



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

March 21, 2011

FINDING OF NO SIGNIFICANT IMPACT

TO ALL INTERESTED GOVERNMENT AGENCIES AND PUBLIC GROUPS:

In accordance with the environmental review guidelines of the Council on Environmental Quality found at 40 Code of Federal Regulations (CFR) Part 1500, and with the use of the implementing environmental review procedures of the United States Environmental Protection Agency (EPA) found at 40 CFR Part 6 entitled "Procedures for Implementing the Requirements of the Council on Environmental Quality on the National Environmental Policy Act" as guidance, the EPA has performed an environmental review of the following proposed action:

Wastewater Infrastructure Construction Project
Proposed by the City of Pine Bluff
Located in Jefferson County, Arkansas

Estimated EPA Share: \$ 477,000

Estimated Local Share: \$ 390,273

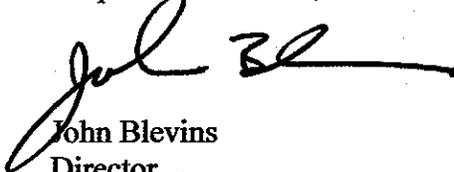
The Fiscal Year 2008 Appropriations Act for the EPA included special Congressional funding for water and wastewater construction projects. The City of Pine Bluff (City) was selected to receive funding support through these special appropriations for the construction of new gravity flow wastewater collection lines, a sewer force main, and a wastewater pump station to provide service to an area along local State Highway 63 where wastewater collection facilities do not currently exist. This proposed project will serve existing citizens and businesses in the currently under-developed area, as well as provide for expected typical future growth. The area has the potential for additional growth of both residential and industrial development, and therefore the City has proposed the installation of wastewater service as an incentive for both current and anticipated development.

The City will install approximately 3,600 linear feet of 8-inch diameter wastewater collection lines along both sides of the highway (also known locally as South Olive Street), and will construct the lift station just south of the highway's intersection with Interstate 530. The project will involve one under-highway boring, and will be constructed in phases. The initial phase will include installation of the sewer line up to Ridgway Road, with the remainder of the lines to be installed in the near future. The City will be the owner of the project, and the Pine Bluff Wastewater Utility will be the operator of the system. The new wastewater lines will tie into the City's existing collection system by the installation of the necessary gate valves, piping, and manholes. These improvements should allow for the development of neighborhoods in this area of the City, along with the associated commercial and industrial development typical of urban living. The City will utilize the Congressional funding support in conjunction with local funds to finance the construction of the proposed project.

The environmental review process, which is documented by the enclosed Environmental Assessment, indicates that no potential significant adverse environmental impacts are anticipated from the proposed action. The project individually, cumulatively over time, or in conjunction with other actions, is not expected to have a significant adverse effect on the quality of the environment. On that basis, I have determined that the project is not a major federal action significantly affecting the quality of the human environment, and that preparation of an Environmental Impact Statement is not necessary. My preliminary decision is based upon the enclosed Environmental Assessment, a careful review of the Environmental Information Document prepared for the project, the results of the public participation process, and other supporting data which are on file in the office listed below and available for public review upon request. Therefore, I am issuing this preliminary Finding of No Significant Impact pertaining to the project.

Comments regarding my preliminary decision may be submitted for consideration to the attention of the Office of Planning and Coordination (6EN-XP), Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202-2733. After evaluating any comments received, the EPA will make a final decision. No administrative action will be taken on this preliminary decision for at least 30 calendar days after release of this Finding of No Significant Impact. The preliminary decision and finding will then become final after the 30-day comment period expires if no new significant information is provided to alter this finding.

Responsible Official,



John Blevins
Director
Compliance Assurance and
Enforcement Division

Enclosure

cc: Carl Redus, Mayor
City of Pine Bluff

Randy Young, Executive Director
Arkansas Natural Resources Commission

ENVIRONMENTAL ASSESSMENT

WASTEWATER INFRASTRUCTURE CONSTRUCTION PROJECT

Proposed by the

CITY of PINE BLUFF

Located in JEFFERSON COUNTY, ARKANSAS

BACKGROUND

The Fiscal Year 2008 Appropriations Act for the EPA included special Congressional funding for water and wastewater construction projects. The City of Pine Bluff (City) was selected to receive funding support through these special appropriations for the construction of new gravity flow wastewater collection lines, a sewer force main, and a wastewater pump station to provide service to an area along local State Highway 63 (also known locally as South Olive Street) where wastewater collection facilities do not currently exist. This proposed project will serve existing citizens and businesses in the currently under-developed area, as well as provide for expected typical future growth. The area has the potential for additional growth of both residential and industrial development, and therefore the City has proposed the installation of wastewater service as an incentive for the anticipated development.

The City will install approximately 3,600 linear feet of 8-inch diameter wastewater collection lines along both sides of the highway, and will construct the lift station just south of the highway's intersection with Interstate 530. The project will involve one under-highway boring, and will be constructed in phases. The initial phase will include installation of the sewer line up to Ridgway Road, with the remainder of the lines to be installed in the near future. The City will be the owner of the project, and the Pine Bluff Wastewater Utility will be the operator of the system. The new wastewater lines will tie into the City's existing collection system through the installation of the necessary gate valves, piping, and manholes. These improvements should allow for the development of neighborhoods in this area of the City, along with the associated commercial and industrial development typical of urban living. The initial capacity of the extension will not be fully utilized until the area becomes developed. The City will utilize the Congressional funding support in conjunction with local funds to finance the construction of the proposed project.

The City currently owns and operates the drinking water supply and wastewater collection and treatment systems serving the citizens in the area. The wastewater collection system consists of approximately 450 linear miles of sewer lines, 49 lift stations of various types and sizes, and 8,000 manholes. The wastewater treatment plant contains three 490-acre aerated facultative lagoons. The treatment process involves the use of a fine bubbler system with settling lagoons, ultra violet lights for disinfection, and dual effluent lines (both force and gravity) flowing into the local receiving stream. The design flow of the plant is 18 million gallons per day with an average flow of 11.5 million gallons, and a peak flow of 14 million gallons. The project planning area is shown on the map enclosed as Figure 1.

The proposed project is considered to be a federal action requiring compliance with the National Environmental Policy Act (NEPA). In accordance with the environmental review requirements of the Council on Environmental Quality found at 40 Code of Federal Regulations (CFR) Part 1500, and with the use of the Environmental Protection Agency's (EPA) implementing regulations found at 40 CFR Part 6 entitled "Procedures for Implementing the Requirements of the Council on Environmental Quality on the National Environmental Policy Act" as guidance, the EPA is preparing this Environmental Assessment to assist in determining the environmental impacts of the proposed action, and in evaluating whether an Environmental Impact Statement or a Finding of No Significant Impact will be prepared for the proposed project.

PROJECT DESCRIPTION

The City has proposed the construction and installation of the above referenced wastewater collection infrastructure to serve the citizens in the area. The City will install approximately 3,600 linear feet of 8-inch diameter collection lines in phases, with the initial phase of lines being installed up to Ridgway Road. The City will also install a sewer force main and a pump station along State Highway 63 south of I-530. The current population of the City is approximately 51,000 people, and this number is expected to increase moderately in the next few years.

The proposed improvements will provide safe and dependable wastewater collection to serve both current and future citizens in the area. Associated support businesses and establishments such as restaurants, churches, schools, hospitals, parks and government buildings will eventually be served by the project as the area is developed. All construction activities will occur within either the utility easement immediately adjacent to streets and highways, or other rights of way owned or controlled by the funding recipient. The proposed project will not displace any existing citizen, home or business. Upon completion, the project will enhance the health and safety of local citizens by providing and improving wastewater collection for the City.

ALTERNATIVES TO THE PROPOSED PROJECT

The funding recipient evaluated and considered a range of various alternatives to address the infrastructure needs of the area. Important factors influencing the evaluation of the processes and their recommended solutions include environmental acceptability, overall costs, availability of land for the intended uses, maximum reuse of existing facilities when applicable, operation and maintenance costs, system reliability, accommodation of future expansion needs, and public acceptance. A complete description of the alternatives is provided in the Environmental Information Document (EID) provided by the funding recipient for the project.

ENVIRONMENTAL SETTING

The City of Pine Bluff is located in the south central part of the state approximately 50 miles southeast of the City of Little Rock which is the state capital. The City is the county seat for Jefferson County, and has an estimated population of approximately 51,000 residents as previously stated above. The existing landscape of the area consists mainly of pines, mixed hardwood forests, and pastureland for grazing livestock. The topography of the land is relatively flat with a few minor elevation changes due to several small streams and creeks in the area. The existing ground in the project planning area has been previously disturbed by construction of the highway. Construction and installation of the wastewater lines will be mainly in easements adjacent to the highway. Surface waters of the area consist of Bayou Bartholomew and intermittent streams that feed into it. The bayou is a one-million acre watershed which begins northwest of the City and flows approximately 375 miles into Louisiana joining the Ouachita River. The City's current drinking water supply is derived from pumped groundwater.

The area has hot summers and moderately cool winters. Annual precipitation in the area is heavy, and is evenly distributed throughout the year. Snowfall occurs every winter, but coverage lasts only a few days. Air quality is good and presently not in violation of state or federal air quality control standards. Soils in the area support livestock grazing in more remote areas, and are conducive to reseeding after construction to quickly return disturbed areas to their original condition. There are no wilderness areas, national landmarks or monuments, or wild and scenic rivers within or immediately adjacent to the project area.

The population in the area is comprised of 66 percent Black or African American, 33 percent Caucasian, and one percent listed as all others. The area has suffered from a lack of economic development and growth over past years. The proposed project is an attempt to address one of these disadvantages. The project will serve all populations equally, no new land will be acquired, no residents or businesses will be displaced, and the economic characteristics will not be negatively impacted. To the contrary, the improvements will be of economic benefit to the community. A more detailed description of the local environment is provided in the EID developed for the project.

IMPACTS OF THE PROPOSED PROJECT

The proposed project was analyzed to identify potential short-term, long-term, and cumulative impacts on the environment. There are no anticipated significant adverse environmental impacts associated with the proposed action that cannot be reduced to acceptable levels as identified and discussed below.

1. **Biological Resources Including Threatened and Endangered Species:** Based upon initial coordination with the United States Fish and Wildlife Service (USFWS) and the Arkansas Game and Fish Commission (AGFC), construction of the proposed project should not have significant

adverse impacts to biological resources. The funding recipient is responsible for continued coordination with the USFWS and the AGFC to insure protection of any protected animal and plant species that may be discovered during actual construction, including their protected habitat. The funding recipient is responsible for compliance with any recommendations made by both the USFWS and the AGFC. The funding is contingent upon compliance with these requirements.

2. Cultural/Historic Resources: Based upon initial coordination with the State Historic Preservation Officer (SHPO), construction of the proposed project should not have significant adverse impacts to archaeological, historical, architectural, or cultural resources since these protected resources are not known to occur in the project area. The SHPO has stated that their records show two archeological sites and one historic site located near the project planning area. The SHPO further states that these sites should not be affected by the proposed project, and that a cultural resources survey is not needed at this time. However, if cultural materials are encountered during construction, work will stop immediately in the general area of the discovery, and the funding recipient will immediately notify the SHPO of the discovery. Any such resources discovered will be evaluated in accordance with the requirements of 36 CFR Part 800, and appropriate mitigation measures developed and implemented, as needed, in consultation with the SHPO before construction in the area is allowed to continue. The funding is contingent upon compliance with these requirements.

3. Floodplain: Based upon initial coordination with the Federal Emergency Management Agency, the funding recipient is a participant in the National Flood Insurance Program and has implemented the appropriate Flood Damage Prevention Ordinance. The funding recipient is required to coordinate with the local Floodplain Administrator (FA) for review and approval, and must complete any permit requirements prior to construction of the proposed project. Based upon initial coordination with the local FA, there will be no permit requirements necessary for the project to insure compliance with the local flood ordinance. The funding recipient is responsible for continued coordination with the FA during actual construction activities to insure that there will be no significant adverse impacts to the floodplain from the proposed project. The funding is contingent upon compliance with these requirements.

4. Wetlands: Based upon initial coordination with the United States Army Corps of Engineers (COE), construction of the proposed project will likely require the issuance of a project-specific construction permit under Section 404 of the Clean Water Act to protect any wetlands and jurisdictional waters of the United States that may be present. The funding recipient is responsible for continued coordination with the COE, and must complete any subsequent permitting process prior to the initiation of actual construction activities. The EPA Region 6 Wetlands Section in Dallas reviewed the project and does not have any concerns with the project at this time, but requested that should any wetlands occur on site, minimizing impacts should be investigated and implemented. The funding recipient is responsible for continued coordination with the EPA Wetlands Section in Dallas. Compliance with any such permit issued by the COE should insure that construction of the proposed project should not have significant adverse impacts to any designated wetlands within the project construction area. The funding is contingent upon compliance with these requirements.

In order to further protect the natural beneficial functions of the floodplain and wetlands, and to minimize the potential flood hazards to life and property, the construction funding is conditioned to read:

a. The recipient agrees not to collect or treat wastewater generated by new development in the floodplain or wetlands by the project facilities for a period of 50 years from the date of the environmental assessment related to this project. This restriction does not apply to development in the floodplain or wetlands which existed prior to that date;

b. The recipient agrees to adopt and enforce suitable ordinances and implementing procedures for effective local administration of this floodplain and wetlands service area restriction. On application of the recipient's governing body and after considering all relevant information on a proposed development's effects on the natural functions and values of the affected floodplain and wetlands, the EPA Regional Administrator may waive the service area restriction in individual cases; and

c. EPA and the recipient intend that this floodplain and wetlands service area restriction shall benefit any person, organization, or entity possessing an interest in preservation of the natural environment in the 100-year floodplain and wetlands subject to this restriction. Any such beneficiary may seek enforcement of the restriction against the recipient or its successor in a court of competent jurisdiction, if notice of the intent to seek enforcement is first given to the recipient and the EPA Region 6, and neither entity initiates corrective action within 90 days of receiving such notice.

5. **Surface Water Resources:** Based upon initial coordination with the Arkansas Natural Resources Commission (ANRC) and the National Park Service, construction of the proposed project should not have significant adverse impacts to protected surface water resources. There will be no discharge into any waters which have been designated as a wild and scenic river. The Arkansas Department of Environmental Quality (ADEQ) stated that the project must comply with the Arkansas Storm Water Construction General Permit if the construction will disturb in excess of one acre of land. The funding recipient is responsible for continued coordination with the ANRC and the ADEQ, and must complete any subsequent permitting process prior to the initiation of actual construction activities. The funding is contingent upon compliance with these requirements.

6. **Ground Water Resources:** Based upon initial coordination with the ANRC and the EPA Region 6 Ground Water/UIC Section, construction of the proposed project should not have significant adverse impacts to protected ground water resources since the project area is not located over a designated sole source aquifer. The funding recipient is responsible for continued coordination with the ANRC, and must complete any subsequent permitting process prior to the initiation of actual construction activities. The funding is contingent upon compliance with these requirements.

7. Prime and Unique Farmlands: Based upon initial coordination with the Natural Resources Conservation Service (NRCS), the project planning area contains some areas of prime farmlands and farmlands of statewide importance. These areas have been identified by maps provided to the funding recipient by the NRCS offices in Little Rock, and must be avoided during actual construction activities. Avoidance of these areas during construction should insure that the project will not have significant adverse impacts to prime or unique farmlands. The funding recipient is responsible for continued coordination with the NRCS, and must comply with NRCS recommendations during construction activities. The funding is contingent upon compliance with these requirements.

8. Air Quality: Based upon initial coordination with the Arkansas Department of Environmental Quality (ADEQ), construction of the proposed project should not have significant adverse impacts to air quality since the project is located in an area which is in compliance with the National Ambient Air Quality Standards (NAAQS) for all criteria air pollutants. Therefore, general conformity rules under the air State Implementation Plan do not apply. To further insure compliance with NAAQS standards, all vehicles and motorized equipment used in construction must comply with regulations regarding the control of air pollution from mobile sources. The funding recipient is responsible for continued coordination with the ADEQ, and must complete any subsequent permitting process prior to the initiation of actual construction activities.

9. Environmental Justice: The project was reviewed to ensure that construction will be conducted in an appropriate manner so that all persons and populations are served equally by the infrastructure improvements. Based upon the results of an evaluation to rank the potential environmental impacts to local communities using a computer-assisted mathematical formula, including Geographical Information System maps and census demographic data, no persons or populations will be discriminated against or denied the benefits of the proposed project. Since all persons and populations will be served equally by the project, there will be no adverse impacts that are considered disproportionate to any particular portion of the population.

10. Coastal and Barrier Resources: Construction of the proposed project should not have significant adverse impacts to coastal and barrier resources since the construction project area is inland, and not adjacent to the coastal zone.

11. Cumulative Impacts: Potential cumulative impacts would be those impacts to the local environment that would result from the proposed project in combination with other ongoing actions, and those reasonably foreseeable future actions. No other major construction activity is being conducted presently or planned for the immediate future. The proposed project will not individually nor cumulatively over time have a negative impact on the quality of the human or natural environment. To the contrary, improved infrastructure will have a positive environmental effect by enhancing public health and protecting the natural environment from continued contamination and degradation.

DOCUMENTATION, COORDINATION, AND PUBLIC PARTICIPATION

A public hearing for the proposed project was held on August 17, 2010, in the Pine Bluff City Hall building located at 200 East 8th Avenue. The purpose of the meeting was to inform the public of the proposed project, to identify any concerns, and to request public participation in the development of the project. Since the project is supported by the community, no adverse public comments or concerns have been received about the project.

During the process of conducting the environmental review and preparing this Environmental Assessment for the project, coordination has been conducted with all required resource protection agencies and offices to solicit and incorporate their initial review and comments. Copies of this Environmental Assessment will be provided to those agencies and offices for their final review and comments. Other interested parties may request a copy of the Environmental Assessment in writing from the EPA, Office of Planning and Coordination (6EN-XP), 1445 Ross Avenue, Dallas, Texas 75202-2733.

References

1. Environmental Information Document, Pine Bluff Hwy 63 S: Sewer Extension, October 2010.

RECOMMENDATION

Based upon completion of this Environmental Assessment, and a detailed review of the Environmental Information Document for the project, it has been determined that construction activities are considered to be environmentally sound. Therefore, it is recommended that a Finding of No Significant Impact be issued.