



Jones & DeMille Engineering

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CE Review

Hinkley Town proposes to upgrade the town's sewer lagoons. The project would be funded by the State of Utah Department of Environmental Quality, Division of Water Quality through a federal State Revolving Fund (SRF) Capitalization grant and loan.

The existing wastewater lagoon system consists of a primary and secondary cell. The cells are too large and porous to maintain appropriate water levels to adequately treat wastewater. Supplemental well water must be added from early spring through late fall to ensure adequate water levels in the lagoon. This project would split the primary cell into two smaller cells. The new cells would be lined with clay to maintain the appropriate water depth and meet state seepage rate standards. These updates would eliminate the need for the addition of well water to the cells. During construction, the secondary cell would be used for wastewater treatment while work was completed on the primary cells.

Environmental Impacts

This project qualifies for a Categorical Exclusion (CATEX) under 40 C.F.R. § 6.204(a)(1)(ii): actions relating to existing infrastructure systems, as it does not individually or cumulatively have a significant effect on the quality of the human environment.

The EPA outlines extraordinary circumstances that may disqualify a project from being categorically excluded under NEPA in 40 C.F.R. § 6.204(b). These circumstances are red flags that indicate a project might have significant environmental impacts, even if it would otherwise qualify for a categorical exclusion. Letters and a map of the project area have been sent to the following agencies for review and screening for extraordinary circumstances: The Utah Division of Air Quality, Utah Division of Emergency, Utah Division of Wildlife Resources, U.S. Army Corps of Engineers, U.S. Fish and Wildlife, USDA Soil Conservation Service, Utah Division of Emergency Management, Utah State Historic Preservation Office, Confederated Tribes of the Goshute Reservation, Paiute Indian Tribe of Utah, and the Ute Indian Tribe of the Uintah & Ouray Reservation. Current EPA direction

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520 West Highway 40
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1664 South Dixie Drive
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St. George, UT 84770
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7 South Main Street
Suite 107/109
Tooele, UT 84074
435.268.8089

696 North Main Street
PO Box 577
Monticello, UT 84535
435.587.9100

545 East Cheyenne Drive
Suite C
Evanston, WY 82930
307.288.2005

identifies eight categories that require a rationale for not considering further if a project is to be considered for a CATEX; they are:

- i. *The proposed action is known or expected to have potentially significant environmental impacts on the quality of the human environment either individually or cumulatively over time.*

The project involves construction of a berm to split the primary sewer lagoon into two cells and lining the cells with clay to reduce the hydraulic conductivity to within acceptable levels as defined by state regulations. The contractor will collect fill material from previously disturbed, city-owned property adjacent to the sewer lagoons. All construction activities will follow federal, state, and local safety regulations, including OSHA standards, and will apply best management practices (BMPs) to control dust, noise, and traffic disruptions. Temporary impacts, such as localized noise or traffic detours, will be addressed through appropriate signage, scheduling, and community notifications. Furthermore, the project is expected to improve water quality in the surrounding area by bringing the sewer lagoon permeability into compliance with state regulations. No long-term or cumulative health or safety risks have been identified.

- ii. *The proposed action is known or expected to have disproportionately high and adverse human health or environmental effects on any community, including minority communities, low-income communities, or federally recognized Indian tribal communities.*

The project would have a beneficial effect on the human environment as the sewer lagoons would be brought into compliance with state water quality regulations.

Federally recognized Indian tribal communities were notified of the project; no response was received.

- iii. *The proposed action is known or expected to significantly affect federally listed threatened or endangered species or their critical habitat.*

The U.S. Fish and Wildlife Service and the Utah Division of Wildlife Resources were notified of the project; no response was received. Critical habitat for threatened or endangered species is not found in or near the project area.



- iv. *The proposed action is known or expected to significantly affect national natural landmarks or any property with nationally significant historic, architectural, prehistoric, archeological, or cultural value, including but not limited to, property listed on or eligible for the National Register of Historic Places.*

There are no known historical or archaeological sites proximate to the proposed project area. The Utah State Historic Preservation Office was notified of the project; SHPO concurred with the No Historic Properties Affected determination on April 14, 2026, Case No. 26-0621.

- v. *The proposed action is known or expected to significantly affect environmentally important natural resource areas such as wetlands, floodplains, significant agricultural lands, aquifer recharge zones, coastal zones, barrier islands, wild and scenic rivers, and significant fish or wildlife habitat.*

Wetlands: The National Wetlands Inventory (NWI) wetland types within the project boundary: Freshwater Emergent Wetland (PEM1Cx) and Freshwater Pond (PABKx). These mapped features are associated with the existing engineered sewer lagoon water surface and its immediate margins - they are not natural wetland communities. The U.S. Army Corps of Engineers was notified of the project; no response was received.

Floodplains: The current floodplain map # is 4902330550A and was last updated on 9/4/1987. No digital map is available for this location. The Utah Division of Emergency Management was notified of the project; no response was received.

Significant Agricultural Lands: The USDA State Soil Scientist was notified of this project. Farmland of Statewide Importance, Section Aa indicated in Figure 1 below, is found in the project area. Material for berm construction will be collected from Section Ab, not prime farmland, to avoid impacts to the Farmland of Statewide Importance area. With this stipulation in place, no impacts to significant agricultural lands would occur.



Figure 1. Farmland significance classification within the project area



Wild and Scenic Rivers: There are no wild and scenic river designations within 100 miles of the project area; the closest segment is La Verkin Creek, north of Hurricane Utah.

- vi. *The proposed action is known or expected to cause significant adverse air quality effects.*

On March 30, 2026 the Utah DEQ Environmental Interactive Map was accessed to determine the air quality status of the project area. Millard county is within air quality attainment values for ozone and PM 2.5. The construction activities proposed are not expected to create reportable levels of ozone or PM 2.5 particles. The Utah Division of Air Quality was notified of the project; no response was received.



- vii. *The proposed action is known or expected to have a significant effect on the pattern and type of land use (industrial, commercial, agricultural, recreational, residential) or growth and distribution of population including altering the character of existing residential areas, or may not be consistent with state or local government, or federally-recognized Indian tribe approved land use plans or federal land management plans.*

The proposed project would not affect the pattern and type of land use in the area. The sewer lagoons were built in the early 1980's and the impact area of the lagoons would not be changed by splitting the primary cell into two cells.

- viii. *The proposed action is known or expected to cause significant public controversy about a potential environmental impact of the proposed action.*

The proposed sewer lagoon improvements are anticipated to have no adverse environmental effects; rather, failure to implement these improvements would pose a greater environmental risk. The project will protect water quality in the surrounding area and eliminate the need for supplemental well water additions to the lagoons.

- ix. *The proposed action is 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.*

Financial assistance to a federal agency through an interagency agreement is not part of this project. The findings above confirm that no significant environmental impacts are expected.

- x. *The proposed action is 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.*

There would be no violations of federal, state, or local environmental laws or regulations regarding this project. All construction activities will follow federal, state, and local safety regulations, including OSHA standards, and will apply best management practices (BMPs) to control dust, noise, and traffic disruptions. This project would bring the sewer lagoons into compliance with state law.



Conclusion

This project qualifies for a Categorical Exclusion and requires no further NEPA review. No extraordinary circumstances, as defined by EPA NEPA regulations, are present that would preclude the use of a CATEX. The project will improve public health outcomes by bringing the Hinkley Town sewer lagoons into compliance with state regulations, with no anticipated long-term adverse effects on public health or safety.



General Categories of Projects That Qualify for a Categorical Exclusion (CE)	
Under 40 CFR 6.204(a)(1)(ii), minor actions relating to an existing infrastructure system (a sewer collection network and treatment system; a system to collect, treat, store and distribute drinking water; or a stormwater system) may qualify for a CE. Answer 1 to 3.	
1. Is the project for minor upgrade or minor expansion of system capacity? This includes, but is not limited to: minor extensions of sanitary sewers or force mains or drinking water extensions to primarily serve existing development; stormwater detention pond and retention pond cleaning and dredging or minor storage increase or culvert upgrades to serve existing development.	Yes ☐ No ☒
2. Is the project for rehabilitation of existing facilities? This includes, but is not limited to: functional replacement of existing systems and components, infiltration and inflow corrections in the existing wastewater collection system or equipment rehabilitation at the exiting wastewater plant, pumping, or storage facilities; drinking water system equipment replacement or modifications at an existing water plant, or pumping and storage facilities; stormwater culvert and outlet rehabilitation and repair.	Yes ☒ No ☐
3. Is the project for new minor ancillary facilities adjacent to or on the same property as existing facilities? This includes, but is not limited to: new wastewater facilities and equipment for sludge handling, screening, flow equalization, disinfection, or laboratory facilities; new drinking water facilities such as alum sludge handling, filtration, flow equalization, chemical storage, chlorination, or laboratory facilities; facilities at existing stormwater control locations, such as sedimentation basins, infiltration trenches, detention pond to retention pond retrofits, or oil and grit separators.	Yes ☐ No ☒
If the answer to all of the above is No, then the project does not qualify for a CE. <u>STOP</u>. If any answer is Yes, proceed to the next section: Excluding Factors.	
Excluding Factors	
1. Project will involve new or relocated discharges to surface or ground water	Yes ☐ No ☒
2. Project will result in substantial increases in the volume of discharge or the loadings of pollutant to the receiving water	Yes ☐ No ☒
3. Project will provide capacity to serve a population 30 percent greater than the existing population	Yes ☐ No ☒
4. Project will be in conflict with state or other regional growth plan or strategy	Yes ☐ No ☒
5. Project will directly or indirectly relate to upgrading or extending infrastructure systems primarily for the purposes of future development	Yes ☐ No ☒

Jessie Roper

From: Jessie Roper
Sent: Tuesday, April 7, 2026 4:35 PM
To: 'rmcgrath@utah.gov'; 'terron.pickett@usda.gov'; 'Utahfieldoffice_esa@fws.gov'; 'spkregulatorymailbox@usace.army.mil'; 'jessicavan@utah.gov'; 'jpmorris@utah.gov'; 'kcholder@utah.gov'; 'schapoose@pitu.gov'; 'amos.murphy@ctgr.us'; 'juliusm@utetribes.com'; 'betsyc@utetribes.com'
Cc: Justin Telfer; Daniel Hawley
Subject: Hinkley Town Sewer Lagoon Upgrades
Attachments: HinkleySewerLagoonProposal.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It May Concern:

The Town of Hinckley is proposing to upgrade the town's sewer lagoons. The environmental effects of the proposed project are being analyzed by the Utah Division of Water Quality; the agency has made a preliminary assessment that this proposal falls within categories of actions listed in 40 CFR Part 6.204 that can be excluded from documentation in an environmental assessment (EA) or environmental impact statement (EIS), and that no extraordinary circumstances exist that would preclude use of the categories. This purpose of this letter is to give notice of the proposed action and invite interested parties to comment on the scope of analysis or raise specific issues that they feel should be analyzed. The attached letter provides a project description and instructions on how to comment on the project as well as an overview map of the project area.

Jessie Roper

From: Jessie Roper
Sent: Tuesday, April 7, 2026 4:37 PM
To: 'emartineau@utah.gov'
Subject: FW: Hinkley Town Sewer Lagoon Upgrades
Attachments: HinkleySewerLagoonProposal.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It May Concern:

The Town of Hinckley is proposing to upgrade the town's sewer lagoons. The environmental effects of the proposed project are being analyzed by the Utah Division of Water Quality; the agency has made a preliminary assessment that this proposal falls within categories of actions listed in 40 CFR Part 6.204 that can be excluded from documentation in an environmental assessment (EA) or environmental impact statement (EIS), and that no extraordinary circumstances exist that would preclude use of the categories. This purpose of this letter is to give notice of the proposed action and invite interested parties to comment on the scope of analysis or raise specific issues that they feel should be analyzed. The attached letter provides a project description and instructions on how to comment on the project as well as an overview map of the project area.



**Jones & DeMille
Engineering**

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April 7, 2026

RE: Hinkley Town – Sewer Lagoon Rehabilitation

To Whom It May Concern:

The Town of Hinkley is proposing to upgrade the town's sewer lagoons. The project would be funded by the State of Utah Department of Environmental Quality, Division of Water Quality through a federal State Revolving Fund (SRF) Capitalization grant and loan.

The environmental effects of the proposed project are being analyzed by the Utah Division of Water Quality; the agency has made a preliminary assessment that this proposal falls within categories of actions listed in 40 CFR Part 6.204 that can be excluded from documentation in an environmental assessment (EA) or environmental impact statement (EIS), and that no extraordinary circumstances exist that would preclude use of the categories.

The purpose of the proposed action is to protect public health by addressing deficiencies in the existing wastewater lagoon system. The need is for Hinkley Town to comply with state wastewater regulations.

The existing wastewater lagoon system consists of a primary and secondary cell. The cells are too large and porous to maintain appropriate water levels to adequately treat wastewater. Supplemental well water must be added from early spring through late fall to ensure adequate water levels in the lagoon. This project would split the primary cell into two smaller cells. The new cells would be lined with clay to maintain the appropriate water depth and meet state seepage rate standards. These updates would eliminate the need for the addition of well water to the cells. During construction, the secondary cell would be used for wastewater treatment while work was completed on the primary cells.

The enclosed map shows the proposed project limits. Lagoon improvements would occur within the primary cell. Fill material would be acquired from city-owned property immediately to the east of the sewer lagoons. Clay for lining the cells would be acquired from an outside source.

Construction is anticipated to begin in the summer of 2026 and be completed in May 2027.

This purpose of this letter is to give notice of the proposed action and invite interested parties to comment on the scope of analysis or raise specific issues that they feel should be analyzed. Please provide comments within 30 days of the date of this notification. Comments should be sent to Jessie Roper at jessie.r@jonesanddemille.com or:

Jones & DeMille Engineering
Attn: Jessie Roper
1535 S. 100 W.
Richfield, UT 84701

Sincerely,

Jessie Roper
Environmental Specialist

JONES & DeMILLE ENGINEERING, INC.

Enclosure: Project Overview Map

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Roosevelt, UT 84066
435.722.8267

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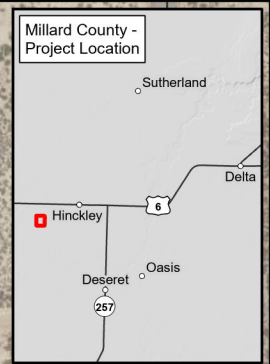
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Jones & DeMille Engineering	Hinckley Town		Millard County, Utah
	Sewer Lagoon Design		Scale: 1" = 200'
	Project Location Overview		1
	Map Name: H:\2407-070\GIS\Projects\2407-070_Env\2407-070_Env.aprx - Hinckley Town - Sewer Lagoon Design - Overview 8.5x11P	Project Number: 2407-070	Drawn by: JEM 04-26

Last Edit: 04/06/2026



Spencer J. Cox
Governor

Deidre M. Henderson
Lieutenant Governor

Donna Law
Interim Executive Director



Christopher Merritt
State Historic Preservation Officer
Utah State Historic Preservation Office

April 14, 2026

Jenna Jorgensen
Environmental Coordinator
Jones and DeMille

RE: Hinckley Sewer Lagoons Improvements Project

For future correspondence, please reference Case No. 26-0621

Dear Ms Jorgensen,

The Utah State Historic Preservation Office received your submission and request for our comment on the above-referenced undertaking on April 10, 2026.

We concur with your determination of effect for this undertaking.

This letter serves as our comment on the determinations you have made within the consultation process specified in §36CFR800.4. If you have questions, please contact me at (801) 535-2502 or by email at rmcgrath@utah.gov.

Sincerely,

Ryan McGrath
Compliance Archaeologist



Utah Department of
**Cultural & Community
Engagement**

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