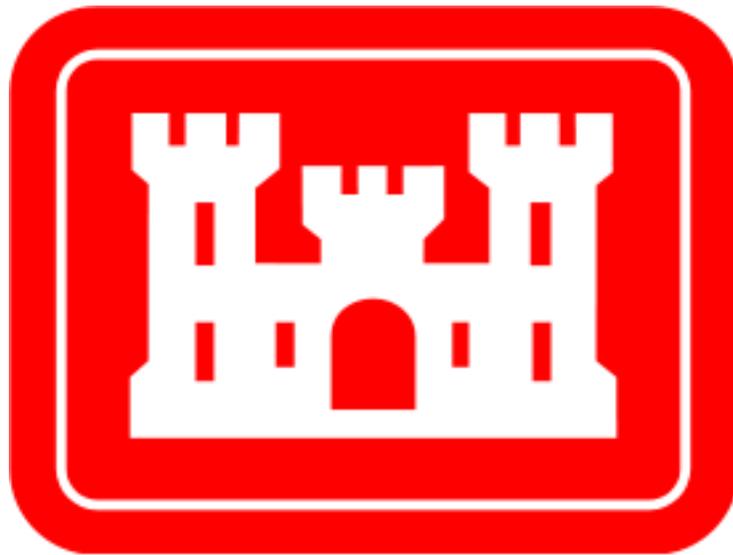


Draft Finding of No Significant Impact
Section 594 City of Marietta Wastewater Treatment Plant Renovation Project
Marietta, Ohio

Prepared by



U.S. Army Corps of Engineers
Huntington District
Huntington, West Virginia

July 2011



DRAFT FINDING OF NO SIGNIFICANT IMPACT
SECTION 594 CITY OF MARIETTA
WASTEWATER TREATMENT RENOVATION PROJECT
WASHINGTON COUNTY, OHIO

RESPONSIBLE AGENCY: U.S. Army Corps of Engineers, Huntington District, West Virginia

ABSTRACT: In accordance with the National Environmental Policy Act, the U.S. Army Corps of Engineers (USACE) Huntington District has prepared this Draft Finding of No Significant Impact (FONSI) which utilizes and adopts the evaluation of potential environmental impacts contained in an Environmental Assessment (EA) prepared by the Ohio EPA. The project includes improvements and renovations to the existing wastewater treatment plant in Marietta, Ohio which would allow the existing plant to maintain compliance with its National Pollution Discharge Elimination System (NPDES) permit, and collect from nearby areas which are currently utilizing failing package treatment plants. The renovations also include the construction of a biological selector and effluent treatment complex. The proposed action is the most economical and environmentally sound project that meets the purpose and need. Adverse effects associated with construction would be minor and temporary.

The proposed federal action is for USACE to provide funding of approximately \$250,000 toward the proposed improvements. The Huntington District's review of the Environmental Assessment prepared by the Ohio EPA has concluded the document provides sufficient information regarding the project's effect on socio-economic, human and natural environments to conclude the project would have minimal adverse impact on the human environment and is sufficient to support a FONSI. The proposed project is authorized under Section 594 of the Water Resources Development Act of 1999 (PL106-5333; U.S.C. 2201 *et seq*), as amended.

For additional information please contact:

Mr. Jonathan J. Aya-ay, Chief
Environmental Analysis Section, Planning Branch
U.S. Army Corps of Engineers
502 8th Street
Huntington, West Virginia 25701-2070
Commercial Telephone: (304) 399-5276
Commercial Fax: (304) 399-5136

Draft Finding of No Significant Impact
Section 594 Water Resources Development Act
City of Marietta
Wastewater Treatment Plant Renovation
Marietta, Ohio

1. The U.S. Army Corps of Engineers (Corps), Huntington District, in cooperation with the City of Marietta, Ohio, is planning to provide partial funding to construct a biological selector and effluent treatment complex including improvements and renovations to the existing wastewater treatment plant (WWTP) in Marietta, Ohio. Several phases of improvements and renovations may be implemented at the WWTP over the next 4 – 5 years. The Corps will assist the City of Marietta with Phase 1A of the project. The Federal funding would be provided under the authority of Section 594 of the Water Resource Development Act of 1999 (Public Law 106-53; 33U.S.C. 2201 *et seq*), as amended. This Act authorizes the Corps to provide assistance for design and construction of water-related environmental infrastructure and resource protection and development projects in Ohio. The City of Marietta is the local sponsor and a construction only Project Partnership Agreement (PPA) with the Corps is anticipated. The proposed construction period for Phase 1A improvements is expected to begin in September 2011 and last until July 2013. The City of Marietta has also applied to the Ohio Environmental Protection Agency (OEPA) and Washington County for financial assistance.

2. An Environmental Assessment titled “City of Marietta, Wastewater Treatment Plant Renovation”, was prepared for the City by the Ohio EPA in April 2011 and a Finding of No Significant Impact (FONSI) was signed June 9, 2011. The Corps has reviewed the EA and finds it to be technically and procedurally adequate to support the Corps decision. Adoption is permitted as per the Council of Environmental Quality Regulations (40 Code of Federal Regulations [CFR] Part 1506), state 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, in the Corp’s Regulations Implementing NEPA (33 CFR 230), paragraph 21 states; “A District Commander may also adopt another agency’s EA/FONSI.”

3. The Proposed Project Action Alternative and the No Action Alternative were carried forward for detailed evaluation. The Proposed Alternative will allow the WWTP to maintain compliance with its National Pollution Discharge Elimination System (NPDES) permit, and collect from nearby areas which are currently utilizing failing package treatment plants. The “No Action” alternative would likely result in adverse economic and environmental effects to resources of the area.

4. The possible consequences of the proposed action have been studied for environmental, cultural, and social well-being affects. The assessment produced the following pertinent conclusions:

a. Environmental Considerations. Since Ohio EPA completed the Environmental Assessment in April 2011, no changes have occurred in the scope of work for the proposed project. No changes have occurred to potential impacts to threatened and endangered species. The proposed project is in the range of the Federally-endangered Indiana Bat (*Myotis sodalis*), which is highly-dependent upon trees including dead and dying trees of the species listed above with exfoliating bark, crevices, or cavities in upland areas or riparian corridors and living trees with exfoliating bark, cavities, or hollow areas formed from broken branches or tops. If suitable trees occur within the project area, these trees must be conserved. If suitable habitat occurs on the project area and trees must be cut, this must occur between September 30 and April 1. If suitable trees must be cut during the period spanning April 2 through September 29, a net survey must be conducted in coordination with the U.S. Fish & Wildlife Service to determine the absence of Indiana bats prior to cutting. If no tree removal is proposed, the project is not likely to impact this species. The proposed project is not anticipated to create significant short or long-term impacts.

b. Socio-economic and Cultural Resources Considerations. No significant socio-economic effects that are both adverse and/or unavoidable are foreseen as a result of the proposed action. The community will benefit from the WWTP improvements and renovations that result from regionalization of wastewater treatment and maintaining environmental compliance with its NPDES permit. The project will not have any impact on sites of significant archeological or historic significance. The proposed action is in compliance with the National Historic Preservation Act (Section 10632 CFR 300)

c. Coordination with Resource and Other Agencies. Coordination with Ohio EPA, Ohio Department of Natural Resources (ODNR), Ohio Historic Preservation Office (OHPO), and the Washington County Floodplain Coordinator was maintained through the National Environmental Protection Act (NEPA) process.

d. Other Pertinent Compliance, No prime or unique farmland under the Farmland Protection Policy Act will be involved. The proposed action is also in compliance with Executive Order (EO) 11988 (Floodplain Management), and EO 11990 (Protection of Wetlands).

e. Other Public Interest Considerations. Ohio EPA has completed a public review of the Environmental Assessment and there has been no significant opposition to the proposed action. To date, there are no unresolved issues regarding the implementation of the project.

f. Section 176(c) Clean Air Act. The proposed action has been analyzed for conformity applicability pursuant to regulations implementing Section 176 (c) of the Clean Air Act. It has been determined the proposed action will not exceed de minimis levels of direct emissions of a criteria pollutant or its precursors and are exempted by 40 CFR Part 93.153.

g. Section 401/404 Clean Water Act. No permits would be required pursuant to Section 401 or 404 of the Clean Water Act (CWA) for Phase 1.

5. I find the City of Marietta WWTP Renovation Section 594 Water Resources Development Project has been planned in accordance with current authorization as described in the Environmental Assessment. The project is consonant with national policy, statues, and administrative directives. This determination is based on thorough analysis and evaluation of the project and alternative courses of action. In conclusion, I find the proposed City of Marietta WWTP Renovation Project will have No Significant Adverse Impacts on the quality of the human and/or natural environment. Therefore, an Environmental Impact Statement will not be prepared for the proposed WWTP Renovation Project.

Date

Robert D. Peterson, Colonel
Corps of Engineers
District Engineer