

Review Checklist: Request for Categorical Exclusion for DWSRF Projects

Applicant: Valdese - Main Street WIF # 1955
 Project Name Main Street 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. <input checked="" type="checkbox"/> Blanket letter from applicant OK? <u>rec'd 1-29-2019</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 <u>rec'd</u> <input checked="" type="checkbox"/> By "no permits required" comment letter from USACoE <u>1-24-2019</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 <u>reported 1-25-2019</u> <input checked="" type="checkbox"/> Comments from USFWS OK <u>2-21-2019</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>Main Street WL Replacement</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) _____

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.: WIF-1955

Applicant: Town of Valdese

Project Name: Main Street Water Line Replacement Project

Project Description

The Main Street Water Line Replacement Project will replace aging water lines in the Town of Valdese's water distribution system. This project proposes to replace approximately 6,800 linear feet of 6-inch and 8-inch cast iron water line in the downtown area along Main Street (U.S. Highway 70). The project will replace approximately 3,800 linear feet of 6-inch water main, 3,000 linear feet of 8-inch water main, and approximately 190 linear feet of 2-inch galvanized steel water main within existing rights-of-way. The proposed replacement project will include new 6-inch and 8-inch ductile iron water lines, valves, service connections, fire hydrants, and related appurtenances. No construction activities will occur in a stream, lake, other body of water, or wetland.

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.)

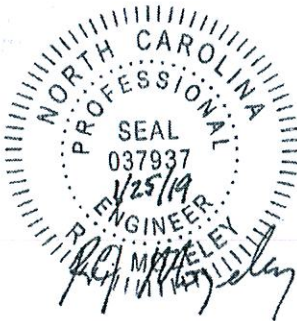
I further certify that the project does not have a significant direct, indirect, cumulative or secondary adverse environmental impact as described in 15A NCAC 01C .0306, and that none of the following descriptions apply to the project:

- 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.



R.J. Mozeley, PE

 Authorized Representative or Engineer Printed Name

RJ Mozeley 1/25/19

 Authorized Representative or Engineer Signature & Date

Project Manager

 Authorized Representative or Engineer Title

State Use Only (Review)	
Reviewed by: <u>Vincent Tomaino</u>	Date: <u>2.26.2019</u>
Departmental Approval: <u>Vincent Tomaino</u>	Date: <u>26 February 2019</u>



ADDENDUM NO. 1

FEDERAL CATEGORICAL EXCLUSION STATEMENTS

MAIN STREET WATER LINE REPLACEMENT PROJECT TOWN OF VALDESE, NORTH CAROLINA

This addendum serves to address the Federal Categorical Exclusion for the proposed project.

1. NC Department of Cultural Resources (NCDRC)

Project-specific comment letter from NCDRC is not required because new waterlines are being constructed in the previously disturbed right-of-way. **A request for review will not be sent to the NCDRC.**

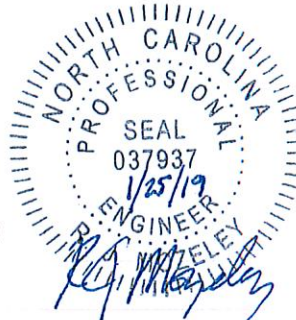
2. U.S. Fish and Wildlife Services (USFWS)

Project-specific comment letter from USFWS is required because new waterlines are being constructed within the existing right-of-way. **A request for review has been sent to the USFWS.**

3. U.S. Army Corps of Engineers (USACE)

None of the construction activities or facilities themselves will occur in a stream, lake, or other body of water or in a wetland. New water lines will be installed in previously disturbed right-of-way's, so no mud or other materials will be discharged into a stream or wetland. **Therefore, I have determined that no U.S. Army Corps of Engineers Permit is required.**

R.J. Mozeley, PE
Project Manager
McGill Associates
1240 19th Street Lane NW
Hickory, NC 28601
Phone: 828.328.2024 | Fax: 828.383.3870
rj.mozeley@mcgillengineers.com



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5.0 Environmental Information Document

Following the spring 2018 award cycle, as stated in the Letter of Intent to Fund dated August 1, 2018, and subsequent confirmation by the State Water Infrastructure Authority, the Town of Valdese has been awarded funding from the Drinking Water State Revolving Fund (DWSRF) program. The Main Street Water Line Replacement Project meets all the applicable criteria in 15A NCAC 01C .0408 (1) and 15A NCAC 01C .0408 (2) for Categorical Exclusion from substantive environmental review.

The Categorical Exclusion Request form is included with this Engineering Report (ER). Additionally, the Addendum No.1 Federal Categorical Exclusion Statements and the Environmental Review for the United States Fish and Wildlife Service are included in this section. The Threatened and Endangered Species List for Burke County used to supplement the US Fish and Wildlife Service Letter can be found in Appendix H of this document.



January 25, 2019

Mr. Brian Cole, Field Supervisor
U.S. Fish and Wildlife
Asheville Field Office
160 Zillicoa Street
Asheville, NC 28801

RE: Environmental Review Categorical Exclusion
Main Street Water Line Replacement Project
Town of Valdese, North Carolina

Dear Mr. Cole:

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 North Carolina Department of Environmental Quality requires us to seek your agency’s comment on the advisability of issuing a CE. Specific project information is laid out below.

Project Information:

Project #: WIF-1955

Applicant: Town of Valdese

County: Burke County

Project Description:

The Town of Valdese Main Street Water Line Replacement Project will replace aging water lines in the Town of Valdese’s water distribution system. This project proposes to replace approximately 6,800 linear feet of 6-inch and 8-inch cast iron water line that extends from the east side of town to the west side along Main Street (U.S. Highway 70). The project will replace approximately 3,800 linear feet of 6-inch water main, 3,000 linear feet of 8-inch water main, and approximately 190 linear feet of 2-inch galvanized steel water main.

The proposed replacement project will include new 6-inch and 8-inch water lines adjacent to the existing lines complete with new service connections, service lines, and re-

connection to all existing water meters, new fire hydrants, new valves, pavement replacement, and related appurtenances. The proposed pipe material is ductile iron. Proposed ductile iron pipe segment sizes will match existing sizes of cast iron pipe segments and the 2-inch galvanized steel segment, located on the west side of the project area, will be replaced with 6-inch ductile iron pipe.

Applicant Contact Information:	Project Engineer Contact Information:
Seth Eckard Town Manager Town of Valdese Post Office Box 339 Valdese, North Carolina 28690 Phone: 828.879.2116 seckard@ci.valdese.nc.us	R.J. Mozeley, PE Project Manager McGill Associates 1240 19 th Street Lane NW Hickory, NC 28601 Phone: 828.328.2024 Fax: 828.383.3870 rj.mozeley@mcgillengineers.com

Additional Information (if applicable):

The project is entirely limited to the downtown area of the Town of Valdese located in Burke County, North Carolina.

The following is a list of threatened species listed on the USF&WS website (http://www.fws.gov/raleigh/species/cntylist/nc_counties.html) for Burke County. The Main Street Water Line Replacement Project does not take place in and is not expected to adversely affect the threatened or endangered species listed below.

Type	Species	Listing	Explanation of expected impact
Vertebrate	Bog Turtle	Threatened	The bog turtle has no identified critical habitat in the project area. This project will install new waterlines within existing rights-of-way, the Town will comply with the appropriate regulations and implement the appropriate conservation measure to ensure that this project will have no adverse impact.
Vertebrate	Northern long-eared bat	Threatened	The Northern long-eared bat has no identified critical habitat in the project area. This project will install new waterlines along the existing right-of-way, the Town will comply with the appropriate regulations and implement the appropriate conservation measure to ensure that this project will have no adverse impact.

Type	Species	Listing	Explanation of expected impact
Vascular Plant	Dwarf-flowered Heartleaf	Threatened	The Dwarf-flowered heartleaf has no identified critical habitat in the project area. This project will install new waterlines within the existing right-of-way, the Town will comply with the appropriate regulations and implement the appropriate conservation measure to ensure that this project will have no adverse impact.
Vascular Plant	Heller's blazing star	Threatened	Heller's blazing star has no identified critical habitat in the project area. This project will install new waterlines within the existing right-of-way, the Town will comply with the appropriate regulations and implement the appropriate conservation measure to ensure that this project will have no adverse impact.
Vascular Plant	Mountain golden heather	Threatened	The Mountain golden heather has no identified critical habitat in the project area. This project will install new waterlines within the existing right-of-way, the Town will comply with the appropriate regulations and implement the appropriate conservation measure to ensure that this project will have no adverse impact.
Vascular Plant	Small whorled pogonia	Threatened	The Small whorled pogonia has no identified critical habitat in the project area. This project will install new waterlines within the existing right-of-way, the Town will comply with the appropriate regulations and implement the appropriate conservation measure to ensure that this project will have no adverse impact.
Vascular Plant	Spreading avens	Endangered	The spreading avens has no identified critical habitat in the project area. This project will install new waterlines within the existing right-of-way, the Town will comply with the appropriate regulations and implement the appropriate conservation measure to ensure that this project will have no adverse impact.
Vascular Plant	White irisette	Endangered	The white irisette has no identified critical habitat in the project area. This project will install new waterlines within the existing right-of-way, the Town will comply with the appropriate regulations and implement the appropriate conservation measure to ensure that this project will have no adverse impact.

Type	Species	Listing	Explanation of expected impact
Lichen	Rock gnome lichen	Endangered	The lichen has no identified critical habitat in the project area. This project will install new waterlines within the existing right-of-way, the Town will comply with the appropriate regulations and implement the appropriate conservation measure to ensure that this project will have no adverse impact.

Potentially impacted migratory birds include the Bald Eagle. The Town will comply with the appropriate regulations and implement the appropriate conservation measures to ensure that this project will have no adverse impact to migratory birds.

No information was found for refuges and fish hatcheries or for wetlands in the National Wetlands Inventory for this project area.

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	Endangered Species Act, Pub. L. 93-205, as amended
	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 Corps of Engineers	Protection of Wetlands, Executive Order 11990 and Floodplain Management, Executive Order 11988

After your review, please provide comments to the Division of Water Infrastructure, preferably by email at vincent.tomaino@ncdenr.gov. You may also write to Vincent Tomaino at the address 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.

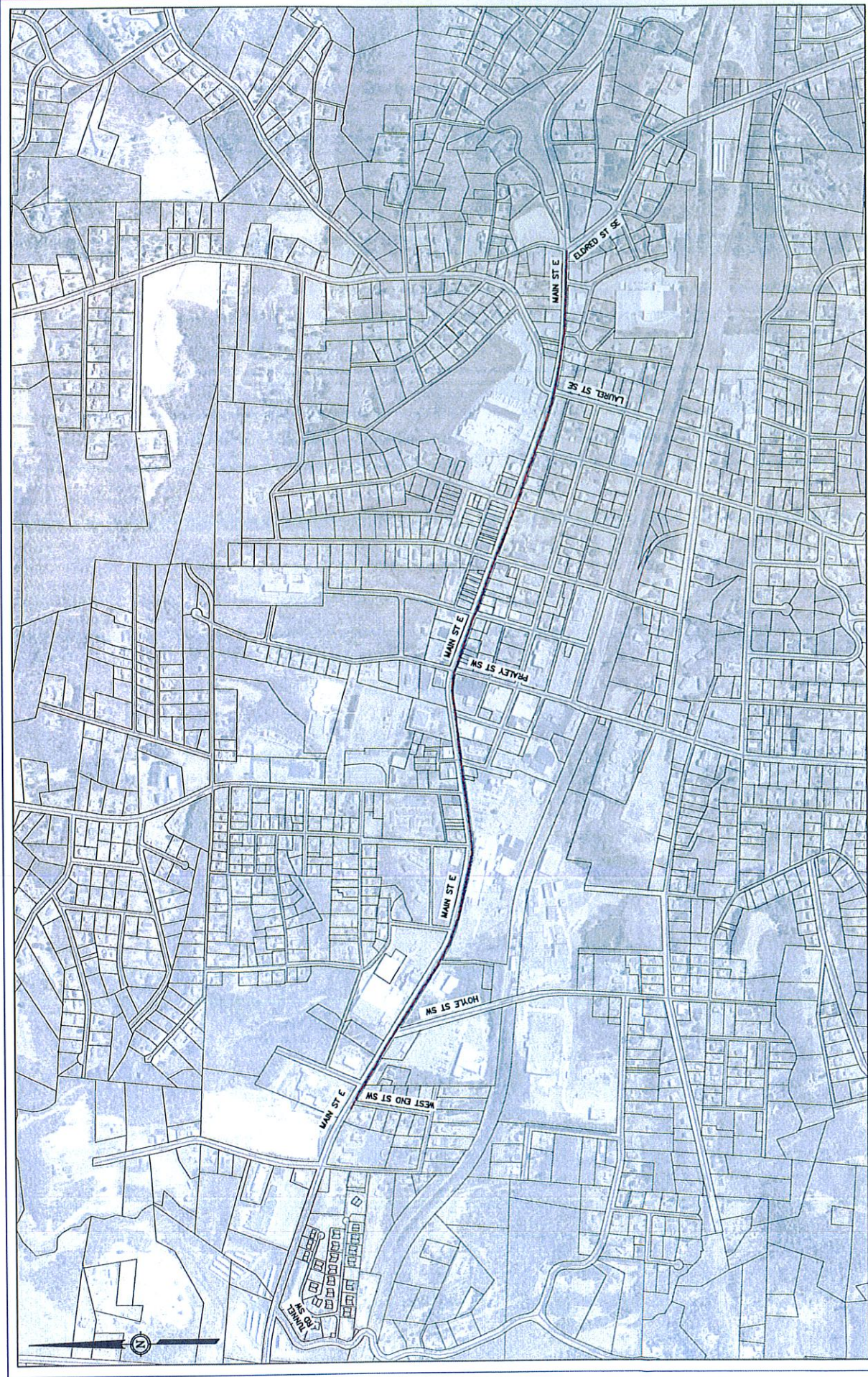
Sincerely,
McGILL ASSOCIATES, P.A.



R.J. MOZELEY, PE
Project Manager

Enclosures: Color-coded Project Area Map

cc: Vincent Tomaino, Division of Water Infrastructure
Seth Eckard, Town Manager, Town of Valdese, North Carolina



LEGEND

-  PARCELS, RW
-  EXISTING WATER LINES
-  PROPOSED WATER LINES

FIGURE 2
 TOWN OF VALDESE
 MAIN ST. WATER LINE REPLACEMENT
 PROJECT AREA

**Endangered Species, Threatened Species, Federal Species of Concern,
and Candidate Species,**

Burke County, North Carolina



Updated: 06-27-2018

Critical Habitat Designations:

Mountain golden heather - *Hudsonia montana* - The area bounded by the following: on the west by the 2200' contour; on the east by the Linville Gorge Wilderness. Boundary north from the intersection of the 2200' contour and the Shortoff Mountain Trail to where it intersects the 3400' contour at ?The Chimneys?--then follow the 3400' contour north until it reintersects the Wilderness Boundary--then follow the Wilderness Boundary again northward until it intersects the 3200' contour extending west from its intersection with the Wilderness Boundary until it begins to turn south--at this point the Boundary extends due east until it intersects the 2200' contour.
Federal Register Reference: October 20, 1980, Federal Register, 45: 69360-69363.

Common Name	Scientific name	Federal Status	Record Status
Vertebrate:			
Allegheny woodrat	<i>Neotoma magister</i>	FSC	Current
<u>Bald eagle</u>	<i>Haliaeetus leucocephalus</i>	BGPA	Current
<u>Bog turtle</u>	<i>Glyptemys muhlenbergii</i>	T (S/A)	Current
<u>Northern long-eared bat</u>	<i>Myotis septentrionalis</i>	T	Current
Rafinesque's big-eared bat	<i>Corynorhinus rafinesquii</i>	FSC	Current
Red crossbill (Southern Appalachian)	<i>Loxia curvirostra</i>	FSC	Current
Invertebrate:			
Brook floater	<i>Alasmidonta varicosa</i>	ARS	Current
Cherokee clubtail	<i>Gomphus consanguis</i>	ARS	Obscure
Diana fritillary (butterfly)	<i>Speyeria diana</i>	FSC	Current
Edmund's snaketail	<i>Ophiogomphus edmundo</i>	ARS	Current
Margarita River skimmer	<i>Macromia margarita</i>	ARS	Current
Midget snaketail	<i>Ophiogomphus howei</i>	FSC	Current
Vascular Plant:			
Butternut	<i>Juglans cinerea</i>	FSC	Current
<u>Dwarf-flowered heartleaf</u>	<i>Hexastylis naniflora</i>	T	Current
Gray's saxifrage	<i>Saxifraga caroliniana</i>	FSC	Current
<u>Heller's blazing star</u>	<i>Liatris helleri</i>	T	Current
<u>Mountain golden heather</u>	<i>Hudsonia montana</i>	T	Current
<u>Small whorled pogonia</u>	<i>Isotria medeoloides</i>	T	Current
<u>Spreading avens</u>	<i>Geum radiatum</i>	E	Historic
<u>White irisette</u>	<i>Sisyrinchium dichotomum</i>	E	Current
Nonvascular Plant:			
a liverwort	<i>Plagiochila sullivantii</i> var. <i>sullivantii</i>	FSC	Current

a liverwort	<i>Porella wataugensis</i>	FSC	Current
a liverwort	<i>Cephaloziella obtusilobula</i>	FSC	Historic
a liverwort	<i>Plagiochila sullivantii</i> var. <i>spinigera</i>	FSC	Historic
Lichen:			
<u>Rock gnome lichen</u>	<i>Gymnoderma lineare</i>	E	Current

Definitions of Federal Status Codes:

E = endangered. A taxon "in danger of extinction throughout all or a significant portion of its range."

T = threatened. A taxon "likely to become endangered within the foreseeable future throughout all or a significant portion of its range."

C = candidate. A taxon under consideration for official listing for which there is sufficient information to support listing. (Formerly "C1" candidate species.)

BGPA = Bald and Golden Eagle Protection Act. See below.

ARS = At Risk Species. Species that are Petitioned, Candidates or Proposed for Listing under the Endangered Species Act. Consultation under Section 7(a)(2) of the ESA is not required for Candidate or Proposed species; although a Conference, as described under Section 7(a)(4) of the ESA is recommended for actions affecting species proposed for listing.

FSC = Federal Species of Concern. FSC is an informal term. It is not defined in the federal Endangered Species Act. In North Carolina, the Asheville and Raleigh Field Offices of the US Fish and Wildlife Service (Service) define Federal Species of Concern as those species that appear to be in decline or otherwise in need of conservation and are under consideration for listing or for which there is insufficient information to support listing at this time. Subsumed under the term "FSC" are all species petitioned by outside parties and other selected focal species identified in Service strategic plans, State Wildlife Action Plans, or Natural Heritage Program Lists.

T(S/A) = threatened due to similarity of appearance. A taxon that is threatened due to similarity of appearance with another listed species and is listed for its protection. Taxa listed as T(S/A) are not biologically endangered or threatened and are not subject to Section 7 consultation. See below.

EXP = experimental population. A taxon listed as experimental (either essential or nonessential). Experimental, nonessential populations of endangered species (e.g., red wolf) are treated as threatened species on public land, for consultation purposes, and as species proposed for listing on private land.

P = proposed. Taxa proposed for official listing as endangered or threatened will be noted as "PE" or "PT", respectively.

Bald and Golden Eagle Protection Act (BGPA):

In the July 9, 2007 Federal Register (72:37346-37372), the bald eagle was declared recovered, and removed (delisted) from the Federal List of Threatened and Endangered wildlife. This delisting took effect August 8, 2007. After delisting, the Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668-668d) becomes the primary law protecting bald eagles. The Eagle Act prohibits take of bald and golden eagles and provides a statutory definition of "take" that includes "disturb". The USFWS has developed National Bald Eagle Management Guidelines to provide guidance to land managers, landowners, and others as to how to avoid disturbing bald eagles. For more information, visit <http://www.fws.gov/migratorybirds/baldeagle.htm>

Threatened due to similarity of appearance(T(S/A)):

In the November 4, 1997 Federal Register (55822-55825), the northern population of the bog turtle (from New York south to Maryland) was listed as T (threatened), and the southern population (from Virginia south to Georgia) was listed as T(S/A) (threatened due to similarity of appearance). The T(S/A) designation bans the collection and interstate and international commercial trade of bog turtles from the southern population. The T(S/A) designation has no effect on land management activities by private landowners in North Carolina, part of the southern population of the species. In addition to its official status as T(S/A), the U.S. Fish and Wildlife Service considers the southern population of the bog turtle as a Federal species of concern due to habitat loss.

Definitions of Record Status:

Current - the species has been observed in the county within the last 50 years.

Historic - the species was last observed in the county more than 50 years ago.

Obscure - the date and/or location of observation is uncertain.

Incidental/migrant - the species was observed outside of its normal range or habitat.

Probable/potential - the species is considered likely to occur in this county based on the proximity of known records (in adjacent counties), the presence of potentially suitable habitat, or both.

WIF 1955



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Asheville Field Office
160 Zillicoa Street Suite #B
Asheville, North Carolina 28801

February 21, 2019



*Received via email
2/21/2019 - NJT*

Mr. Vincent Tomaino
NC Division of Water Infrastructure
Archdale Building – Room 825R
512 North Salisbury Street
Raleigh, North Carolina 27604

Dear Mr. Tomaino:

Subject: Federally Listed Species Assessment, Proposed Main Street Water Line Replacement Project, in the Town of Valdese, Burke County, North Carolina

On January 28, 2019, we received a letter dated January 25, 2019 from Mr. R.J. Mozeley of McGill Associates, requesting our comments on the subject project. 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 concerns with the project as proposed. According to our records and a review of the information you provided, 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. If we can be of assistance or if you have any questions, please contact Mr. Bryan Tompkins of our staff at 828/258-3939, Ext. 240. In any future correspondence concerning this project, please reference our Log Number 4-2-19-132.

Sincerely,

-- original signed --

Janet Mizzi
Field Supervisor