



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street

San Francisco, CA 94105

CATEGORICAL EXCLUSION

Rehabilitation of Wastewater Collection in Mexicali I System Phase I and Small Lift Stations

The U.S. Environmental Protection Agency (EPA) Region 9 is considering authorizing the award of Border Environment Infrastructure Funds (BEIF) to replace concrete pipeline and rehabilitate three lift stations and twelve small lift stations in the City of Mexicali, Baja California, Mexico. The infrastructure has exceeded its useful life and deteriorated, causing leaks, collapses, and sewage spills, which pose a health and environmental risk to the U.S. population once these flows reach the United States via the New River.

EPA Region 9's approval of grant funding for the proposed project is a federal action requiring compliance with the National Environmental Policy Act (NEPA), 42 USC §§4321-4370(f). In accordance with the Council on Environmental Quality regulation, 40 C.F.R. §1508.4, a federal agency may categorically exclude certain actions from detailed environmental review that do not individually or cumulatively have a significant effect on the quality of the human environment. To qualify for a categorical exclusion, a project must conform to one of the categories listed in 40 C.F.R. §6.204(a), and it must not involve any of the extraordinary circumstances identified in 40 C.F.R. §6.102(B)(6).

Eligibility for Categorical Exclusion

The Comisión Estatal de Servicios Públicos de Mexicali (CESPM), Mexicali's water and wastewater utility, anticipates the use of BEIF funds to replace approximately 42,640 linear feet (13,000 meters) of old concrete pipeline with 8 to 54-inch diameter PVC pipe, in the City of Mexicali, Baja California, Mexico. The project also includes the rehabilitation of three lift stations (60-700 hp capacity) and twelve small lift stations (3-30 hp capacity) that will include the following components: grit chambers, wet wells, electric wiring, perimeter fence, new high-efficiency pumps, valves, and telemetry system (SCADA). These improvements were identified by CESPM and the North American Development Bank (NADB) to mitigate contaminated transboundary flows in the New River.

A transboundary environmental information document (TEID) was completed and submitted to EPA Region 9 in July 2019. The study determined that the proposed project "would pose no significant impacts in regards to air quality, noise, floodplains, wetlands, coastal zones, surface

water, groundwater, flora, fauna, endangered species, critical habitats, cultural resources, or socioeconomics”.¹

40 CFR §6.204(a)(1)(ii) allows the following type of action to be eligible for exclusion:

Actions relating to existing infrastructure systems (such as sewer systems; drinking water supply systems; and stormwater systems, including combined sewer overflow systems) that involve minor upgrading, or minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and system 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) or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities.

EPA Region 9 has determined the proposed project meets the above criteria and is eligible for a categorical exclusion under 40 CFR §6.204(a)(1)(ii) because all construction, including the rehabilitation and/or replacement of existing wastewater lines, will be restricted to previously disturbed urban areas.

Extraordinary Circumstances

EPA Region 9 has reviewed the proposed action to ascertain whether it involves any of the extraordinary circumstances identified in 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 or adverse human health or environmental effects on any community, including minority communities, low-income communities, or federally recognized Indian tribal communities. No Native American tribes are traditionally affiliated with the project area.
- (3) The proposed action is not known or expected to significantly affect federally listed threatened or endangered species or their critical habitat. A pre-construction survey of the project site conducted in February 2019 revealed no evidence of federally listed threatened or endangered species in the area.
- (4) The proposed action is not known or expected to significantly affect national landmarks or any property with nationally 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. A pre-construction survey of the project site in February 2019 revealed no signs of prehistoric cultural remains, features, or human remains. Furthermore, no construction

¹ Floyd, Johnson, P.E. Transboundary Environmental Information Document: Wastewater Collection Improvements for the City of Mexicali, Baja California. Huit-Zollars, Inc., 2019.

activity is expected north of the U.S. border, thus avoiding disturbance with established resources in the U.S.

(5) The proposed action is not known or expected to significantly affect environmentally important natural resources such as wetlands, floodplains, significant agricultural lands, aquifer recharge zones, coastal zones, barrier islands, wild and scenic rivers, and significant fish or wildlife habitat. These important natural resources are not present within the project site.

(6) The proposed action is not known or expected to cause significant adverse air quality effects. Combustion emissions associated with construction vehicles and equipment associated with construction vehicles and equipment would be minimal due to the short-term duration of the proposed construction period. Fugitive dust emissions during construction would be minimized through dust control and standard engineering practices.

(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.

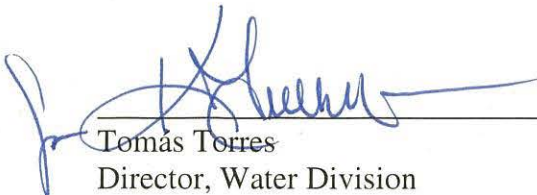
(8) The proposed action is not known or expected to cause significant public controversy about a potential environmental impact of the proposed action.

(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 that the proposed action conforms to the category of action eligible for exclusion from detailed environmental review under 40 C.F.R. §6.204 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 that indicates that serious local or environmental issues exist or federal, state, or local laws would be violated.



Tomás Torres
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12/12/2019

Date

