



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.Gepa.gov/region8>

June 12, 2014

EmKayan Village, Montana – Water System Improvements

**Categorical Exclusion for
Special Appropriation Act Grant**

For categories of projects that are so minor in scope that they may be determined by EPA not to need a full environmental review. EPA makes the determination if a project will qualify for a Categorical Exclusion based on information provided by the grantee.

Project Description:

The EmKayan Village Water and Sewer District proposes to finish replacing the existing thin-walled steel water mains with PVC piping. The project also includes valves, service lines and fire hydrants. This categorical exclusion covers the second phase of the steel main replacement. The first phase of steel water main replacement was completed in 2010. The replacement water mains will be constructed under existing roads. EmKayan is located about 2 miles east of Libby, Montana.

[Information from the March 2014 *Workplan/Scope of Work for EmKayan Village Water and Sewer District* and the *Phase 2 Supplement for the 2008 in Em-Kayan Village Water System, Preliminary Engineering Report*, NCI Engineering dated April 2010.]

Purpose and Need:

The thin wall steel water mains have become heavily corroded and are in poor condition. Several leak detection surveys have observed leaks in the steel piping as well as water main breaks. Fire hydrants are also under sized based on Montana state guidelines and fire flow requirements.

Cross-Cutters:

Cross-Cutters still apply to all Special Appropriations Act Project (SAAP) projects even if they are granted a categorical exclusion from the NEPA. The entire list of Cross-Cutters can be found in the SAAP Guidance memorandums. For additional information on potential Cross-Cutters see EPA's "Environmental Review Guide for Special Appropriations Grant," Appendix C @ <http://www.epa.gov/compliance/resources/policies/nepa/environmental-review-guide-grants-pg.pdf>.

Typical Cross-Cutters that might apply to a Special Appropriations Act Project			
Historic, Archaeological or Cultural Resources		Sole Source Aquifer—mainly Missoula in Region 8	
Air Conformity -- Is the Project in a Nonattainment Area?		Near a Wild and Scenic River?	
Any wetlands or waters of the U. S. crossings?		Within a Floodplain?	
Environmental Justice		On Prime Farmland?	
Threatened and Endangered Species		Special Wildlife Habitat, Wildlife corridor	

No Cross-Cutters issues are anticipated for this project since the construction will be at under existing roadways. The following Cross-Cutters have been considered and determined not to be of concern in this project:

- Threatened and Endangered Species: The proposed project will not affect any federally listed threatened or endangered species or their habitats. In this area the Kootenai River is listed as critical habitat for the threatened Bull Trout. EmKayan is located across State Highway 37 from the river and the closest area of construction is over 2000 feet from the river. Water main and appurtenances construction will consist of digging trenches in existing roadways, installing the pipes in gravel bedding and resurfacing the roads with gravel and/or asphalt. Given the small footprint of the construction and location; no adverse impacts are expected. To provide additional protection, the State of Montana has also incorporated sediment control measures into the construction plans and specifications for the project.
- Historic, Archaeological or Cultural Resources: No cultural resources were identified within the project area.
- Within a Floodplain: The FEMA map for the area shows EmKayan Village is not in a flood plain. The map shows the Kootenai River 100 year flood plain to the west of State Highway 37, on the opposite side of the highway from EmKayan.
- Prime Farmland: The project will have no effect on prime or important farmland.
- Wetlands: No previously inventoried wetlands or plants or soils characteristic of wetlands were found within the project area.

CATEGORICAL EXCLUSION CRITERIA (40 CFR 6.204(a)(1)(ii))	
1. NO known or expected potentially significant environmental impacts on public health or the environment either individually or cumulatively over time.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. Is the project for minor upgrade or minor expansion of system capacity? This includes, but is not limited to: minor extensions of sanitary sewers or force mains or drinking water extensions to primarily serve existing development; stormwater detention pond and retention pond cleaning and dredging or minor storage increase or culvert upgrades to serve existing development.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
3. Is the project for rehabilitation of existing facilities? This includes, but is not limited to: functional replacement of existing systems and components, infiltration and inflow corrections in the existing wastewater collection system or equipment rehabilitation at the existing wastewater plant, pumping, or storage facilities; drinking water system equipment replacement or modifications at an existing water plant, or pumping and storage facilities; stormwater culvert and outlet rehabilitation and repair.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
4. Is the project for new minor ancillary facilities adjacent to or on the same property as existing facilities? This includes, but is not limited to: new wastewater facilities and equipment for sludge handling, screening, flow equalization, disinfection, or laboratory facilities; new drinking water facilities such as alum sludge handling, filtration, flow equalization, chemical storage, chlorination, or laboratory facilities; facilities at existing stormwater control locations, such as sedimentation basins, infiltration trenches, detention pond to retention pond retrofits, or oil and grit separators.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If the answer to 1 is yes and at least one of answers to 2 through 4 are yes; then proceed to the next section: Excluding Factors. Conversely, if the answer to 1 is no, or if all answers to 2 through 4 are no then the project does not qualify for a categorical exclusion.	
Excluding Factors (40 CFR 6.204(b))	
(1) Project will have disproportionate impacts on any community: EJ, minority, etc.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
(1) Project will involve new or relocated discharges to surface or ground water	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
(2) Project will result in substantial increases in the volume of discharge or the loadings of pollutant to the receiving water	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
(3) Project will provide capacity to serve a population 30 percent greater than the existing population.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
(4) Project will be in conflict with state or other regional growth plan or strategy	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
(5) Project will directly or indirectly relate to upgrading or extending infrastructure systems primarily for the purposes of future development	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Categorical Exclusion Finding:

Upon review of the application materials and NEPA regulations pertaining to the granting of a categorical exclusion determination, the EPA Region 8 finds that the EmKayan Village Water and Sewer District Water System Improvements Special Appropriation Act Project Grant has met the criteria to be categorically excluded from further NEPA review.



Prepared by:

Dana Allen, Environmental Engineer
8EPR-N
(303)312-6870
allen.dana@epa.gov