

Instructions:

1. Provide the DEH number for the project for which you are requesting consideration.
2. Please fill out the applicant's formal name. If you are a county authority, please specify which county. "County Water District VII" is not an acceptable name; "ABC County Water District VII" is acceptable.
3. Please 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 responsible for the PER must sign the form. If the PE signs the form, it must include the PE seal.

DEH No.: 1896

Applicant: Town of Rutherford College

**Project Description**

Replace failing waterlines and eliminate dead ends with 5,300 LF of 6" waterline, 3,200 LF of 2" waterline, 32 blow-offs, and related appurtenances.

We certify that the project described in the application for state-supplied financial assistance meets all of the applicable general criteria listed in 15A NCAC 1C .0408 (1), and consists solely of activities exempted under the specific criteria of 1C .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. [1C .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; [1C .0408 (2)(b)(i)]
- Improvements not intended to add capacity to the facility; [1C .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; [N.C.G.S. §113A-12(1) & 1C .0408 (2)(b)(iii)]
- Construction of water tanks, or booster pumping or secondary or remote disinfection stations; [1C .0408 (2)(b)(iv)]
- Dams less than 25 feet in height and having less than 50 acre-feet or storage capacity [1C .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 DWSRF funding.)

We further certify that the project does not have a significant direct, indirect, cumulative or secondary adverse environmental impact as described in 15A NCAC 1C .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; [1C .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; [1C .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; [1C .0306 (3)].

Therefore, we believe our project is eligible for consideration for a CE from the State's environmental assessment review processes and request that the State of North Carolina concur with our determination.

We understand that the State of North Carolina 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. We understand that, in this case, the activity may be ineligible for CE under 1C .0306 (4).

We recognize that this request supplies information sufficient **only** for state-financed assistance under the 15A NCAC 1J and 1L rules. If we are applying (either additionally or exclusively) for federally-financed assistance under the Drinking Water State Revolving Fund Program, additional steps (including obtaining comment letters and publicizing the requested action) apply.

Kenneth Geathers

Authorized Representative Printed Name

*Kenneth Geathers* 9/25/14

Authorized Representative Signature & Date  
Town Manager

Authorized Representative Title

State Use Only (Review)

Reviewed by: *Michelle McKay*

Department Approval: *Wmout Jude Roman*

# Review Checklist: Request for Categorical Exclusion for DWSRF Projects

Applicant: RUTHERFORD COLLEGE WIF # 1896  
 PWS ID: 0112055 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	<b>North Carolina Dept. of Cultural Resources</b> for signoff. <input type="checkbox"/> Blanket letter from applicant OK? _____ <input checked="" type="checkbox"/> Comments from agency OK? <u>5.19.16</u>
National Historic Preservation Act of 1966, PL 89-665, as amended	
Protection of Wetlands, Executive Order 11990	<b>US Army Corps of Engineers</b> <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>6.16</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	<b>US Fish &amp; Wildlife Service for signoff</b> <input checked="" type="checkbox"/> Comments from USFWS OK <u>5.17.16</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	<b>DWSRF Funding Unit and the local PWSS Regional Engineer</b>  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	<b>Division of Coastal Management (DCM)</b>  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 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) \_\_\_\_\_



405 South Sterling Street, Morganton NC 28655  
828 433 5661 / fax 828 433 5662 / info@west-consultants.com

ADDENDUM TO  
TOWN OF RUTHERFORD COLLEGE  
2015 WATER SYSTEM IMPROVEMENTS PROJECT  
ENGINEERING REPORT

I, David W. Poore, PE, CPESC, as designer of this project make the following statement:

None of the construction activities or facilities themselves is to occur in a stream, lake, or other body of water or in wetlands. This project includes no stream disturbances or impacts.

I have determined that no US Army Corps of Engineer Permit is Required.

WEST CONSULTANTS, PLLC

David W. Poore, PE, CPESC





**North Carolina Department of Natural and 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

May 19, 2016

David Poore  
West Consultants, PLLC  
405 South Sterling Street  
Morganton, NC 28655

Re: Town of Rutherford College Waterline Improvements, WIF-1896, Burke County, ER 16-0784

Dear Mr. Poore:

Thank you for your letter of April 25, 2016, 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](mailto:environmental.review@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

Asheville Field Office  
160 Zillicoa Street  
Asheville, North Carolina 28801

May 17, 2016

Mr. David W. Poore  
West Consultants, PLLC  
405 South Sterling Street  
Morganton, North Carolina 28655

Dear Mr. Poore:

Subject: Proposed Waterlines Improvements, Rutherford College (WIF-1896), Burke County,  
North Carolina

We received your letter dated April 25, 2016 (received April 27, 2016), requesting our comments on the subject project. We previously provided comments on this project in a letter to Mr. Samuel W. Erwin of the Western Piedmont Council of Governments on November 15, 2015. The following comments are provided in accordance with the provisions of the National Environmental Policy Act (42 U.S.C. §4321 et seq.) and section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543) (Act).

We have no objections to the proposed project. According to our records and a review of the information you provided, no federally listed species or their habitats occur in the immediate project area. Therefore, we believe the requirements under section 7 of the Endangered Species Act are fulfilled. However, obligations under section 7 of the Endangered Species Act 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 is determined that may be affected by the identified action.

We appreciate the opportunity to provide these comments. If we can be of assistance or if you have any questions, please contact Mr. Allen Ratzlaff of our staff at 828/2583939, Ext. 229. In any future correspondence concerning this project, please reference our Log Number 4-2-16-039.

cc:

Ms. Shari L. Bryant, Eastern Piedmont Region Permit Reviewer, North Carolina Wildlife  
Resources Commission, P.O. Box 129, Sedalia, NC 27342-0129

Mr. Vincent Tomaino, Division of Water Infrastructure, 1633 Mail Service Center, Raleigh, NC  
27699-1633