



**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

## **FINDING OF NO SIGNIFICANT IMPACT**

Town of Owens Cross Roads  
Madison County, Alabama

CWSRF Project No. CS010972-02

July 16, 2025

The Alabama Department of Environmental Management (ADEM) has made **\$10,323,347** in financial assistance available to the Town of Owens Cross Roads using funds from the American Rescue Plan Fund (ARPA) and the Clean Water Bipartisan Infrastructure (CWBIL) loan program. In accordance with State and Federal regulations that govern the program, the Department has conducted a review to assess potential impacts upon the environment that may result from implementation of this project.

The town of Owens Cross Roads proposes a project to build a new wastewater treatment plant to meet current demand. The project consists of a 0.9 MGD facility designed to replace the existing plant and operate more efficiently. The improvements include a sequencing batch reactor (SBR) system with anaerobic digesters, an anoxic influent equalization basin, and tertiary treatment with a cloth disc filter. Completion of these improvements prevent non-compliance with effluent discharge limits and accommodate the total wastewater load generated within the city limits.

The Department has determined that the project will not have a significant adverse impact on the environment and consequently is herewith issuing a Finding Of No Significant Impact (FONSI) to support the use of CWSRF funds for the construction of the proposed project. However, this decision may be reconsidered if significant adverse information concerning the potential environmental impacts of the project is discovered. Attached is an Environmental Assessment that details the proposed project and its impact upon the environment.

Comments relative to this project should be submitted in writing to Mrs. Juliette Waid, SRF Section, Permits and Services Division, Alabama Department of Environmental Management, P.O. Box 301463, Montgomery, Alabama 36130-1463, no later than 30 days after the date of this FONSI. 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)

## **ENVIRONMENTAL ASSESSMENT**

Town of Owens Cross Roads  
Madison County, Alabama  
CWSRF Project No. CS010972-02

### **A. Proposed Facilities and Actions**

The Town of Owens Cross Roads has proposed the construction of a new 0.9 MGD wastewater treatment plant (WWTP) to replace the existing aging and inadequate plant on Sneed Avenue. The improvements include a sequencing batch reactor (SBR) system with a constant level anaerobic selector/digester basin, an anoxic influent equalization basin, and a single SBR basin. The system will include tertiary treatment with a cloth disc filter and a chlorination/dechlorination basin for final effluent treatment. The project will be constructed on a city-owned parcel adjacent to the existing WWTP, addressing the termination of an off-site treatment agreement with the City of Huntsville and accommodating the total wastewater load of approximately 550,000 GPD.

### **B. Existing Environment**

The proposed project lies within the area served by the Town of Owens Cross Roads, located in southeastern Madison County, Alabama, approximately 14 miles south of Huntsville along US Highway 431. Owens Cross Roads covers a land area of approximately 8.4 square miles and has a population of 2,594 residents, according to the 2020 census. The town is situated in a valley surrounded by Green Mountain and Keel Mountain, adjacent to the Flint River, with an average elevation of 587 feet above sea level. The project site is a flat, low-lying area adjacent to the Flint River bank, with Holston fine sandy loam soils and Monteagle Limestone geology.

### **C. Existing Sewer Facilities**

The Town of Owens Cross Roads operates a wastewater collection system serving approximately 815 residential and 25 commercial customers, consisting of 40,000 linear feet of eight-inch PVC gravity pipelines and 16,200 linear feet of four-inch PVC force main with nine pump stations. The existing WWTP on Sneed Avenue, adjacent to the Flint River, has a capacity of 200,000 GPD and is comprised of two package treatment units. The plant, last updated in 2003, is operating at or near capacity. Approximately 300,000 GPD of wastewater is currently pumped to the City of Huntsville for treatment under a purchase agreement.

### **D. Need for Proposed Facilities**

The need for the new WWTP arises from the termination of the wastewater treatment agreement with the City of Huntsville, effective May 2024, which currently handles approximately 300,000 GPD of Owens Cross Roads' wastewater. The existing 0.2 MGD WWTP is inadequate to treat the total wastewater load of approximately 550,000 GPD, with average flows of 0.1 MGD and maximum daily flows up to 0.4 MGD. High inflow and infiltration (I/I) levels, exceeding 100% and up to 250% during wet weather, exacerbate the capacity issues. Without the new plant, the town risks non-compliance with its NPDES permit and potential untreated sewage discharge into the Flint River.

## E. Alternatives Analysis

The Environmental Information Document (EID) submitted considered the following feasible alternatives for this project.

### 1. WWTP Alternatives

#### a. Alternative No. 1: No Action (Not Chosen)

Taking no action would result in the existing WWTP continuing to operate at or near capacity, unable to handle the additional 300,000 GPD currently treated by Huntsville. This would lead to non-compliance with NPDES permit limits, potential untreated sewage discharge into the Flint River, and increased operational costs. The Town of Owens Cross Roads does not consider this alternative to be a feasible solution.

#### b. Alternative No. 2: Modify Existing WWTP (Not Chosen)

Modifying the existing WWTP to increase capacity was considered. However, the current double package unit plant is not cost-effective to upgrade due to its age, limited space for additional equipment, and high maintenance costs for aging components like sand filters and UV equipment. Keeping the plant operational during upgrades would be challenging, and the modified facility would still face long-term maintenance issues. This alternative was not selected.

#### c. Alternative No. 3: Install Additional Package Units (Not Chosen)

Installing additional package units within the collection system was evaluated. This would require purchasing additional property, extending utility infrastructure, and increasing operational and maintenance complexity across multiple sites. The approach would not address the aging existing plant and would complicate future compliance with stricter treatment standards. Due to these inefficiencies and real estate challenges, this alternative was not chosen.

#### d. Alternative No. 4: Continue Off-Site Treatment (Not Chosen)

Continuing to pump wastewater to an alternate off-site treatment facility was considered. However, no other WWTPs with excess capacity are available within a reasonable distance, and increasing treatment rates make this option financially unsustainable. The town has always planned to provide its own wastewater treatment, and reliance on temporary partnerships is not viable long-term. This alternative was not selected.

## F. Environmental Justice

As defined by the Environmental Protection Agency (EPA), environmental justice is the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group should bear a disproportionate share of the negative environmental

consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

Presidential Executive Order 12898, “General Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” requires all federal agencies to incorporate environmental justice into their missions by identifying and addressing the disproportionately high and/or adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities.

It is anticipated that no environmental justice communities will be adversely affected by this proposed project. . The construction of the proposed WWTP will provide substantial public health benefits by ensuring reliable wastewater treatment for the entire population within the city limits, with no disproportionate adverse impacts on any group.

#### G. Environmental Consequences; Mitigative Measures

Proposed project activities represent no overall or lasting adverse environmental impact except as normally and minimally associated with construction activities. Some short-term effects including increased noise levels, dust, exhaust emissions, increased stream turbidity and/or the disruption of normal traffic flow may be of minimal impact and occur during actual construction. While all such effects cannot be totally avoided, adherence to Best Management Practices (BMPs) during the course of the project will significantly minimize such conditions. Traffic disruptions will be greatly lessened by conformance to an approved traffic maintenance plan.

#### Endangered Species and Critical Habitat (USFWS)

The U.S. Fish and Wildlife Service was consulted for this project and has concurred with the proposed project presented and that no federally listed species/critical habitats are known to occur in the project area.

#### Historical and Archaeological (AHC)

The Alabama Historical Commission was consulted for this project and has concurred with the proposed project as presented. Concurrence is contingent on all construction activities occurring within either the rights-of-way or previously distributed areas.

#### Wetlands and Floodplains (COE)

The U.S. Army Corps of Engineers was consulted for this project. No discharge of dredge or fill material into jurisdictional waters or wetlands is involved. If future activities impact jurisdictional waters, the Corps will be contacted.

#### Top of Alabama Regional Council of Governments

The Top of Alabama Regional Council of Governments was consulted for this project and has concurred with the proposed project as presented.

#### Tennessee Valley Authority

Tennessee Valley Authority was consulted for this project and has concurred with the proposed project as presented.

#### H. Public Participation: Sources Consulted

A public meeting was held on November 20, 2023, at 5:30 PM at City Hall (9032 US Highway 431, Owens Cross Roads, AL) to inform the public and concerned interest groups about the proposed project. No public objections to the project work were expressed.

Sources to be consulted about this project for information or concurrence include the following:

Alabama Departments of:

Agriculture and Industry

Conservation – Game & Fish

Economic and Community Affairs (ADECA)

Public Health

Regional Planning Commission

Alabama Historical Commission

U.S. Army Corps of Engineers

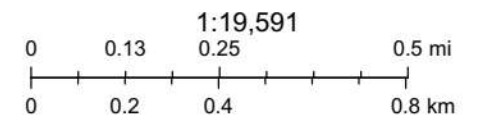
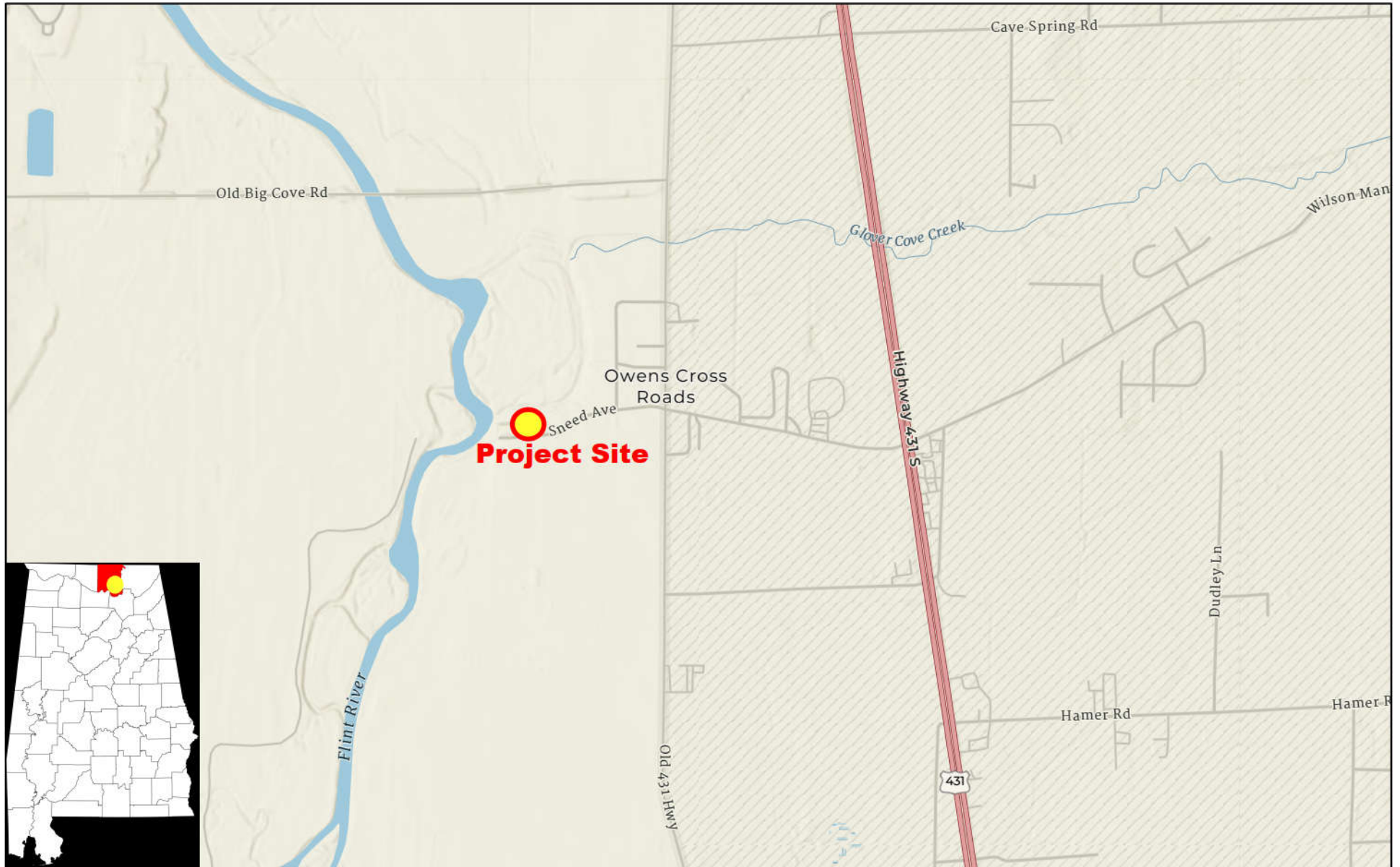
U.S. Department of Interior - Fish and Wildlife Service

U.S. Environmental Protection Agency

The University of Alabama Office of Archaeological Research

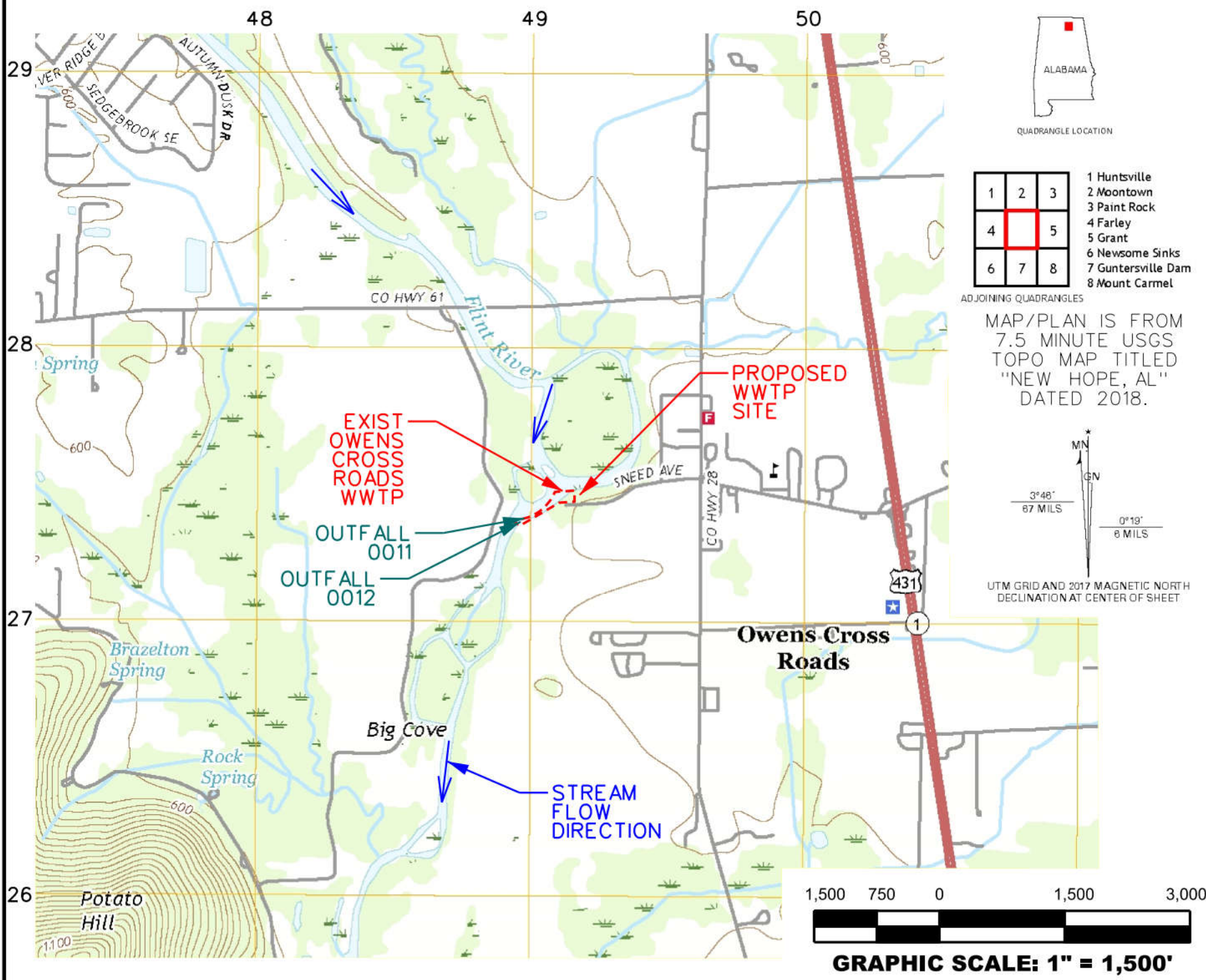
Native American Tribes (via Tribal Directory Assessment)

# Owens Cross Roads Map



Esri, NASA, NGA, USGS, FEMA, City of Huntsville, Madison County, AL, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,





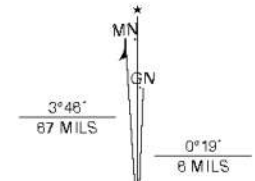
QUADRANGLE LOCATION

1	2	3
4	5	6
7	8	

- 1 Huntsville
- 2 Moontown
- 3 Paint Rock
- 4 Farley
- 5 Grant
- 6 Newsome Sinks
- 7 Guntersville Dam
- 8 Mount Carmel

ADJOINING QUADRANGLES

MAP/PLAN IS FROM  
7.5 MINUTE USGS  
TOPO MAP TITLED  
"NEW HOPE, AL"  
DATED 2018.



UTM GRID AND 2017 MAGNETIC NORTH  
DECLINATION AT CENTER OF SHEET

OWENS CROSS ROADS WWTP VICINITY MAP

NPDES PERMIT: AL0053228



Michelle Gilliam Jordan, FAICP | Executive Director

11/08/23

Hon. Tony Craig, Mayor  
City of Owens Cross Roads  
P.O. Box 158  
Owens Cross Roads, AL 35763

### CLEARINGHOUSE MEMO

**RE: Madison County: City of Owens Cross Roads: Owens Crossroads WWTP:** Environmental Information Document (EID): ADEM/ARPA WWTP Project: CS010972-01: The Project is for construction of a new WWTP unit, on City-owned property, to upgrade its old system's overall capacity to a level where, when in 2024 the City of Huntsville stops processing almost 50% of its current needs, it will be able to cover estimated local needs for the next 25 years.

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, has reviewed the above-referenced Action.

Per the submitted draft review copy of the above referenced EID, the City's proposed construction site for the new WWTP is documented as meeting as applicable environmental requirements for a no-impact, or only minor accommodations, such as Best Practices during construction requirements.

The new treatment plant will upgrade the system in terms of meeting post Huntsville treatment system use needs, raising overall system efficiency, and insuring continuing to meet public health and safety standards. In addition to following all associated ADEM and Federal Guidelines, Construction Best Management Practices (CBMPs) will be required to be provided and maintained by the contractor and will be included in all Construction Contract Documents.

The Project is based on a professionally prepared and inclusive EID analysis, and this review assumes the facts presented in it. The new WWTP unit is essential to meet current and future needs; and the selected project is the most cost-effective system upgrade to meet both the system's immediate and long term treatment capacity needs - with a 25 year estimated service growth capacity. It also enhances public health standards, and increases system reliability, both desirable goals.

This project is consistent with the City's long-held goal of providing reliable, well-maintained and efficient wastewater services for its citizens, and maintaining compliance with applicable environmental regulations. We therefore find this project to be in conformance with, and support of, critical utility service needs and recognized goals for utility planning within the TARCOG region, and we concur with, and endorse The City's Waste Water Authority's wastewater system WWTP upgrade/expansion Project. If we can be of further assistance, please contact us.

Sincerely,

*D. C. Schafer*

Area-wide Clearinghouse

Cc: Jake Roth, PE [jroth@rgscivil.com](mailto:jroth@rgscivil.com)



ADEM/ARPA Project Review Request: New WWTP Owens Cross Roads, AL

ME Me <jroth@rgscivil.com>  
Tue, 31 Oct 2023 8:13:46 AM -0500 •  
To "williamesinclair" <william.e.sinclair@usace.army.mil>

Good morning Mr. Ross,  
The City of Owens Cross Roads is pursuing ARPA/ADEM funding for the construction of a new wastewater treatment plant in the city along the northern right of way of Sneed Avenue. As a municipality dedicated to the environmental protection of cultural and historic resources, wetlands and waters of the state, we invite your office to review the attached Environmental Information Document (EID) and provide any comments or ask any questions concerning your interest in the property and any potential impacts to significant resources that you may be aware of.

ADEM requires a letter of comment or concurrence from USACE concerning this project in order to move forward with the funding approval. We are hereby requesting your office review the project documents and provide a letter of concurrence or formal comment notification concerning this project to the City of Owens Cross Roads or myself.

Please review the attached at your convenience and submit all comments and/or concurrence by Monday December 4.

Thanks,  
  
Jake Roth, PE  
Project Manager  
RGS Civil Design, LLC  
[jroth@rgscivil.com](mailto:jroth@rgscivil.com)  
(256) 503 9277



☑ 1 Attachment(s) • [Download as Zip](#)

 OCR WWTP Environmental ... .pdf  
3.3 MB • 



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

October 31, 2023

SUBJECT: File No. LRN-2023-00876; Owens Cross Roads Water Waste Treatment Plant, Flint River Mile 11.1 Left Bank, Madison County, Alabama.

Jake Roth, PE  
RGS Civil Design, LLC  
2622 Trellis Post Ct SE  
Owens Cross Roads, Alabama 35763

Dear Mr. Jake Roth, PE:

This is in response to your October 31, 2023, 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.

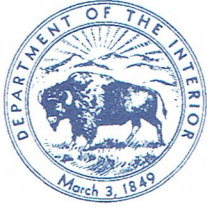
We understand the project proposal may not have specific design plans at this time, and this inquiry is an initial review to obtain grant funds. We have no objections to the applicant receiving grant funds for the proposal.

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".

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



# United States Department of the Interior

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

DEC 07 2023

IN REPLY REFER TO:

2023-0116796

Mr. Jake Roth, Project Manager  
RGS Civil Design, LLC  
2622 Trellis Post Ct SE  
Owens Cross Roads, AL 35763  
[jroth@rgscivil.com](mailto:jroth@rgscivil.com)

Dear Mr. Roth:

Thank you for your letter dated November 1, 2023, which informs us of proposed construction of a new wastewater treatment plant to replace the existing plant. The City of Owens Cross Roads is currently within its NPDES permit (#AL0053228) limit of 0.2 million gallons per day (MGD) and plans to add up to an additional 0.9 MGD discharge with construction of the new plant. We understand that no wetlands, no caves, and no milkweed plants are present within the project site; furthermore, best management practices (BMPs) will be implemented to prevent and minimize runoff and off-site sedimentation for nearby streams. We also understand that tree removal will occur during proposed construction of the new plant. 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 Migratory Bird Treaty Act of 1918, as amended (40 Stat. 755; 16 U.S.C. 703 et seq.).

## **Tricolored Bat**

Our records indicate that the tricolored bat (*Perimyotis subflavus*) may be present in your project area. The U.S. Fish and Wildlife Service is proposing to list the tricolored bat as endangered under the Endangered Species Act. If finalized, the rule will list the tricolored bat as an endangered species on the List of Endangered and Threatened Wildlife. This information is being provided to alert you that the species could be listed in your county in the future. If the proposed work is not carried out in the next year, it would be prudent to contact this office to determine if any changes have occurred to the status of this species.

## **Threatened and Endangered Species**

Our records indicate that the following threatened [T] and endangered [E] species may occur in or near your project area:




- Indiana bat (*Myotis sodalists*) [E]
- Northern long-eared bat (*Myotis septentrionalis*) [E]

Suitable Indiana bat and northern long-eared bat summer habitat includes forests and woodlots containing potential roost trees, including live trees and/or snags  $\geq$  five inches (12.7 centimeters) and  $\geq$  three inches (7.6 centimeters) dbh, 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 all tree removal for this project is carried out between October 15 to March 31, then no further endangered species consultation will be required for this project unless: 1) the identified action is subsequently modified in a manner that causes an effect on a listed species or on proposed or designated critical habitat; 2) new information reveals the identified action may affect federally protected species or designated critical habitat in a manner or to an extent not previously considered; or 3) a new species is listed or a 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. Morgan Brizendine of my staff at (251) 441-5839 or at [morgan\\_brizendine@fws.gov](mailto:morgan_brizendine@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

## Owens Cross Roads

AJ

Austin, J Kenley <jkaustin@tva.gov>

Wed, 06 Mar 2024 3:11:03 AM -0600 •

To "Jake Roth" <jroth@rgscivil.com>

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Construction of these obstructions may still require other local, state or federal permits.

### Other Activities

Other activities across, along or in the Tennessee River are not considered obstructions and therefore do not require a TVA Section 26a permit if they are conducted on privately-owned land. These activities may still require local, state or federal permits. See the list of activities below. **Please note, however, that permission must be obtained from TVA before conducting any activities on TVA land.**

- Removal of materials such as trees, tree stumps, brush or sand and gravel from a streambed is not construction of an obstruction unless the material removed is piled in or along the stream, river or reservoir in such a way as to create an obstruction.
- Excavation (dredging) of a new channel or enlargement of an existing channel is not construction of an obstruction unless it involves blocking, restricting, or draining the old channel.
- Excavation of a trench for a submarine sewer, telephone or other utility line, in which the trench is backfilled to the original contour and is located outside the area of a marked navigation channel, does not create an obstruction. (TVA approval is required for all utilities buried in or under marked navigation channels.)
- Construction on, over or along temporary, intermittent, seasonal or wet-weather streams or drainages does not constitute an obstruction.
- Discharges into the Tennessee River System are not obstructions unless they are made through or by an obstruction (outfall pipe, etc.) subject to TVA approval.
- Replacement of culverts of same or greater hydraulic capacity, creating no new or additional obstruction and within the same highway alignment are not new obstructions and are to be considered maintenance activity.
- Replacement of bridges of the same or greater hydraulic capacity, creating no new or additional obstruction and within the same highway alignment are not new obstructions and are to be considered maintenance activity.
- Directional boring under streams or rivers for the installation of utilities or pipelines where no new obstructions are considered obstructions.

*Please note that our offices cannot accommodate walk-in visitors. Meetings are by appointment only. To more quickly begin the review of your request for a Section 26a permit or to learn more about TVA, please [apply online](#) or visit [TVA.com](#). All hard copy applications should be mailed to: Tennessee Valley Authority, 400 West Summit Hill Drive, WT 11D-K, Knoxville, TN 37902.*

### Kenley Austin

Program Manager

Natural Resources



P. 1-800-882-5263 E. [jkaustin@tva.gov](mailto:jkaustin@tva.gov)  
400 West Summit Hill Drive, Knoxville, Tennessee 37902



**Re: FW: Owens Cross Roads WWTP ADEM/ARPA Project Request-Sneed Avenue Owens Cross Roads, AL**

**ME**

Me <jroth@rgscivil.com>

Tue, 07 Nov 2023 4:20:27 PM -0600 •

To "jkaustin" <jkaustin@tva.gov>

Cc "Public Land Information Center (PLIC)" <plic@tva.gov>

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Mr. Austin,

Thank you for working this with me. I have attached the requested plan set for your use.

Based on our discussion, please note that this project will be constructed within the FEMA Floodway. RGS is completing all floodway construction requirements as set forth by FEMA and the City of Owens Cross Roads, Alabama requirements. Owens Cross Roads participates in the floodplain management program and has a floodplain administrator regulating activities for development within the floodplain. The EID speaks to our efforts with regard to floodplain management and include provisions for a "no-rise" certificate for development. The project strategy is to construct the new WWTP and in the course of demolition and removal of the existing WWTP, we will re-grade that adjacent parcel excavating and grading to a level that will offset the fill proposed in the floodway/floodplain on the new WWTP construction effort. The project will have a net effect of cut/excavation within the floodplain.

Please let me know if any further questions come up in the review and official comment response for this project.

Thanks,

Jake Roth, PE  
Project Manager  
RGS Civil Design, LLC  
[jroth@rgscivil.com](mailto:jroth@rgscivil.com)  
(256) 503 9277



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---- On Mon, 30 Oct 2023 15:50:14 -0500 **Public Land Information Center (PLIC)** <[plic@tva.gov](mailto:plic@tva.gov)> wrote ---



Thank you for your inquiry. I will have a TVA representative contact you.

Thank you.

Please note that our offices cannot accommodate walk-in visitors. Meetings are by appointment only. To more quickly begin the review of your request for a Section 26a permit or to learn more about TVA, please apply online or visit [TVA.com](http://TVA.com). All hard copy applications should be mailed to: Tennessee Valley Authority, 400 West Summit Hill Drive, WT 11D-K, Knoxville, TN 37902.

TVA Public Land Information Center

1-800-882-5263

[plic@tva.gov](mailto:plic@tva.gov)

---

**From:** Williams, Stephen <[sewilliams@tva.gov](mailto:sewilliams@tva.gov)>

**Sent:** Monday, October 30, 2023 8:53 AM

**To:** Jake Roth <[jroth@rgscivil.com](mailto:jroth@rgscivil.com)>

**Cc:** Public Land Information Center (PLIC) <[plic@tva.gov](mailto:plic@tva.gov)>

**Subject:** FW: Owens Cross Roads WWTP ADEM/ARPA Project Request

Morning Jake,

TVA doesn't have any transmission lines at this location; however, TVA could have regulatory jurisdiction on the Flint River under Section 26a of the TVA Act. I have cc'd our reservoir land and permitting folks who can point you in the right direction if that's the case.

Thanks

**Stephen Williams**

Program Manager

Transmission – Right of Way



M. 662-255-6272 E. [sewilliams@tva.gov](mailto:sewilliams@tva.gov)

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**From:** Jake Roth <[jroth@rgscivil.com](mailto:jroth@rgscivil.com)>

**Sent:** Monday, October 30, 2023 8:35 AM

**To:** Williams, Stephen <[sewilliams@tva.gov](mailto:sewilliams@tva.gov)>; Transmission Right of Way <[rightofway@tva.gov](mailto:rightofway@tva.gov)>

**Subject:** Owens Cross Roads WWTP ADEM/ARPA Project Request

This is an **EXTERNAL EMAIL** from outside TVA. **THINK BEFORE** you **CLICK** links or **OPEN** attachments. If suspicious, please click the **"Report Phishing"** button located on the Outlook Toolbar at the top of your screen.

Stephen,  
I am working on an ARPA grant-funded project through ADEM to construct a new wastewater treatment plant in Owens Cross Roads. As a part of the Environmental Information Document (EID) prescribed approval process, ADEM is requiring a letter of concurrence, no action, or no jurisdictional claim from multiple entities with TVA being one.

I'm attaching the draft EID document for your information/use. There are some maps of the project site in the Appendix. The site is on Sneed Avenue, directly adjacent to the existing plant near the Flint River. I am unaware of any TVA rights to the land parcel or the overall project. I have not filled out any of the review forms since it's not technically a request to utility TVA property.

Is this something that you could review and provide comment back concerning TVA's stance on the land and/or project? Let me know if I need to fill out any documentation.

Thanks,

Jake Roth, PE  
Project Manager  
RGS Civil Design, LLC  
[jroth@rgscivil.com](mailto:jroth@rgscivil.com)  
(256) 503 9277



☑ 1 Attachment(s) • [Download as Zip](#)



OCR WWTP - 6\_23\_23 - DRAFT.pdf

3 MB •



# ALABAMA HISTORICAL COMMISSION

468 South Perry Street  
Montgomery, Alabama 36130-0900

Lisa D. Jones  
Executive Director  
State Historic Preservation Officer

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

November 14, 2023

Jake Roth  
2622 Trellis Post Court  
Owens Cross Roads, AL 35763

Re: AHC 24-0096  
Owens Cross Roads WWTP  
Madison County

Dear Mr. Roth:

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 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](mailto: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



# ALABAMA HISTORICAL COMMISSION

468 South Perry Street  
Montgomery, Alabama 36130-0900

Lisa D. Jones  
Executive Director  
State Historic Preservation Officer

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

March 12, 2024

Jake Roth  
2622 Trellis Post Court  
Owens Cross Roads, AL 35763

Re: AHC 24-0096  
CRA  
Owens Cross Roads WWTP  
Madison County

Dear Mr. Roth:

Upon review of the cultural resource assessment conducted for the above referenced project, we concur with the author's finding 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 determination of No Effect to Historic Properties.

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](mailto: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

Project Review Request: New WWTP Owens Cross Roads, AL

**ME** Me <jroth@rgscivil.com>  
Mon, 30 Oct 2023 8:39:00 AM -0500 •

To "Jake Roth" <jroth@rgscivil.com>

Bcc "celestinebryant" <celestine.bryant@actribe.org>, "tcrsylestine" <tcrsylestine@actribe.org>, "benyahola" <ben.yahola@alabama-quassarte.org>, "wilsonyargee" <wilson.yargee@alabama-quassarte.org>, "elizabeth-toombs" <elizabeth-toombs@cherokee.org>, "tammygray" <tammy.gray@chickasaw.net>, "Hpo" <hpo@chickasaw.net>, "mbell" <mbell@coushatta.org>, "kponcho" <kponcho@coushatta.org>, "ashlstep" <ashlstep@nc-cherokee.com>, "syerka" <syerka@nc-cherokee.com>, "dhill" <dhill@mcn-nsn.gov>, "section106" <section106@uscogeation.com>

Good morning,  
The City of Owens Cross Roads is pursuing ARPA/ADEM funding for the construction of a new wastewater treatment plant in the city along the northern right of way of Sneed Avenue. As a municipality dedicated to the environmental protection of cultural and historic resources, we invite your office to review the attached Environmental Information Document (EID) and provide any comments or ask any questions concerning your interest in the property and any potential impacts to significant resources that you may be aware of.


The project location is Madison County, Alabama. We are requesting all comments be submitted for review and response by the close of business on December 4th, 2023.

Please review the attached at your convenience and let me know if you have any questions, comments or concerns to be addressed for the project.

Jake Roth, PE  
Project Manager  
RGS Civil Design, LLC  
[jroth@rgscivil.com](mailto:jroth@rgscivil.com)  
(256) 503 9277



☑ 1 Attachment(s) • [Download as Zip](#)

 OCR WWTP Environmental ... .pdf  
3.3 MB • 



**Re: Project Review Request: New WWTP Owens Cross Roads,  
AL**

**SE**

Section106 <Section106@muscogeenation.com>

Thu, 30 Nov 2023 9:25:58 AM -0600 •

To "Jake Roth" <jroth@rgscivil.com>

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Good morning Mr. Roth,

Thank you for sending the correspondence regarding the proposed construction of a new wastewater treatment plant located in Owens Cross Roads, Madison County, Alabama. Madison County is located within the Muscogee (Creek) Nation's historic area of interest and is of importance to us. After review, the Muscogee Nation is aware of an archaeological site (Ma336) located near the project area as well as one of our land removal routes located near the project area. The Muscogee Nation wants to know if there was an archaeological survey conducted within the project area? If so, the Muscogee Nation requests a copy of the archaeological report. If not, the Muscogee Nation would request for one to be conducted to ensure there are no intact subsurface features that may be impacted by ground disturbing activities. The Muscogee Nation will send in our comments/response upon receipt of the archaeological survey. Please feel free to contact me if there are any questions or concerns.

Thank you,

**Robin Soweka, Jr.**

Cultural Resource Specialist, Historic and Cultural Preservation Department

The Muscogee Nation

P.O. Box 580 | Okmulgee, OK 74447

T 918.732.7726 | F 918.758.0649

[rosoweka@MuscogeeNation.com](mailto:rosoweka@MuscogeeNation.com)

MuscogeeNation.com



without reading, printing or saving in any manner. Please consider the environment before printing this e-mail.

November 3, 2023

Mr. Jake Roth  
Project Manager  
RGS Civil Design, LLC  
2622 Trellis Post Ct SE  
Owens Cross Roads, AL 35763

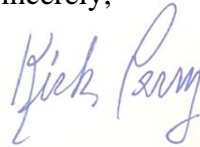
Dear Mr. Roth:

Thank you for the email notification regarding the City of Owens Cross Roads potentially receiving funds from the American Rescue Plan Act/Alabama Department of Environmental Management for the construction of a new wastewater treatment plant in Madison County, Alabama (ADEM/ARPA Project CS010972-01). The proposed project is within our area of interest and subject to our review under Section 106 of the National Historic Preservation Act.

While we appreciate being informed of proposed projects early in the planning process, we cannot agree to consultation with an organization or company that might be unfamiliar with the unique federal/tribal relationships and might not have the legal authority or ability to comply with the other relevant laws.

Given our sovereign status and the nature of the confidential information shared in government-to-government consultation, which may need protections provided by federal law, we request all project correspondence come directly from the federal agency. If you have any questions, please contact Ms. Karen Brunso, tribal historic preservation officer, at (580) 272-1106 or by email at [hpo@chickasaw.net](mailto:hpo@chickasaw.net).

Sincerely,

A handwritten signature in blue ink, appearing to read "Kirk Perry", is placed over a light yellow rectangular background.

Kirk Perry, Executive Officer  
Division of Historic Preservation

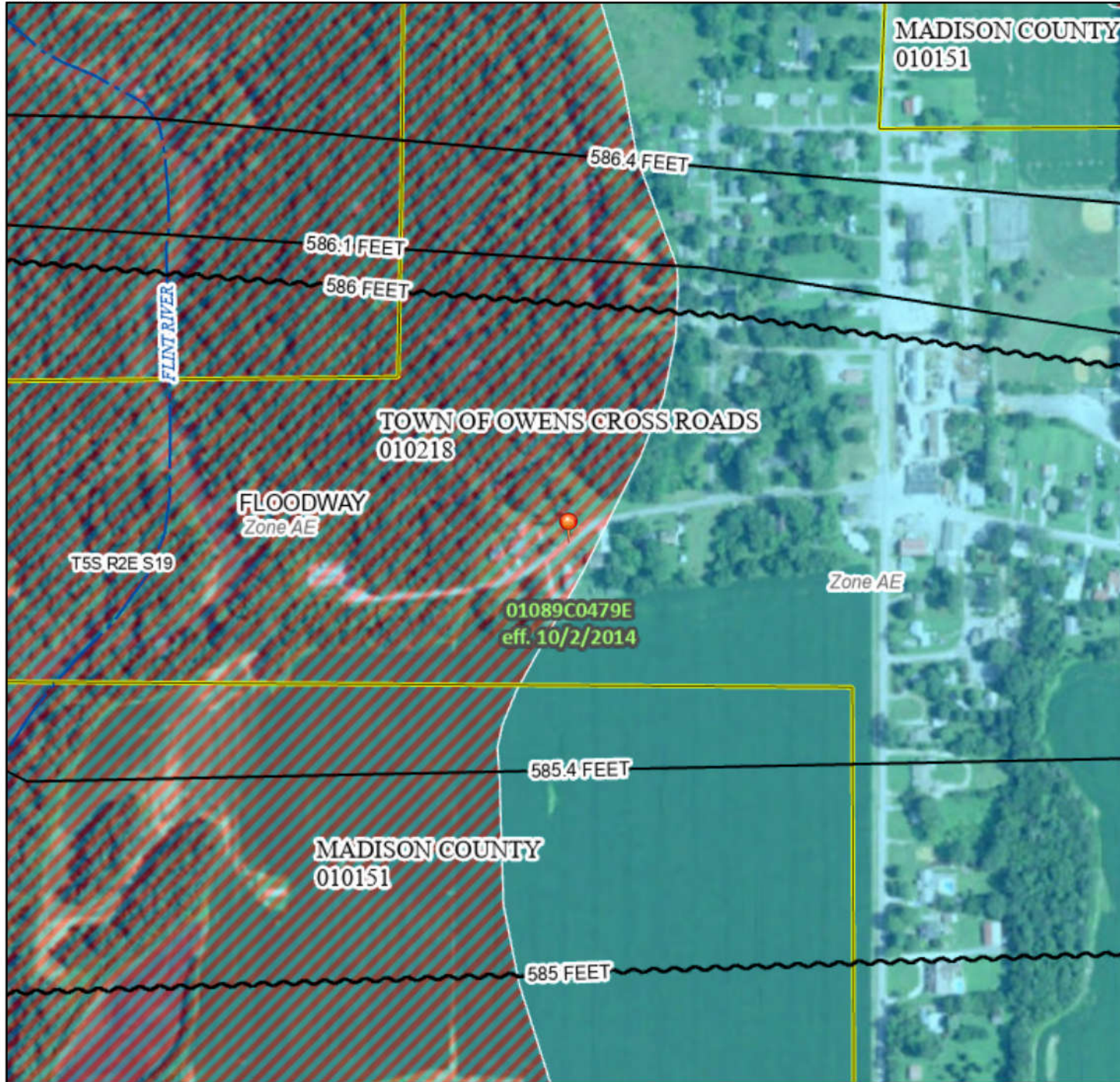
cc: [jroth@rgscivil.com](mailto:jroth@rgscivil.com)



# National Flood Hazard Layer FIRMette



86°28'1"W 34°35'31"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **11/24/2022 at 10:17 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.