Review Checklist: Request for Categorical Exclusion for DWSRF Projects

Applicant: **Shelby**  
WIF # **1925**  
PWS ID: **01-23-010**  
P&S Serial #

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### Required for all Requests for Categorical Exclusion (CEs)

<table>
<thead>
<tr>
<th>Cross-Cutting Authority</th>
<th>Responsible Agency/Action(s) Taken/Dates Actions Taken</th>
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</thead>
<tbody>
<tr>
<td>National Historic Preservation Act of 1966, PL 89-665, as amended</td>
<td>US Army Corps of Engineers &lt;br&gt;☑ By &quot;no permits required&quot; comment letter from USACOE <strong>6/19/17</strong> &lt;br&gt;☐ By sealed &amp; signed &quot;no jurisdiction&quot; blanket comment letter from applicant’s engineer &lt;br&gt;☐ By sealed &amp; signed &quot;all permits in place&quot; blanket comment letter from applicant’s engineer</td>
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<tr>
<td>Protection of Wetlands, Executive Order 11990</td>
<td>US Fish &amp; Wildlife Service for signoff &lt;br&gt;☑ Comments from USFWS OK &lt;br&gt;☐ By sealed &amp; signed blanket letter from applicant’s engineer for project scopes that don’t require comments (see factsheet) &lt;br&gt;☐ By sealed &amp; signed blanket letter from applicant’s engineer after 30 days pass without USFWS comment</td>
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<td>Endangered Species Act, Pub. L. 93-205, as amended</td>
<td>DWSRF Funding Unit and the local PWSS Regional Engineer &lt;br&gt;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: &lt;br&gt;1. Does the potentially affected community include an EJ community? &lt;br&gt;☐ Yes &lt;br&gt;☐ No &lt;br&gt;2. Are there significant environmental impacts likely to fall disproportionately on minority and/or low-income members of the community and/or tribal resources? &lt;br&gt;☐ Yes &lt;br&gt;☐ No</td>
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<tr>
<td>Fish and Wildlife Coordination Act, Pub. L. 85-624, as amended</td>
<td>Division of Coastal Management (DCM) &lt;br&gt;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? &lt;br&gt;☐ Yes &lt;br&gt;☑ No &lt;br&gt;2. If the answer to question #1 is &quot;Yes&quot;, 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? &lt;br&gt;☐ Yes &lt;br&gt;☐ No &lt;br&gt;DCM Response Date: ________________ &lt;br&gt;3. If the answer to question #2 is &quot;Yes&quot;, then the project requires a CAMA permit. Does the project have a CAMA permit? &lt;br&gt;☐ Yes &lt;br&gt;☐ No &lt;br&gt;CAMA Permit Date: ________________</td>
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<td>Wild and Scenic Rivers Act, Pub. L. 90-542, as amended</td>
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<td>Environmental Justice, Executive Order 12898</td>
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<td>Coastal Barrier Resources Act, Pub. L. 97-348</td>
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<td>Coastal Zone Management Act, Pub. L 92-583, as amended</td>
<td></td>
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</tbody>
</table>

☐ 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 at http://portal.ncdenr.org/web/wl/drinkingwater/factsheets.

WIF No.: WIF-1925
Applicant: City of Shelby
Project Name: Water Treatment Plant - Rehabilitation and Upgrades Project

The rehabilitation and upgrades project includes addressing the most critical needs at the Plant and focuses on the structural deficiencies at the clearwells, sedimentation basins, and main control building as well as improving the process reliability of the filters and chemical feed facilities. The project scope includes two new clearwells and a new high service pump station (to replace existing), valve replacements at the filters, structural rehabilitation of the sedimentation basins, and miscellaneous HVAC improvements to the chemical feed facilities.

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)].

☐ 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)(iii)]

☐ 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.)

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Division of Water Infrastructure
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.

Will Shull, PE
Authorized Representative or Engineer Printed Name

[Signature]
Authorized Representative or Engineer Signature & Date

Project Engineer
Authorized Representative or Engineer Title

State Use Only (Review)

Reviewed by: [Signature] Date: 10/30/2017

Departmental Approval: [Signature] Date: 1 November 2017

C:\pworking\east01\d0252483\Appendix L - CE_Request_Form_2015-01-30 (1).doc
July 19, 2017

Mr. Rick Howell
City Manager
300 South Washington Street
P.O. Box 207
Shelby, NC 28151-0207
rick.howell@cityofshelby.com

Re: Wastewater Treatment Plant Upgrades, City of Shelby, Cleveland County, GS 17-1171

Dear Mr. Howell:

Thank you for your letter of June 19, 2017, 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, please 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,

[Signatures]

Ramona M. Bartos
Mr. Rick Howell  
City of Shelby  
P.O. Box 207  
Shelby, North Carolina 28151-0207

Dear Mr. Howell:

Subject: City of Shelby Water Treatment Plant Improvements, Shelby, Cleveland County, North Carolina (WIF-1925)

We received your letter of June 19, 2017 (received June 21, 2017), 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.); the Migratory Bird Treaty Act, as amended (16 U.S.C. 703); and section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543) (Act).

According to our records and a review of the information you provided, no federally listed species or their habitats occur on the subject site. 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 these identified actions that may affect listed species or critical habitat in a manner not previously considered, (2) these actions are 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 actions.

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 4-2-17-452.

cc:  
Andrea Leslie, North Carolina Wildlife Resources Commission, andrea.leslie@ncwildlife.org  
Mr. Vincent Tomaino, Division of Water Infrastructure, 1633 Mail Service Center, Raleigh, NC 27699-1633
US Army Corps of Engineers (USACE)

None of the construction activities or facilities will occur in a stream, lake, or other body of water or in wetlands.

Therefore, I have determined that no US Army Corps of Engineers Permit is required.

Engineer:

Will Shull

[Signature]

[Stamp: NORTH CAROLINA PROFESSIONAL SEAL 045278]

6/19/17