

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.: WIF-1909

Applicant: City of Thomasville

Project Name: City of Thomasville Pilot Drive Area Waterline Improvements

Project Description

This project involves the construction of new 6-inch and to replace existing 2-inch watermain around the greater Pilot Drive Area. Work consists of all associated site work, piping, and appurtenances.

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.

HEATHER C. MILLER, PE
 Authorized Representative or Engineer Printed Name

Heather C. Miller 6-22-16
 Authorized Representative or Engineer Signature & Date

CIVIL ENGINEER
 Authorized Representative or Engineer Title

State Use Only (Review)	
Reviewed by: <u>Michelle McKay</u>	Date: <u>6-22-2016</u>
Departmental Approval: <u>Vincent Jude Tommas</u>	Date: <u>6-23-2016</u>

Review Checklist: Request for Categorical Exclusion for DWSRF Projects

Applicant: Thomasville, City of WIF # 1909
 PWS ID: 02-29-020 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 checked="" type="checkbox"/> Blanket letter from applicant OK? <u>06.22.2016</u> <input type="checkbox"/> Comments from agency OK? _____
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>06.22.2016</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>06.21.2016</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	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	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 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) _____

June 22, 2016

Ms. Michelle McKay
North Carolina Department of Environment and Natural Resources
Division of Water Infrastructure
1633 Mail Service Center
Raleigh, NC 27699-1634



Reference: City of Thomasville
Pilot Area Waterline Improvements
City of Thomasville, Davidson County, North Carolina

Subject: Categorical Exclusion Submission Concerning Potentially Interested Agencies
LaBella Commission Number: 2160215

Dear Michelle:

Please find attached the Request for Categorical Exclusion for Substantive Environmental Review (CE). To satisfy the requirements of the requested Categorical Exclusion for the subject project, concerning comments from potentially interested agencies, we submit the following:

In regards to the State Historic Preservation Office (SHPO), we state that the components of this project which include new or replacement waterlines will take place solely in previously disturbed road or utility rights-of-way.

In regards to the US Army Corps of Engineers (USACE), we state that construction activities or facilities themselves within the Kennedy Road Area will not occur in a stream, lake, or other body of water or in wetlands. I have determined that no US Army Corps of Engineers Permit is required.

Included with this letter is the comment letter received from the US Fish and Wildlife Service (USFWS) in response to their review of the project. A copy of the comment request letter is also included with letter.

Thank you for your time and please do not hesitate to call me with any questions or comments regarding the Categorical Exclusion, the statements in this letter, or the project in general (Direct: 704-941-2174, Email: hmillers@labellapc.com).

Sincerely,

A handwritten signature in black ink that reads "Heather C. Miller". The signature is written in a cursive style with a large initial 'H'.

Heather C. Miller, PE, LEED® AP
Civil Engineer

Attachments

cc: Morgan Huffman – City of Thomasville Public Services Director
Y:\2160215-Pilot Area Waterline\CFile\Ph1-5\010-Rev-Approvals\2160215 Categorical Exclusion Letter.doc



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Asheville Field Office
160 Zillicoa Street
Asheville, North Carolina 28801

June 21, 2016

Ms. Heather C. Miller
Labella Associates
1520 South Boulevard, Ste. 210
Charlotte, North Carolina 28203

Dear Ms. Miller:

Subject: New Water Lines and Water Line Replacements (WIF-1909), Thomasville, Davidson County, North Carolina

In your letter of May 20, 2016 (received May 23, 2016), you requested our comments about the subject project. The following comments are provided in accordance with the provisions of the National Environmental Policy Act and section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543) (Act).

Endangered Species. According to our records and the information provided in your letter, no federally listed species or their habitats occur in the project area. Therefore, we believe the requirements under section 7 of the Act are fulfilled. However, obligations under section 7 of the 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 and request that you continue to keep us informed as to the progress of this proposed project. If we can be of assistance or if you have any questions, please contact Mr. Allen Ratzlaff of our staff at 828/258-3939, Ext. 229. In any future correspondence concerning this project, please reference our Log Number 4-2-16-461.

cc:

E-Copy: Andrea Leslie, North Carolina Wildlife Resources Commission,
andrea.leslie@ncwildlife.org

Vincent Tomaino, Division of Water Infrastructure, vincent.tomaino@ncdenr.gov

May 20, 2016

**Janet Mizzi, Field Supervisor
USFWS Asheville Field Office
160 Zillicoa Street
Asheville, NC 28801**

Dear Janet,

We have requested Categorical Exclusion from substantive environmental review requirements (CE) under 15A NCAC 1C.0408 "minimum criteria" rules, for the project listed below. Before granting the request, the Division of Water Infrastructure (DWI) of the North Carolina Department of Environmental and Natural Resources requires use to seek your agency's comment on the advisability of issuing a CE. Specific project information is laid out below.

Project Information

Project #: WIF--1909

Applicant: City of Thomasville

County: Davidson

Project Description:

The City of Thomasville has acquired existing water systems surrounding the perimeter of the City's service area. These systems were typically constructed with small diameter pipe of 2-inch or less and were isolated to serve small clusters of developments that were having difficulty with water quality. The water quality and low pressure in these areas has caused concern for the City to meet current and future regulations. As such, the City is proposing to replace the existing 2-inch diameter pipe with 6-inch diameter pipe to aid in providing proper circulation of water and to improve water quality and water pressure in these outlying areas, as well as the water system as a whole.

The current project focuses on developed areas in on the west side of the City of Thomasville. Specifically, the project involves the replacement of existing, deteriorated 2-inch diameter waterline with approximately 33,265 LF of 6-inch. Approximately 23,235 LF or 70% of the project will replace existing 2-inch diameter waterline that is greater than 40 years old (see attached USGS maps).

The replacement waterline will be installed by trench excavation. The width of the trench is expected to be approximately 6-feet wide, and it will be installed within 20-feet of the edge of pavement within the road right-of-way. The affected area is cleared and includes lawn and mowed/maintained grassy vegetation. No tree removal will be needed or undertaken during construction.

Applicant Contact Information

Mr. Morgan Huffman
Public Services Director
City of Thomasville
10 Salem Street
Thomasville, NC 27361
Email: morgan.huffman@thomasville-nc.gov
Phone: 336-475-4220

Project Engineer Contact Information

Heather C. Miller, P.E.
LaBella Associates, P.C.
1520 South Blvd, Suite 210
Charlotte, NC 28203
Email: hmill@labellapc.com
Phone: 704-941-2174

Additional Information

The project is limited to Davidson County. The species found on the USFWS website (http://www.fws.gov/raleigh/species/cntylist/nc_counties.html) are listed in table on the following page. The waterline does not take place in and is not expected to adversely affect the habitat required by these species.

USFWS Species List for Davidson County

County	Species	Listing	Explanation of Expected Impact
Davidson	Bald Eagle	Bald Eagle Protection Act	<p>Bald Eagle habitat can be characterized as expansive, largely forested areas with tall trees or structures near aquatic areas. Given the developed nature of the project vicinity, it is considered unlikely that Bald Eagles are nesting within 660 feet of the project area, and therefore no impacts to the Bald Eagle are anticipated. Furthermore, construction activities will be confined within the road right-of-way and no tree removal will be needed or undertaken during construction.</p> <p><u>Information sources:</u> USFWS Bald Eagle Fact Sheet; BGEPA Information; NatureServe Explorer Bald Eagle information</p>
Davidson	Carolina Darter	Federal Species of Concern	<p>No impacts to the Carolina Darter are anticipated as construction activities will not impact local streams/creeks. The Carolina Darter is a fish which typically inhabits small-to moderate-sized streams in areas of low current velocity. They are often found in muddy and rocky pools and backwaters of sluggish headwaters and creeks.</p> <p><u>Information sources:</u> South Carolina Department of Natural Resources Carolina Darter Information; Fishbase.org Fact Sheet</p>
County	Species	Listing	Explanation of Expected Impact
Davidson	Eastern Small-Footed Bat	Federal Species of Concern	<p>The Eastern Small-Footed Bat roosts in small colonies during the warm-season, primarily in crevices of rocky outcrops or talus slopes, but have also been found in buildings, bridges, towers, hollow trees, beneath loose bark of trees, road cuts, rocky dams, caves, and mines. The species relies heavily on rock roosts or similar man-made structures during the summer months. Roosts often are exposed to the sun but also may be under moderate to extensive canopy cover. Hibernation occurs during winter months typically in caves and mine tunnels. While it is possible that the project area includes suitable trees for the Eastern Small-Footed Bat to roost within; tree removal is not anticipated as part of this project.</p> <p><u>Information sources:</u> NatureServe Explorer Eastern Small-Footed Bat information</p>

County	Species	Listing	Explanation of Expected Impact
Davidson	Northern Long-Eared Bat	Threatened	<p>The Northern Long-Eared Bat roosts singly or in small colonies during the warm-season, primarily underneath bark, in cavities or in crevices of both live trees and snags. Males and non-reproductive females may also roost in cooler places, like caves and mines. The species seem to be flexible in selecting roosts, choosing roost trees based on suitability to retain bark or provide cavities or crevices. Rarely does the species roost in structures like barns and sheds. Hibernation occurs during winter months typically in caves and mine tunnels. While it is possible that the project area includes suitable trees for the eastern small-footed bat to roost within; tree removal is not anticipated as part of this project.</p> <p><u>Information sources:</u> USFWS Northern Long-Eared Bat Fact Sheet</p>
Davidson	Georgia Aster	Candidate	<p>Georgia Aster is a perennial herb with habitat that includes edges and openings in rocky, upland oak hickory-pine forests, and rights-of-way through these habitats. Georgia Aster occupies these woodlands or piedmont prairies dominated by native plant species. The primary controlling factor for its occurrence seems to be the availability of sunlight. Georgia Aster is rare today because of habitat destruction and fire suppression.</p> <p>The site is a grassed area along road rights-of-way. Grasses, weeds and invasive species have likely replaced native species and any native prairie habitat along these roads. Moreover, the area has not had wildfires for many years due to fire suppression. Therefore, it is unlikely that the aster is present in this area. The fact that the proposed activity will introduce a disturbance to the road-side, means that the Project may actually help any local populations (if present), by increasing disturbance, suppressing other species that compete with the Georgia Aster and by increasing the availability of sunlight that the species depends on.</p> <p><u>Information sources:</u> NatureServe Explorer Georgia Aster information; georgiawildlife.com Fact Sheet; USFWS – Asheville Field Office – Candidate Conservation Agreement for Georgia Aster; Georgia Native Plant Society Fact Sheet</p>

County	Species	Listing	Explanation of Expected Impact
Davidson	Prairie Birdsfoot Trefoil	Federal Species of Concern	<p>No habitat information is available for this species. It is not officially listed at this time as a Threatened or Endangered Species (also known as Heller's Birdsfoot Trefoil).</p> <p><u>Information sources:</u> USFWS Env. Conservation Online System; NatureServe Explorer; USDA NRCS website</p>
Davidson	Schweinitz's Sunflower	Endangered	<p>The Schweinitz's Sunflower is a perennial that occurs in full to partial sun and is found in areas with poor soils, such as thin clays that vary from wet to dry. The species is currently known from roadsides, power line clearings, old pastures, woodland openings, and other sunny to semi-sunny situations. It is generally located in poor, clayey, and/or rocky soils, especially those derived from mafic rock. Formerly, it likely occurred in prairielike habitats maintained by fires. Loss of this open habitat to fire suppression and urbanization has resulted in the decline of the species.</p> <p>The site soils are mapped as a majority Enon Gravelly Loam (ErB). Enon series soils "consists of very deep, well drained, slowly permeable soils on ridgetops and side slopes in the Piedmont. They have formed in residuum weathered from mafic or intermediate igneous and high-grade metamorphic rocks such as diorite, gabbro, diabase, or hornblende gneiss or schist." So the site soils may be derived from mafic rock.</p> <p>The site is a grassed area along road rights-of-way. The site area has not experienced wildfires for years, if not decades (due to fire suppression). It is considered unlikely that the sunflower would be present in this area, due to fire suppression and the lack of habitat disturbances required to create sun openings for the species. The fact that the proposed activity will introduce a disturbance to the road-side, means that the Project may actually help any local populations (if present), by increasing disturbance and suppressing other species that may suppress the sunflower.</p> <p><u>Information sources:</u> USFWS Raleigh Ecological Services Field Office Schweinitz's sunflower Fact Sheet; National Wildlife Federation Languishing Species: Southeast – Schweinitz's Sunflower; NCSU Herbarium Fact Sheet</p>

In developing your comments, please address those federal cross cutting authorities listed with your agency below:

Agency	Cross Cutting Authority
North Carolina Cultural Resources	Archeological and Historic Preservation Act of 1974, Pub. L. 86-523, as amended National Historic Preservation Act of 1966, PL 89-665, as amended
United States Fish & Wildlife Service	Protection of Wetlands, Executive Order 1 1990 and Floodplain Management, Executive Order 1 1988 Fish and Wildlife Coordination Act, Pub. L. 85-624, as amended Wild and Scenic Rivers Act, Pub. L. 90-542, as amended
United States Army Corp of Engineers	Protection of Wetlands, Executive Order 1 1990 and Floodplain Management, Executive Order 1 1988

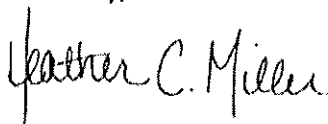
After your review, please provide comments to the DWI, preferably by email at vincent.tomaino@ncdenr.gov. You may also write to Vincent Tomaino at the addresses below. If you require additional information, please inquire directly to the applicant contact, at the address above.

Parcel Delivery (e.g. FedEx) Address	Regular Mail Address
Division of Water Infrastructure Archdale Building – Room 825R 512 North Salisbury Street Raleigh, NC 27604 919-707-9160	Division of Water Infrastructure 1633 Mail Service Center Raleigh, NC 27699-1633

To enable the project to move forward, please issue your comment letter or email even if you have no comments. You may reply by email.

Thank you for your time and please do not hesitate to call me with any questions or comments regarding the project in general (Direct: 704-941-2174, Email: hmillers@labellapc.com). We look forward to your comments and subsequent approval.

Sincerely,



Heather C. Miller, PE, LEED[®] AP
Civil Engineer

cc: Morgan Huffman – City of Thomasville Public Services Director

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