

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.: 1952
Applicant: City of Oxford, North Carolina
Project Name: 2017B Water Line Replacements

Project Description

The proposed water line improvements project will replace existing aged water lines with new water mains of modern materials, including PVC and DIP pipes, thereby improving the reliability of the City's water distribution system network. These proposed improvements will also improve the overall integrity of the water distribution system reducing main breaks, water loss, and the number of emergency outages. The project will include the installation of approximately 9,600 feet of 2 to 8 inch diameter water mains, which will run parallel to existing lines.

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.

(was submitted under seal with the ER-MJT)

Billy Joe Poark
 Authorized Representative or Engineer Printed Name

[Signature]
 Authorized Representative or Engineer Signature & Date

Office Manager
 Authorized Representative or Engineer Title

State Use Only (Review)	
Reviewed by: <u>[Signature]</u>	Date: <u>10 May 2019</u>
Departmental Approval: <u>Vernant Jude Tomarow</u>	Date: <u>10 May 2019</u>

Review Checklist: Request for Categorical Exclusion for DWSRF Projects

Applicant: City of Oxford WIF # 1952
 Project Name 2017 B WL 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. "SHPO" <input type="checkbox"/> Blanket letter from applicant OK? <input checked="" type="checkbox"/> Comments from agency OK? <u>10.17.19</u>
National Historic Preservation Act of 1966, PL 89-665, as amended	
Protection of Wetlands, Executive Order 11990	US Army Corps of Engineers <input type="checkbox"/> By "no permits required" comment letter from USACoE _____ <input type="checkbox"/> By sealed & signed "no jurisdiction" blanket comment letter from applicant's engineer _____ <input checked="" type="checkbox"/> By sealed & signed "no permits required" blanket comment letter from applicant's engineer <u>10.16.19</u> <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>2.01.2019</u> <input type="checkbox"/> By sealed & signed blanket letter from applicant's engineer for project scopes that don't require comments (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 <u>W-L rehabilitation is not a concern for this rehab. project WJ</u>	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) _____



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

January 17, 2019

Bill Roark
McGill Associates, P.A.
1915 Evans Road
Cary, NC 27513

bill.roark@mcgillengineers.com

Re: 2017B Water Line Replacements, Oxford, Granville County, ER 18-4204

Dear Mr. Roark:

Thank you for your email of December 12, 2018, regarding the above-referenced undertaking. We have reviewed your submittal and offer the following comments.

Portions of the project are within or adjacent to the National Register-listed Oxford Historic District (GV0521), Central Orphanage (GV0354), Thorndale (GV0332), the Oxford Historic District Boundary Increase/Decrease (GV----) which was placed on the State Study List in 2018, and the Main Street Local Historic District (GV0670). As proposed, the water line replacement project will have no adverse effect on the historic districts or properties.

There are no known archaeological sites within the proposed project area. Based on our knowledge of the area, it is unlikely that any archaeological resources that may be eligible for inclusion in the National Register of Historic Places will be affected by the project. We, therefore, recommend that no archaeological investigation be conducted in connection with this project.

The above comments are made pursuant to Section 106 and 110 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 919-814-6579 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".

Ramona M. Bartos

cc Cheryl Hart, Oxford HPC, cheryl_hart@oxfordnc.org

RECEIVED

APR 17 2019

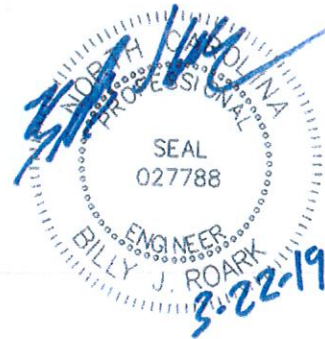
Division of Water Infrastructure

ENGINEERING REPORT /
ENVIRONMENTAL INFORMATION DOCUMENT

**2017 B WATER LINE REPLACEMENTS
STATE RESERVE PROJECT
NUMBER WIF1952**

CITY OF OXFORD
GRANVILLE COUNTY, NORTH CAROLINA

BILL ROARK, PE
bill.roark@mcgillengineers.com
919.378.9111



1915 Evans Road
Cary, NC 27513
FIRM LICENSE NO. C-0459
PROJECT NO. 18.01917



JANUARY 2019
REVISED MARCH 2019



was submitted under
seal with the E.R. - M/1

**ADDENDUM
TO ENGINEERING REPORT/ENVIRONMENTAL REVIEW DOCUMENT**

for
THE CITY OF OXFORD 2018 WATER LINE REPLACEMENT PROJECT (PROJECT NO.: WIF1952)

Date: January 16, 2019

To: North Carolina Division of Water Infrastructure (DWI)

Subject: Permit Requirements for Potential Impacts to Jurisdictional Waters of the United States

This addendum is attached to the Engineering Report/Environmental Information Document (ER/EID) for the City of Oxford 2017B Water Line Replacement project as required by the DWI for projects seeking federally recognized categorical exclusion from environmental review requirements.

On January 7, 2019 the U.S. Army Corps of Engineers provided comments (included in the ER/EID) stating that the project may require a permit under Section 404 of the Clean Water Act if the project is proposing impacts to any potentially jurisdictional Waters of the U.S.

McGill Associates, P.A. has reviewed the proposed project and is providing the following findings:

1. All proposed water lines for the project will occur within fully developed and existing easements or rights-of-way.
2. All construction activities will be located and accomplished such that there will be no impacts to jurisdictional Waters of the U.S.

Based on these findings, **I have determined that no U.S. Army Corps of Engineers permit is required for this project.**

Bill Roark, PE
Office Manager/Principal
McGill Associates, P.A.

Engineering • Planning • Finance

McGill Associates, P.A. • 1915 Evans Road • Cary, NC 27513
Phone: 919-378-9111 • Fax: 919-378-9127

5.6.1.4 – USACE COMMENT EMAIL

BILL ROARK

From: Sullivan, Roscoe L III CIV (US) <Roscoe.L.Sullivan@usace.army.mil>
Sent: Monday, January 7, 2019 10:02 AM
To: Malee Garcia
CC: Bill Roark
Subject: RE: Oxford, NC Water and Sewer Line Replacement Projects (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Hey Malee,

Thanks for the information. I suggest having a qualified environmental professional review the project area for the presence/absence of any potential waters of the United States (WoUS), as the National Wetland Inventory (NWI) data is not always accurate. Based on the information provided, the proposed project would avoid impacts to any potential waters of the United States. If there will be no impacts to any potential WoUS by the proposed project, then such a project would not require a permit under section 404 of the Clean Water Act.

Please feel free to reach out with any questions.

Best,

Ross Sullivan, PWS, ISA Certified Arborist
Regulatory Specialist
Raleigh Regulatory Field Office
U.S. Army Corps of Engineers - Wilmington District
3331 Heritage Trade Drive, Suite 105
Wake Forest, North Carolina 27587
Office #: 919-554-4884. Ext. 25
Email: roscoe.l.sullivan@usace.army.mil

We would appreciate your feedback on how we are performing our duties. Our automated Customer Service Survey is located at: http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0
Thank you for taking the time to visit this site and complete the survey.

-----Original Message-----

Hello Mr. Sullivan,

The City of Oxford is in the process of performing an environmental review for replacement of potable waterlines. I have attached a document with further information on the location and subject matter. Please provide any comments regarding concerns that may affect this project. We look forward to your comments.

Thanks,



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Raleigh ES Field Office

Post Office Box 33726

Raleigh, North Carolina 27636-3726

February 1, 2019

Bill Roark
McGill Associates, P.A.
1915 Evans Road
Cary, NC 27513

Re: City of Oxford Water Line Replacements – Granville County, NC

Dear Mr. Roark:

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.

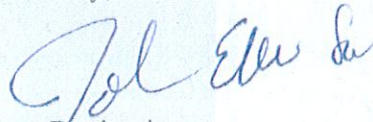
However, the Service is concerned about the potential impacts the proposed action might have on aquatic species. Aquatic resources are highly susceptible to sedimentation. Therefore, we recommend that all practicable measures be taken to avoid adverse impacts to aquatic species, including implementing 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". The signature is written in a cursive style with a large initial "P".

Pete Benjamin
Field Supervisor