

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

Dora Waterworks and Gas Board
Walker County

SRF Project No. FS010277-01

March 22, 2021

The Alabama Department of Environmental Management has made \$2,223,000 in financial assistance available to the Dora Waterworks and Gas Board 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 Dora Waterworks and Gas Board proposes a project to provide improved drinking water reliability within its water system. The proposed project will consist of replacement of 59,440 feet of undersized water main and rehabilitation of existing storage tank. The water main replacement is proposed along Bryan, Burnwell, and Yerewood roads. Completion of this proposed project will alleviate low water pressure, reduce leaks and line breaks, and reduce the unaccounted for water loss.

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 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/CRJ/kbh

Attachment

Dora Waterworks and Gas Board
SRF# FS010277-01

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 not 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.



United States Department of the Interior

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

AUG 12 2020

IN REPLY REFER TO:

2020-TA-1182

Mr. Robert P. Nelson, P.E.
Nelson Engineering Associates, Inc.
P.O. Box 1053
Gardendale, AL 35071

Dear Mr. Nelson:

Thank you for your letter dated June 12, 2020, requesting comments from our office on the proposed water system improvements in the City of Dora, AL as it relates to threatened or endangered species and designated habitat. From the information provided in your letter, we understand that proposed replacement lines will cross six streams and that all stream crossings will be directionally bored. We have reviewed the information and provide the following comments in accordance with the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. et seq.).

Endangered and Threatened Species

The following species may occur within or near the project area:

- Indiana bat (*Myotis sodalists*) – Endangered
- Northern long-eared bat (*Myotis septentrionalis*) – Threatened
- Flattened musk turtle (*Sternotherus depressus*) – Threatened
- Black Warrior waterdog (*Necturus alabamensis*) – Endangered
- Ovate clubshell (*Pleurobema perovatum*) – Endangered
- Upland combshell (*Epioblasma metastrata*) – Endangered
- Mohr's Barabara's Buttons (*Marshallia mohrii*) – Threatened

The Black Warrior waterdog, flattened musk turtle, ovate clubshell, and upland combshell require habitats consisting of flowing water with low turbidity and low levels of pollutants. Your letter states that "all stream crossings associated with the project will be directionally bored to avoid any negative impacts." Therefore, the proposed project, as described, is not anticipated to impact aquatic habitats or obligate aquatic species (Black Warrior waterdog, ovate clubshell, upland combshell) that may occur within or near the project area. Nesting season of the flattened musk turtle lasts approximately from May 1 – September 15. Nest of the flattened musk turtle have been observed approximately 21 feet (6.5 meters) away from water. We recommend incorporating best management practices (BMPs) into the plans for the proposed project that occur adjacent to

streams. BMPs that may be incorporated for the protection of the flattened musk turtle include: - timing the project to avoid the turtle's nesting season and erecting a silt fence barrier between the project area and streams to prevent turtles from nesting within the project area.

It is unclear from the information you provided whether tree removal is intended in the proposed project. Suitable Indiana bat and northern long-eared bat habitat includes forests and woodlots containing potential roost trees, including live trees and/or snags ≥ 5 inches (12.7 centimeters) and ≥ 3 inches dbh (7.6 centimeters), respectively, that have exfoliating bark, cracks, crevices or hollows. Some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures, as well as linear features such as fencerows, riparian forests, and other wooded corridors may also be considered suitable habitat. 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. If the site contains possible Indiana bat and/or northern long-eared bat summer habitat, we recommend tree clearing should occur from October 15 to March 31.

If there is no suitable habitat on site for the Indiana bat or northern long-eared bat, or if there is suitable habitat and all tree removal for this project is carried out between October 15 and March 31, no further consultation will be necessary for the gray bat, 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 you proceed to acoustic and/or mist-netting surveys to determine presence or probable absence of northern long eared bats at the project site in accordance with the 2020 Range-wide Indiana Bat Summer Survey Guidelines (<https://www.fws.gov/midwest/endangered/mammals/inba/surveys/pdf/FINAL%20Range-wide%20IBat%20Survey%20Guidelines%203.23.20.pdf>).

Mohr's Barbara's buttons is an erect, perennial herbaceous plant. The plant grows to 1-2 feet (30-60 centimeters), or slightly greater in height. Its leaves are alternate, lance-oblong shaped, firm-textured, and three-veined. The leaves, about 3-8 inches (7-20 centimeters) long, are usually clustered near the base and gradually taper in size upwards. Mohr's Barbara's buttons has tubular-shaped flowers produced in several heads in a branched arrangement. The flowers are white to pale pink and are seen from mid-May through June. The fruit, an achene, is produced in July and August. This species typically occurs in moist prairie-like openings in woodlands and along shale-bedded streams. Plant species that are commonly associated with Mohr's Barbara's buttons include various locally rare or uncommon plant species, including: *Coreopsis delphiniifolia* (larkspur tickseed), *Prenanthes barbata* (barbed rattlesnakeroot), *Rhynchospora thornei* (Thorne's beakrush or beaksedge), *Schoenolirion croceum* (yellow sunnybell), and *Silene regia* (royal catchfly). If the preferred habitat as identified by physical characteristics or associated plant species is not present, then no further consultation will be necessary for Mohr's Barbara's buttons.

We appreciate your concern for threatened and endangered species. If you have any questions or need additional information, please contact Mr. Evan Collins at evan_collins@fws.gov. Please refer to the reference number located at the top of this letter in future phone calls or written correspondence.

Sincerely,

WILLIAM
PEARSON

Digitally signed by
WILLIAM PEARSON
Date: 2020.08.12
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William J. Pearson
Field Supervisor
Alabama Ecological Services Field Office



July 17, 2020

Mr. Robert P. Nelson, P.E.
Nelson Engineering Associates Inc.
P.O. Box 1053
Gardendale, Alabama 35071

Dear Mr. Nelson:

Re: Dora Water System Project – Walker County

This letter is in response to your letter requesting our review on the subject project. The Regional Planning Commission of Greater Birmingham (RPCGB) does not know of any reason to oppose, and therefore concurs with the project. Thank you for giving us the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Charles E. Ball".

Charles E. Ball, AICP
Executive Director



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 6, 2020

Robert Nelson
P.O. Box 1503
Gardendale, AL 35071

Re: AHC 20-1026
Dora Water System Improvements
Walker County

Dear Mr. Nelson:

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,

A handwritten signature in cursive script that reads "Lee Anne Wofford".

Lee Anne Wofford
Deputy State Historic Preservation Officer

LAW/AMH/nw



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, MOBILE DISTRICT
600 VESTAVIA PARKWAY, SUITE 203
VESTAVIA HILLS, ALABAMA 35216

March 15, 2021

North Branch
Regulatory Division

SUBJECT: Department of the Army Pre-Application Consultation, File Number SAM-2020-00697-JDC, Dora Water Works Board – water system improvements

Dora Water and Gas Board
2215 Highway 78, Suite 10
Dora, Alabama 35062

Transmitted electronically to nelsoneng@bellsouth.net

Dear Sir and/or Madam:

This is in response to the June 12, 2020 letter, submitted on your behalf by Nelson Engineering Associates, Inc., requesting comments regarding proposed improvements to the Dora water system. The work would occur throughout the City of Dora in Walker County, Alabama, centered near Latitude 33.70229°N, Longitude 87.087°W. This project has been assigned file number **SAM-2020-00697-JDC**, which should be referred to in all future correspondence regarding the project.

Section 404 of the Clean Water Act requires that a Department of the Army (DA) permit be obtained for the placement or discharge of dredged and/or fill material into waters of the United States (U.S.), including wetlands, prior to conducting the work (33 U.S.C. 1344). Based on our review of the information you provided and other publicly available mapping resources, it appears the proposed system-wide service line replacements may require discharges of fill material into jurisdictional streams and/or wetlands that would require a DA permit. However, without a formal delineation of the potential jurisdictional aquatic resources within the project area and more specific construction design and land disturbance footprint information, the nature and extent of aquatic resource impacts that may require a permit remains unclear.

It appears that Nationwide Permit 58 (NWP 58) for Utility Line Activities for Water and Other Substances **may** be applicable to the proposed service line replacement activities that may impact waters of the U.S.; therefore, a copy of NWP 58 is enclosed for your reference as you undertake further planning and design of the proposed work. Please be aware that the conditions of NWP 58 require the applicant to submit a pre-construction notification (PCN) to this office, and receive a written verification of coverage under the permit prior to commencing the activity if either of the following criteria are met: (1) a Section 10 permit is required; or (2) the discharge will result in the loss of greater than 1/10-acre of waters of the United States. Additionally, pre-construction notification would be required if the proposed work would potentially affect federally listed threatened and endangered species and/or their designated critical habitats, if the work would affect known historic properties or cultural resource sites or such sites that are potentially eligible for listing on the National Register of Historic Places, and if the work would affect Federal navigation project waters such as the Black Warrior River,

Tombigbee River, Bakers Creek, Burnt Cane Creek, etc. If none of the aforementioned conditions would be triggered by the proposed work, it is possible the proposed work may already be authorized under NWP 58 provided the work would be conducted in compliance with all terms and conditions in the attached copy of Nationwide Permit 58.

If you are specifically requesting written verification under a NWP 58 for Utility Line Activities for Water and Other Substances to cover any of the proposed water system maintenance and improvement work, please submit a complete pre-construction notification (PCN) in accordance with General Condition 32 (b) Content of Pre-Construction Notification to this office accompanied by a wetland delineation for the entire project, as well as locations (latitude/longitude) of the stream and/or wetland impacts, and the flow classifications of the streams (perennial, intermittent, ephemeral).

Nothing in this letter shall be construed as excusing you from compliance with other Federal, State, or local statutes, ordinances, or regulations that may affect any proposed work.

Electronic copy of this correspondence has been provided to your agent, Nelson Engineering Associates, Inc., Attention: Mr. Robert Nelson at nelsoneng@bellsouth.net.

You may contact me at Jevon.D.Coleman@usace.army.mil or 205-381-0741 if you have questions concerning this matter. We appreciate your cooperation with the USACE Regulatory Program. For additional information about our Regulatory Program, visit our website at www.sam.usace.army.mil/Missions/Regulatory.aspx. Also, while you are there please take a moment to complete our customer service survey located on the right side of the webpage. Your responses are appreciated and will help us improve our services.

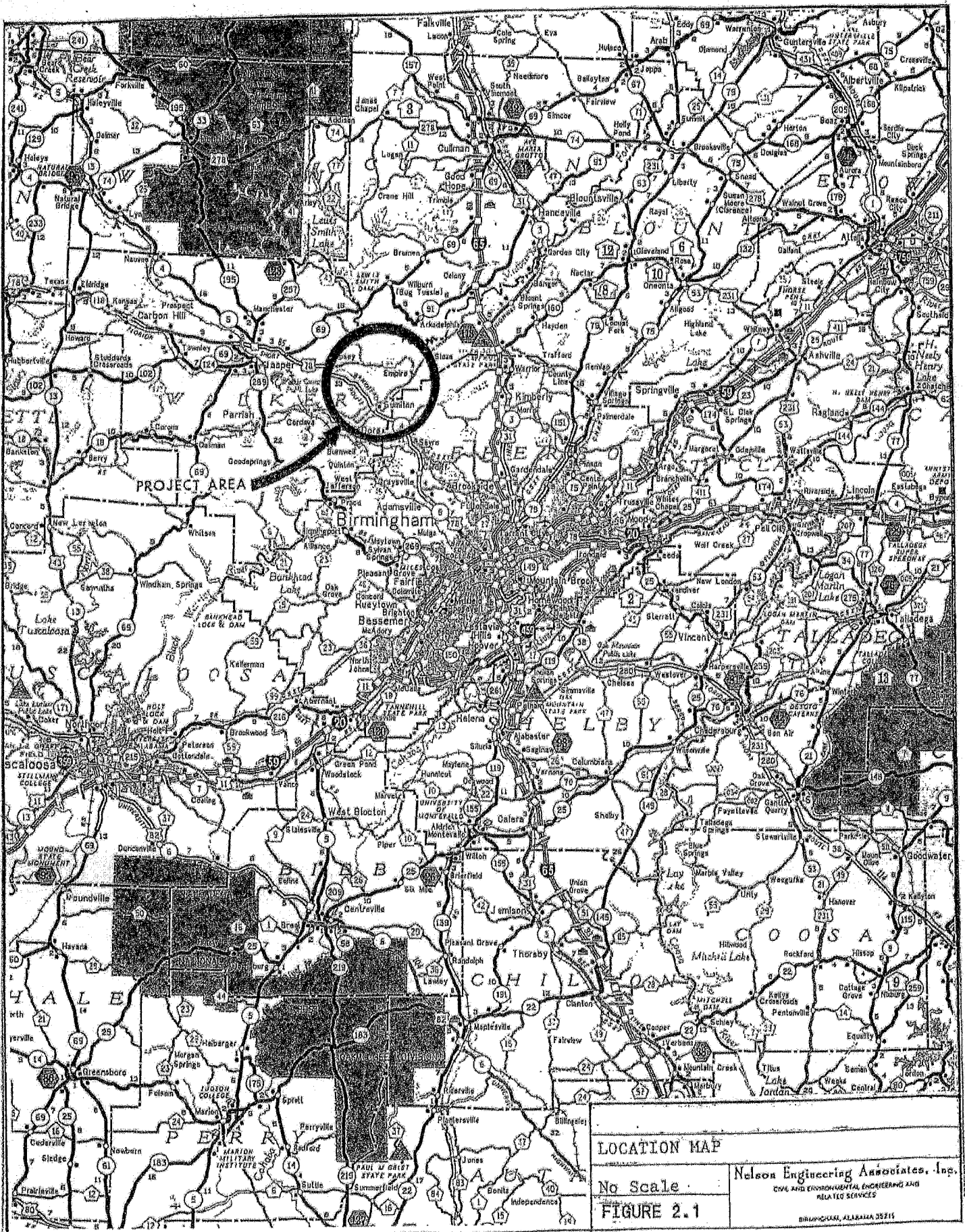
Sincerely,

**Jevon D.
Coleman**

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Jevon D. Coleman
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Jevon Coleman
Regulatory Specialist
North Branch

Attachments



LOCATION MAP

No Scale

FIGURE 2.1

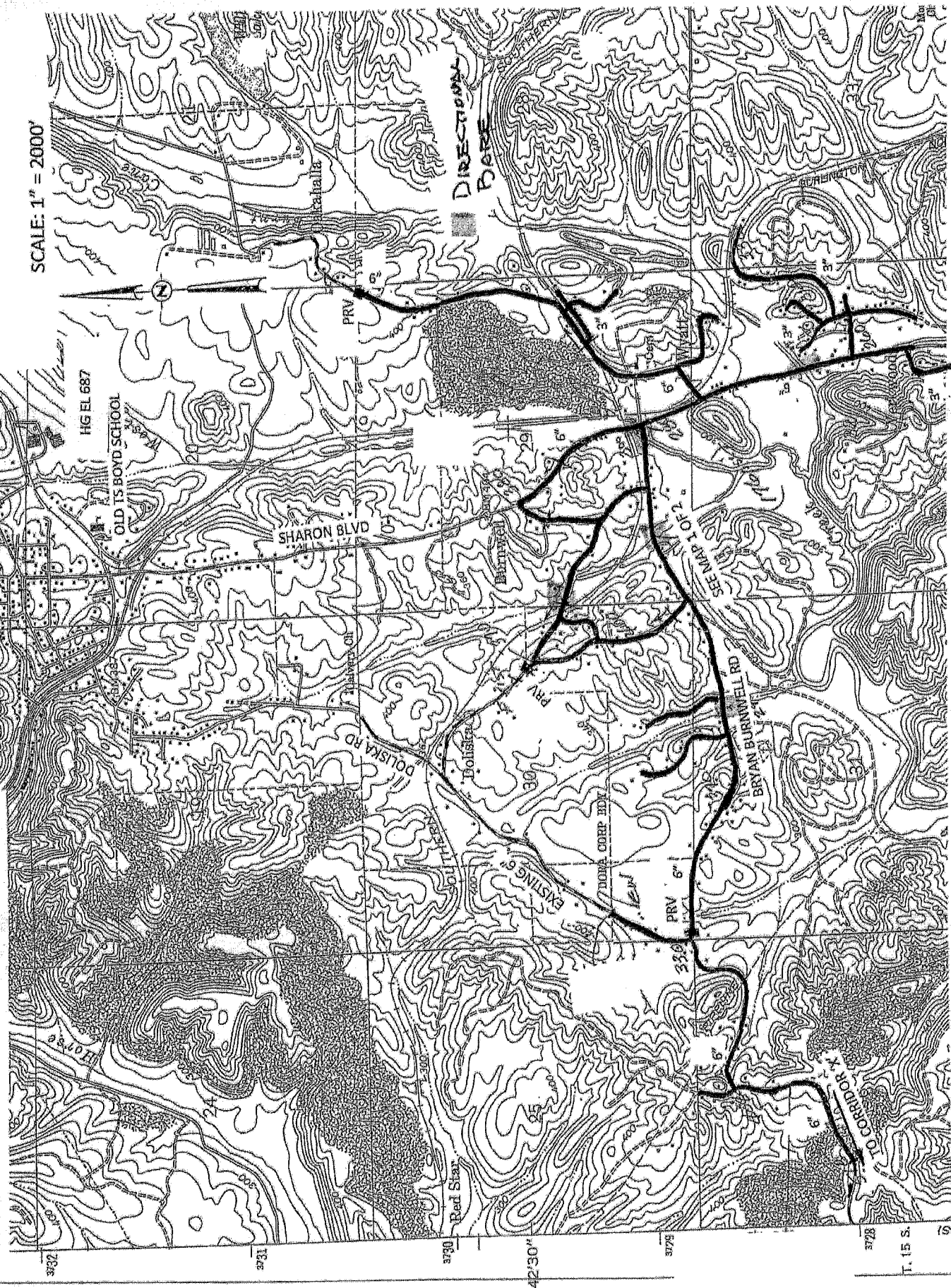
Nelson Engineering Associates, Inc.
 CIVIL AND ENVIRONMENTAL ENGINEERING AND
 RELATED SERVICES

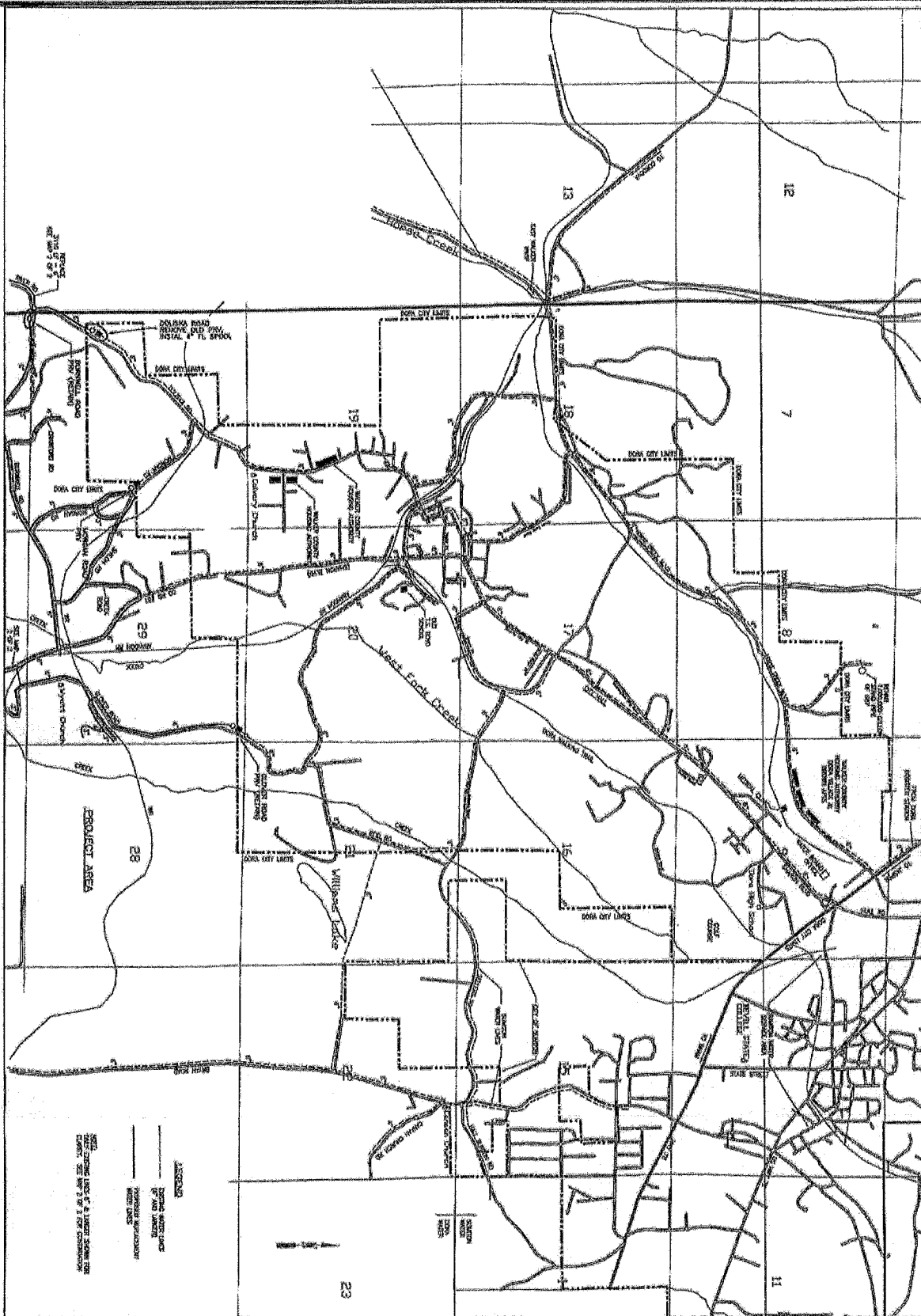
DORA WATER SYSTEM IMPROVEMENTS

MAP 2 OF 2

SCALE: 1" = 2000'

LEGEND:
PROPOSED REPLACEMENT LINES





SHEET NO. 1 OF 2 DRAWING NO.	OWNER: WATERWORKS AND GAS BOARD OF DORA	DRAWN BY: WPC	CHECKED BY: R.P.R.	SCALE: 1" = 1000'	DATE: NOVEMBER, 2018	TOTAL:	NO. DATE INITIAL REVISIONS	 Nelson Engineering Associates, Inc. Civil and Professional Engineering and related services P.O. Box 1083, Cordova, Alabama 36027 PHONE (205) 651-8299 FAX (205) 651-3442
	PROJECT: WATER SYSTEM IMPROVEMENTS	APPROVED BY: R.P.R.	DATE:	DATE:	DATE:	DATE:	DATE:	
DRAWING TITLE: KEY PLAN								