LANCE R. LEFLEUR
DIRECTOR

KAY IVEY
GOVERNOR

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

Town of Malvern
Geneva County

SRF Project No. FS010271-01

February 9, 2021

The Alabama Department of Environmental Management has made $220,000 in financial assistance available to the Town of Malvern using funds from the Drinking Water State Revolving Fund (DWSRF) 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 Town of Malvern is proposing to replace all existing manual read water meters with new drive-by wireless remote read meters including ancillary software and hardware. The new Automated Meter Reading (AMR) System will help reduce unaccounted for water loss, reduce energy cost, and improve the overall reliability and efficiency of the system.

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 Mr. William A. Lott, SRF Section, Permits and Services Division, Alabama Department of Environmental Management, Post Office Box 301463, Montgomery, Alabama 36130-1463, no later than 30 days after the date of this 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,

Lance R. LeFleur,
Director

LRL/EJR/WAL/kbh

Attachment

Town of Malvern
SRF# FS010271-01

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

1. The following drinking water projects are eligible for categorical exclusions:

   a. Actions intended solely for minor rehabilitation, functional replacement, or ancillary facilities adjacent or appurtenant to existing facilities.

   b. Minor construction, including:
      (1) New wells or replacement wells for water supply purposes if ancillary to the existing system;
      (2) Improvements not intended to increase capacity of the system;
      (3) Facilities for the disinfection of public water supplies;
      (4) Facilities such as looping that will result solely in the provision of adequate public water system pressure;
      (5) Construction of water tanks;
      (6) Construction of new water lines in previously disturbed areas within one mile of the existing distribution system.

   c. Projects where funding is being provided for planning and/or engineering costs only (in which case the requirements of IV.C.1.a-d do not apply).

2. In order to determine if a drinking water project is eligible for a CE, all of the following must <u>not</u> apply:

   a. The action is known or expected to directly or indirectly adversely impact any of the following:
      (1) Cultural or historical resources;
      (2) Endangered or Threatened Species and/or their critical habitats;
      (3) Environmentally important natural resource areas such as floodplains, wetlands, prime agricultural land, or aquifer recharge zones.

   b. The action is not cost effective.
   c. The action will cause significant public controversy.
   d. The action will create a new or expanded surface drinking water source.

This project complies with the above requirements and has been determined to be eligible for a Categorical Exclusion.

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, MOBILE DISTRICT
P.O. BOX 2288
MOBILE, AL 36628-0001

REPLY TO
ATTENTION OF:

July 22, 2020

South Alabama Branch
Regulatory Division

SUBJECT: Department of the Army Jurisdictional Determination, File Number SAM-2020-00618-DJL, Town of Malvern, Geneva County, Alabama

City of Malvern
Attention: Mayor Tom Vickers
Email Address: tmalvern@sw.rr.com
Post Office Box 98
Malvern, AL 36349

Dear Mayor Vickers:

Reference is made to the attached letter, received on your behalf from David Hicks & Associates, Inc., requesting review and comments regarding a project to replace existing water meters with radio read meters in Malvern, Alabama. The project has been assigned file number SAM-2020-00618-DJL, which should be referred to in any future correspondence with this office concerning this project. The project area is located within the city limits of Malvern, Geneva County, Alabama.

A desktop evaluation by this office has determined that the project, as described, does not involve activities in, over, or under navigable waters of the United States, as regulated under Section 10 of the Rivers and Harbors Act (33 U.S.C. 403), or include the discharge of fill material, permanent or temporary, in waters of the United States, including wetlands, as regulated under Section 404 of the Clean Water Act (33 U.S.C. 1344). Based upon the information and plans your agent provided, we have determined that this proposed work, as described, is a non-regulated activity with regard to Department of the Army (DA) regulations, and does not require a DA permit, provided the work is conducted in conformance with the conditions outlined below:

a. The activities will be conducted in accordance with the attached project description and plans.

b. Appropriate best management practices shall be implemented and maintained to assure no fill material inadvertently enters waters of the United States, including wetlands.

The statements contained herein do not convey any property rights or any exclusive privileges, and do not authorize any injury to property or obviate the requirements to obtain other local, state, or federal authorizations required by law for the activities discussed above. If the scope of work of your project changes, you are urged to contact this office for a

verification of this determination. Thank your for your cooperation with our permit program.

You are receiving an electronic copy only of this letter. If you wish to receive paper copies of our correspondence you should send a written request to this office at the following address: U.S. Army Corps of Engineers, Mobile District, Regulatory Division, Post Office Box 2288, Mobile, Alabama 36628. An electronic copy of this letter is also being sent to your agent, David Hicks & Associates, Inc., Attention: Mr. Joseph Harmon, at harmojc@gmail.com; and Alabama Department of Environmental Management, Mining and Non-Point Source Section, at fieldmail@adem.alabama.gov.

Should you have any questions, you can contact the project manager by e-mail at Dana.J.Leach@usace.army.mil or at (251) 694-3784. Please visit our web site at www.sam.usace.army.mil/Missions/Regulatory.aspx for additional information about our Regulatory Program. 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,

S. Brad Crosson
Team Leader
South Alabama Branch
Regulatory Division

Attachment

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

March 30, 2020

Joseph Harmon
406 Dothan Road
Abbeville, AL 36310

Re: AHC 20-0594
Town of Malvem-Meter replacement
Geneva County

Dear Mr. Harmon:

Upon review of the above referenced project, we have determined that project activities will have no effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities.

Consultation with the State Historic Preservation Office does not constitute consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public. If archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal, and glass objects. The federal agency or the applicant receiving federal assistance should contact our office immediately. If human remains are encountered, the provisions of the Alabama Burial Act (*Code of Alabama* 1975, §13A-7-23.1, as amended; Alabama Historical Commission Administrative Code Chapter 460-X-10 Burials) should be followed. 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 Eric Sipes at 334.230.2667 or Eric.Sipes@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/EDS/law

TA/WJP #2

RECEIVED
MAR 04 2020
BY: JWS

David Hicks & Associates, Inc.
Consulting Engineers

406 Dothan Road
Abbeville, AL 36310
Phone: 334-585-5841
Fax: 334-585-5537
dha71@hotmail.com

2020-TA-0616

March 2, 2020

Mr. William J. Pearson
U.S. Fish and Wildlife Service
1208-B Main Street
Daphne, Al 36526

RE: Concurrence Request for the Town of Malvern

Dear Mr. Pearson,

The Town of Malvern, located in Geneva County, is applying for funding through ADEM's Drinking Water State Revolving Loan Fund to replace all of their old meters with new radio read meters. Construction will be contained to each customer's existing meter box. The coupling on either side of the old meter will be loosened, the meter removed, and replaced. There will be no new disturbed areas or wetlands impacted.

Your review and concurrence with this project is being required by ADEM. Any comments would be greatly appreciated.

If you have any questions or need additional information about this project, please do not hesitate to contact me at 334-315-5195 or by email at harmojc@gmail.com.

Sincerely,

Joseph Harmon

Joseph Harmon, P.E.

U.S. Fish and Wildlife Service
1208-B Main Street – Daphne, Alabama 36526
Phone: 251-441-5181 Fax: 251-441-6222

No endangered or threatened species or critical habitat are known to occur in the project area. As described, the project will have no significant impact on fish and wildlife resources. IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT NEW PLANS FOR REVIEW.

William J. Pearson 3/10/2020

William J. Pearson, Field Supervisor Date

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Southeast Alabama Regional Planning and Development Commission

P.O. Box 1406
Dothan, Alabama 36302

Phone: 334-794-4093
Fax: 334-794-3288
www.searpdc.org

April 16, 2020

Mr. Joseph Harmon
David Hicks and Associates, Inc.
406 Dothan Road
Dothan, AL 36310

Dear Mr. Harmon:

Re: Town of Malvern Loan Application to the Alabama Department of Environmental Management

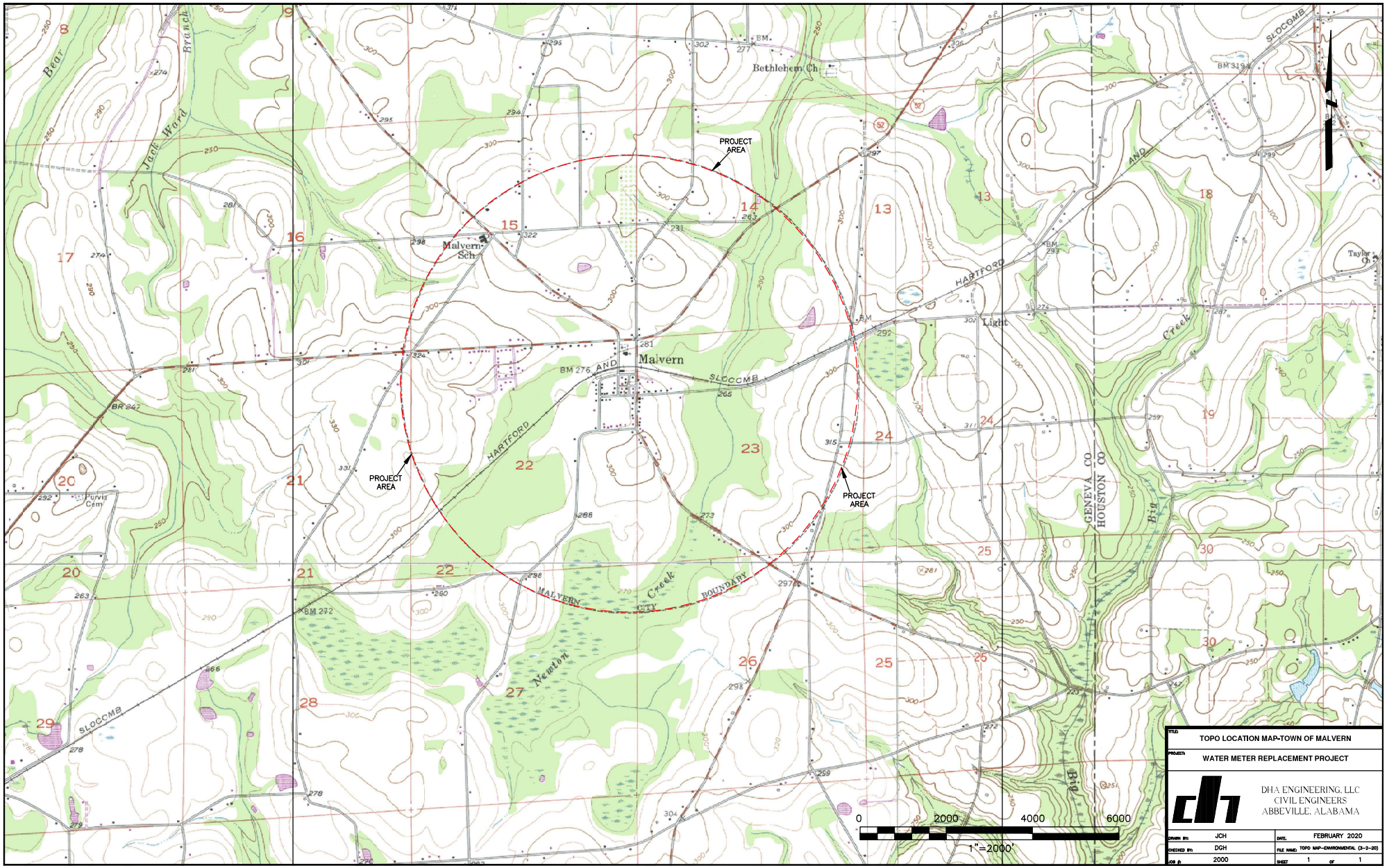
The Southeast Alabama Regional Planning and Development Commission supports the efforts of the Town of Malvern to obtain an ADEM Revolving loan to assist with replacement of old meters with radio read meters. The project is located in an eligible area within the jurisdiction of the Southeast Alabama Regional Planning and Development Commission. The Town of Malvern is providing a much needed and valuable service to its customers and we support any effort to improve this service.

If you have any questions or if I can be of any assistance, please do not hesitate to contact me at (334) 794-4093 ext. 1411.

Sincerely,

Rachel L. Armstrong

Rachel L. Armstrong, EDFP, PCED
CED Specialist/Loan Program Manager



Department of the Army // SAM-2020-00618-DJL