Finding of No Significant Impact
Section 595 Water Resources Development Act
Wastewater Treatment Plant Improvements
Village of Pecos, San Miguel County, New Mexico

The U.S. Army Corps of Engineers (Corps), Albuquerque District, in cooperation with and at the request of the Village of Pecos, New Mexico, is planning a project that would provide improvements to the wastewater system. The construction work would be conducted under Section 595 of the Water Resources Development Act of 1999 (Public Law 106-53; 33 U.S.C. 2201 *et seq.*), as amended. The Act authorizes the Corps to provide assistance for design and construction for water-related environmental infrastructure and resource protection and development projects in Idaho, Montana, rural Nevada, New Mexico, and rural Utah. The Act requires that a cooperative agreement be established between the Federal and non-Federal interests. In general, the Federal share of project costs under each cooperative agreement is 75 percent of the total project costs. Prior to obtaining assistance from the Section 595 program, the Village of Pecos has already completed an environmental information document prepared by Wilson & Company. The Corps will now provide assistance and fund the proposed improvements to the wastewater treatment plant. The Village of Pecos is the local sponsor. The proposed construction period is approximately six months and is expected to start fall of 2006. The proposed project would serve the entire population of Pecos. The total estimated construction cost for this proposed project is $2.2 million. The non-Federal cost share is approximately $550,000. The Federal cost share is approximately $1,650,000.

Wilson & Company performed an environmental information document (EID) titled, "Village of Pecos Wastewater Treatment Plant, Village of Pecos, San Miguel County, New Mexico", dated October 2005. Within the environmental review guidelines of the Council of Environmental Quality found at 40 Code of Federal Regulations (CFR) Part 1506, it states in Section 1506.3, paragraph (a),

"An agency may adopt a Federal draft or final environmental impact statement or portion thereof provided that the statement or portion thereof meets the standards for an adequate statement under these regulations."

In addition, stated in the Corps Regulations Implementing NEPA (ER-200-2-2), paragraph 21, "A district commander may also adopt another agency's EA/FONSI."

Prior to the completion of Wilson & Company's EID, a public hearing was held for the proposed project. No adverse public concerns or comments were offered for consideration either in person, in writing, or by telephone concerning any aspect of the project. During public review of the EID, Wilson & Company did receive comments from the U.S. Environmental Protection Agency (USEPA). The USEPA's comments were based on their checklist for preparing EIDs. Several items from the checklist were missing from the EID, and USEPA required that Wilson & Company included those items. Wilson & Company completed an Amendment to the EID, which included those items addressed by USEPA. Since the time when Wilson & Company completed the EID in October 2005, no changes have occurred to potential impacts or to the

scope of work for the proposed project. No changes have occurred to potential impacts to threatened and endangered species. There are currently no sensitive, threatened, or endangered species, critical habitat, or other species with management concerns in the proposed project area. Therefore, the Corps has determined that there would be no effect to any special status species protected under the Endangered Species Act. Upon reviewing the EID and because there have been no changes to the scope of work for the proposed project, the Corps has adopted Wilson & Company's environmental information document.

The existing facility consists of headworks and four lagoons. The first two lagoons are for primary treatment by aerators, the third is for polishing the effluent water, and the fourth is a contact chamber for chlorine disinfection. The proposed treatment plant, intended to improve and eventually replace the existing wastewater treatment plant would be built within the existing wastewater treatment site. Proposed improvements to the wastewater treatment plant would be constructed in two phases. Phase I improvements are primarily intended to install new disinfection facilities so the existing facilities can be demolished following Phase II construction. Some components of Phase I are also intended to bring the wastewater treatment plant into compliance with the National Pollutant Discharge Elimination System (NPDES) permit until construction of Phase II is completed. Phase II improvements would complete the necessary construction to replace the existing lagoon facilities with a biological treatment facility. Proposed improvements are as follows:

Phase I-

- Refit the existing manual bar screen of the headworks with a new a bar screen with mechanical cleaning system.
- Construct new Ultraviolet disinfection facility at a location between the existing Lagoon 4 and the outfall pipe.
- Reroute piping to the new disinfection facility.
- Demolish and fill Lagoon 4 to the adjacent grade elevation. Sludge removal from Lagoon 4 as part of the demolition would be placed in Lagoons 1 and 2.
- Reroute the influent flow into Lagoon 2, reducing the short-circuiting of flow through the pond and improving overall plant performance.
- Construct new building to house maintenance and office facilities, blowers for the future biological treatment process, and electrical controls for Phase I and II improvements.

Phase II-

- Construct a new Sequence Batch Reactor (SBR) facility including blowers and all necessary components.
- Reroute site piping from the headworks directly to the new SBR facility.
- Demolish and fill remaining lagoons to the adjacent grade elevation.

All construction would be completed while the existing plant is in operation to provide continuous service. All Phase I improvements would be incorporated into the future SBR facility except the temporary reroute piping into Lagoon 2. The new SBR treatment system would be constructed in the location of the existing Lagoon 4. Once construction of the new treatment system is complete, influent flows would be transferred to the new plant and all wastewater within the existing lagoons (1, 2 and 3) would be pumped into the SBR tanks. After

the transfer to the new plant, all components of the existing plant that are no longer necessary would be demolished and removed.

In addition to the improvements to the wastewater treatment plant, a new sewer line has been proposed to serve residences located along Rincon Road in the Village of Pecos. However, final design for the new sewer line has not been completed and potential effects have not been analyzed. Once final designs are completed, Wilson & Company will prepare a Supplemental EID to discuss this additional work.

The Pecos wastewater treatment plant has been experiencing failures to meet one or more discharge requirements since 1998. In order to keep within permit limits, Pecos has prohibited all private septic haulers from discharging into the wastewater treatment plant and has prohibited any expansion of the collection system. As a result of these restrictions, the total flow of wastewater into the treatment plant has not increased significantly or exceeded the treatment plant's total flow capacity since 1998.

Due to continued population growth in the area and the proximity of individual septic systems to municipal ground water wells and the Pecos River there is an immediate need for the expansion of the collection system to the remaining residences. The proposed improvements to the wastewater treatment plant would enable the Village of Pecos to complete expansion of the collection system to all Pecos residents.

The proposed wastewater improvements would address immediate concerns with effluent non-compliance, bring the wastewater treatment plant into compliance with the NPDES permit, and improve the reliability of the facility. In addition, the proposed improvements would enable the Village of Pecos to further extend its sewer collection system, preserving ground water and drinking water resources.

The Corps confirmed the fact that the Section 106 requirements of the National Historic Preservation Act for cultural resources surveys have been completed with the New Mexico State Historic Preservation Office (SHPO). SHPO commented that their archaeological records database does not show any known archaeological sites within the area of the proposed wastewater treatment plant facilities. As long as the new facilities are confined to the current wastewater treatment plant area and no new ground would be disturbed, no archaeological investigations in the area are needed. However, if work is done outside the existing facility, construction crews should be instructed to stop work immediately if archaeological artifacts are found and SHPO should be contacted for advice on the best course of action. No historic properties would be impacted by this project. The Corps concurs with Wilson & Company that there would be "No Historic Properties Affected" by the proposed undertaking.

The potential effects of the proposed action are similar to the No-Action alternative, with the caveat that the No-Action alternative could not provide adequate wastewater treatment to the citizens in the area; and therefore, would allow existing conditions to continue or worsen.

The proposed work would not affect waters of the United States regulated by Section 404 of the Clean Water Act; therefore a Section 404 Department of the Army permit would not be

needed for the project. During coordination with the Corps' Regulatory Branch, it was stated that if there was any discharge of materials into the Pecos River, a Department of the Army permit would be required.

Wilson & Company were unable to obtain a Flood Insurance Rate Map for the Village of Pecos. According to the Federal Emergency Management Agency, no maps are available for that area. Wilson & Company state in the EID that wastewater treatment plants are considered to be critical facilities and that they have increased regulations for their location in proximity to 100 and 500-year floodplains. Although Pecos's wastewater treatment plant is located in close proximity to the Pecos River, it is located on a filled area above the surrounding ground elevation. No additional surrounding land would be filled; therefore no mitigation for removal of land from a floodplain is needed. In addition, by replacing the existing lagoon system with the proposed wastewater treatment plant facilities, plant failure during a flood event would be decreased significantly. Therefore, the planned action is consistent with Executive Order 11988 (Floodplain Management).

No potential or jurisdictional wetlands were located within the lagoons or the lagoons or the impacted portion of the project area. There is a wetland, characterized by cattails (*Typha angustifiolia*), coyote willow (*Salix exigua*), and other hydric plant species located in the far northwest corner of the wastewater treatment plant site. This wetland area appears to have established due to lack of drainage for stormwater or runoff. However, the proposed improvements to the wastewater treatment plant would occur away from the wetland area and therefore, no impacts would occur to the wetland.

Only short-term negligible adverse impacts to land use, aesthetics, soils, air, noise, vegetation, and wildlife, would occur during construction. No impacts would occur to land use (long-term), climate, soils (long-term), air (long-term), wetlands or other waters of the U.S., special status species, floodplains, socioeconomics, environmental justice or cultural resources. Minor beneficial impacts would occur to human health and safety. The proposed project would not result in any moderate or significant, short-term, long-term, or cumulative adverse effects.

The planned action has been fully coordinated with federal, state, tribal, and local agencies with jurisdiction over the ecological, cultural, and hydrological resources of the project area. Based upon these factors and others discussed in detail in the EID, the planned action would not have a significant effect on the human environment. Therefore, an Environment Impact Statement will not be prepared for the proposed improvements to the wastewater and water systems.

23 JUNE 2006
Date

for
Todd Wang
Lieutenant Colonel, U.S. Army
District Engineer