

OKLAHOMA FUNDING AGENCY COORDINATING TEAM

**GUIDELINES FOR
ENVIRONMENTAL INFORMATION
DOCUMENT/ENVIRONMENTAL
REPORT
FOR
WATER and WASTEWATER
PROJECTS**

ENDORSED BY:

**OKLAHOMA WATER RESOURCES BOARD
OKLAHOMA CITY AREA INDIAN HEALTH SERVICE
USDA - RURAL DEVELOPMENT - OKLAHOMA
OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
OKLAHOMA RURAL WATER ASSOCIATION
OKLAHOMA DEPARTMENT OF COMMERCE
COMMUNITIES UNLIMITED INC.**

Revised: January 29, 2020

Executive Summary

The attached “Guideline for the Preparation of the Environmental Information Document/Environmental Report” (EID/EvR) has been developed to facilitate funding agency compliance with the National Environmental Policy Act (NEPA) for proposed water and wastewater projects in Oklahoma. The applicants for funding of these types of projects will be required to submit an EID/EvR to the appropriate funding agency(s) unless the proposed project meets the criteria for being excluded from an environmental review as discussed below. For projects with multiple agency funding, each agency will need a copy of the EID/EvR. Upon final acceptance of the EID/EvR the agencies will notify the applicant of the acceptance of the EID/EvR and of further agency-specific requirements to conclude the environmental review process.

The state and federal agencies which provide funding for water and wastewater projects in Oklahoma have agreed to accept the attached checklist to assist in the preparation of the EID/EvR. It is important for the EID/EvR to follow the format as shown in the checklist. This will facilitate agency review and acceptance of the EID/EvR.

Please note that only projects which will utilize funds that have a federal identity require the completion of an EID/EvR. Those funding sources are as follows:

1. USDA Rural Development Loan and Grant Programs for Water and Wastewater (RD)
2. Department of Commerce Community Development Block Grants (CDBG)
3. Oklahoma Water Resources Board Clean Water State Revolving Fund (CWSRF)
4. Department of Environmental Quality Drinking Water State Revolving Fund (DWSRF)
5. Indian Health Service (IHS)

National Environmental Policy Act

NEPA establishes the basic charter for the protection of the environment. The goals of NEPA have been extended through executive orders and additional environmental laws and regulations since the initial inception of NEPA. In order to achieve the goals, NEPA set up a tiered approach to environmental compliance. Supporting documentation for environmental compliance with NEPA is as follows:

Categorical Exclusions

Certain types of projects may not require the completion of an EID/EvR. Generally these types of projects would not cumulatively over time, or in conjunction with other projects have a significant effect on the quality of the human environment.

Categorical Exclusions must be approved by the funding agencies, based upon the information provided to the agency by the applicant. It is extremely important for the applicant to contact the agency in the early planning stages to determine if the proposed project will fit the criteria for a Categorical Exclusion. Each agency has its own required documentation for Categorical Exclusions.

Environmental Information Document/Environmental Report

The EID/EvR describes the proposed project and its relationship to the environment and should supplement the Engineering Report. However, each should be a standalone document. For example:

Section I - Engineering Report

Section II - Environmental Information Document/Environmental Report

The agencies will use the EID/EvR to assess project compliance with NEPA. Upon acceptance of the EID/EvR the applicant will be notified of any additional information needed to conclude the environmental review process. Each funding agency has their own process to follow after accepting the EID/EvR. Generally this involves the agency taking the EID/EvR and completing an Environmental Assessment. At the point of completion of the assessment, the agency will issue the "Finding of No Significant Environmental Impact" (FONSI) barring any identified environmental impacts. The issuance of the FONSI most generally would involve public notification as directed by each agency.

Environmental Impact Statement

If through the environmental review process it is determined that the proposed project will have a significant impact on the environment, and cannot be resolved by the completion of an EID/EvR, then an Environmental Impact Statement will need to be completed. Alternatives to mitigate the impacts to affected environmental resources will need to be further examined. Additional consultation will need to occur with other federal and state agencies that have jurisdiction over specific environmental resources.

Prior to beginning the environmental review process, please contact the proposed funding agency/agencies.

USDA RD Offices

Atoka (580) 889-6668
Chandler (405) 258-1405
Woodward (580) 256-3375
Muskogee (918) 682-8831
Hobart (580) 726-3347
Vinita (918) 256-7863

IHS, NEPA Coordinator - 405-951-3705

CDBG – Department of Commerce– 405-815-5356

CWSRF – OWRB Financial Assistance - 405-530-8800

DWSRF – DEQ Water Quality - 405-702-8100

ORWA – 405-672-8925

Communities Unlimited Inc. – 479-443-2700

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- I. **PROJECT SCOPE.** Write a short statement regarding project planning. Include the proposed design period, general description of the project and potential funding sources.

- II. **PROJECT PLANNING AREA.** Describe the area under consideration. The project planning area may be larger than the service area determined to be economically feasible. The description should include information on the following:
 - A. **Location, maps, photographs, and sketches.** These materials should indicate legal and natural boundaries, major obstacles, elevations, etc. It is highly recommended that a map of the system, that identifies what and where assets are located, be provided. On map, include a north arrow, latitude and longitude, and section, township and range.

 - B. **Growth areas and population trends.** Specific areas of concentrated growth should be identified. Population projections for the project planning area and concentrated growth areas should be provided for the project design period. These projections should be based on historical records with justification from recognized sources. Include a description of population trends as indicated by available records, and the estimated population that will be served by the proposed or expanded system.

 - C. **Current and projected water use data/wastewater flow projections.**

Water: For existing systems, the current water use data should be used as a basis for the proposed design. If a deviation is deemed necessary, a justification must be provided. Present water consumption, the projected maximum daily demands, and peak hourly flow shall be used as the basis of design.

Wastewater: Current and projected volume and strength of sewer flows both domestic and industrial (hydraulic and organic) should be provided. If a deviation is deemed necessary, a justification must be provided. Present wastewater flow rates during average and peak flow periods must be used as the basis for design.

 - D. **Environmental concerns in the service area.** Discuss all the environmental concerns or effects within the service area that must be considered in project planning including existing or proposed water rights, erosion, dust control, etc.

- E. Community engagement. Describe the utility's approach (or proposed approach) to engage the community in the project planning process. The project planning process should help the community develop an understanding of the need for the project, the required utility operational service levels, funding and revenue strategies to meet requirements, and other considerations.

III. EXISTING FACILITIES AND NEED FOR PROJECT. Describe the existing facilities including, at least, the following information:

- A. Location and layout. Provide a site plan and schematic layout for existing facilities.

- B. Condition of existing facilities.

Water: Describe present condition of facilities; pump stations and water lines; suitability for continued use; adequacy of water supply; existing water source quantity (yield or specific capacity) and quality. Describe compliance with all state and federal requirements for water supply systems; including primary and secondary drinking water standards, and National Pollutant Discharge Elimination System permits. Discuss the wastes generated by existing water treatment processes, their volume, treatment, and points of discharge or method of disposal. Provide a table showing the design capacity for each existing facility component based on DEQ Public Water Supply construction standards (OAC 252:626).

Wastewater: Describe present condition; suitability for continued use; and, if any existing central facilities, lift stations and wastewater lines for treatment; discuss the hydraulic and organic capacity, storage, and collection capabilities. Also, describe compliance with all state and federal requirements for wastewater systems including: Water Pollution Control Standards, and National Pollutant Discharge Elimination System permits.

- C. Health and safety. Describe any concerns and include relevant regulations and correspondence from/to Federal and State regulatory agencies such as DEQ inspection reports, notices of violation, and consent or administrative orders. Handicap accessibility (for federally funded projects): Provide a description of the accessibility of the office or other public spaces. Any deficiencies should be addressed in the proposed project. Attach copies of all documents as an appendix.

- D. System O&M. Describe the concerns and indicate those with the greatest impact such as water loss and/or infiltration and leakage, inefficient designs, and problem elimination prior to adding additional capacity.
- E. Growth capacity. Describe the reasonable growth capacity of facilities that is necessary to meet needs during the planning period. Facilities proposed to be constructed to meet future growth needs should generally be supported by additional revenues. Consideration should be given to designing for phased capacity increases. Provide number of new customers committed to this project.
- F. Sanitary sewer system availability. Describe the existing sanitary sewer system and treatment available at the treatment plant if affected by the proposed project. Describe the proposed sanitary sewer system for a new treatment plant and any effect that it may have on the environment.

IV. ALTERNATIVES CONSIDERED. This section should contain descriptions of the reasonable alternatives that were considered while planning a solution to meet the identified need(s). The alternatives should also include the do-nothing alternative where applicable. The description should include the following information for each alternative:

- A. Summary of alternatives considered. This will include the proposed, other and no-action alternatives.
- B. Alternative development process discussed. Follow FACT Environmental Effects Matrix in Appendix A. Discuss the reasons why alternatives were omitted from the decision.
- C. System mapping. The project must include location and mapping of existing and proposed facilities. On map, include a north arrow, latitude and longitude, and section, township and range.

V. ENVIRONMENTAL IMPACTS OF SELECTED ALTERNATIVE. Provide evidence that all environmental impacts were addressed through correspondence with official agencies as listed below, see Appendix B & C.

- A. Formally classified land. Correspondence with Fish and Wildlife Service, Forest Service, and National Park Service in reference to parks, wilderness areas, state or national forests, etc. Contact funding agency for guidance.

- B. Important farmland. Letter for review sent to NRCS and a soil survey from their website.
- C. Floodplains. Project review letters sent to FEMA, Local County Floodplain Administrator and to the Water Management Branch of the US Army Corps of Engineers. Project location to be shown on FEMA Maps.
- D. Wetlands. Send Regulatory Branch of the US Army Corps of Engineers a project review letter to determine if a 404 Permit is required. Information may include a soils map, wetland map or wetlands delineation according to USACE standards.
- E. Historic properties. Historical properties should be addressed with correspondence to NHPA, SHPO, OAS and THPO.
- F. Native American historic consultation. Send BIA a project review letter for all projects. Additionally all affected tribes must be consulted. [TDAT](#) is a resource that will provide a tribal consultation list by county.
- G. Biological resources. Review letters sent and/or received to DEQ and other expert agency(ies). IPAC was completed and sent to <https://ecos.fws.gov/ipac/>.
- H. Water quality, air quality, transportation, noise, scenic rivers, etc. The section has correspondence with state agency(ies), EPA, FWS, NPS, DEQ, USACE Regulatory Branch and GRDA.
- I. Socio-economic issues. Environmental justice maps should be created and submitted. <https://ejscreen.epa.gov/mapper/>
- J. Environmental due diligence. To address potential hazardous waste sites provide any required narratives of site visits by funding agency, and any site assessments and certification of decontamination.
- K. Local governmental review. Review letter(s) received from local government (COG, etc.). See appendix C. Also, if the proposed project is within the boundaries of a USACE lake, then that Lake office should be contacted.
- L. Effects on environmental resources of the selected alternative. Discuss the direct, indirect, and cumulative effects of the selected alternative.

VI. CORRESPONDENCE AND PUBLIC PARTICIPATION. Discuss any public participation with this project. Contact your funding agency for specific information, and refer to Appendix D, E & F.

VII. SUMMARY OF MITIGATION MEASURES. Discuss the adverse effects present in the project and what mitigative measures will be taken to address those effects.

Appendix A FACT Environmental Effects Matrix

		Alternative 1			Alternative 2			Alternative 3			Alternative 4		
		NLA	MA	LA									
106 NHPA	Historical Properties (SHPO/TPHO)												
	State Archaeologist												
	BIA												
	Tribes/Nations												
ESA 1973	USFWS/IPAC												
CWA 1977	Wetlands												
	Storm Water Pollution Prevention												
	Section 404 Permit (USACE)												
	Sole Source Aquifers												
EO11988	FloodPlains												
	Real Property (facilities)												
CAA 1970	Air Quality												
	Petroleum on-site storage												
SWDA1965	Solidwaste Disposal												
RCRA	Hazardous Substances												
EO 12898	Environmental Justice												
	Socioeconomics												
NCA 1972	Noise												
WA 1996	Wilderness Areas												
WSRA 1968	Wild and Scenic Rivers												
	Recreational Areas												
	Public Lands												
	Parks												
FPPA 1981	Prime Farmland												
CZMA 1972	Coastal												

NLA	Not likely to affect
MA	May affect
LA	Likely to affect

106 NHPA	National Historic Preservation Act of 1966
ESA 1973	Endangered Species Act of 1973
CWA 1977	Clean Water Act updated 1987
EO11988	Executive Order 11988 Floodplain Management 1977
CAA 1970	Clean Air Act amended 1990
SWDA1965	Solid Waste Disposal Act 1965
RCRA	Resource Conservation and Recovery Act
EO 12898	Executive Order 12898 Actions to Address Environmental Justice in Minority Populations and Low-Income Populations 1994
NCA 1972	Noise Control Act 1972
WA 1996	Wilderness Act of 1996
WSRA 1968	Wild and Scenic Rivers Act of 1968
FPPA 1981	Farmland Protection Policy Act of 1981
CZMA 1972	Coastal Zone Management Act of 1972

Appendix B

FACT Environmental Correspondence and Public Participation with Agencies

A detailed project description and legible location map must be sent to the following agencies for review. **The transmittal to each agency must identify the specific federal authority for which the review is requested (see "Subject(s) of Comments" below).**

- At a minimum, response letters must be received from commenting agencies preceded with an (*) unless the project will not occur within or near the counties listed in the "Subjects of Comments" column below.
- Additional requirements requested in response letters from commenting agencies must also be completed.
- Include copies of the transmittal letters and all response letters in the EID/EvR.

Commenting Agency

Subject(s) of Comments

Planning Branch
U.S. ARMY CORPS OF ENGINEERS
TULSA DISTRICT
ATTN: CESWT-P
2488 East 81ST Street
Tulsa, OK 74137-4290

Floodplain management
•Send projects to address
Comments will be from the
Regulatory Branch

*Regulatory Branch
U.S. ARMY CORPS OF ENGINEERS
TULSA DISTRICT
ATTN: CESWT - RO
2488 East 81ST Street
Tulsa, OK 74137-4290

Section 404 Permits
Email projects for review to:
ceswt-ro@usace.army.mil

*State Conservationist
U.S. Department of Agriculture
Natural Resources Conservation Service
Oklahoma State Office
100 USDA, Suite 206
Stillwater, OK 74074-2655
405-742-1204

Prime farmlands & wetlands on
agricultural lands

*U.S. Dept. of Interior
Fish & Wildlife Service
Ecological Services
9014 East 21st St
Tulsa, OK 74129
918-581-7458

Threatened/Endangered Species, fish
and wildlife protection

*Oklahoma Historical Society
State Historic Preservation Office
800 Nazih Zuhdi Drive
Oklahoma City, OK 73105-7917
405-521-2491

Historical sites/landmarks

*National Park Service
Intermountain Region Office
Online Requests Only
imrextrev@nps.gov

National Parks, recreation areas
Only if your project area is near a National
Park or recreation area.

<p>*State Archeologist The University of Oklahoma Oklahoma Archeological Survey 111 E. Chesapeake Norman, OK 73019-5111 405-325-7211</p>	<p>Archeological sites/cultural resources</p>
<p>*U.S. Dept. of Homeland Security FEMA Region IV Federal Insurance & Mitigation Admin. 800 North Loop 288 Denton, TX 76209-3698</p>	<p>Floodplain management, seismic conditions (FEMA's general response will be to contact the local floodplain coordinator for comment. A list of local coordinators can be found at the following website: www.owrb.ok.gov/hazard/fp/pdf_fp/fpa_list.pdf or phone 405-530-8800)</p>
<p>*Okla. Dept. of Environmental Quality John Roberts External Affairs 707 N. Robinson P.O. Box 1677 Oklahoma City, OK 73101-1677 405-702-1000</p>	<p>Water quality, sludge management, 208 Biological Resources Wastewater Water Quality Management Planning Air Quality Waste Management Sole Source Aquifer (Arbuckle-Simpson) <u>Only for projects in Carter, Johnston, Murray, or Pontotoc Counties.</u></p>
<p>*Bureau of Indian Affairs Eastern Oklahoma Regional Office Federal Building PO Box 8002 Muskogee, OK 74402-8002 918-781-4600</p>	<p>Native American sites, landmarks Click here for a map of their boundary</p>
<p>*Bureau of Indian Affairs Southern Plains Regional Office WCD Office Complex P.O. Box 368 Anadarko, OK 73005 405-247-6673</p>	<p>Native American sites, landmarks Click here for a map of their boundary</p>
<p>*Tribal Historic Preservation Office</p>	<p>Use https://egis.hud.gov/TDAT/ to contact all tribes within project.</p>
<p>*Planning & Management Division Attn: Bonnie Moats Oklahoma Water Resources Board 3800 N. Classen Blvd. Oklahoma City, OK 73118 405-530-8800</p>	<p>Development on State-owned property within floodplains and water rights permits</p>
<p>Grand River Dam Authority 226 West Dwain Willis Avenue Vinita, OK 74301 918-256-5545</p>	<p>Wild and Scenic Rivers <u>Only for projects in Adair, Cherokee, Delaware, Sequoyah, or McCurtain Counties.</u></p>

Oklahoma Dept. of Tourism and Recreation
State Liaison Officer
Land and Water Conservation Division
900 North Stiles Avenue
Oklahoma City, OK 73104

Recreational/tourism facilities

*U.S. Forest Service
Department of Agriculture
1720 Peachtree Rd NW
Atlanta, GA 30309

Forest, grassland resources
Only for projects in LeFlore, McCurtain, or
Roger Mills Counties.

Appendix C
FACT Environmental Correspondence
and Public Participation with Substate Planning Districts (COGS)

A detailed project description and legible location map must be sent to the Substate Planning District in which the project is located. Their addresses are listed below:

Association of Central Oklahoma Governments
4205 N. Lincoln Boulevard
Oklahoma City, OK 73105-5210
(405) 234-2264

Kiamichi Economic Development District
1002 Hwy 2 North
Wilburton, OK 74578
(918) 465-2367

Association of South Central Okla. Governments
P.O. Box 1647
Duncan, OK 73534-1647
(580)-252-0595

Northern Oklahoma Development Authority
2901 N. Van Buren
Enid, OK 73701
(580) 237-4810

Central Okla. Economic Development District
P.O. Box 3398
Shawnee, OK 74802-3398
(405) 273-6410

Oklahoma Economic Development Authority
P.O. Box 668
Beaver, OK 73932-0668
(580) 625-4531

Eastern Okla. Economic Development District
P.O. Box 1367
Muskogee, OK 74402-1367
(918) 682-7891

South Western Okla. Development Authority
P.O. Box 569
Burns Flat, OK 73624-0569
(580) 562-4882

Grand Gateway Economic Development Assoc.
P.O. Drawer B
Big Cabin, OK 74332-0502
(918) 276-2501

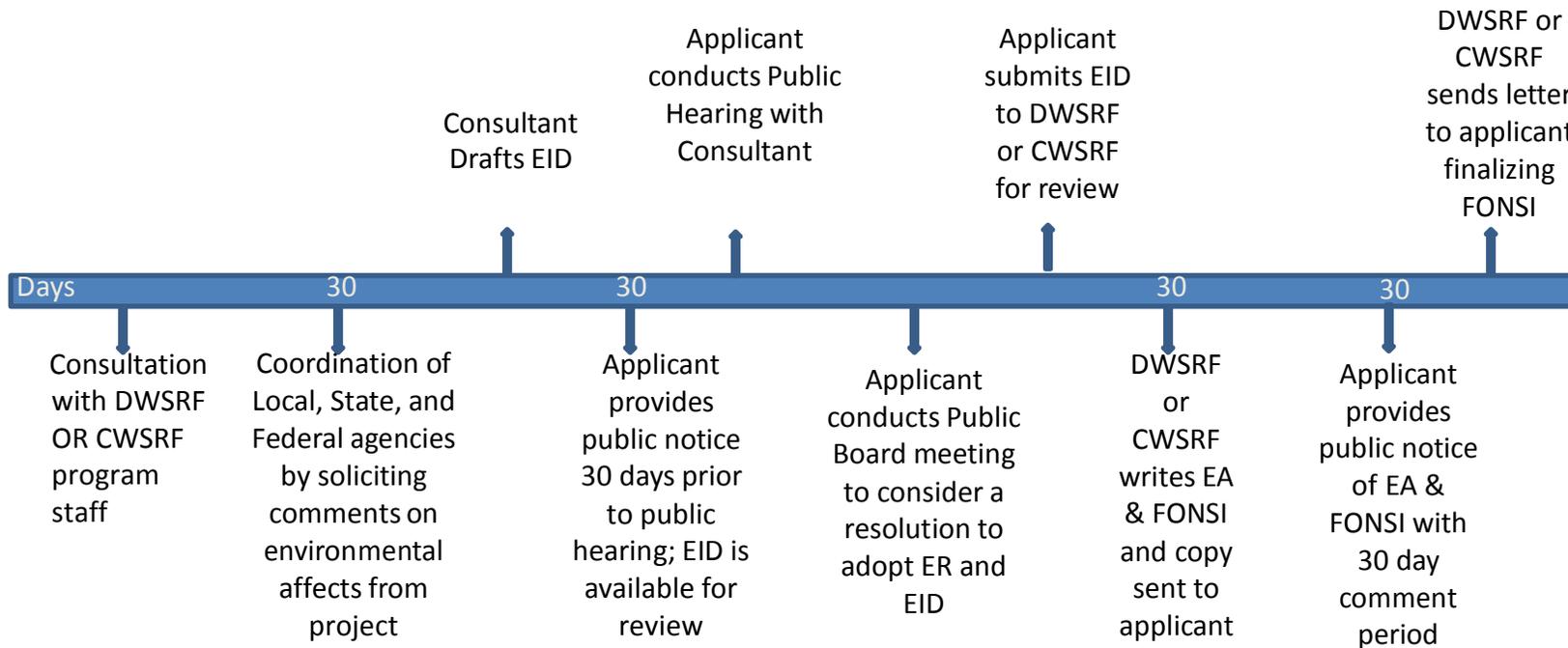
Southern Oklahoma Development Authority
P.O. Box 709
Durant, OK 74702-0709
(580) 920-1388

Indian Nations Council of Governments
2 West 2nd Street, Suite 800
Tulsa, OK 74103-3116
(918) 584-7526

Appendix D

DEQ and OWRB Timeline for Environmental Review Process (DWSRF/CWSRF)

TIMELINE FOR ENVIRONMENTAL PROCESS



Review Process takes a minimum of 120 Days, not including consultant or applicant document preparation

**Appendix E
CWSRF/DWSRF Public Participation Documentation**

Please attach the following documentation:

(SAMPLE)

- 1. Certified newspaper advertisement of the public hearing notice (**30 days notice is required**).
- 2. List of attendees/witnesses.
- 3. Verbatim Transcript or an audible tape recording of the hearing.
- 4. Applicant's statement that hearing was held in conformance with the hearing notice.
- 5. Resolution adopting the Facilities Plan. (See resolution form.)

NOTICE OF PUBLIC HEARING
PUBLIC WORKS AUTHORITY
CWSRF PROJECT NO. ORF-__-____CW
OR
DWSRF PROJECT NO. P40-_____

The _____ Authority will hold a public hearing at __ P.M. on (Month, Day, and Year) in the council chambers of the _____ City Hall. The hearing is to discuss proposed improvements to the Authority's (water/wastewater) collection and treatment facilities, alternatives to the proposed improvements and their associated costs. One purpose of the hearing is to discuss the potential environmental impacts of the project and the alternatives to it.

A copy of the Notice of Public Hearing and availability of the planning and environmental information document(s) must be sent to (no response required):

The proposed project is identified in the Planning and Environmental Information Document and consists of the following major elements:

- 1. Local DEQ Office (Contact DEQ Project Coordinator for Addresses, 405-702-6100)
- 2. Bureau of Indian Affairs (Area Director) U.S. Department of Interior Federal Building 101 North 5th St. Muskogee, Oklahoma 74401
- 3. U.S. Department of the Interior Bureau of Land Management P.O. Box 27115 Santa Fe, New Mexico 87502-7115
- 4. Department of Housing & Urban Development Environment & Standards Officer P.O. Box 2905 Ft. Worth, Texas 76113
- 5. Land Owners affected by the project

- 1. (Describe major component)
- 2. (Describe major component)
- 3. Etc.

The Planning document which includes environmental information is on file and available for public inspection at (District Office) (City Hall), _____ (address), Oklahoma. These documents provide a detailed description of the project cost, financing information, cost to users, alternatives considered and environmental effects.

The public is invited to attend.

Authority Chairman

_____, Secretary

SEAL

**Appendix F
CWSRF/DWSRF Resolution Sample**

[Note: Resolution should be adopted in next public meeting following the Public Hearing]

203R

RESOLUTION NO. _____

The _____ Authority, acting through the City of _____, hereby adopts the Planning and Environmental Information Document for the proposed _____ (water/wastewater) improvements. Said document dated _____, 20__ and was prepared by _____, consulting engineers.

The Authority sets forth the intent to construct, operate, and maintain such proposed facilities in accordance with state and federal requirements if said facility is approved and funded with a loan from the _____ (Drinking/Clean) Water State Revolving Fund.

The Authority hereby further certifies that a Public Hearing was held on _____ in accordance with the Public Notice as attached hereto:

PASSED AND ADOPTED THIS ____ DAY OF _____, 20__.

MAYOR/CHAIRMAN

ATTEST:

CITY CLERK/SECRETARY

(SEAL)

Appendix G
FACT Environmental Acronym List

CDBG – Community Block Development Grant

COG – Council of Government

CWSRF – Clean Water State Revolving Fund

DEQ – Department of Environmental Quality

DWSRF – Drinking Water State Revolving Fund

EID/EnvR – Environmental Information Documentation/Environmental Report

EPA – Environmental Protection Agency

FACT – Funding Agency Coordination Team

FEMA – Federal Emergency Management Agency

FONSI – Finding of No Significant Environmental Impact

FWS – Fish and Wildlife Service

GRDA – Grand River Dam Authority

IHS – Indian Health Services

IPAC – Information, Planning and Conservation system

NEPA – National Environmental Policy Act

NHPA – National Historical Preservation Act

NPS – National Park Service

NRCS – Natural Resources Conservation Service

O&M – Operation and Maintenance

OAS – Oklahoma Archeological Survey

ORWA – Oklahoma Rural Water Association

SHPO – State Historical Preservation Office

TDAT – Tribal Directory Assessment Tool

THPO – Tribal Historical Preservation Office

USACE – United States Army Corps of Engineers

USDA - RD – United States Department of Agriculture - Rural Development