



Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

CATEGORICAL EXCLUSION FROM ENVIRONMENTAL REVIEW

City of Cullman
Cullman County

SRF Project No. CS010260-13

February 6, 2020

The Alabama Department of Environmental Management has made \$7,100,000 in financial assistance available to the City of Cullman using funds from the Clean Water State Revolving Fund (CWSRF) loan program. In accordance with State and Federal regulations that govern the program, the Alabama Department of Environmental Management has conducted a review to assess the potential impacts upon the environment that may result from implementation of this project.

The City of Cullman proposes to rehabilitate several mini basins within the sewer collection system. Completion of this project will reduce inflow/infiltration (I/I) from excess rainfall and eliminate the occurrence of rain-dependent inflow and infiltration (RDII) related Sanitary Sewer Overflows (SSO).

The Alabama Department of Environmental Management has determined that the project qualifies for a Categorical Exclusion (CE) from further environmental study under the guidelines specified by the State Environmental Review Process (SERP) which specifically include actions which are solely directed toward minor rehabilitation of existing facilities, functional replacement of equipment, or towards the construction of new ancillary facilities adjacent or appurtenant to existing facilities. However, this decision may be reconsidered if significant adverse information concerning the potential environmental impacts of the project is discovered.

Comments relative to this project should be submitted in writing to Mrs. Chavon R. Jones, SRF Section, Permits & Services Division, Alabama Department of Environmental Management, P.O. Box 301463, Montgomery, Alabama 36130-1463, no later than 30 days after the date of public notice. The Alabama Department of Environmental Management will not take formal action to proceed with the project without carefully evaluating any public comments opposing the project.

Sincerely,

A handwritten signature in black ink that reads "Lance R. LeFleur".

Lance R. LeFleur
Director

LRL/DKB/CRJ

Attachment



The Categorical Exclusion is promulgated in the State Environmental Review Process (SERP) in Part IV, Section B: Categorical Exclusions for Clean Water State Revolving Fund Projects: (Italicized sections apply.)

1. The following clean water projects are eligible for categorical exclusions.
 - a. Actions which are solely directed toward minor rehabilitation of existing facilities, functional replacement of equipment, or towards the construction of new ancillary facilities adjacent or appurtenant to existing facilities;
 - b. *Actions which do not affect the degree of treatment or capacity of the existing facility including, but not limited to, infiltration and inflow corrections, replacement of existing mechanical equipment or structures, and the construction of small structures on existing sites;*
 - c. Actions which are for minor upgrading and minor expansion of existing treatment works in sewerred communities with a population less than 10,000;
 - d. Actions where on-site technologies are proposed in unsewered communities of less than 10,000;
 - e. Construction of new wastewater collection systems for existing communities, only if ancillary or appurtenant to existing facilities;
 - f. Projects where funding is being provided for planning and/or engineering costs only (in which case the requirements of IV.B.1 a-f do no apply)
2. In order to determine if a clean water project is eligible for a CE, all of the following conditions must not apply:
 - a. The action is known or expected to have a significant effect on the quality of the human environment, either individually, cumulatively over time, or in conjunction with other federal, State, local, tribal or private actions.
 - b. The action is known or expected to adversely impact:
 - 1) Cultural resources areas such as archaeological and historical sites,
 - 2) Endangered or threatened species and their critical habitats,
 - 3) Environmentally important natural resources areas such as floodplains, wetlands, important farmlands, or aquifer recharging zones.
 - c. This action is known or expected not to be cost-effective or to cause significant public controversy.
 - d. The facilities to be provided will
 - 1) Create a new, or
 - 2) Significantly relocate an existing discharge to surface or ground waters.
 - e. The facilities will result in more than 30% increases in the volume of discharge or the loading of pollutants from an existing source or from new facilities to receiving waters.
 - f. The facilities would provide capacity to serve a population 30% higher than the anticipated design population.



ALABAMA HISTORICAL COMMISSION

468 South Perry Street
P.O. Box 300900
Montgomery, Alabama 36130-0900
334-242-3184 / Fax: 334-240-3477

Lisa D. Jones
Executive Director
State Historic Preservation Officer

July 8, 2019

David Q. Haynes
St. John & Associates
508 First Ave. S.E.
Cullman, AL 35055

Re: AHC 19-1000
City of Cullman-Water rehabilitation
Cullman County

Dear Mr. Haynes:

We concur with the above referenced project provided all construction activities will occur within either the highway right-of-way or in previously disturbed areas. Any area that is to be involved and does not fall into one of the above categories will require a cultural resource assessment by a professional archaeologist. Submit the resulting report to our office for review and determination prior to project initiation.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's historic archaeological and architectural resources. Should you have any questions, please contact Amanda McBride at 334.230.2692 or Amanda.McBride@ahc.alabama.gov. Have the AHC tracking number referenced above available and include it with any future correspondence.

Sincerely,

Lee Anne Wofford
Deputy State Historic Preservation Officer

LAW/AMH/nw

From: McBride, Amanda <Amanda.McBride@ahc.alabama.gov>
Sent: Thursday, January 23, 2020 2:43 PM
To: david sjaonline.com
Subject: RE: AHC 19-1000 - Additional Concurrence Request

Mr. Haynes,

Thank you for the additional information. The Alabama Historical Commission acknowledges that the project is the first phase of a sewer improvements program with four proposed phases. The comments in our July 8, 2019 letter apply to each phase of the project. Specifically, we concur with the above referenced project provided all construction activities will occur within either the highway right-of-way or in previously disturbed areas. Any area that is to be involved and does not fall into one of the above categories will require a cultural resource assessment by a professional archaeologist. Submit the resulting report to our office for review and determination prior to project initiation. However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

Best regards,

Amanda McBride
Environmental Review Coordinator
Historic Preservation Division
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama
36130-0900 (US Post)
36104 (Courier)
334.230.2692
Amanda.McBride@ahc.alabama.gov
<http://ahc.alabama.gov/>



From: david sjaonline.com <david@sjaonline.com>
Sent: Tuesday, January 21, 2020 1:20 PM
To: McBride, Amanda <Amanda.McBride@ahc.alabama.gov>
Subject: RE: AHC 19-1000 - Additional Concurrence Request

Ms. McBride,

I called your office a moment ago to discuss this concurrence request.

There is no new information in the request. However, ADEM's SRF Division has requested that all agencies specifically acknowledge that the project is the first phase of sewer improvements program with four proposed phases. It is requested that your agency concur with all proposed phases of the program.

Your supplemental acknowledgement of concurrence may be provided via email. Please let me know if you need additional information.

DAVID Q. HAYNES, P.E.
ST. JOHN AND ASSOCIATES, INC.

P 256 734 2114
M 256 338 2220

From: McBride, Amanda <Amanda.McBride@ahc.alabama.gov>
Sent: Tuesday, January 21, 2020 12:52 PM
To: david sjaonline.com <david@sjaonline.com>
Subject: RE: AHC 19-1000 - Additional Concurrence Request

Mr. Haynes,

Does this e-mail contain information that was not in the previous submission?

Best regards,
Amanda

Amanda McBride
Environmental Review Coordinator
Historic Preservation Division
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama
36130-0900 (US Post)
36104 (Courier)
334.230.2692
Amanda.McBride@ahc.alabama.gov
<http://ahc.alabama.gov/>



From: david sjaonline.com <david@sjaonline.com>
Sent: Wednesday, January 15, 2020 5:03 PM
To: McBride, Amanda <Amanda.McBride@ahc.alabama.gov>
Subject: AHC 19-1000 - Additional Concurrence Request

Ms. McBride:

For approval of the City of Cullman's Clean Water State Revolving Fund application and project funding, ADEM has requested additional clarification to supplement your agency's original concurrence letter. It is requested that your agency acknowledges that the proposed system-wide, sanitary sewer improvements program includes four phases. Though the initial loan will facilitate construction of the first phase of the program, we request your written concurrence for all phases of the program at this time.

As mentioned in our original request letter, dated June 10, 2019, improvements will occur within the existing footprint of the City's collection system and will include replacement of existing gravity sewers, manholes and service laterals. Trenchless technologies for sewer rehabilitation will be implemented as suitable and may include cured-in-place pipe lining of sewer mains and laterals, in-situ replacements via pipe bursting and manhole rehabilitation.

Proposed improvements will take place on property within public right-of-way and utility easements. Best management practices will be implemented and monitored throughout the projects' construction in order to prevent adverse and unnecessary impacts to the environment.

Your supplementary clarification of concurrence may be provided via email (david@sjaonline.com). Thank you again for your assistance with this project.

If you have any questions or need additional information, my office number is (256) 734-2114.

Sincerely,



DAVID Q. HAYNES, P.E.
ST. JOHN AND ASSOCIATES, INC.

CONSULTING ENGINEERS + PLANNERS
P 256 734 2114 508 FIRST AVE S.E. DAVID@SJAONLINE.COM
F 256 734 2142 CULLMAN, AL 35055 SJAONLINE.COM



NARCOG
POSITIVELY IMPACTING
PEOPLE AND COMMUNITIES

June 17, 2019

St. John & Associates, Inc.
ATTN: David Q. Haynes, P.E.
508 First Avenue, SE
Cullman, AL 35055

**RE: Letter of Concurrence
City of Cullman, Cullman County
2019 Clean Water State Revolving Fund (CWSRF) loan**

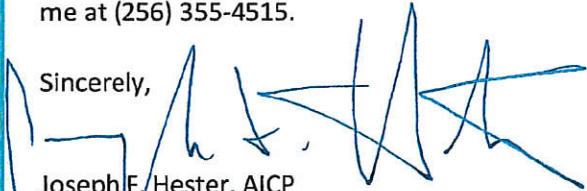
Dear Mr. Haynes:

The North Central Alabama Regional Council of Governments (NARCOG) has reviewed the information provided for the proposed project in the City of Cullman, and we offer our concurrence. NARCOG understands that the proposed project consists of the first phase of a collection system-wide, sewer improvements and rehabilitation program. The City's long-term capital improvements program for the sewer system improvements will be accomplished in four (4) phases over an eight (8) year period.

Phase 1 consist of the 2020 Derby Creek Sewer Improvements to improve the City's aging sanitary sewer system, reduce the amount of inflow and infiltration being treated at the Waste Water Treatment Plant (WWTP), and eliminate the occurrence of sanitary sewer overflow events. Additionally, the proposed project will utilize Best Management Practices (BMP's) and occur within existing public right-of-way and utility easements.

In conclusion, NARCOG finds the proposed project to be consistent and compatible with local, state, and regional plans. Should you need any further assistance, please do not hesitate to call me at (256) 355-4515.

Sincerely,



Joseph F. Hester, AICP
Director of Planning and Development

cc: Jeffrey A. Pruitt, AICP, Executive Director
File

From: Hester, Joey <Joey.Hester@adss.alabama.gov>
Sent: Tuesday, January 21, 2020 11:00 AM
To: david sjaonline.com
Subject: 2019 CWSRF Loan Application - NARCOG Additional Concurrence

Importance: High

RE: City of Cullman, Cullman County, Alabama

Mr. Haynes,

Good morning. Per your request for additional clarification from ADEM, the North Central Alabama Regional Council of Governments (NARCOG) acknowledges that the proposed system-wide, sanitary sewer improvements program for the City of Cullman includes four phases. The initial loan will facilitate construction of the first phase of the program, and the improvements will occur within the existing footprint of the City's sanitary sewer collection system. These improvements include the replacement of existing gravity sewers, manholes and service laterals. Additionally, trenchless technologies for sewer rehabilitation will be implemented as suitable and may include cured-in-place pipe lining of sewer mains and laterals, in-situ replacements via pipe bursting and manhole rehabilitation.

The proposed improvements will take place on property within public right-of-way and utility easements. Best Management Practices (BMPs) will be implemented and monitored throughout the project's construction in order to prevent adverse and unnecessary impacts to the environment.

Sincerely,
Joey

Joseph F. Hester, AICP
Director of Planning and Economic Development
North Central Alabama Regional Council of Governments



www.narcog.org

NARCOG...Positively Impacting People and Communities



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, MOBILE DISTRICT
218 SUMMIT PARKWAY, SUITE 222
HOMEWOOD, ALABAMA 35209

June 17, 2019

North Branch
Regulatory Division

St. John & Associates, Inc.
Attention: Mr. David Haynes PE
508 First Ave SE
Cullman, Alabama 35055

Dear Mr. Haynes,

I refer to your recent submittal request for City of Cullman-sewer system improvements in Cullman County, Alabama. This project has been assigned file number **SAM-2019-00561-TCW**. It is important that you refer to the assigned number in all communications with this office concerning this matter.

If after reviewing your submittal we determine that additional information is required, we will contact you. However, should you have any questions, please feel free to contact me at (205) 290-9096 or by email at travis.c.williams@usace.army.mil.

Sincerely,

Chase Williams
Regulatory Specialist



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, MOBILE DISTRICT
218 SUMMIT PARKWAY, SUITE 222
HOMEWOOD, ALABAMA 35209

July 26, 2019

North Branch
Regulatory Division

SUBJECT: Department of the Army Pre-Application Consultation, File Number SAM-2019-00561-TCW; City of Cullman - 2019 Clean Water State Revolving Fund Sewer System Improvement Projects

St. John and Associates, Inc.
Attention: Mr. David Haynes
508 First Avenue, SE,
Cullman, Alabama 35055

Dear Mr. Haynes:

This is in response to your June 14, 2019 request for Department of the Army (DA) comments regarding the City of Cullman's series of sewer system improvement projects involving a phased program of system-wide sewer infrastructure improvements and rehabilitation activities. The projects are to be constructed over the next eight years and will be located at various locations throughout the City of Cullman, Cullman County, Alabama (Latitude N34.160730, Longitude W86.835500).

The U.S. Army Corps of Engineers (USACE) has regulatory responsibilities pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344). Under Section 10, the USACE regulates all work in, or affecting, navigable waters of the U.S. Under Section 404, the USACE regulates the discharge of dredged and/or fill material into waters of the U.S. (33 CFR Part 328).

A review of the minimal construction specific information provided indicates the subject phased activities **may involve** work in jurisdictional wetlands and/or waters of the U.S.; therefore, Department of the Army permits may be required. Furthermore, a wetlands/waters delineation will become necessary should any of the phased projects require the discharge of fill material into wetlands or stream features. We also recommend re-coordinating with the USACE for a comprehensive evaluation when more detailed project alignments and construction designs have been developed. Alternatively, the city may coordinate with us on a phase by phase basis as more detailed alignments and designs become available for each phase of the sewer infrastructure improvement program.

The following additional information would be required, at a minimum, in order for this office to provide more specific feedback regarding the proposed projects:

- a. Project drawings, overlaid on both USGS topographic maps and aerial photography showing the specific project alignment and width of the construction area.
- b. A delineation of any wetland and/or stream features that may be present within the project area and may be impacted by the proposed sewer infrastructure improvements.
- c. A description of the specific construction techniques that would be utilized in the vicinity of or for crossings of wetlands and/or streams that may be required to implement the proposed projects.
- d. GPS coordinates for all potential wetland and/or stream crossings or impact locations.

We understand this inquiry is an initial review to obtain funds and the project may not have specific design plans at this time. We have no objections to the applicant receiving funds, provided the applicant applies for and obtains any required permits prior to any mechanized land clearing or discharge of fill material into streams and/or wetlands that may occur due to project construction. The City of Cullman may contact us at any time to further discuss construction plans or for guidance on applying for a Department of the Army Permit.

If you have questions regarding this matter, please contact me at the above address or telephone (205) 945-5660, or you may contact my supervisor, Ms. Leslie Turney at (205) 290-9096. For additional information about our Regulatory Program, you may visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>. Also, please take a moment to complete our customer satisfaction survey located near the bottom of the webpage. Your responses are appreciated and will allow us to improve our services.

Sincerely,

Digitally signed by
TURNEY.LESLIE.E.1297552
585
.E.1297552585 Date: 2019.07.26 18:09:03
-05'00'

for Chase Williams
Regulatory Specialist
Regulatory Division



United States Department of the Interior

FISH AND WILDLIFE SERVICE
1208-B Main Street
Daphne, Alabama 36526

IN REPLY REFER TO:
2019-TA-0973

JUN 24 2019

Mr. David Q. Haynes, P.E.
St. John & Associates, Inc.
508 First Ave. S.E.
Cullman, AL 35055

Dear Mr. Haynes:

Thank you for your letter dated June 10, 2019, requesting information on federally protected species that may be affected by the proposed system-wide, sewer improvements and rehabilitation program for the City of Cullman, Cullman County, Alabama. We understand that construction for this project is proposed over a period of eight years. We have reviewed your information and are providing the following comments in accordance with the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

Endangered, Threatened, Proposed and Candidate Species

The following species may occur near your project area:

- Indiana bat, *Myotis sodalis* – Endangered
- Northern long-eared bat, *Myotis septentrionalis* – Threatened
- Flattened musk turtle (*Sternotherus depressus*) – Threatened
- Black Warrior waterdog (*Necturus alabamensis*) – Endangered

If tree clearing will occur to complete the project, please follow the guidance provided below. Suitable summer habitat for the Indiana bat and northern long-eared bat consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 5 inches dbh (12.7 cm) for the Indiana bat and ≥ 3 inches (7.62 cm) dbh for the northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of other forested/wooded habitat. To avoid impacts to spring/summer roosting and maternity colonies of

the Indiana bat and northern long-eared bat in the State of Alabama, we recommend that tree clearing occur from October 15 to March 31.

If all tree removal for this project occurs between October 15 and March 31, we will agree that the remaining portions of the proposed project unlikely to impact the Indiana bat or northern long-eared bat. If this timing is not achievable and no other measures to avoid adverse effects are possible, then we recommend that the project proponent proceed to acoustic and/or mist-netting surveys to determine presence or probable absence of Indiana bats and northern long-eared bats at the project site in accordance with the 2019 Range-wide Indiana Bat Summer Survey Guidelines: https://www.fws.gov/midwest/endangered/mammals/inba/surveys/pdf/2019_Rangewide_IBat_Survey_Guidelines.pdf). If tree clearing will occur and it can be demonstrated that no suitable sized trees will occur within the impacted areas through a more detailed description and site photographs showing unsuitable habitat throughout the entire project area, a species survey is unnecessary.

The flattened musk turtle is known to occur in the surrounding Mulberry Fork watershed. This turtle can be found along lake margins. While little is known about nesting preferences of the flattened musk turtle, it is thought that they nest within 100 feet from the river bank in full to partial sun areas such as woodlands and roadsides. The nesting season for this turtle is from May 1 to September 15. If work is to be completed during nesting season, look for nests and nesting females prior to construction and tree removal. If a nest(s) are found, mark and avoid each nest. If a nesting female(s) is found, wait until the animal has left the project area before continuing work. Maintain access to potential nesting areas by keeping passage between the shoreline and upland areas clear.

The Black Warrior waterdog is only found in streams within the Black Warrior River Basin in Alabama. The Black Warrior waterdog is a large, aquatic, nocturnal salamander that permanently retains a larval form and external gills throughout its life. This species is most active during the winter months and depends on specific stream substrates for normal and robust life processes such as breeding, rearing, protection of young, protection of adults when threatened, foraging, and feeding. Preferred substrates are dominated by clay or bedrock with little sand, also containing abundant rock crevices and rock slabs for retreats (shelter) and areas for egg laying. We recommend taking measures to protect water quality and reduce sedimentation to protect habitat for the Black Warrior waterdog. If instream work is planned please contact this office for further consultation.

We recommend incorporating measures into the project design to protect water quality. For information regarding best management practices, consult the [Alabama Handbook for Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas](#) (March 2014), available on-line at: <http://conservealabama.gov/resources/erosion-and-sediment/>.

If no tree clearing or instream work will occur to complete the 2020 Derby Creek Sewer Improvements we have no species concerns for this phase of the project. Updated species lists will be needed for 2022 North Central Sewer Improvements, 2024 South Central Sewer

Improvements, and 2026 Mann Subbasin Sewer Improvements. We appreciate the opportunity to comment on this project and look forward to working with you in the future. If you have any questions or need additional information, please contact Ms. Jennifer Grunewald of my staff at (205) 247-3726. Please refer to the reference number located at the top of this letter in future phone calls or written correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Pearson". The signature is fluid and cursive, with the first name being the most prominent.

William J. Pearson
Field Supervisor
Alabama Ecological Services Field Office

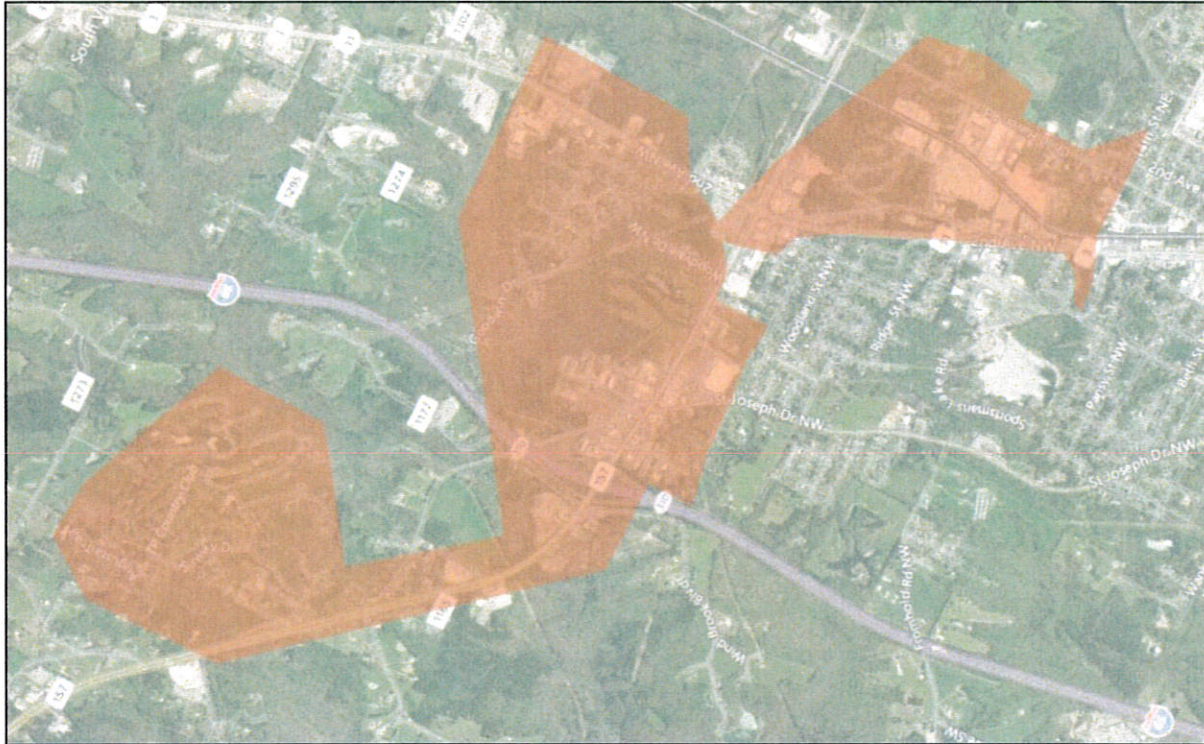


Figure 3: 2022 North Central Sewer Improvements – Project Area Map

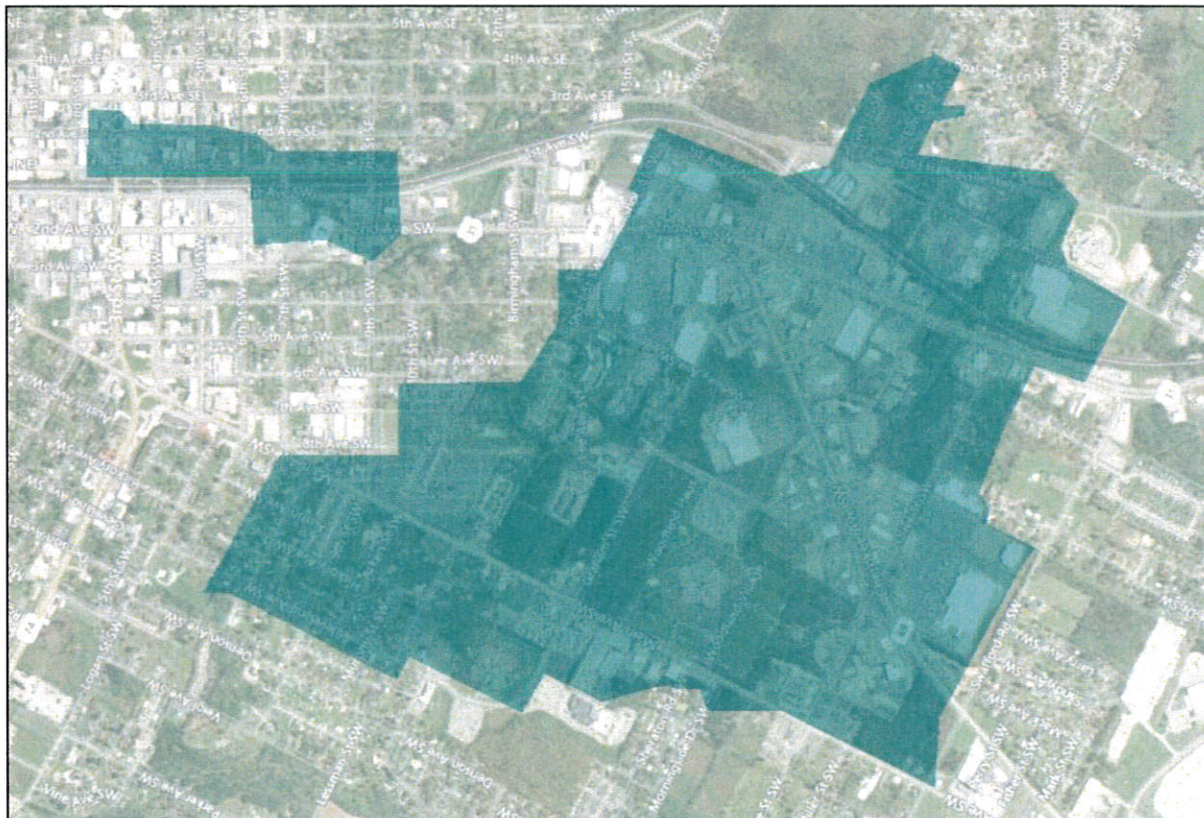


Figure 4: 2024 South Central Sewer Improvements – Project Area Map

A. Existing Environment

1. Location of the Initial Project Area

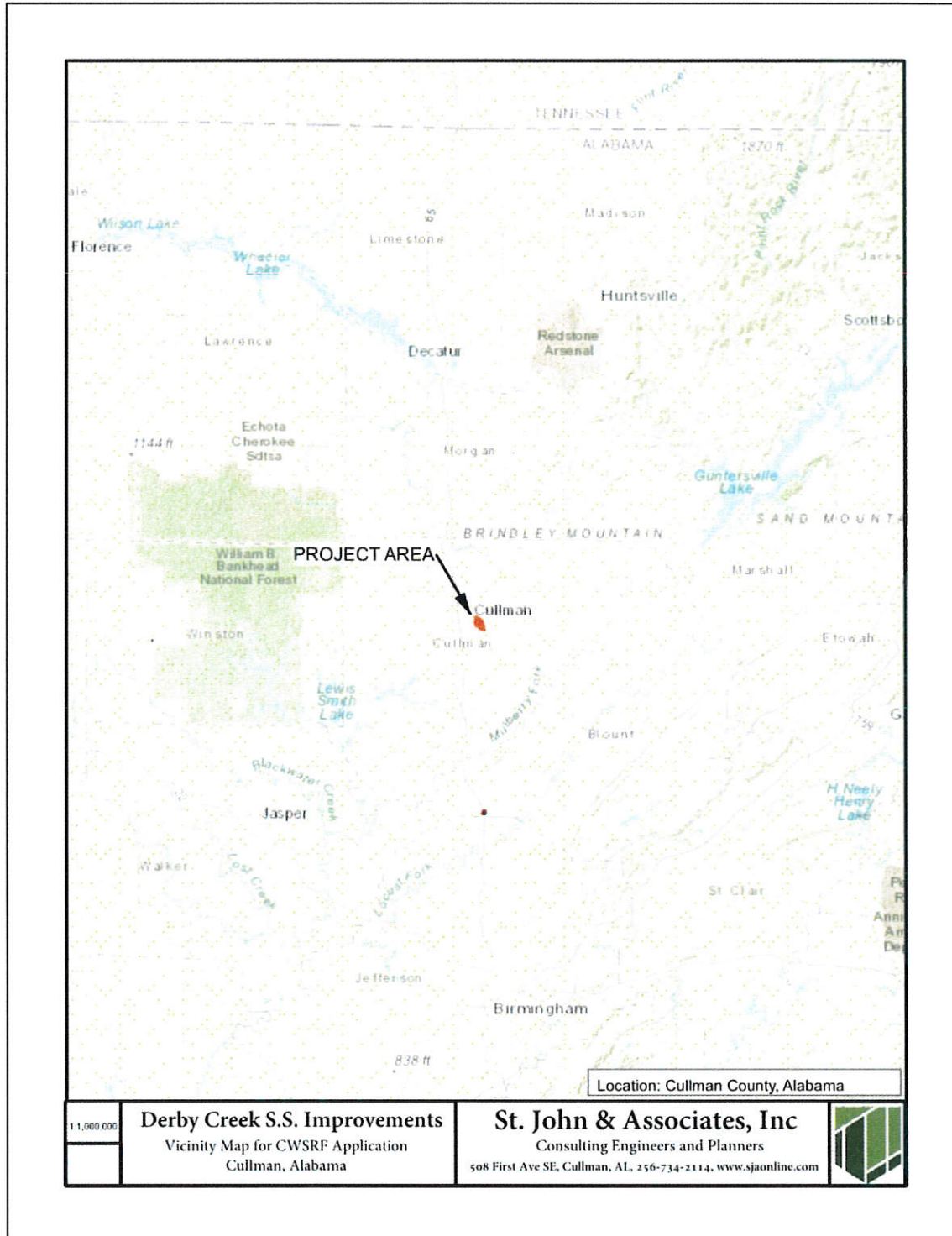


Figure 6: Vicinity Map of Project