State Environmental Review Process Environmental Information Document

Agreement Information

|  |
| --- |
| Recipient (Organization):       |
| Agreement number (if known): |
| Project Title:      |
| Recipient Contact Person:     |
| Telephone:     |
| Address:       |
| Email:       |
| Project Description:       |
| Ecology Project Manager: |
| Ecology Financial Manager: |

External Federal Agency Information

|  |  |
| --- | --- |
| Does this project have other federal funding? Yes [ ]  | If so, what agency      Amount of federal funding (dollars)       |
| Does this project have a federal nexus (permit, license, located on federal land?) Yes [ ]  | If so, what agency       |
| Federal Agency Contact:Name        | Email       |
| Title       | Phone number       |
| Federal Nexus (Select one below): |  |
| Permit [ ]  | License [ ]  What is the license for?       |
| Funding Partner [ ]  | Landowner [ ]  |
| Landowner approval obtained.       | Other [ ]  |

Please submit all documentation listed below with this form to Ecology’s Project Manager and Environmental Review Coordinator for review and approval.

Section A: Minimum Required Information

*for all CWSRF Treatment Work Agreements*

Provide the minimum information as described below and in Section A of the [*State Environmental Review Process Environmental Information Document: Guidance for Clean Water State Revolving Funds (rev. 06/2023)*](https://apps.ecology.wa.gov/publications/SummaryPages/1610003.html)Check the boxes below to indicate you have included the documentation for the items listed. Provide comments for additional information when needed.

Verify Lead Agency – Please answer the following questions to the best of your ability.

I have verified that Ecology is the lead agency for environmental review (including cultural resources compliance) on this agreement because:

1. Ecology is the only agency funding this agreement. [ ]
2. Ecology is not the only funding agency but is funding the larger share of the agreement. [ ]
3. Ecology is not the only funding agency, but is funding this portion of the project footprint [ ]
4. Ecology is not the lead agency > *Call the environmental review coordinator to determine next steps with your review before proceeding*.

Project Type and Review

|  |
| --- |
| The information provided supports a *project level* review: [ ]  |
| The information provided supports a *non-project* *level* review: [ ]  |
| The agreement type is:  |
| Planning (Step 1) [ ]  |
| Design (Step 2) [ ]  |
| Construction (Step 3) [ ]  |
| Design and Construct (Step 4) [ ]  |
| Small Community Project Priority List (SCPPL) [ ]  |
| Acquisition [ ]  |
| Other (describe) |

Phase and Impact

Describe the documentation enclosed – whether for the current phase (Phase 1, Phase 2) or for all phases of the project. Were any resource impacts identified, and if so, check the appropriate box. Ensure the environmental review documentation supports the bullets chosen.

|  |
| --- |
| *The enclosed documentation includes:*The entire area for all phases, stages, and elements of the project (all phases of the agreement) [ ]  |
| Only this current phase of a phased review (may be one phase of the agreement) [ ]  |
| Other (describe) |
| 1. None [ ]
 |
| 1. Minimal [ ]
 |
| 1. Moderate [ ]
 |
| 1. High [ ]
 |
| 1. Cumulative [ ]
 |
| 1. Significant (for Environmental Impact Statements only – a Notice of Intent must be prepared and advance coordination with the Environmental Review Coordinator must occur). [ ]
 |
| 1. Mitigation commitments have been required and the information is attached [ ]
 |
| Provide details on any impacts by attaching the appropriate permits, approvals and summarize. |

Exemptions Only

|  |  |
| --- | --- |
| Check if requesting Ecology adopt the recipient’s SEPA exemption threshold determination or a NEPA Categorical Exclusion with a Record of Environmental Consideration. Enclose requested supporting documentation [ ] Type of agreements generally approved exempt for financial agreements are refinances and planning agreements which are just beginning the environmental review process. Other exemptions lack the required detail necessary to fulfill SERP requirements. | Federal NEPA Categorical Exclusion and Record of Environmental Consideration form attached. Submit only if you have U.S. Environmental Protection Agency funding, and have reviewed the list of extraordinary circumstances (see [NEPA Categorical Exclusion Form](https://apps.ecology.wa.gov/publications/SummaryPages/ECY070644.html)) [ ]  |
| Submit either form to your Ecology Project Manager and the Environmental Review Coordinator. Tribes may also apply for NEPA categorical exclusions. An exemption does not necessarily mean permit requirements or public outreach/EJ is also exempt. | SEPA exemption documentation included, included the [SERP SEPA Finding of Categorical Exemption Form](https://apps.ecology.wa.gov/publications/SummaryPages/ECY070643.html). [ ]  |

Adoptions Only

This review includes a request for an adoption (documentation enclosed):

1. Environmental Review Adoption request with documentation [ ]
2. Cultural Resources Review Adoption request with documentation [ ]
3. Both [ ]

The adoption of existing environmental or cultural resources review documentation generally involves deferring to another lead agency. See *State Environmental Review Process Environmental Information Document Guidance for Clean Water State Revolving Funds, publication 16-10-003 revised June 2023* for guidance*.*

If an adoption will occur, the Ecology Project Manager and Ecology Environmental Review Coordinator will review the documentation, ensure it meets Ecology requirements, and respond in a timely manner to the adoption request.

State, Tribal or National Environmental Policy Act (SEPA/TEPA/NEPA)

Ecology’s approved process for reviewing the potential impacts of financing projects uses existing environmental documentation prepared by the recipient at the local level or prepared by another agency. If no such information exists, the recipient will need to discuss options with the Environmental Review Coordinator.

Environmental documentation Ecology accepts for review includes the following:

|  |
| --- |
| State Environmental Policy Act (SEPA), National Environmental Policy Act (NEPA) review or Tribal Environmental Policy Act[[1]](#footnote-1) (TEPA) documentation that includes SEPA checklist or TEPA/NEPA document. [ ]  |
| The signed SEPA determination or TEPA/NEPA finding. [ ]  |
| Documentation that the lead agency solicited public comments during SEPA, NEPA or the TEPA process (notice of publication or similar). [ ]  |
| Comments received during the SEPA/NEPA/TEPA process Included [ ]  |

Community Outreach, Public Engagement and Environmental Justice

The Clean Water State Revolving Fund (CWSRF) environmental review requirements requires additional public outreach and community engagement beyond SEPA/NEPA/TEPA. Ecology has integrated these requirements with federal Environmental Justice (EJ) requirements.

Public Engagement (opportunity to engage the community)

Describe how the community learned about the project, the impacts of financing the agreement, why water quality improvements were necessary, and next steps. Explain how you identified and reached out to minority and underrepresented populations, and what comments you received.

Virtual, Hybrid and In-person meetings (outside of SEPA)

|  |
| --- |
| In person [ ]  |
| Virtual [ ]  |
| Date (s) of meetings       |
| Both [ ]  |
| Comments received? Yes [ ]  Please attach copies of comments. |

Meeting documentation provided:

|  |  |
| --- | --- |
| Meeting advertisement [ ]  | Meeting information (record, transcripts, agenda, minutes).  [ ]  |
| Copy of any presentation [ ]  | Language accessibility as needed. [ ]  |
| Did the presentation include? | Reasonable alternatives [ ]  |
|  | Impacts to rate payers [ ]  |
|  | Cumulative impacts [ ]  |
|  | Impact to floodplain (if applicable) [ ]  |

Additional Methods of Public Outreach

Multiple methods of outreach must be used for each agreement. Select the ways in which you engaged your community besides the meeting above and provide Ecology with an example, links or more information:

|  |  |
| --- | --- |
| Mailers– [ ]  | Website – [ ]  |
| Public notice in local newspaper (**Required –** send Ecology a copy) [ ]  | Social media – [ ]  |
| Advertising or notice in non-standard newspaper – [ ]  | Television – [ ]  |
| News media – [ ]  | Radio – [ ]  |
| Flyers – [ ]  | Signage - [ ]  |
| Other – explain [ ]  |  |

Environmental Justice (Executive Order 12898 and Executive Order 14096)

Complete a short report describing the sociodemographics of your service area and/or community. Describe the community using population demographics and a general background of the community you service. Map the community and include the results of the one of the following tools: EPA’s [Environmental Justice Screening and Mapping Tool](https://ejscreen.epa.gov/mapper/) , the CDC’s [Environmental Justice Index](https://eji.cdc.gov/launcher.html) or the Washington State Tracking Network [Environmental Health Disparities](https://doh.wa.gov/data-and-statistical-reports/washington-tracking-network-wtn/washington-environmental-health-disparities-map). Ensure you show your project with a 3-mile buffer, or you may use the Service Use Area.

|  |  |
| --- | --- |
| Describe the population demographics and background of the community potentially affected by the project. |       |
| Describe how you ensured meaningful public engagement. |       |
| Did you identify a minority, underserved and/or disproportionately and adversely impacted segment of the community within your Service Use Area? |       |
| Describe how you engaged any identified EJ communities. |       |
| For EJ Screen Reports: Do you have any demographic, sociodemographic, or environmental indicators, which are above the 70th percentile? (This is ***moderately high***. Note on percentiles - If the percentile rank for a specified index is 70%, then 70% of X have lower indices[[2]](#footnote-2)). If yes, continue to another tool, or go to the questions on public engagement. |       |
| For CDC Reports: If you reported using the [CDC EJ Index,](https://www.atsdr.cdc.gov/placeandhealth/eji/index.html) do you have an environmental, social, or health burden that ranks high? Do you have a cumulative index that ranks ***high***? I If yes, continue to another tool, or go to the questions on public engagement. |       |
| If you reported using the Washington Tracking Network, [Environmental Health Disparities](https://fortress.wa.gov/doh/wtnibl/WTNIBL/), do you have any rankings of ***6 or above?*** If so, consider how the project may impact the factor and go to the questions on public engagement. |       |
| If you ranked ***moderately high or high***, you have an identified minority, underserved, or low-income communities. Note whether you receive comments or concerns next. |  |
| Did you identify any disproportionately adverse[[3]](#footnote-3) impacts to the minority, underserved or low-income community? | Yes [ ]  No [ ]  |
| Describe how you provided additional public engagement. |  |
| Did you receive comments and/or concerns on the impacts? | Yes [ ]  No [ ]  |
| Did you resolve the impacts and identified concerns? If so, summarize how you resolved. |  |
| Have you addressed the [Title VI Civil Rights requirements](https://www.justice.gov/crt/fcs/TitleVI)[[4]](#footnote-4) as necessary? | Yes [ ]  No [ ]  |
| If mitigation is required, ensure the Ecology Environmental Review Coordinator is involved. |  |

Cultural Resource Review (Section 106 National Historic Preservation Act)

Answer the following questions and ensure the Ecology Project Manager is updated on the status of Cultural Resources Review compliance. Your contact for cultural resources compliance is the Ecology Environmental Review Coordinator:

|  |  |
| --- | --- |
| Have you discussed options with the Ecology Project Manager and Environmental Review Coordinator? Options include standard approach; starting with a survey for highly sensitive areas; phased review for longer, complex projects; adopting of previous cultural resource reviews; pre-consultation and deferring to another lead agency.  | Yes [ ]  No [ ]  |
| Have you confirmed that Ecology is the lead agency for cultural resources review?  | Yes [ ]  No [ ]  Need Help [ ]  |
| Ecology’s [Cultural Resources Review Form](https://apps.ecology.wa.gov/publications/SummaryPages/ECY070537.html) has been completed and submitted | Yes [ ]  No [ ]  |
| Ecology [Inadvertent Discovery Plan](https://apps.ecology.wa.gov/publications/SummaryPages/ECY070560.html) has been completed and submitted | Yes [ ]  No [ ]  |
| If not completed, what is the status of your cultural resource compliance |       |

Floodplain Protection Executive Orders

For facilities within a floodplain, include your Flood Insurance Rate Map (FIRM), and complete the Federal Flood Risk Management Standard (FFRMS) steps to explain any impacts to the floodplain:

|  |  |
| --- | --- |
| Is the project located in a Special Flood Hazard Area (SFHA) rated floodplain? | Yes [ ]  No [ ]  |
| If yes, what is the rating of the floodplain? |       |
| If the rating is a non-special flood hazard area, with moderate to low risk, such as 0.2 percent annual chance floodplain (500-year/B-Zone or shaded X-Zone), **you may end here.** |  |
| If the rating is a heightened risk of flooding, such as the 1 percent annual chance floodplain (100-year/A-Zone), regulatory floodway or coastal area (V-zone), **continue**. |  |
| SRF assistance recipients will be required to use higher standards for actions determined to be critical actions. Critical actions are defined as any activity for which even a slight chance of flooding would be too great[[5]](#footnote-5). Critical actions are prohibited in coastal high hazard areas. Is this project a critical action? | Yes [ ]  No [ ]   |
| Are there practicable alternatives to the location, outside of the floodplain? | Yes [ ]  No [ ]  |
| If no practicable alternative locations are found, will 50% of the construction or substantial improvements be undertaken or supported in the floodplain?  | Yes [ ]  No [ ]  |
| If there are no alternatives to siting, and more than 50% of the project will occur within the SFHA-rated floodplain, you must contact the city or county floodplain development office to determine if a permit is required. Was a permit required?  | Yes [ ]  No [ ]  |
| If yes, was it provided with this EID?  | Yes [ ]  No [ ]  |
| Does the floodplain assessment or permit contain mitigating measures?  | Yes [ ]  No [ ]  |
| Measures to minimize the risk of flood damage could include flood proofing the facility to be constructed, elevating structures above base flood levels, providing compensatory flood storage, natural based systems and approaches, or any other means that allow structures and facilities to adapt to, withstand and rapidly recover from a flood event. With mitigation, is the level significant? If so, EO 11988 requires an Environmental Impact Statement be prepared through the SERP or NEPA. Is the impact considered significant? | Yes [ ]  No [ ]  |
| Did you present the impact to the floodplain during your public outreach and were any comments received? |  Yes [ ]  No [ ]  |

Additional Information for Ecology:

Section B: Additional State and Federal Laws for consideration –

*Required for Designated Equivalency Projects (DEP) and other federally funded SRF agreements.*

This section must be completed for Designated Equivalency Projects (DEP) and other CWSRF treatment work agreements receiving federal funding. Contact Liz Ellis (liz.ellis@ecy.wa.gov) for more information. For guidance see Section B in: [*State Environmental Review Process Environmental Information Document: Guidance for Clean Water State Revolving Funds (rev. 06/2023)*](https://apps.ecology.wa.gov/publications/SummaryPages/1610003.html)

Many of these regulations are triggered by the presence of the resource they are designed to protect - not just the presence of federal funding. A project design or location may also trigger a regulation. For agreements with state funding, you may want to skim through the list. Note – any permit requiring mitigation needs to be disclosed as part of the environmental review.

Federal Authorities, Assurances and Laws – Federally funded agreements *must* complete this section.

|  |  |
| --- | --- |
| Is this a CWSRF Designated Equivalency Project (DEP)? If you don’t know, contact your Ecology Project Manager. DEP projects are identified in the Ecology annual funding offer list.  | Yes [ ]  No [ ]  |
| Protection of Wetlands, Executive Order 11990, as amended  | Yes [ ]  No [ ]  |
| If no, what is your justification for why?  |  |
| Farmland Protection Policy Act, 7 USC § 4201 et.seq.  | Yes [ ]  No [ ]  |
| If no, what is your justification for why?  |  |
| Coastal Zone Management Act, 16 USC § 1451 et. seq.  | Yes [ ]  No [ ]  |
| If no, what is your justification for why?  |  |
| Wild and Scenic Rivers Act, 16 USC § 1271 et. seq. | Yes [ ]  No [ ]  |
| If no, what is your justification for why?  |  |
| Endangered Species Act, 16 USC § 1531 et. seq.  | Yes [ ]  No [ ]  |
| If no, what is your justification for why?  |  |
| Essential Fish Habitat Consultation under the Magnuson Steven Fishery Conservation and Management Act 16 USC § 1801 et. seq. | Yes [ ]  No [ ]  |
| If no, what is your justification for why?  |  |
| Clean Air Act Conformity, 42 USC § 7401 et. seq. | Yes [ ]  No [ ]  |
| If no, what is your justification for why?  |  |
| National Historic Preservation Act (Section 106) of 1966, as amended. | Yes [ ]  No [ ]  |
| If no, what is your justification for why?  |  |
| Safe Drinking Water Act, 42 USC 300f et seq.  | Yes [ ]  No [ ]  |
| If no, what is your justification for why?  |  |
| Migratory Bird Treaty Act of 1918, as revised, 16 USC 703-12, and Bald and Golden Eagle Protection Act, 16 USC 668 | Yes [ ]  No [ ]  |
| If no, what is your justification for why?  |  |
| Additional Information for Ecology:  |  |

Additional Regulations that may apply to a state or federally funded CWSRF agreement.

Identify which resources required consultation, coordination and/or permitting to ensure protection. Include the appropriate final documentation from each consultation or permit as an upload to EAGL’s environmental and cultural review form. Include any required mitigation.

|  |  |
| --- | --- |
| Does your project trigger or require any additional permits, approvals, or authorizations?  | Yes [ ]  No [ ]  |
| Washington State Department Fish and Wildlife Hydraulic Project Approval (HPA) | Yes [ ]  No [ ]  |
| Hydraulic Project Approval Number  |  |
| Washington Department of Natural Resources Aquatic Use Authorization | Yes [ ]  No [ ]  |
| Lease/Easement Number  |  |
| Local or State Air Quality Approval (pollutants, odor control) | Yes [ ]  No [ ]  |
| Describe  |  |
| Construction Stormwater General Permit | Yes [ ]  No [ ]  |
| Obtained – Date  |  |
| Growth Management Act - Critical Areas Protection  | Yes [ ]  No [ ]  |
| Describe  |  |
| Shoreline Management Permit | Yes [ ]  No [ ]  |
| Number/Type  |  |
| Protections for Listed Species | Yes [ ]  No [ ]  |
| Describe  |  |
| Impacts to migratory birds or their nesting habitat, including impacts to the bald and golden eagles. | Yes [ ]  No [ ]  |
| Describe  |  |
| Wild and Scenic Rivers Act | Yes [ ]  No [ ]  |
| Describe  |  |
| Other permits, approvals, or authorizations | Yes [ ]  No [ ]  |
| Describe  |  |
| Other permits, approvals, or authorizations | Yes [ ]  No [ ]  |
| Describe  |  |
| Additional Information for Ecology:  |  |

If your project has impacts to any of these resources, report them as part of this EID so Ecology may consider that information as part of this SERP review. Reporting an impact does not preclude you from receiving financial assistance.

When complete, you may upload this EID with attachments to EAGL or return it directly to Liz Ellis, Environmental Review Coordinator, CWSRF, liz.ellis@ecy.wa.gov.

**Resources:**

[Ecology Environmental Review for Water Quality Grants and Loans](https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/Environmental-review)

[State Environmental Review Process Environmental Information Document: Guidance for Clean Water State Revolving Funds (rev. 06/2023)](https://apps.ecology.wa.gov/publications/SummaryPages/1610003.html)

For [SEPA Exemptions](https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Guide-for-lead-agencies/Exemptions), request a [SEPA Certification (Finding of Categorical Exemption) form](https://apps.ecology.wa.gov/publications/SummaryPages/ECY070643.html)

For [EPA NEPA Categorical Exclusions](https://www.govinfo.gov/app/details/CFR-2011-title40-vol1/CFR-2011-title40-vol1-sec6-204) (40 CFR 6.204), request a [Record of Environmental Consideration form](https://apps.ecology.wa.gov/publications/SummaryPages/ECY070644.html)

[Water Quality Program Combined Funding Program Funding Guidelines](https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Water-Quality-Combined-Funding-Program/WQC-funding-cycle)

[Inadvertent Discovery Plan](https://apps.ecology.wa.gov/publications/SummaryPages/ECY070560.html)

[Ecology Executive Order Cultural Resources Review](https://apps.ecology.wa.gov/publications/SummaryPages/ECY070537.html) form

[Elements of Environmental Review by Phase and Loan](https://ecology.wa.gov/DOE/files/62/624dfc57-3e00-4837-aa03-2b828e03a4eb.pdf)

[Office of Equity & Environmental Justice - Washington State Department of Ecology](https://ecology.wa.gov/About-us/Who-we-are/Our-Programs/Equity-Environmental-Justice)

[EJScreen (epa.gov)](https://ejscreen.epa.gov/mapper/)

[Information by Location | Washington Tracking Network (WTN)](https://fortress.wa.gov/doh/wtnibl/WTNIBL/)

Ecology’s [Water Quality Atlas](https://apps.ecology.wa.gov/waterqualityatlas/wqa/map)

Ecology’s [What’s in My Neighborhood](https://apps.ecology.wa.gov/neighborhood/)

[U.S. Census](https://censuscounts.org/whats-at-stake/census-factsheet/)

Liz Ellis
liz.ellis@ecy.wa.gov
360-628-4410

To request an ADA accommodation, contact Ecology by phone at 360-407-6600 or email at liz.ellis@ecy.wa.gov or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877-833-6341.

1. Tribes are not subject to SEPA. Please submit a NEPA document or Tribal equivalent (TEPA). For assistance, see NEPA/TEPA Guide for American Indian and Alaska Native Communities, 2000. Mittelstaedt, G. Suagee, D. and L. H. Nelson. [↑](#footnote-ref-1)
2. In EJScreen, if your results indicate that an area is 48% minority and is at the 69th national percentile, this means that 48% of the area’s population is minority, and that is an equal or higher % minority than where 69% of the US population lives. See <https://www.epa.gov/ejscreen/how-interpret-standard-report-ejscreen> [↑](#footnote-ref-2)
3. Replacing the phrase “disproportionately high and adverse” used in Executive Order 12898. Those phrases have the same meaning but removing the word “high” eliminates potential misunderstanding that agencies should only be considering large disproportionate effects. [↑](#footnote-ref-3)
4. [Title VI of the Civil Rights Act of 1964](https://www.justice.gov/crt/fcs/TitleVI) <https://www.justice.gov/crt/fcs/TitleVI> [↑](#footnote-ref-4)
5. [Critical action](https://www.lawinsider.com/dictionary/critical-action)s includes, but are not limited to, those which create or extend the useful life of structures or facilities, such as: hospitals, emergency operations centers or places that house hazardous waste. Federal departments and agencies will be responsible for determining whether a Federal Action constitutes a Critical Action. [↑](#footnote-ref-5)