

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

Manisha Juthani, MD
Commissioner



Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

Drinking Water Section

Environmental Assessment Justification for Categorical Exclusion

A. Project Identification

PWS Name: Middletown Water and Sewer
Town: Middletown
PWSID: CT0380011
DWSRF No.: SFY 23-04
Project Name: DWSRF – Lead Service Lines – Replacement (Planning)
Project Location: Middletown

B. Summary of Environmental Review

August 24, 2023

The environmental aspects of this project have been reviewed in accordance with State and Federal regulations. The findings of the environmental review are summarized below.

1. Project Description

Consultant services to develop an inventory of lead service lines to meet the conditions of the LCRR. Project will investigate 2,700 homes throughout the Middletown service area including physical inspections of service lines that were identified through a review of existing service line documentation.

2. Justification for Categorical Exclusion from Connecticut Environmental Policy Act Requirements

The DPH has performed a review of the project under the Environmental Classification Document (ECD) for Connecticut state agencies and determined that this project is well defined and sufficiently limited in scope to qualify as a Category IV project consisting of minor renovations to existing facilities. Based on this determination a review pursuant to the Connecticut Environmental Policy Act (CEPA) is not warranted.

The public water system will be required to obtain any necessary local permits, as applicable. Copies of all required permits must be submitted to the DPH prior to any DWSRF funds being dispersed.

The project area is not within an identified flood plain.



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It is not reasonable to expect any adverse impact to the natural diversity of the surrounding area as the project areas are not within any current Natural Diversity Database Areas.

Although it is not expected that anything of archeological significance will be found, the DPH requires the contract language to include procedures for notifying appropriate entities, should anything of significance be found during construction.

3. Justification for Categorical Exclusion from National Environmental Policy Act Requirements

Pursuant to 40 C.F.R. Part 6, Procedures for Implementing the Requirements of the National Environmental Policy Act (NEPA), the DPH has reviewed the proposed scope of work submitted by the Middletown Water and Sewer Department in its application for DWSRF assistance. The result of this review indicates that there are no environmental concerns with this project, as discussed below:

- a. With respect to the criteria set forth in 40 CFR Part 6, the proposed project involves actions that are consistent with the eligibility for granting a Categorical Exclusion pursuant to 40 CFR Part 6.204 (a)(1)(ii). Specifically, the project actions are related to existing infrastructure systems that involve minor upgrading, and rehabilitation of the existing system and system components.
- b. With respect to the criteria set forth in 40 CFR Part 6.204 (b) for not granting a Categorical Exclusion:
 - i. The proposed action is not known or expected to have potentially significant impacts on the quality of the human environment either individually or cumulatively over time;
 - ii. The proposed action is not known or expected to have any adverse human health or environmental effects on any community;
 - iii. The proposed action is not known or expected to significantly affect federally listed threatened or endangered species or their critical habitat;
 - iv. The proposed action is not known or expected to significantly affect any national natural landmarks;
 - v. The proposed action is not known or expected to significantly affect any natural resource areas (e.g. flood plains, wetlands, farmlands, or aquifer recharge zones);
 - vi. The proposed action is not known or expected to cause significant adverse air quality effects;
 - vii. The proposed action is not known or expected to have any effects on land use or growth patterns; and
 - viii. The proposed action is not known or expected to cause significant public controversy.
 - ix. The proposed action is not known or expected to be associated with providing financial assistance to a federal agency through an interagency agreement for a project that is known or expected to have potentially significant environmental impacts.

- x. The proposed action is not known or expected to conflict with federal, state or local government, or federally-recognized Indian tribe environmental, resource-protection, or land-use laws or regulations.

C. Conclusion

Based on the DPH's review, none of the NEPA criteria which would result in the denial of a Categorical Exclusion are met. The proposed action is not known or expected to have any adverse impact on the quality of the human environment. The action will provide a direct public health benefit to residents served by the Middletown Water and Sewer Department's public water system by complying with the LCRR. Furthermore, the Department has reviewed the action against the ECD for Connecticut state agencies and determined it is a Category IV action for which a review under the CEPA is not warranted. As a result, the proposed action has met the criteria to be categorically excluded from further NEPA or CEPA review.

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