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CATEGORICAL EXCLUSION FROM ENVIRONMENTAL REVIEW

Dallas County Water and Sewer Authority
Dallas County
SRF Project No. CS010889-02
July 10, 2024

The Alabama Department of Environmental Management has made \$7,118,200.00 in financial assistance available to the Dallas County Water and Sewer Authority using funds 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 Dallas County Water and Sewer Board proposes improvements to its the sanitary sewer system. The proposed improvements consists of improvements to the WWTF including replacement and rehabilitation of the two (2) clarifiers along with chemical feed and controls systems. Also, improvements to the twelve (12) lift stations including replacement of eight (8) lift stations and rehabilitation of four (4) others. Supervisory Control and Data Acquisition (SCADA) will be installed at the WWTF and Lift Stations to provide real-time operational control and efficiency. The sanitary sewer system experiences high sanitary sewer overflows (SSO's) and inflow/infiltration (I/I). The improvements will upgrade fix infrastructure and provide for an improvement sanitary sewer 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 Mrs. Juliette Waid, SRF Section, Permits & Services Division, Alabama Department of Environmental Management, P.O. Box 301463, Montgomery, Alabama 36130-7871, 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,

Lance R. LeFleur
Director

LRL/EJR/JMW



Dallas County Water and Sewer Authority
SRF# CS010889-02

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 not 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

Lisa D. Jones
Executive Director
State Historic Preservation Officer

468 South Perry Street
Montgomery, Alabama 36130-0900

Tel: 334-242-3184
Fax: 334-242-1083

December 4, 2023

Bart Taft
The Kelley Group
850 Corporate Pkwy. Suite 104
Birmingham, AL 35242

Re: AHC 24-0145
Dallas County Water and Sewer Authority-Sewer System Improvements
Dallas County

Dear Mr. Taft:

We concur with the above referenced project provided all construction activities will occur within **existing and previously disturbed** highway right-of-way and/or other previously disturbed areas. For the purposes of this letter, previous disturbance is defined as mechanical disturbance to either culturally sterile subsoil, or the maximum depth of the proposed undertaking. It should be noted that agricultural plowing does not typically meet this threshold of disturbance, nor do previously undisturbed portions of the ROW that require clearing of additional vegetation. 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.

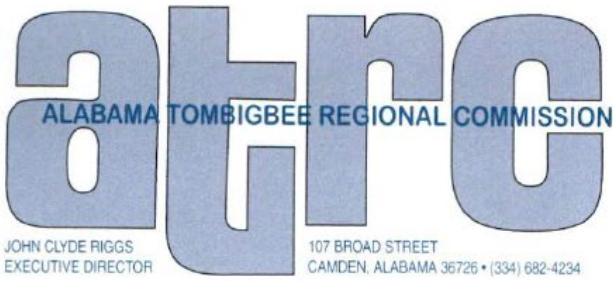
Consultation with the State Historic Preservation Office does not constitute consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public. If archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) 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 ensure 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 Hewett
Deputy State Historic Preservation Officer

LAH/AMH/nj



Date: November 9, 2023

**Address: Dallas County Water and Sewer Authority
2504 Old Montgomery Rd
Selma, AL 36703**

Applicant: Dallas County Water and Sewer Authority

Project/Program: Improvements to sixteen lift stations and the wastewater treatment plant.

Funding Source/Program: Clean Water State Revolving (CWSRF) assistance from the Alabama Department of Environmental Management (ADEM)

This office has reviewed the above project/program. Our comments are indicated below. If you have questions, please contact the A-95 Review Officer at the Alabama-Tombigbee Regional Commission office listed above.

No Interest _____

Concur X

Need More Data(see below) _____

Cannot Concur _____

Consistent with Regional Plans X

Consistent with Local Plans _____

Additional Comments: _____

ATRC

Alabama-Tombigbee Regional Commission


Brandy Wilkerson, Planning Director

June 7, 2024

Mrs. Julie Waid
ADEM State Revolving Fund Section
Delivery via email: juliette.waid@adem.alabama.gov

**Re: Sewer System Improvements
CWSRF Project No. CS010889-02
Dallas County Water & Sewer Authority**

Dear Mrs. Waid,

This letter is in response to your email dated April 30, 2024, requesting USACE concurrence for your files.

1. We initially submitted our request for concurrence to USACE via email on November 8, 2023. Our request was acknowledged by USACE on November 9, 2023, and we were given a File Number SAM-2021-00212 for reference.
 - a. On November 29, 2023, our office emailed to request an update on the status of the request for concurrence.
 - b. On December 18, 2023, we received an email from USACE requesting additional information for review and all additional information was provided within the month of December 2023.
 - c. On May 1, 2024, our office emailed to request an update on the status of the request for concurrence.
 - d. On May 7, 2024, our office emailed to request an update on the status of the request for concurrence.
2. As you can see above, we have had issues receiving Corps concurrence. As such, we have chosen to proceed with self-certifying under NWP-58, Utility Line Activities for Water and Other Substances, based on the 2021 Nationwide Permit Summary.
3. An overall sewer system map is attached.
4. A USGS Quad Map showing no wetlands in the project vicinities is attached.
5. A flood hazard map is attached.
6. The proposed project areas are located within existing rights-of way and existing DCWSA property holdings. The proposed project areas consist of non-jurisdictional dry land or upland areas that do not contain Federally-regulated wetlands or other waters of the U.S.
7. An environmental justice map is attached which shows the area is disadvantaged.

We have reviewed the proposed Dallas County Water and Sewer Authority Sewer System Improvements Project with regard to compliance with Nationwide Permit 58, Utility Line Activities for Water and Other Substances. We hereby certify that the Sewer System Improvements Project meets the requirements for permitting under this Nationwide Permit.

Please let me know if you need additional information.

Sincerely,

Bart Taft

Bart Taft, P.E.

CC: Dallas County Water & Sewer Authority

The following description was provided for the project 'Dallas County Sewer System Improvements Waste Water Treatment Plant':

Improvements will be made within the existing WWTP to the clarifiers, chemical feeds and controls, SCADA, and other improvements of the like.

Based on your answers provided, the proposed project is unlikely to have any detrimental effects to federally-listed species or critical habitat. Therefore, per this guidance, Luke Wade has determined that Dallas County Sewer System Improvements Waste Water Treatment Plant will have No Effect on the species listed below.

This letter serves as documentation of your consideration of endangered species, bald eagles, and migratory birds. No further coordination with the Service is necessary.

Please be advised that, if later modifications are made to the project that do not meet the criteria described above, if additional information involving potential effects to listed species becomes available, or if a new species is listed, reinitiation of consultation may be necessary.

CLAMS

- Heavy Pigtoe *Pleurobema taitianum* Endangered
- Orangenacre Mucket *Hamiota perovalis* Threatened
- Southern Clubshell *Pleurobema decisum* Endangered

FISHES

- Alabama Sturgeon *Scaphirhynchus suttkusi* Endangered

INSECTS

- Monarch Butterfly *Danaus plexippus* Candidate

MAMMALS

- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

REPTILES

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened

SNAILS

- Tulotoma Snail *Tulotoma magnifica* Threatened

ADDITIONAL CONSIDERATIONS FOR NON-FEDERALLY LISTED SPECIES

- **Bald Eagle Nest Issues.** If any of the above-referenced activities (rehabilitation, demolition, or rebuilding) are proposed to occur **within 660 feet** of an active or alternate bald eagle (*Haliaeetus leucocephalus*) nest during the nesting season (October 1 through May 15), we recommend the applicant or their designated agent coordinate with the agency responsible for managing wildlife in their state. For additional information, please visit the Service's regional web page: <https://www.fws.gov/service/3-200-71-eagle-take-associated-not-purpose-activity-incidental-take>.
-

- **Migratory Bird Issues.** If any native birds are using the structures for nesting then actions should be taken so as not to disturb the adults, nests, eggs, or chicks as this could lead to a potential violation of the Migratory Bird Treaty Act. If nests are present or any birds are using the structures regularly for roosting purposes, we recommend the applicant or their designated agent coordinate with the appropriate Service's Field Office and visit the Service's Migratory Bird Program website at <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds> for recommendations on how impacts can be avoided and minimized.

Luke Wade answered the determination key questions for this project as follows:

1. Does the project intersect Monroe County, FL?

Automatically answered

No

2. Is the project exclusively a Federal loan transfer, where the original lending or mortgage institutions for existing project are no longer holding the loan and the property is being transferred via a federally-backed loan?

*No, this is **not** a Federal loan transfer as described above, or includes activities in addition to a Federal loan transfer.*

3. Does the project include a federally-insured loan or federal grant funding?

Yes, the project includes a federally-insured loan or federal grant funding.

4. Is the entire site currently developed/hard-surfaced (i.e., the site consists entirely of existing roads, sidewalks, buildings, driveways, etc., and does not contain any undeveloped and/or vegetated areas)?

Yes, the entire site is already developed/hard-surfaced.

5. Is the federally-insured loan or federal grant funding being used for demolition, rehabilitation, renovation, and/or rebuilding of one or more existing facilities (e.g., residential, commercial and industrial sites, or utilities)?

Yes, the project includes Federal funding for work on existing facilities.

6. Will the project significantly alter the present capacity of an existing structure?

No, this project will not alter the present capacity of any existing structure.

7. Does your project involve structures that are being used by any federally endangered or threatened species (e.g., roosting bonneted bats, denning indigo snakes, etc.) or are there known reports of species using the site?

*No, the site and/or structure(s) are **not** being used by any federally listed species.*

Attachments:

- Project questionnaire
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- Standard manatee construction conditions
 - Determination key description: Clearance to Proceed with Federally-Insured Loan and Grant Project Requests
 - U.S. Fish & Wildlife Service contact list
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United States Department of the Interior



FISH AND WILDLIFE SERVICE
Alabama Ecological Services Field Office
1208 B Main Street
Daphne, AL 36526-4419
Phone: (251) 441-5181 Fax: (251) 441-6222
Email Address: alabama@fws.gov

In Reply Refer To:

November 09, 2023

Project code: 2024-0014962

Project Name: Dallas County Sewer System Improvements Waste Water Treatment Plant

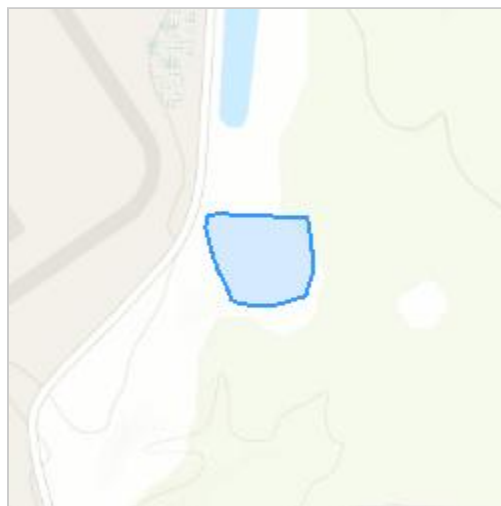
Please provide this document to the Federal agency or their designee with your loan/grant application.

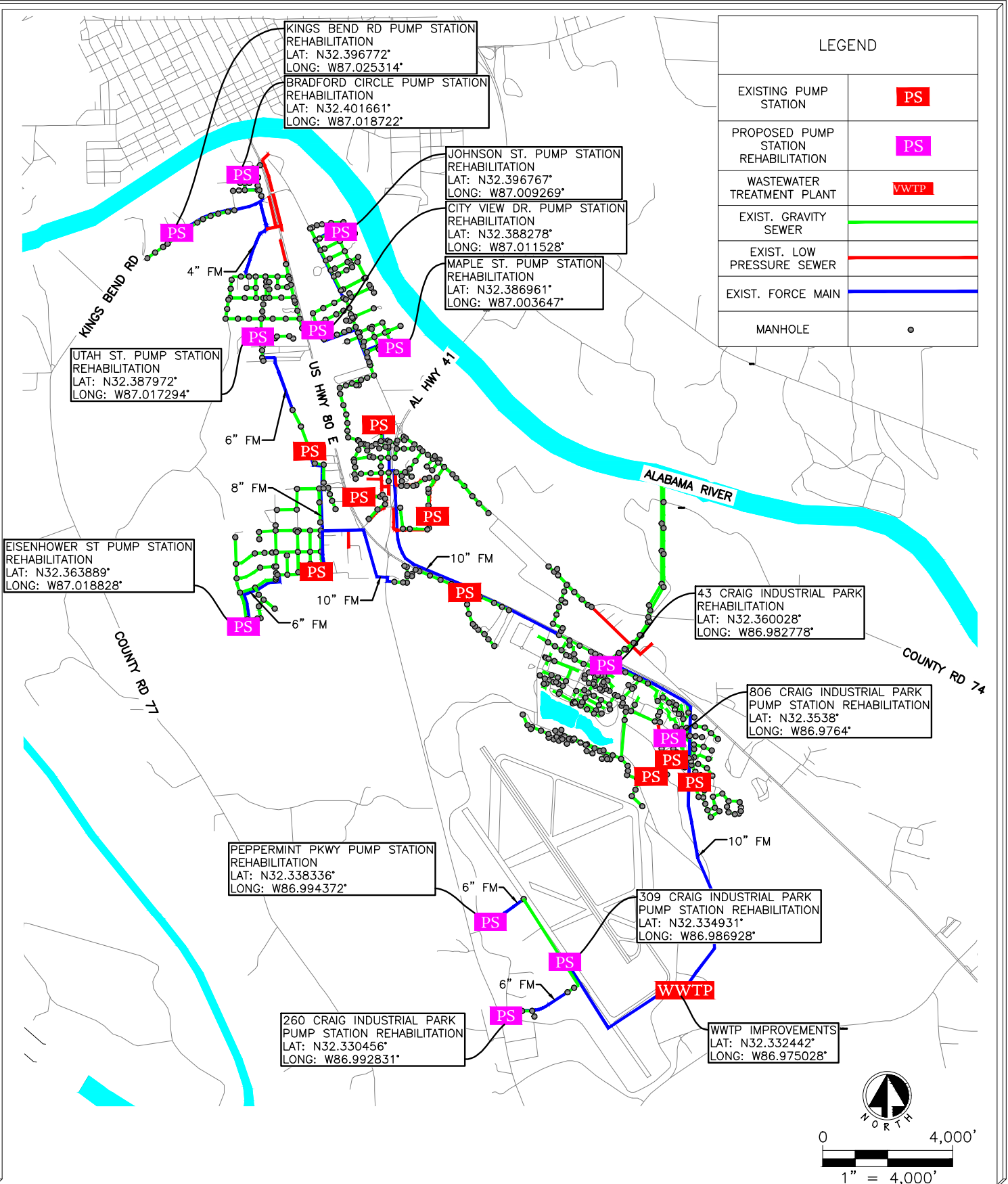
Subject: Consistency letter for the project named 'Dallas County Sewer System Improvements Waste Water Treatment Plant' for specified threatened and endangered species that may occur in your proposed project location, pursuant to the IPaC determination key titled 'Clearance to Proceed with Federally-Insured Loan and Grant Project Requests'.

To whom it may concern:

On November 09, 2023, Luke Wade used the IPaC determination key 'Clearance to Proceed with Federally-Insured Loan and Grant Project Requests'; dated May 18, 2023, in the U.S. Fish and Wildlife Service's online [IPaC tool](#) to evaluate potential impacts to listed species from a project named 'Dallas County Sewer System Improvements Waste Water Treatment Plant' in Dallas County, Alabama (shown below):

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@32.332351,-86.97493848413399,14z>





THE KELLEY GROUP

▪ A CIVIL ENGINEERING COMPANY ▪

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Birmingham, AL 35242

301 N Dickson St.
Tuscumbia, AL 35674

SEWER SYSTEM MAP

SEWER SYSTEM IMPROVEMENTS DALLAS COUNTY WATER & SEWER AUTHORITY

PROJECT NUMBER
22-0031

DATE
6/2024

SHEET NUMBER
3