Environmental Review Record

City of Ontario Sewer Improvement Project

Subject: Area of Potential Effects Notification for the Sewer Line Replacement Project, Ontario, Malheur County, Oregon

Ontario Oregon, Malheur County

Categorical Exclusion — NEPA Environmental Documentation

The following agencies/agents have been contacted regarding this project.

Agency/ Contact/ Data Source	**Address**	**Name**	**Contact Date**	**Response**
Sole Source Aquifer (SSA)				
USEPA	Map downloaded from the USEPA website SSA interactive mapper. https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b	NA	March 1, 2020	NA

Sole Source Aquifers

HUD Region X

Checklist for HUD or Responsible Entity

General requirements	Legislation	Regulation
Protect drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300 et seq., and 21 U.S.C. 349)	40 CFR 149.2

1. **Is the project located on a sole source aquifer (SSA) review area which includes the aquifer and streamflow source areas? (Note: There are currently no sole source aquifers in Alaska.)**

☐ Maintain, in your ERR, a copy of the latest SSA review area map, marked with your project location.
https://www.epa.gov/dwssa
Click "Interactive map of SSA's"
Make sure you consider streamflow source areas.

☒ No: STOP here. The Sole Source Aquifer authority does not apply. Record your determination.
☐ Yes: PROCEED to #**2**

2. **Is there anything connected to your project that could have an adverse impact on the aquifer and streamflow source area such as injection of storm into the aquifer or deep digging on sites with toxins in the soil or onsite monitoring wells? Examples include dry wells, injection wells, digging in contaminated soils to or close to aquifer depth (note depth to aquifer may vary depending on where your project is located since aquifer depths vary over the landscape), installing a fuel storage tank underground without safeguards or placing a fuel storage tank aboveground without secondary containment.**

Describe:

☐ Yes: Please proceed directly to consultation with EPA, described in Step 10 or if the project is located in Idaho, proceed to Step 9.
☐ No: Document your ERR and PROCEED to **#3**

3. **Does the project consist of an individual action (including acquisition, disposition, new construction and rehabilitation) on a one-to-four unit residential building that meets all applicable local and state groundwater regulations?**

☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
☐ No: PROCEED to **#4**

4. **Does the project consist of acquisition, disposition or rehabilitation of a multifamily (5 or more dwelling units) residential building, commercial building, or public facility that does not increase size or capacity and meets all applicable local and state groundwater regulations?**

☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
☐ No: PROCEED to **#5**

5. **Does the project consist of new construction or rehabilitation that increases size or capacity of a multifamily building, commercial building or public facility that meets all applicable local/state ground-water regulations AND**
   a. **Project is connected to public water OR**

b. Project is connected to private well water and the appropriate state and local health department or district is notified; water is tested for contaminants such as bacteria and nitrate; all applicable pollution prevention techniques are used to protect the private well from contamination.
c. Project is connected to the sanitary sewer OR
d. Project uses an onsite sewage disposal system that treats 2000 gallons per day or less.
e. Project is connected to public storm drainage system OR
f. Project infiltrates some or all of its storm water onsite through rain gardens, bioswales or other low impact development methods EXCEPT shallow injection wells such as dry wells, or french drains.

Describe:

☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet and document how your project will handle water, storm water and sewage.
☐ No: PROCEED to **#6**

6. Does the project consist of repairing or expanding streets, or installing sidewalks, curb cuts, biking trails, hiking trails, parks or playgrounds and meets all applicable local and state groundwater regulations?
☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
☐ No: PROCEED to **#7**

7. Does the project consist of drinking water activities such as drinking water lines, drinking water storage reservoirs, drinking water treatment systems, drilling of a new well, or a pump system and does not involve digging through a hazardous waste site or a site that is tracking contamination through monitoring wells?

Describe:

☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
☐ No: PROCEED to **#8**

8. Does the project consist of wastewater activities such as (but not limited to) replacement and/or rehab of collection lines, new transmission lines, lift stations, new wastewater lagoons or repairing an existing septic system and does not involve digging through a hazardous waste site or a site that is tracking contamination through monitoring wells and <u>does not</u> add a new source of contamination to the groundwater (examples that may add a new source of contamination would include a new reuse/land application system or expansion of existing reuse/land application system, or a new large capacity septic system/soil absorption system)?

Describe:

☐ Yes: STOP here. The project is not likely to affect Sole Source Aquifer quality. Record your determination on the Statutory Worksheet.
☐ No: PROCEED to **#9**

9. Is the project located in Idaho and does it fit within the Memorandum of Understanding between HUD/Idaho Division of Community Development/Idaho Housing and Finance Association and EPA?

☐ Yes: Follow the process laid out in the 2000 MOU, including contacting appropriate regulators, obtaining required permits and maintaining documentation as prescribed in the MOU:
Record your determination on the Statutory Worksheet.

☐ No: PROCEED to **#10**

10. Submit your project to EPA for review.

Include the following information:

1. Location of Project and name of Sole Source Aquifer.
2. Project description and federal funding source.
3. Is there any increase of impervious surface? If so, what is the area?
4. Describe how storm water is currently treated on the site.
5. How will storm water be treated on this site during construction and after the project is complete?
6. Are there any underground storage tanks present or to be installed? Include details of such tanks.
7. Will there be any liquid or solid waste generated? If so how will it be disposed of?
8. What is the depth of excavation?
9. Are there any wells in the area that may provide direct routes for contaminates to access the aquifer and how close are they to the project?
10. Are there any hazardous waste sites in the project area, especially if the waste site has an underground plume with monitoring wells that may be disturbed? Include details.
11. Are there any deep pilings that may provide access to the aquifer?
12. Are Best Management Practices planned to address any possible risks or concerns?
13. Is there any other information that could be helpful in determining if this project may have an affect on the aquifer?
14. Does this Project include any improvements that may be beneficial to the aquifer, such as improvements to the wastewater treatment plan?

Submit the information to Sejal Soni at soni.sejal@epa.gov , phone number (206) 553-1798, for EPA approval of the project. Please note that EPA may request additional information if impacts to the aquifer are questionable after the information is submitted for review.

☐ EPA approves project: Stop here. The project is not likely to affect Sole Source Aquifer quality. Maintain copies of all of the documents you have used to make your determination and your correspondence with EPA.

☐ EPA objects to project: Continue working with EPA to mitigate issues. You may need to hire a technical consultant or request EPA to conduct an independent review of the proposed project for impacts to ground water quality. If EPA determines that the project continues to pose a significant contaminant hazard to public health, federal financial assistance must be denied.

DISCLAIMER: This document is intended as a tool to help Region X HUD grantees and HUD staff complete environmental requirements. This document is subject to change. This is not a policy statement, and the Sole Source Aquifer Legislation and Regulations take precedence over any information found in this document.

Sole Source Aquifers (CEST and EA)

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149
Reference		
https://www.hudexchange.info/environmental-review/sole-source-aquifers		

1. **Does your project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?**

   ☐Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

   ☒No → *Continue to Question 2.*

2. **Is the project located on a sole source aquifer (SSA)[1]?**

   ☒No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area.*

   ☐Yes → *Continue to Question 3.*

3. **Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?**

   Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

   ☐Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*

   ☐No → *Continue to Question 5.*

4. **Does your MOU or working agreement exclude your project from further review?**

   ☐Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

[1] A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

☐No → *Continue to Question 5.*

5. **Will the proposed project contaminate the aquifer and create a significant hazard to public health?**

   Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

   ☐No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination*.

   ☐Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. <u>If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied.</u> Continue to Question 6.*

6. **In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Worksheet Summary

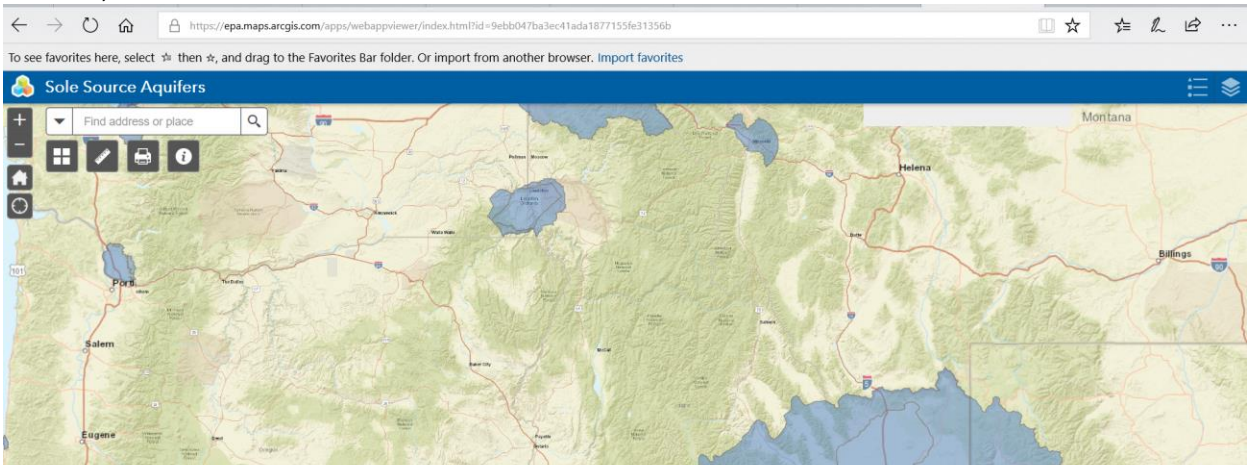
Compliance Determination

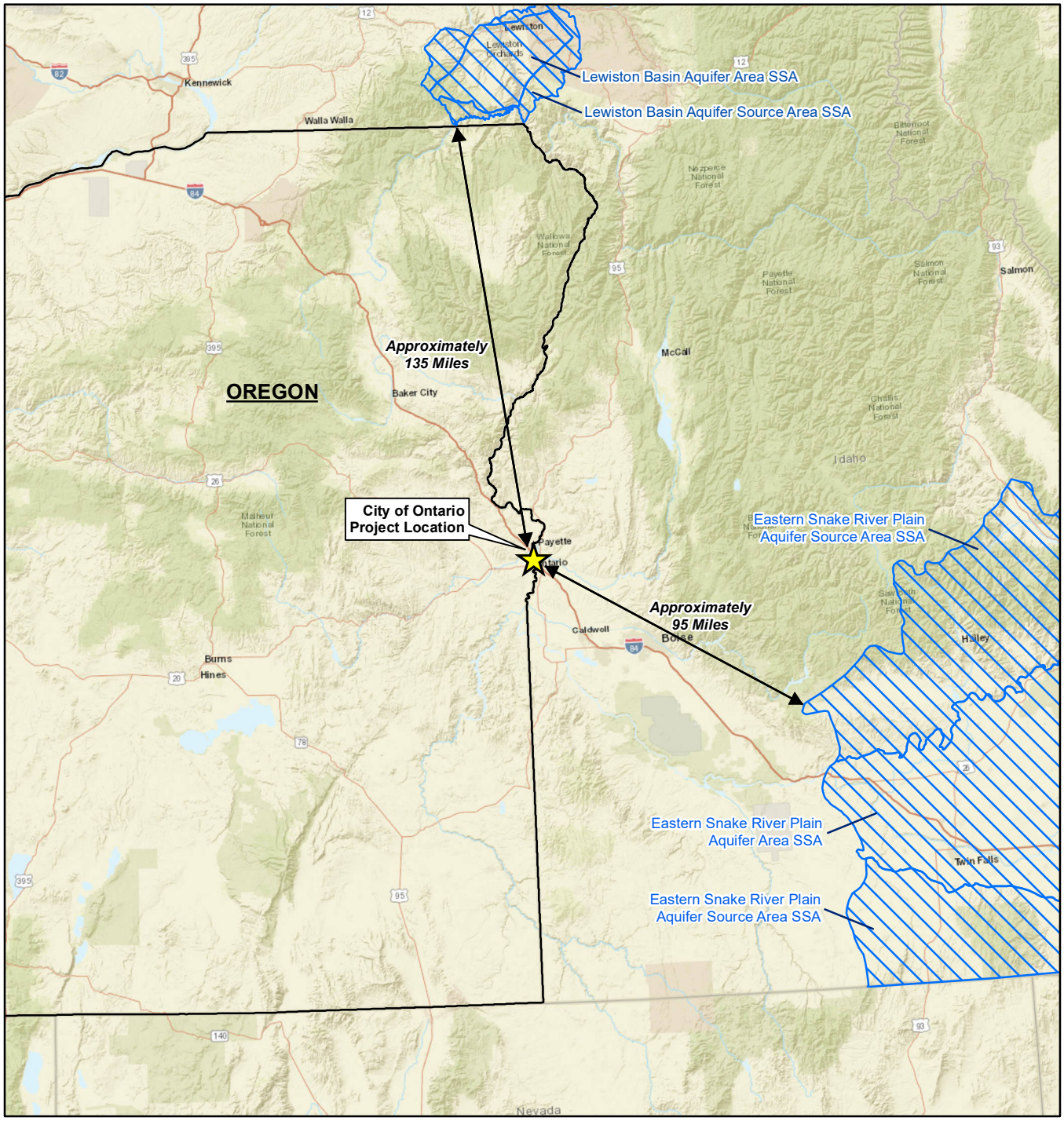
Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

City of Ontario Sewer Improvement Project is not within a mapped Sole Source Aquifer. The nearest mapped SSA include the **SSA: Eastern Snake River Plain Aquifer Source Area (near Twin Falls, Idaho)** and to the north the **SSA: Lewiston Basin Aquifer Area SSA in Lewiston, Idaho.**

Map downloaded from the USEPA website SSA interactive mapper.
https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b
March 1, 2020.





Legend

City of Ontario Project Location

Sole Source Aquifer

0 20 40 80
Miles

N

Figure 1. Sole Source Aquifers
City of Ontario Sanitary Sewer Improvement Project
Categorical Exclusion Documentation
City of Ontario, Malheur County, Oregon

JACOBS