposed project are located at the same wastewater treatment plant.

(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.

(6) The proposed action is not known or expected to cause significant adverse air quality effects.

(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 consistent with land use plans approved by a state, local government or federally recognized Indian tribe and federal land management plans.

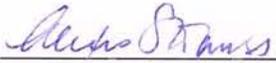
(8) The proposed action is not known or expected to cause significant public controversy about a potential environmental impact of the proposed action.

(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.

(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.

### **Finding**

EPA Region 9 finds the proposed action conforms to the category of actions eligible for exclusion from detailed environmental review under 40 CFR 6.204(a)(1)(ii) and will not involve any extraordinary circumstances. Accordingly, EPA Region 9 will not prepare either an environmental impact statement or an environmental assessment for the proposed project. EPA Region 9 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.

  
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Alexis Strauss  
Director, Water Division

  
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Date