

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 at <http://portal.ncdenr.org/web/wi/drinkingwater/factsheets>.

WIF No.: 1926
Applicant: Pamlico County, NC
Project Name: Reelsboro Elevated Storage Tank Replacement

Project Description

The Project will consist of the demolition of an existing elevated storage tank, construction of a new elevated storage tank and new check valve vault. The work will be done within previously disturbed and maintained sites.

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.

M. Blaine Humphrey, P.E., Rivers & Associates, Inc.

Authorized Representative or Engineer Printed Name

 5-12-17

Authorized Representative or Engineer Signature & Date

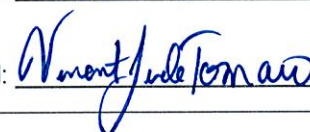
Project Manager

Authorized Representative or Engineer Title

State Use Only (Review)

Reviewed by: DMG

Date: 6-23-2017

Departmental Approval: 

Date: 06.27.2017

Review Checklist: Request for Categorical Exclusion for DWSRF Projects

Applicant: COUNTY OF PAMLICO WIF # 1926
 PWS ID: _____ P&S Serial # _____

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>4-27-2016</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>5-12-2017</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>4-12-2017</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 <i>Rebuilding/raising a tank does not present an EJ issue NJT 6-23-2017</i> | DWSRF Funding Unit and the local PWSS Regional Engineer Based on responses given by PWSS-RE to those questions included on the EJ questionnaire, which was provided to the RE during the priority review period: 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 <i>Raising a tank on the same site does not present a CAMA issue 6-23-2017 NJT</i> | Division of Coastal Management (DCM) 1. Is this project located in any of the following counties: Beaufort, Bertie, Brunswick, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrrell, and Washington? <input checked="" type="checkbox"/> Yes <input 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 | |



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

April 27, 2016

Andrew Mitchell
Rivers & Associates, Inc.
PO Box 929
Greenville, NC 27858

Re: Reelsboro Elevated Storage Tank Replacement and Alliance Check Valve Vault, Pamlico County,
ER 14-0321

Dear Mr. Mitchell:

Thank you for your letter of April 11, 2017, concerning the above project.

There are no known archaeological sites within the proposed project areas. Given the topographic characteristics and land use histories of the proposed project areas, it is unlikely that any archaeological resources that may be eligible for listing in the National Register of Historic Places will be affected by the project. We therefore recommend that no archaeological investigations be conducted in connection with this project.

We note, however, a historic cemetery situated immediately west of the proposed Alliance check valve vault project area. We ask that the cemetery be recorded with the Office of State Archaeology using the attached site form (also available at http://dncr-arch.s3.amazonaws.com/s3fs-public/Cemetery_form.pdf). Upon receipt, Site Registrar Susan Myers (susan.myers@ncdcr.gov, 919/807-6556) will assign a state site number to the cemetery.

Please tell us what measures will be taken to avoid and protect the cemetery from activities associated with the proposed construction project. Cemeteries are addressed primarily under the articles of NC GS 65 (<http://www.ncleg.net/gascripts/Statutes/StatutesTOC.pl?Chapter=0065>) and NC GS 14 (http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/BySection/Chapter_14/GS_14-149.html).

We have determined that the project as proposed will not have an effect on any historic structures.

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.

RECEIVED MAR 10 2014



North Carolina Department of Cultural Resources
State Historic Preservation Office
Ramona M. Bartos, Administrator

Governor Pat McCrory
Secretary Susan Kluttz

Office of Archives and History
Deputy Secretary Kevin Cherry

March 6, 2014

James Dan Withers
Rivers and Associates, Inc.
PO Box 929
Greenville, NC 27835

Re: Demolish & Replace Water Storage Tank, Pamlico County, ER 14-0321

Dear Mr. Withers:

Thank you for your letter of February 19, 2014, 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.

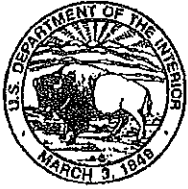
The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

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 renee.gledhill-earley@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,

A handwritten signature in cursive script that reads "Renee Gledhill-Earley".

for Ramona M. Bartos



United States Department of the Interior

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

March 13, 2014

James Withers
Rivers and Associates, Inc.
PO Box 929
Greenville, NC 27858

Re: Reelsboro Elevated Tank Improvements- Pamlico County, NC

Dear Mr. Withers:

This letter is to inform you that a list of all federally-protected endangered and threatened species with known occurrences in North Carolina is now available on the U.S. Fish and Wildlife Service's (Service) web page at <http://www.fws.gov/raleigh>. Therefore, if you have projects that occur within the Raleigh Field Office's area of responsibility (see attached county list), you no longer need to contact the Raleigh Field Office for a list of federally-protected species.

Our web page 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), and a list of federal species of concern¹ that are known to occur in each county in North Carolina.

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

¹The 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.

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.

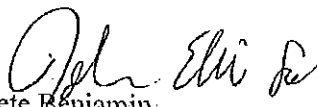
Based on the information provided and other information available, it appears that the proposed action is not likely to adversely affect any federally-listed endangered or threatened species, their formally designated critical habitat, or species currently proposed for listing under the Act at these 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,


Pete Benjamin
Field Supervisor

5/12/2017

Mail - amitchell@riversandassociates.com

Fw: Reelsboro Elevated Storage Tank & Check Valve Vault in Alliance

Blaine Humphrey

Thu 5/11/2017 11:16 AM

To: david.giachini@ncdenr.gov <david.giachini@ncdenr.gov>;

Cc: Andrew Mitchell <amitchell@riversandassociates.com>;

David,
Will this e-mail suffice for the Corps, or does he need to put a letter together? Thanks.

Blaine

From: Beecher, Gary H CIV USARMY CESAW (US) <Gary.H.Beecher@usace.army.mil>

Sent: Thursday, May 11, 2017 11:09 AM

To: Blaine Humphrey

Cc: tim.buck@pamlicocounty.org; vincent.tomain@ncdenr.gov

Subject: Reelsboro Elevated Storage Tank & Check Valve Vault in Alliance

Mr. Humphrey,

I've reviewed the "Categorical Exclusion" (CE) request for the demolition and re-build of the "elevated storage tank" in Reelsboro, NC (35.132031, -76.926175) and for the construction of the "check valve vault" in Alliance, NC (35.145582, -76.810502). Based on a desk top review it doesn't appear as though any jurisdictional wetlands or Waters of the US will be impacted or filled by either of these two projects, so no permit will be required from the USACE.

While Pamlico County, NC is within the range of the Northern Long Eared Bat (*Myotis septentrionalis*) no known colonies exist in Pamlico County. As an added measure perhaps you can have your workers double check the underside of the tank prior to its demolition to see if there might be any bats roosting underneath it. Though they seem to prefer roosting in older, mature trees. They have been seen roosting under bridges and old barn eaves in North Western, NC.

I hope this e-mail will suffice as your "written" Categorical Exclusion, if not I can put something together for you on official USACE letterhead.

Please contact me if you have any questions about this e-mail or about the USACE Regulatory Program.

Respectfully,

Gary

MEMORANDUM

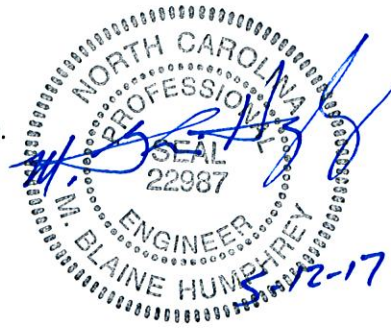
TO: Rivers File 2017023-D

CC: Timothy A. Buck, Pamlico County
Andrew Mitchell, E.I., Rivers & Associates, Inc.

FROM: Blaine Humphrey, P.E., Rivers & Associates, Inc.

DATE: May 12, 2017

SUBJECT: Pamlico County, North Carolina
Reelsboro Elevated Storage Tank Replacement
Environmental Assessment – USACE Permits



As part of the funding application and permitting process, Pamlico County is submitting a Request for Categorical Exclusion from Substantive Environmental Review (CE) for the subject project.

This memorandum is intended to serve as documentation that no USACE permits are required for this project. The project will occur entirely on existing partially developed sites, and no impacts to wetlands or surface waters are anticipated. Some clearing of a wooded area on the existing tank site will be required. However, **I have determined that no US Army Corps of Engineers permit is required.**