

Review Checklist: Request for Categorical Exclusion for DWSRF Projects

Applicant: Kinston, City of WIF # 1949
 Project Name Greenmead Waterline Replacement

Required for all Requests for Categorical Exclusion (CEs)

Cross-Cutting Authority	Responsible Agency/Action(s) Taken/Dates Actions Taken
Archeological and Historic Preservation Act of 1974, Pub. L. 86-523, as amended	North Carolina Dept. of Cultural Resources for signoff. <input type="checkbox"/> Blanket letter from applicant OK? <input checked="" type="checkbox"/> Comments from agency OK? <u>3/18/19</u>
National Historic Preservation Act of 1966, PL 89-665, as amended	
Protection of Wetlands, Executive Order 11990	US Army Corps of Engineers <input checked="" type="checkbox"/> By "no permits required" comment letter from USACoE <u>3/19/19</u> <input type="checkbox"/> By sealed & signed "no jurisdiction" blanket comment letter from applicant's engineer _____ <input type="checkbox"/> By sealed & signed "no permits required" blanket comment letter from applicant's engineer _____ <input type="checkbox"/> By sealed & signed "all permits in place" blanket comment letter from applicant's engineer _____
Endangered Species Act, Pub. L. 93-205, as amended	US Fish & Wildlife Service for signoff <input checked="" type="checkbox"/> Comments from USFWS OK <u>3/15/19</u> <input type="checkbox"/> By sealed & signed blanket letter from applicant's engineer for project scopes <u>that don't require comments</u> (see factsheet) _____ <input type="checkbox"/> By sealed & signed blanket letter from applicant's engineer after 30 days pass without USFWS comment
Fish and Wildlife Coordination Act, Pub. L. 85-624, as amended	
Wild and Scenic Rivers Act, Pub. L. 90-542, as amended	
Environmental Justice, Executive Order 12898 <i>WL replacement VJT</i>	DWSRF Funding Unit and the local PWSS Regional Engineer Does the project require the assistance of the PWS Section Regional Supervisor to determine possible EJ impacts? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes: 1. Does the potentially affected community include an EJ community? <input type="checkbox"/> Yes <input type="checkbox"/> No 2. Are there significant environmental impacts likely to fall disproportionately on minority and/or low-income members of the community and/or tribal resources? <input type="checkbox"/> Yes <input type="checkbox"/> No
Coastal Barrier Resources Act, Pub. L. 97-348	Division of Coastal Management (DCM) 1. Is this project located in any of the following counties: <i>Beaufort, Bertie, Brunswick, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrrell, and Washington</i> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 2. If the answer to question #1 is "Yes", then DCM must find if the project is in an Area of Environmental Concern (AEC) established by the Coastal Resources Commission. Is it in one of these AECs? <input type="checkbox"/> Yes <input type="checkbox"/> No DCM Response Date: _____ 3. If the answer to question #2 is "Yes", then the project requires a CAMA permit. Does the project have a CAMA permit? <input type="checkbox"/> Yes <input type="checkbox"/> No CAMA Permit Date: _____
Coastal Zone Management Act, Pub. L. 92-583, as amended	

Signed Request for CE posted on Web? (optional) _____

Request for Categorical Exclusion from Substantive Environmental Review (CE)

Instructions:

1. Provide the WIF number for the project for which you are requesting consideration.
2. Fill out the Applicant's formal name. For a county authority, please specify which county. "County Water District VII" is not a complete name; "ABC County Water District VII" is a complete name.
3. Check all applicable exclusions. Failure to check an applicable exclusion will result in the rejection of your request.
4. Either the "authorized representative" or the Professional Engineer must sign the form. If the Professional Engineer signs the form, the Professional Engineer must seal the form.
5. Submit as part of the ER/EID, following the "**Factsheet: Instructions for Applicants Seeking a Federal Categorical Exclusion**" available under this webpage: <http://portal.ncdenr.org/web/wi/planning>.

WIF No.: WIF1949

Applicant: City of Kinston

Project Name: Greenmead Waterline Replacement

Project Description

Dig and replace 1,230 feet of 8 inch unlined lead joint waterline 16,040 feet of 6 inch unlined lead joint waterline, 2,205 feet of smaller diameter waterlines. Replace 24 Firehydrants and 388 service lines, and 49 valves. The replacement will require restoration of 3830 square yards or asphalt roadway since the waterlines are primarily in the streets. The Project is located in the Greenmead Subdivision in Kinston North Carolina.

I certify that the project described in the application for state-supplied financial assistance meets all of the applicable general criteria listed in **15A NCAC 01C .0408 (1)**, and consists solely of activities exempted under the specific criteria of **15A NCAC 01C .0408 (2)** checked below:

Please check all the exclusion(s) that apply:

- Potable water systems including the construction or rehabilitation of wells for water supply purposes with associated groundwater withdrawals of less than 1,000,000 gallons per day where such withdrawals are not expected to cause alterations in established land use patterns, or degradation of groundwater or surface water quality.

15A NCAC 01C .0408 (2)(c).

Other potable water systems including the following:

- Improvements to water treatment plants that involve less than 1,000,000 gallons per day added capacity and total design withdrawal less than one-fifth of the 7-day, 10-year low flow of the contributing stream;

15A NCAC 01C .0408 (2)(b)(i)

- Improvements not intended to add capacity to the facility; **15A NCAC 01C .0408 (2)(b)(ii)**

- Installation of waterlines and appurtenances in existing rights-of-way for streets or utilities, or water lines and appurtenances less than five miles in length and having only directional bore stream crossings or no stream crossings; **NCGS. § 113A-12(1) & 15A NCAC 01C .0408 (2)(b)(iii)**

- Construction of water tanks, or booster pumping or secondary or remote disinfection stations;

15A NCAC 01C .0408 (2)(b)(iv)

- Dams less than 25 feet in height and having less than 50 acre-feet or storage capacity **15A NCAC 01C .0408 (2)(h)** (Notes: #1 Dam projects are ineligible for federally recognized CE. #2 Only off-stream raw water reservoirs for pre-treatment purposes are eligible for SRF funding.)

I further certify that the project does not have a significant direct, indirect, cumulative or secondary adverse environmental impact as described in 15A NCAC 01C .0306, and that none of the following descriptions apply to the project:

- the proposed activity may have a potential for significant adverse effects on wetlands; surface waters such as rivers, streams and estuaries; parklands; game lands; prime agricultural or forest lands; or areas of local, state or federally recognized scenic, recreational, archaeological, ecological, scientific research or historical value, including secondary impacts; or would threaten a species identified on the Department of Interior's or the state's threatened and endangered species lists; [15A NCAC 01C .0306 (1)] or
- the proposed activity could cause changes in industrial, commercial, residential, agricultural, or silvicultural land use concentrations or distributions which would be expected to create adverse water quality, instream flow, air quality, or ground water impacts; or affect long-term recreational benefits, fish, wildlife, or their natural habitats; [15A NCAC 01C .0306 (2)] or
- the proposed activity has secondary impacts, or is part of cumulative impacts, not generally covered in the approval process for the state action, and that may result in a potential risk to human health or the environment; [15A NCAC 01C .0306 (3)].

Therefore, I believe our project is eligible for consideration for a CE from the State's environmental assessment review processes and request that the North Carolina Department of Environment and Natural Resources (DENR) concur with this determination.

I understand that DENR may determine that the proposed activity is of such an unusual nature or has such widespread implications that a concern for its environmental effects has been identified by DENR or expressed to DENR. I understand that, in this case, the activity may be ineligible for CE under 15A NCAC 01C .0306 (4).

- We are applying for a Drinking Water State Revolving Fund (DWSRF) loan and include the required comment letters. **OR**
- We are not applying for the DWSRF.

John A. Jarrell, III P.E.

Authorized Representative or Engineer Printed Name

John A. Jarrell

March 27 2019

Authorized Representative or Engineer Signature & Date

Kinston City Engineer

Authorized Representative or Engineer Title

State Use Only (Review)

Reviewed by: Ruth Park

Date: 5/22/19

Departmental Approval: Vincent Jub Tomaro

Date: 28 May 2019



F 1111 D
MAR 28 2019
Division of Water Infrastructure

North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary Susi H. Hamilton

Office of Archives and History
Deputy Secretary Kevin Cherry

March 18, 2019

John Jarrell, III
City of Kinston
PO Box 339
Kinston, NC 28502

Re: Greenmead Waterline Replacement, Kinston, Lenoir County, ER 19-0904

Dear Mr. Jarrell:

Thank you for your email of February 26, 2019, concerning the above project.

We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,

A handwritten signature in blue ink that reads "Renee Gledhill-Earley".

for Ramona M. Bartos

From: "Thompson, Emily B CIV USARMY CESAW (US)"
<Emily.B.Thompson@usace.army.mil>
To: John Jarrell <John.Jarrell@ci.kinston.nc.us>
Date: 3/19/2019 1:14 PM
Subject: Greenmead Waterline Replacement, Lenoir County (UNCLASSIFIED)
Attachments: 011719 Greenmead Wetlands Map.pdf

CLASSIFICATION: UNCLASSIFIED

Mr. Jarrell,

Based on the information you provided and my review, it appears that this project will not require authorization from the **Corps of Engineers**. If the project plans or scope of work deviates from replacing waterlines in the existing road right of way as described, authorization from the Corps may be necessary to move forward with the project. Please let me know if you have any questions.

Sincerely,
Emily

Emily B. Thompson
Regulatory Specialist
U.S. Army Corps of Engineers
Washington Regulatory Field Office
2407 W. 5th Street
Washington, NC 27889
(910) 251-4629
Emily.B.Thompson@usace.army.mil

CLASSIFICATION: UNCLASSIFIED



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Raleigh ES Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726

March 15, 2019

John Jarrell
City of Kinston
2360 Highway 258 South
Kinston, NC 28504

MAR 28 2019
Division of water infrastructure

Re: Greenmead Waterline Replacement – Lenoir County, NC

Dear Mr. Jarrell:

This letter is to inform you that the Service has established an on-line project planning and consultation process which assists developers and consultants in determining whether a federally-listed species or designated critical habitat may be affected by a proposed project. For future projects, please visit the Raleigh Field Office's project planning website at <https://www.fws.gov/raleigh/pp.html>. If you are only searching for a list of species that may be present in the project's Action Area, then you may use the Service's Information, Planning, and Consultation System (IPaC) website to determine if any listed, proposed, or candidate species may be present in the Action Area and generate a species list. The IPaC website may be viewed at <https://ecos.fws.gov/ipac/>. The IPaC web site contains a complete and frequently updated list of all endangered and threatened species protected by the provisions of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) (Act), a list of federal species of concern¹ that are known to occur in each county in North Carolina, and other resources.

Section 7 of the Act requires that all federal agencies (or their designated non-federal representative), in consultation with the Service, insure that any action federally authorized, funded, or carried out by such agencies is not likely to jeopardize the continued existence of any federally-listed endangered or threatened species. A biological assessment or evaluation may be prepared to fulfill that requirement and in determining whether additional consultation with the Service is necessary. In addition to the federally-protected species list, information on the species' life histories and habitats and information on completing a biological assessment or

¹ The term "federal species of concern" refers to those species which the Service believes might be in need of concentrated conservation actions. Federal species of concern receive no legal protection and their designation does not necessarily imply that the species will eventually be proposed for listing as a federally endangered or threatened species. However, we recommend that all practicable measures be taken to avoid or minimize adverse impacts to federal species of concern.

evaluation and can be found on our web page at <http://www.fws.gov/raleigh>. Please check the web site often for updated information or changes.

If your project contains suitable habitat for any of the federally-listed species known to be present within the county where your project occurs, the proposed action has the potential to adversely affect those species. As such, we recommend that surveys be conducted to determine the species' presence or absence within the project area. The use of North Carolina Natural Heritage program data should not be substituted for actual field surveys.

If you determine that the proposed action may affect (i.e., likely to adversely affect or not likely to adversely affect) a federally-protected species, you should notify this office with your determination, the results of your surveys, survey methodologies, and an analysis of the effects of the action on listed species, including consideration of direct, indirect, and cumulative effects; before conducting any activities that might affect the species. If you determine that the proposed action will have no effect (i.e., no beneficial or adverse, direct or indirect effect) on federally listed species, then you are not required to contact our office for concurrence, (unless an Environmental Impact Statement is prepared). However, you should maintain a complete record of the assessment, including steps leading to your determination of effect, the qualified personnel conducting the assessment, habitat conditions, site photographs, and any other related articles.

With regard to the above-referenced project, we offer the following remarks. Our comments are submitted pursuant to, and in accordance with, provisions of the Endangered Species Act.

Based on the information provided and other information available, it appears that the proposed action is not likely to adversely affect any federally-listed endangered or threatened species, their formally designated critical habitat, or species currently proposed for listing under the Act at these sites. We believe that the requirements of section 7(a)(2) of the Act have been satisfied for your project. Please remember that obligations under section 7 consultation must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner that was not considered in this review; or, (3) a new species is listed or critical habitat determined that may be affected by the identified action.

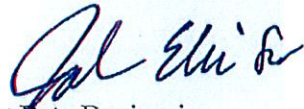
However, the Service is concerned about the potential impacts the proposed action might have on aquatic species. Aquatic resources are highly susceptible to sedimentation. Therefore, we recommend that all practicable measures be taken to avoid adverse impacts to aquatic species, including implementing directional boring methods and stringent sediment and erosion control measures. An erosion and sedimentation control plan should be submitted to and approved by the North Carolina Division of Land Resources, Land Quality Section prior to construction. Erosion and sedimentation controls should be installed and maintained between the construction site and any nearby down-gradient surface waters. In addition, we recommend maintaining natural, vegetated buffers on all streams and creeks adjacent to the project site.

The North Carolina Wildlife Resources Commission has developed a Guidance Memorandum (a copy can be found on our website at (<http://www.fws.gov/raleigh>) to address and mitigate secondary and cumulative impacts to aquatic and terrestrial wildlife resources and water quality.

We recommend that you consider this document in the development of your projects and in completing an initiation package for consultation (if necessary).

We hope you find our web page useful and informative and that following the process described above will reduce the time required, and eliminate the need, for general correspondence for species' lists. If you have any questions or comments, please contact John Ellis of this office at (919) 856-4520 ext. 26.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pete Benjamin".

Pete Benjamin
Field Supervisor