

# FINDING OF NO SIGNIFICANT IMPACT

## Bay Acres Colonia Wastewater Collection System Expansion Cochise County, Arizona

Rural Utilities Service  
U.S. Department of Agriculture

City of Douglas

Prepared by:  
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Rural Development

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## A. INTRODUCTION

The City of Douglas plans to submit a financing request to the U.S. Department of Agriculture, Rural Utility Service (RUS) to construct the proposed Bay Acres Colonia Wastewater Collection System Expansion in Cochise County, Arizona. RUS is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), RUS is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and RD's NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). After completing an independent analysis of an environmental report prepared by the Environmental Protection Agency, City of Douglas and its consultant, RUS concurred with its scope and content. In accordance with 7 CFR § 1970.102 and § 1970.15, RUS adopted the report and issued it as the Agency's Environmental Assessment (EA) for the proposed Project. RUS finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. City of Douglas and EPA published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, RUS considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

## B. PROJECT DESCRIPTION AND PURPOSE/NEED

The overall purpose of the Project is to expand the wastewater collection system to the Bay Acres Colonia to provide improved health, sanitation, and security to the residents of the Bay Acres Colonia. The Bay Acres Colonia is currently serviced by inadequate, failing onsite wastewater collection systems (septic tanks with leach fields). The failing on-site wastewater collection systems are a public health concern due to various pathogenic microorganisms, ammonia and nitrate that may produce a health risk to humans and degrade the environment. RUS has reviewed the purpose and need for the Project and determined that the proposal will meet the present and future needs of the Bay Acres Colonia and the City of Douglas.

## C. ALTERNATIVES EVALUATED

### 1. No Action

Under the No Action Alternative, RUS would not provide financial assistance to City of Douglas, and/or the proposed Project would not be constructed. This alternative would not assist City of Douglas in providing a wastewater collection system to the Bay Acres Colonia.

### 2 Action Alternative (Preferred Alternative)

Under the Action Alternative, RUS would consider financing the proposed Project, and City of Douglas would construct Bay Acres Colonia Wastewater Collection System Expansion. The proposed project includes a gravity wastewater collection system and includes: approximately 22,300 linear feet of 8-inch diameter and 3,865 linear feet of 12-inch PVC SDR 35 new gravity sewer pipe and 65 new manholes. The proposed project will provide new sewer service connections to at least 342 residential units and 3 commercial units in Bay Acres Colonia, Overlock Addition, and surrounding area.

### 3 Alternatives Eliminated from Further Consideration

In addition to the No Action Alternative and Action Alternative, City of Douglas considered other technology and siting alternatives, which are documented in the Alternatives section of the EA.

#### D. SUMMARY OF ENVIRONMENTAL EFFECTS

The analyses in the EA documented that the proposed Project would have no adverse effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Cultural Resources, Biological Resources, Aesthetics and Air Quality. No mitigation measures were deemed necessary to avoid or minimize impacts.

#### E. PUBLIC AND AGENCY INVOLVEMENT

A local newspaper advertisement, announcing the availability of the EA and participation under Section 106 of the National Historic Preservation Act, was/were published on Douglas Dispatch on January 29, 2014. A copy of the EA was available for public review at the offices of EPA Region 9 (75 Hawthorne Street, San Francisco, CA 94015-3901) and on the internet at <http://www.epa.gov/region9/nepa/epa-generated>. The 30-day comment period ended on February 27, 2014. No comments were received.

#### F. FINDING OF NO SIGNIFICANT IMPACT

Based on its EA, RUS has concluded that the proposed Project would have no significant effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Cultural Resources, Biological Resources, Aesthetics and Air Quality. The proposed Project will have no effects on historic properties listed or eligible for listing on the National Register of Historic Places and no effects to federally listed species or designated critical habitat. The proposed Project would not disproportionately affect minority or low income populations.

In accordance with the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR 1500–1508), and RD's Environmental Policies and Procedures (7 CFR Part 1970), RUS has determined that the environmental impacts of the proposed Project have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed Project. Any final action by RUS related to the proposed Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because RUS's action will not result in significant impacts to the quality of the human environment, RUS will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed Project.

#### G. RUS LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes RUS's environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance also is subject to the availability of loan funds for the designated purpose in RUS's budget. There are no provisions to appeal this

decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

**H. APPROVAL**

This Finding of No Significant Impact is effective upon signature.



8-05-16

Dated

NANCY J. VERES  
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**Contact Person**

For additional information on this FONSI and EA, please contact Michael A Luecker at 602-280-8762.