



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION IX**  
**75 Hawthorne Street**  
**San Francisco, CA 94105-3901**

APR 17 2006

In Reply Refer  
To Mail Code: WTR-6

Re: Proposed Categorical Exclusion for Pre-Packaged Water Treatment Plant,  
Logandale Well, Moapa Valley Water District, Logandale, Nevada

Dear Sir or Madam:

Enclosed for your review and comment is a document call "Proposed Categorical Exclusion" prepared by the U.S. Environmental Protection Agency ("EPA"), Region 9.

Moapa Valley Water District ("MVWD"), Logandale, Nevada, has applied for a grant from EPA to install a pre-packaged water treatment plant for its Logandale Well. Both Logandale Well and proposed pre-packaged treatment plant are within its service areas.

EPA has reviewed the project report and environmental information prepared by MVWD, pursuant to the requirements and procedures of the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA) and the Endangered Species Act (ESA). EPA has also reviewed the mitigation measures proposed by MVWD for the proposed project.

40 CFR § 6.107(d)(1) allows projects to be categorically excluded when the project involves: "Actions which are solely directed toward minor rehabilitation of existing facilities, functional replacement of equipment, or towards the construction of new ancillary facilities adjacent or appurtenant to existing facilities ...." The proposed project, as described above, is the construction of new ancillary facilities adjacent or appurtenant to existing facilities.

The proposed improvement and work associated with the proposed action would be located within existing road right-of-way. The proposed project is not expected to affect cultural resources areas, endangered or threatened species and their critical habitats, or environmentally important natural resources areas. The proposed action will not have a significant adverse effect on the quality of human environment.

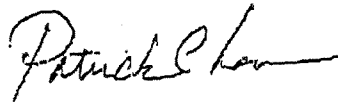
Project report, environmental document and other project material which were used by EPA to reach its preliminary determination are available for public scrutiny at the above EPA address. Copies of some of these documents may be obtained at cost by contacting the EPA office.

EPA Proposed Categorical Exclusion  
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Comments on this decision maybe submitted for considration by EPA within thirty (30) calendar days from the date of this letter. No administrative action will be taken by EPA on the proposed project prior to expiration of this period.

If you have additional questions on this matter, please feel free to call me at (415) 972-3551.

Sincerely,



Patrick Chan  
Environmental Protection Specialist  
Drinking Water Office

Enclosure

cc: Moapa Valley Water District, Logandale, NV  
Leslie and Associate, Inc., Cedar City, UT  
Moapa Paiute Band of the Moapa Indian Reservation, Moapa, NV  
Clark County Dept. of Comprehensive Planning, Las Vegas, NV  
Harry Reid Center for Environmental Studies, Las Vegas, NV  
Nevada Power Co., Las Vegas, NV  
Nevada State Dept. of Administration, Division of Budget and Planning, State Clearing House, Carson City, NV  
Nevada State Dept. of Conservation and Natural Resources, Division of Water Resources, Southern Nevada Branch Office, Las Vegas, NV  
Nevada State Dept. of Conservation and Natural Resources, Division of Wildlife, Las Vegas Office, Las Vegas, NV  
Nevada State Dept. of Environmental Protection, Bureau of Safe Drinking Water Carson City, NV  
Nevada State Dept. of Culture Affairs, State Historic Preservation Office, Carson City, NV  
Nevada State Dept. of Transportation, Las Vegas Office, Las Vegas, NV  
U.S. Bureau of Indian Affairs, Western Region Office, Phoenix, AZ  
U.S. Bureau of Land Mgt., Las Vegas Office, Las Vegas, NV  
U.S. Bureau of Reclamation, Lower Colorado Region, Boulder City, NV  
U.S. Fish and Wildlife Service, Las Vegas Office, Las Vegas, NV  
U.S. Forest Service, Intermountain Region, Ogden, UT  
U.S. National Park Service, Pacific West Region, Oakland, CA



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**Categorical Exclusion**  
**for the**  
**Pre-Packaged Water Treatment Plant, Logandale Well**  
**Moapa Valley Water District, Logandale, Nevada**

**Proposed Action**

Moapa Valley Water District (MVWD) plans to install a pre-package water treatment plant for its Logandale Well using U.S. Environmental Protection Agency (EPA) grant and matching funds. The water treatment plant will be designed to treat culinary water to meet Safe Drinking Water Act (SDWA) standards. The proposed site is owned by MVWD and comprises three contiguous properties (assessor's parcel numbers 041-21-501-003; 041-22-101-013; and 041-22-101-014). The treatment plant will be located adjacent to the existing Logandale Well, which is also on property owned by MVWD.

**Justification for Categorical Exclusion**

The proposed action is consistent with the category of Categorical Exclusion specified in 40 CFR §6.107(d)(1) as it is directed toward the construction of new ancillary facilities adjacent or appurtenant to existing facilities. The project will not have any significant impacts on the quality of human environment.

In determining the appropriateness of a Categorical Exclusion, EPA examined various federal cross-cutting laws and Executive Orders in accordance with 40 CFR § 6.300. The laws, and analysis of the impacts of the proposed action, are described below:

National Natural Landmarks - The Secretary of the Interior is authorized to designate areas as Natural Landmarks for listing on the National Registry of Natural Landmarks pursuant to the Historic Act of 1935, 16 U.S. Code (USC) 461 *et seq.* No natural U.S. landmarks are within the project area or would be impacted by the proposed action.

Cultural Resources Data - The *Archeological and Historical Preservation Act* (AHPA) of 1974, 16 USC 469 *et seq.*, provides for the preservation of cultural resources of an EPA activity may cause irreparable loss or destruction of significant scientific, prehistoric, or archeological data. The project site has been disturbed previously and there is no evidence that indicates any artifacts have been found; therefore, it is not likely or expected that any resources would be discovered during the implementation of the proposed project.

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Cultural Resources - The *National Historic Preservation Act* (NHPA), as amended 16 U.S.C. 470, directs federal agencies to integrate historic preservation into all activities which either directly or indirectly involve land use decisions. The NHPA is administered by the National Park Service (NPS), the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Offices (SHPOs), and each federal agency. Implementing regulations include 36 CFR § 800: *Regulations of the Advisory Council on Historic Preservation Governing the NHPA Section 106 Review Process*. Section 106 of the NHP requires federal agencies to take into consideration the impact that an action may have on historic properties which are included on, or are eligible for inclusion on, the National Register of Historic Places. The property for the site and the existing storm drainage system are not eligible for inclusion on the National Register of Historic Places.

Wetlands Protection - EO 11990, "Protection of Wetlands" of 1977, requires federal agencies conducting certain activities to avoid, to the extent possible, adverse impacts associated with the destruction or loss of wetlands and to avoid support of new construction in wetlands, if a practicable alternative exists. Discharge of dredge or fill material into wetlands and other waters of the U.S. are also regulated under Section 404 of the Clean Water Act. No wetlands in the U.S. will be filled or otherwise adversely impacted by the proposed action.

Floodplain Management - EO 11988, "Floodplain Management" of 1977, required federal agencies to evaluate the potential effects of actions they may take in a Floodplain to avoid, to the extent possible, any adverse effects associated with the direct and indirect development of a Floodplain. None of the aspects of the proposed action occurs within a Floodplain.

Important Farmland - *EPA Policy to Protect Environmentally Significant Agricultural Lands* requires EPA to consider the project of the nation's significant/important agricultural lands from irreversible conversion to uses that results in their loss as an environmental or essential food production resource. Moreover, the *Farmland Protection Policy Act* (FPPA), 7 USC 4201 *et seq.*, and the U.S. Department of Agriculture's (USDA) implementing procedures require federal agencies to evaluate the adverse effects of their actions on prime and unique farmland, including farmland of statewide and local important. The project does not involve conversion of, or otherwise affect, prime, unique, or important farmland.

Wild and Scenic Rivers - The *Wild and Scenic Rivers Act* (WSRA), 16 USC 271 *et seq.*, establishes requirements applicable to the water resource projects affecting wild, scenic, or recreational rivers within the National Wild and Scenic River System, as well as rivers designated on the national Rivers Inventory. No river systems will be affected by the proposed action.

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Fish and Wildlife Protection – The *Fish and Wildlife Coordination Act* (FWCA), 16 USC 661 *et seq.*, requires federal agencies involved in actions that will result in the control or structural modification of any natural stream or body of water for any purpose, to take action to protect the fish and wildlife resources that may be affected by the action. No streams or waterbodies will be structurally modified or controlled by the proposed action.

Endangered Species Protection – The *Endangered Species Act* (ESA), 16 USC 1536 *et seq.*, prohibits agencies from jeopardizing threatened or endangered species or adversely modifying habitats essential to their survival. No threatened or endangered species or their habitats are known to utilize the proposed site.

Wilderness Protection – The *Wilderness Act* (WA), 16 USC 1131 *et seq.*, established a system of National Wilderness Areas. The WA established a policy for protecting the system by generally prohibiting motorized equipment, structure, installation, roads, commercial enterprises, aircraft landings and mechanical transport. The project area is within already known disturbed areas. No wilderness areas occur within the project area.

Air Quality – The *Clean Air Act* (CAA) requires federal actions to conform to any state implementation plan approved or promulgated under Section 110 of the Act. No air quality will be negatively affected from the proposed action. There is temporary ambient dust during construction, but no significant impacts are anticipated.

Environmental Justice – EO 12898, "Federal Action to Address Environmental Justice in Minority Populations and Low-Income Populations," and the accompanying presidential memorandum, advise federal agencies to identify and address, whenever feasible, disproportionately high and adverse human health or environmental effects on minority communities and/or low-income communities. The proposed action would not affect minority populations and low-income populations.

Coastal Zone Management Act – The *Coastal Zone Management Act* (CZMA), 16 USC 1451 *et seq.*, requires that federal agencies in coast areas be consistent with approved State Coastal Zone Management Programs, to the maximum extent possible. If an EPA action may affect a coastal zone area, the responsible official is required to assess the impact of the action on the coastal zone. The proposed action will not affect to coastal zone area.

Coastal Barrier Resources Act - The *Coastal Barrier Resources Act* (CBRA), 16 USC 3501 *et seq.*, generally prohibits new federal expenditures and financial assistance for development within the Coastal Barrier Resources System (CBRS) and therefore protects ecologically sensitive U.S. coastal barriers. The proposed action does not affect any coastal barriers.

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**Cumulative Impacts**

The proposed action will not have a significant adverse effect on the quality of the human environment.

**Public Comment Period**

Comments on this decision may be submitted for consideration by EPA within 30 calendar days from the date of this notice. No administrative action will be taken by EPA on the above project prior to the expiration of this period.

If there any requests for additional information, please do not hesitate to call the EPA Project Officer, Patrick Chan at (415) 972-3551.