



Alabama Department of Environmental Management
adem.alabama.gov

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Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

CATEGORICAL EXCLUSION FROM ENVIRONMENTAL REVIEW

The Town of Gurley
Madison County

SRF Project No. CS010871-02

May 28, 2025

The Alabama Department of Environmental Management has made \$2,200,000 in financial assistance available to the Town of Gurley using funds from the Clean Water Bipartisan Infrastructure (CWBIL) 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 Gurley proposes a project that includes various improvements to its wastewater treatment plant. These improvements involve upgrades to the wastewater treatment plant, including enhancements to lagoon cells and blowers, improvements to two lift stations, and the construction of a new discharge outfall from the plant. Additionally, miscellaneous repairs and energy-efficient upgrades are proposed. With the construction of these improvements, the project will address various I/I issues and upgrade deteriorating infrastructure.

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,

Jeffery W. Kitchens
Acting Director

JWK/MDM/JMW/kbh



Birmingham Office
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Office
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)

Coastal Office
1615 South Broad Street
Mobile, AL 36605
(251) 450-3400
(251) 479-2593 (FAX)

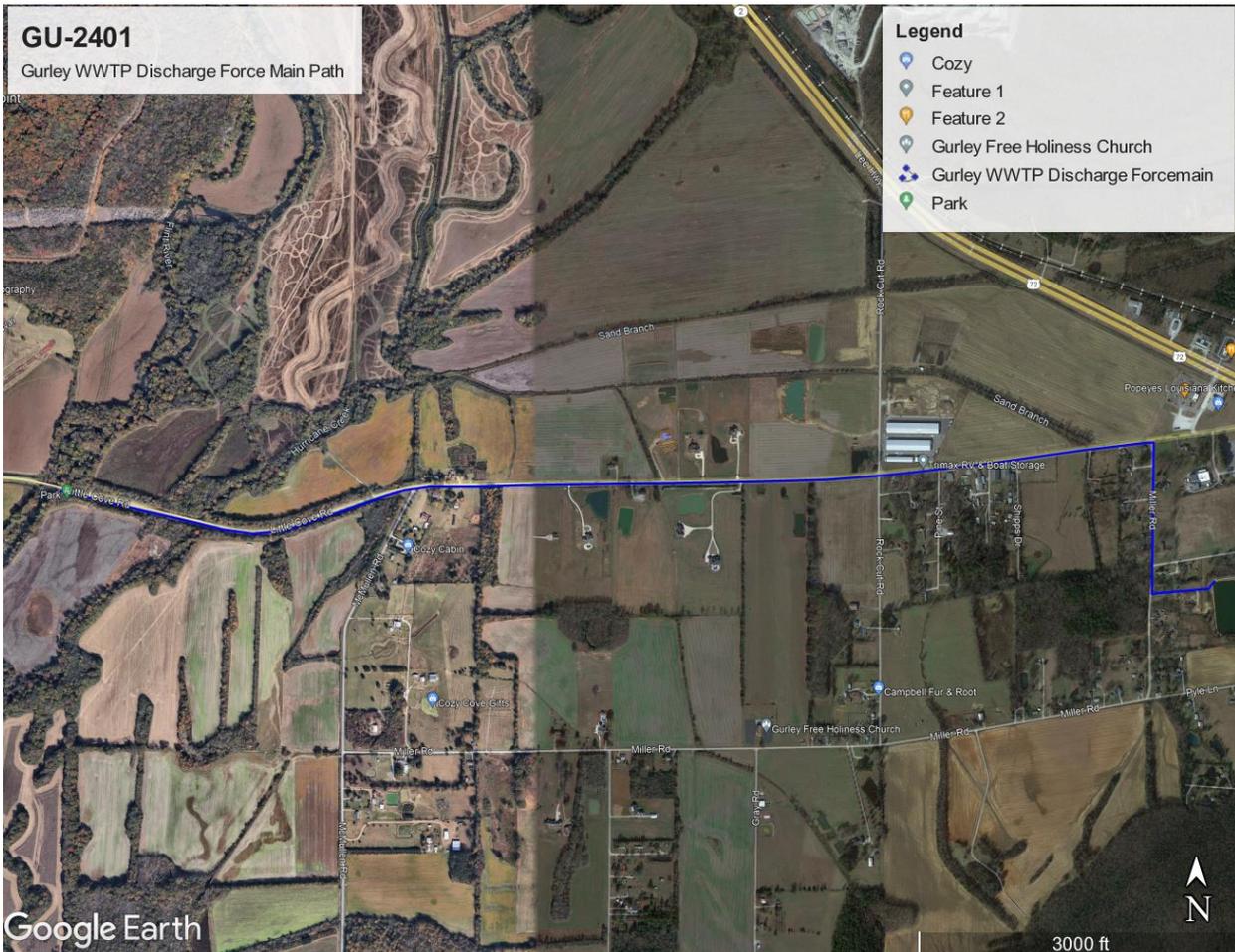
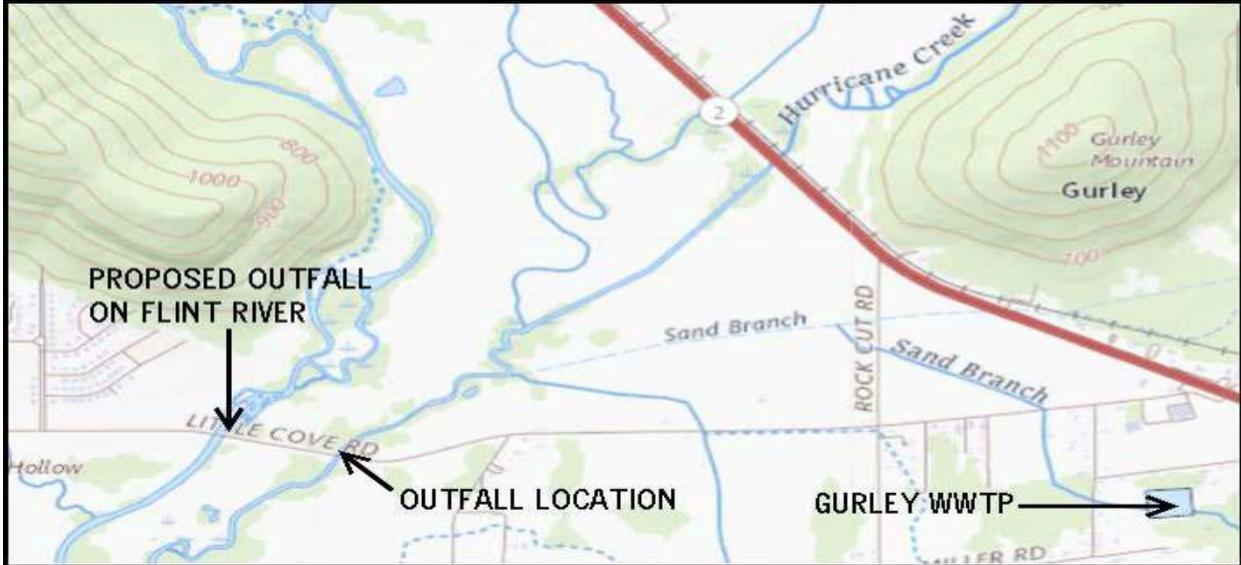
The Categorical Exclusion is promulgated in the State Environmental Review Process (SERP) in Part IV, Section B: Categorical Exclusions for Clean Water State Revolving Fund Projects: (Italicized sections apply.)

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 seweried 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.



Town of Gurley, Alabama

Gurley WWTP Improvements
CWSRF Environmental Information Document





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

April 1, 2024

The Honorable Stan Thompson
P.O. Box 128
Gurley, AL 35748

Re: AHC 24-0654
Gurley WWTP Improvements
Madison County

Dear Mayor Thompson:

Upon review of the above referenced project, we have determined the following. Our files indicate that the project area is similar environmentally to areas that are known to have significant cultural resources. Therefore, we consider this area archaeologically sensitive.

We request that a professional archaeologist survey the proposed outfall project area to identify any cultural resources that may be present. Submit the resulting report to our office for review and determination prior to construction activities.

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/EDS/lah



United States Department of the Interior

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

APR 12 2024

IN REPLY REFER TO:
2024-0068846

Mr. Greg Thompson, PE
Engineers of the South
208 Oak Mountain Circle
Pelham, AL 35124

Dear Mr. Thompson:

Thank you for your letter dated March 22, 2024, informing us of the proposed project to improve the existing Gurley WWTP located in the Town of Gurley, Alabama. We understand that the project includes improvements to the existing instrumentation controls and replace existing equipment that is beyond its useful life. Additionally, you propose to relocate the discharge outfall from Hurricane Creek to the Flint River. 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.).

Threatened and Endangered Species

Our records indicate that the following endangered species may occur in or near your project area:

- Indiana bat (*Myotis sodalist*)
- Northern long-eared bat (*Myotis septentrionalis*)

Bat Habitat

Based on the information provided in your letter, suitable summer habitat for the Indiana bat and northern long-eared bat may be present within the project site. Suitable Indiana 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. 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 or wooded habitat.

It is not clear if tree clearing will be required for this project. Any tree clearing that is required should occur during the protective window of October 15 to March 31. 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 U.S. Fish and Wildlife Service's *2024 Range-wide Indiana Bat & Northern Long-eared Bat Survey Guidelines*:

<https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>

Riparian Areas

We are concerned about projects of this nature due to the proximity of riparian areas and risks from sedimentation from construction sites that could impact locations downstream. Your project occurs in a watershed that supports listed aquatic species and strict adherence to BMPs are important to protect water quality.

We recommend incorporating the following measures into the project design to protect water quality:

- Implement BMPs to minimize erosion and prevent sedimentation of drainages in the project area, both during and after construction.
- Install erosion and stormwater control devices prior to construction activities to protect water quality.
- Maintain a naturally vegetated buffer (preferably 100 feet or greater) adjacent to any ditches or drainages to reduce erosion and protect water quality.
- Retain as much natural vegetation as possible by clearing and grubbing only necessary areas.
- Immediately revegetate and disturbed areas with a native species or an annual grass.
- To the extent feasible, complete any work that results in exposed earth during periods of low water and when significant rainfall is not predicted.

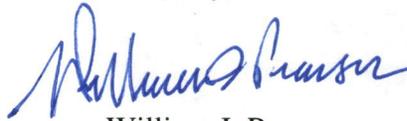
For more information regarding best management practices, consult the Alabama Handbook for Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas (2018), available on-line at:

<https://alabamasoilandwater.gov/wp-content/uploads/2021/03/2018-Handbook-Vol-1.pdf>

We understand that Hurricane Creek will need to be crossed during this project and horizontal directional drilling will be used to run the water line under this area. During this process, it is important to monitor for any issues such as water level changes, fracturing of bedrock, or other environmental issues that could occur. As long as BMPs are adhered to, no further endangered or threatened species consultations will be required for this portion of this project unless: 1) the identified action is subsequently modified in a manner that causes an effect on the listed species or on a proposed or designated critical habitat; 2) new information reveals the identified action may affect federally protected species or critical habitat in a manner or to an extent not previously considered; or 3) a new species is listed or critical habitat is designated under the Endangered Species Act that may be affected by the identified action.

If you have any questions or need additional information, please contact Ms. Erin Sasser of my staff at (251) 298-4226 or at erin_sasser@fws.gov. Please refer to the reference number located at the top of this letter in future phone calls or written correspondence.

Sincerely,



William J. Pearson
Field Supervisor
Alabama Ecological Services Field Office



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NASHVILLE DISTRICT
WESTERN REGULATORY FIELD OFFICE
2424 DANVILLE ROAD SW
SUITE N
DECATUR AL 35603

April 9, 2024

SUBJECT: File No. LRN-2017-00671; Town of Gurley Wastewater Treatment Plant Improvements, Flint River Mile 22.1 Left Bank, Madison County, Alabama.

Greg Thompson
Engineers of the South
208 Oak Mountain Circle
Pelham, Alabama 35124

Dear Mr. Thompson:

This is in response to your March 25, 2024, request for our comments regarding the subject project.

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 information provided indicates the subject activity may involve work in wetlands/waters of the U.S.; therefore, a Department of the Army permit may be required.

We understand the project proposal may not have specific design plans at this time, and this inquiry is an initial review to obtain grant funds. We have no objections to the applicant receiving grant funds for the proposal.

If you have questions regarding this matter, please contact me at the above address or telephone (256) 350-5620. Thank you for the opportunity to review and comment on this proposed project.

Sincerely,

A handwritten signature in blue ink, reading "Eric Sinclair", is positioned above the typed name.

William E Sinclair
Regulatory Project Manager
Regulatory Division
U.S. Army Corps of Engineers



Natural Resources Conservation Service

1300 Meridian Street, Suite 23-F
Huntsville, AL 35801

April 19th, 2024

Engineers of the South
Greg Thompson, P.E.
208 Oak Mountain Circle
Pelham, AL 35124

Subject: Gurley WWTP Improvements

Mr. Thompson:

This letter is in response to a request for comments for funding from ADEM's DWSRF program for waste water management improvements for the Town of Gurley, Madison County, Alabama, and the impact on the environment related to soils. Due to the location and the nature of the project, the site is not subject to the Prime Farmland Policy Act.

Other activities that are not subject to the Farmland Protection Policy Act includes:

- Federal permitting and licensing
- Projects planned and completed without the assistance of a federal agency
- Projects on land already in urban development or used for water storage
- Construction within an existing right-of-way purchased on or before August 4, 1984
- Construction for national defense purposes
- Construction of on-farm structures needed for farm operations
- Surface mining, where restoration to agricultural use is planned
- Construction of new minor secondary structures such as a garage or storage shed.

In addition:

“Only assistance and actions that would convert farmland to nonagricultural uses are subject to this Act. Assistance and actions related to the purchase, maintenance, renovation, or replacement of existing structures and sites converted prior to the time of an application for assistance from a Federal Agency, including assistance and actions related to the construction of minor new ancillary structures (such as garages or sheds), are not subject to the Farmland Protection Policy Act.”

NRCS primary concern is the possible conversion of prime farmland. Erosion and sediment control measures should be implemented and maintained during the construction phase to protect natural resources. However, construction activities near and across water bodies could be a Clean Water Act violation. Therefore, contacting your local Army Corps of Engineers representative is suggested on projects where it may be applicable.

If you have any additional questions, please contact me at (256) 947-5191 or email: eddie.davis@usda.gov.

Respectfully,

Eddie E. Davis Jr.

Eddie E. Davis Jr.
Resource Soil Scientist

Helping People Help the Land

An Equal Opportunity Employer, Provider and Lender



Michelle Gilliam Jordan, FAICP | Executive Director

03/26/24

Hon Stan Simpson, Mayor
Town of Gurley
P.O. Box 128
Gurley, AL 35748

CLEARINGHOUSE MEMO

RE: Madison County: Town of Gurley Wastewater System: Environmental review (ERR) for an **ADEM CWSRF** program **funding Application:** Project Wastewater system upgrades: WWTP plant, lagoon and lift station upgrades and modifications, and relocation of the discharge outfall from Hurricane Creek to the Flint River

The Clearinghouse of the Top of Alabama Regional Council of Governments' Board of Directors, in accordance with Executive Order 12372 and State Executive Order Eight, met on 03/26/24 and reviewed the above-referenced Action.

Per the submitted and review materials, the proposed sewer system upgrades and any new construction are all in/on Town utility property/facilities, and/or previously environmentally disturbed and documented ROW areas. The ERR has found no environmental issues; and this review assumes that the project's relocation of the systems outflow point has been considered, and will meet all ADEM requirements.

The project is based on a well-prepared, professional engineering analysis, and this review assumes its above stated project review facts. The project will upgrade the system in terms of improving overall operational efficiency, and reducing cost by increasing energy efficiency. The Project will following all associated ADEM and Federal Guidelines, and Construction Best Management Practices (CBMPs) will be required to be maintained by the contractor and will be included in the Construction Contract Documents.

This project is consistent with the Town's long-term goal to provide safe, reliable and efficiently economical wastewater services to its customers, while maintaining compliance with applicable environmental agency regulations. We therefore find this project to be in conformance with, and support of, critical wastewater utility service needs recognized in utility planning goals and efforts within the TARCOG region, and we concur with, and endorse this wastewater system upgrade project. If we can be of further assistance, please contact us.

Sincerely,

D. C. Schafer

Area-wide Clearinghouse

Cc: Greg Thompson, PE, Engineers of the South