



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270-2102

December 16, 2020

Categorical Exclusion
For the Anthony Water and Sanitation District
Drinking Water System Project

The U.S. Environmental Protection Agency (EPA) Region 6 intends to provide grant funds to the Anthony Water and Sanitation District (AWSD) for the Anthony Drinking Water Project located in Anthony, New Mexico.

EPA'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 Council on Environmental Quality regulation, 40 CFR §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 environment. To qualify for a categorical exclusion, a project must conform to one of the categories listed in 40 CFR §6.204(a) and it must not involve any of the extraordinary circumstances identified in 40 CFR §6.102(b).

Project Description

The AWSD is a member-owned community water and wastewater system located in Anthony, Doña Ana County, New Mexico. The AWSD service area boundary had a 2010 population of 9,491. Anthony's existing 2 million gallons of storage does not meet necessary fire requirements, nor does it allow for AWSD to meet projected demands for existing residents who currently have unreliable water service. These residents (approx. 55) experience failing residential wells due to wells drying up or having low water pressure. In addition, existing storage infrastructure does not allow for the tanks to be taken down for maintenance. A recently completed water audit showed the AWSD service area is experiencing high-water losses due to numerous waterline breaks. These breaks are in older neighborhoods and are often served by small diameter lines less than 6 inches. In order to reduce water loss and provide a more reliable system, waterlines in these areas are recommended to be replaced.

The proposed project includes the following changes to the existing drinking water infrastructure:

- Household connections for 55 residences.
- 10,575 linear feet of 6" - 14" waterlines within already disturbed dirt roadways.
- New water storage tank within the existing footprint of the existing south tank site.
- New replacement 6" and 8" waterlines will replace existing lines in older portions of Anthony within the existing street right-of-way.

Eligibility for Categorical Exclusion

In accordance with the EPA's regulations for implementing the NEPA, 42 USC §4321-4370f, EPA Region 6 has determined this project to be eligible for a categorical exclusion under 40 CFR §6.204(a)(1)(ii), which allows projects to be categorically excluded when the projects involve:

"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."

The proposed project qualifies for the categorical exclusion set forth under 40 CFR §6.204(a)(1)(ii) as it involves minor upgrading and expansion of existing infrastructure systems and system components. In addition, the project does not involve new or relocated discharges to surface or ground water; will not result in the substantial increase in the volume or the loading of pollutant to the receiving water; will not provide capacity to serve a population of 30% greater than the existing population; and will not directly or indirectly involve upgrading or extending infrastructure systems for the purpose of future development.

Extraordinary Circumstances (40 CFR §6.204(b)(1) through (b)(10))

EPA has reviewed the proposed project and determined that it does not involve any extraordinary circumstances listed in 40 CFR §6.204(b)(1) through (b)(10). The proposed construction activity will take place in previously disturbed utility corridor and no new land disturbance would be required.

Finding

EPA finds the proposed action conforms to the category of actions eligible for exclusion from detailed environmental review under CFR 40 CFR §6.204(a)(1)(ii) and will not involve any extraordinary circumstances. Accordingly, EPA will not prepare an Environmental Impact Statement (EIS) or Environmental Assessment (EA) for the proposed action. EPA 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.

Sincerely,

Robert Houston, Acting Director
Office of Communities, Tribes and
Environmental Assessment