

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

West Morgan – East Lawrence Water & Sewer Authority  
Lawrence and Morgan Counties

SRF Project No. CS010815-03

September 23, 2025

The Alabama Department of Environmental Management has made **\$5,801,000** in financial assistance available to the **West Morgan-East Lawrence Water & Sewer Authority** using funds from the CWSRF Bipartisan Infrastructure Legislation (BIL) Emerging Contaminants (EC) 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 **West Morgan-East Lawrence Water & Sewer Authority** proposes improvements to its waste treatment of reject waters from the Reverse Osmosis Water Treatment Plant which are permitted under NPDES Permit AL0077020. The project consists of concentrating the PFOA/PFOS waste streams and collecting and treating the PFOA/PFOS waste to reduce the contaminants being returned to the Tennessee River. In essence the WMEL system will be reducing the Emerging Contaminants in the Tennessee River. The project also includes miscellaneous SCADA and pipe upgrades, as well as new pumps, a new generator, and a new wet well at a lift station along State Highway 5.

The Alabama Department of Environmental Management has determined that the project qualifies for a Categorical Exclusion (CE) from further environmental study under the guidelines specified by the State Environmental Review Process (SERP) which specifically include actions which are solely directed toward minor rehabilitation of existing facilities, functional replacement of equipment, or towards the construction of new ancillary facilities adjacent or appurtenant to existing facilities. However, this decision may be reconsidered if significant adverse information concerning the potential environmental impacts of the project is discovered.

Comments relative to this project should be submitted in writing to Mr. William Lott, SRF Section, Permits & 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 CE. 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.

Edward Poolos  
Director

EFP/BCE/WAL/kbh  
Attachment

West Morgan – East Lawrence Water & Sewer Authority  
SRF# CS010815-03

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.



March 17, 2023

InSite Engineering, LCC  
ATTN: Tim Rylee  
5800 Feldspar Way  
Hoover, AL 35244

**RE: Letter of Concurrence  
West Morgan - East Lawrence Water and Sewer Authority (WMEL)  
FY 2023 CWSRF Wastewater Collection System Upgrade**

Dear Mr. Rylee:

The North Central Alabama Regional Council of Governments (NARCOG) has reviewed the information and maps supplied for the proposed project referenced above located in Lawrence County, Alabama, and we offer our concurrence for this project. NARCOG understands that the proposed project will address needed upgrades to the waste stream at the J.D. Sims – R.M. Hames Water Treatment Facility in accordance with ADEM regulations and standards.

In conclusion, NARCOG finds the proposed project to be consistent and compatible with local, state, and regional plans. Also, the proposed project is in the WMEL property, rights-of way, and/or easements. Should you need any further assistance, please do not hesitate to call me at (256) 355-4515.

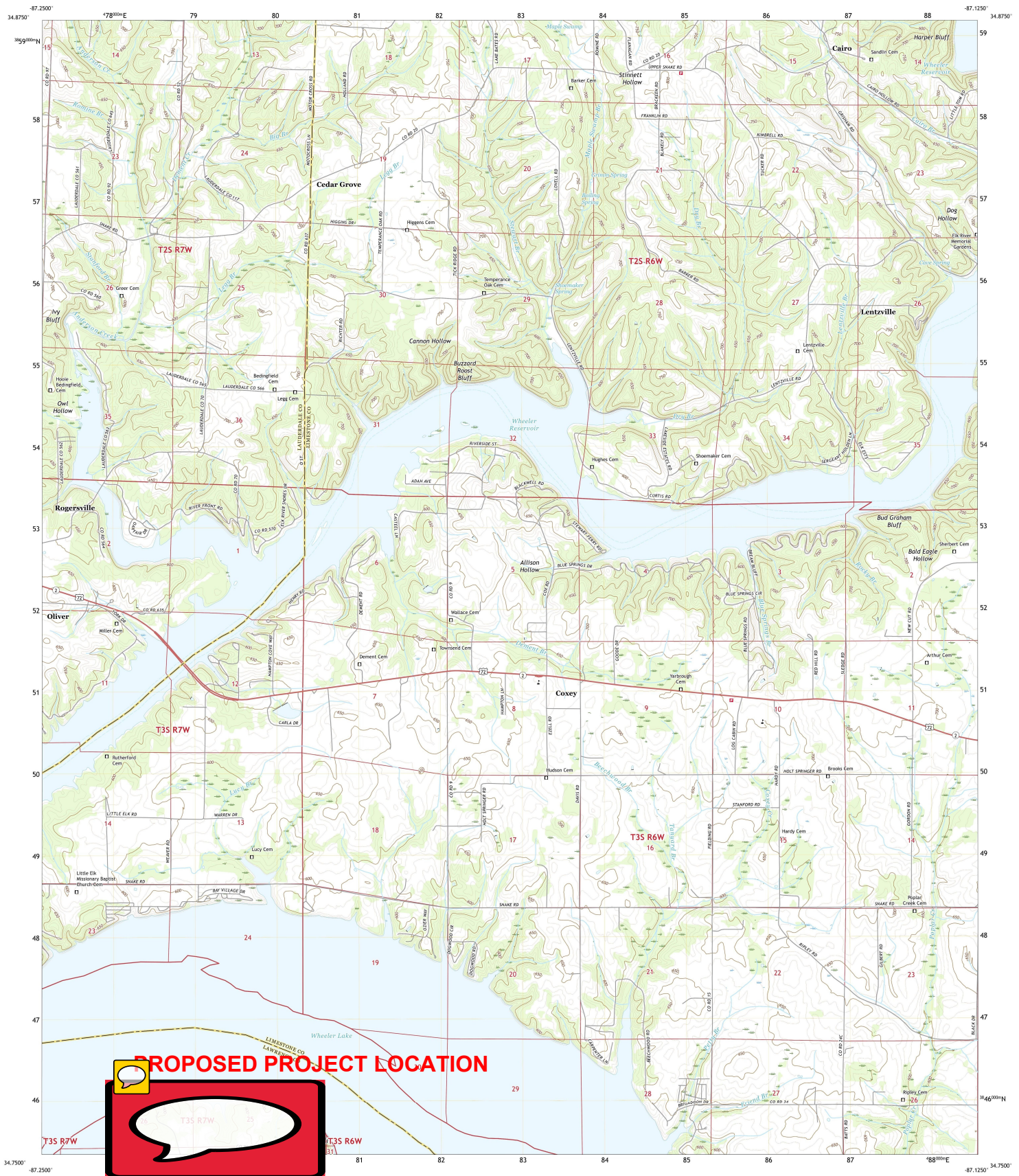
Sincerely,



Joseph F. Hester, AICP  
Director of Planning and Development

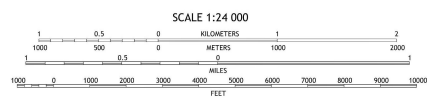
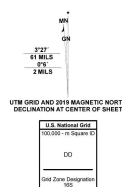
cc: Robby Cantrell, Executive Director  
File





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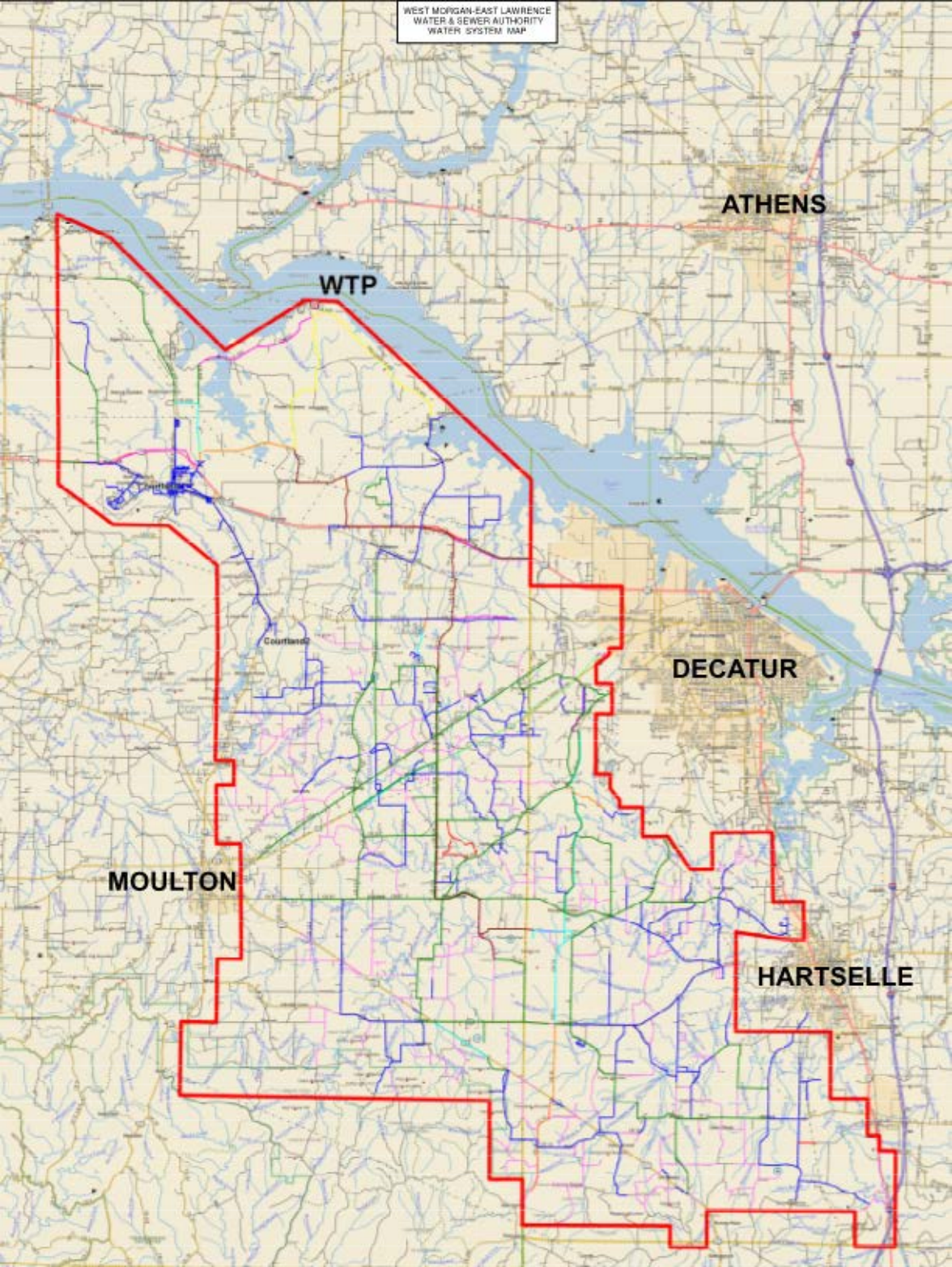
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NORTH AMERICAN DATUM OF 1983  
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- 1 Lexington
- 2 Union Hill
- 3 Salem
- 4 Rogersville
- 5 Ripley
- 6 Courtland
- 7 Hillsboro
- 8 Jones Crossroads







## West Morgan - East Lawrence WTP



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www.delorme.com



Scale 1 : 12,000





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

February 21, 2023

SUBJECT: File No. LRN-2019-00353; J.D. Sims – R.M. Hames Reverse Osmosis Water Treatment Facility, Wheeler Lake, Tennessee River Mile 286.5 Left Bank, Lawrence County, Alabama.

Timothy R. Rylee  
InSite Engineering, LLC  
5800 Feldspar Way  
Hoover, Alabama 35244

Dear Mr. Rylee

This is in response to your November 9, 2022, 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 would not involve work in wetlands/waters of the U.S.; therefore, a Department of the Army permit would not 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 printed name.

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





# 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

October 27, 2022

Scotti Wells  
Insite Engineering  
5800 Feldspar Way  
Hoover, AL 35244

Re: AHC 23-0102  
Water Treatment Facility Waste Stream Upgrades-West Morgan-East Lawrence Water and Sewer Authority  
Lawrence County

Dear Mr. Wells:

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.

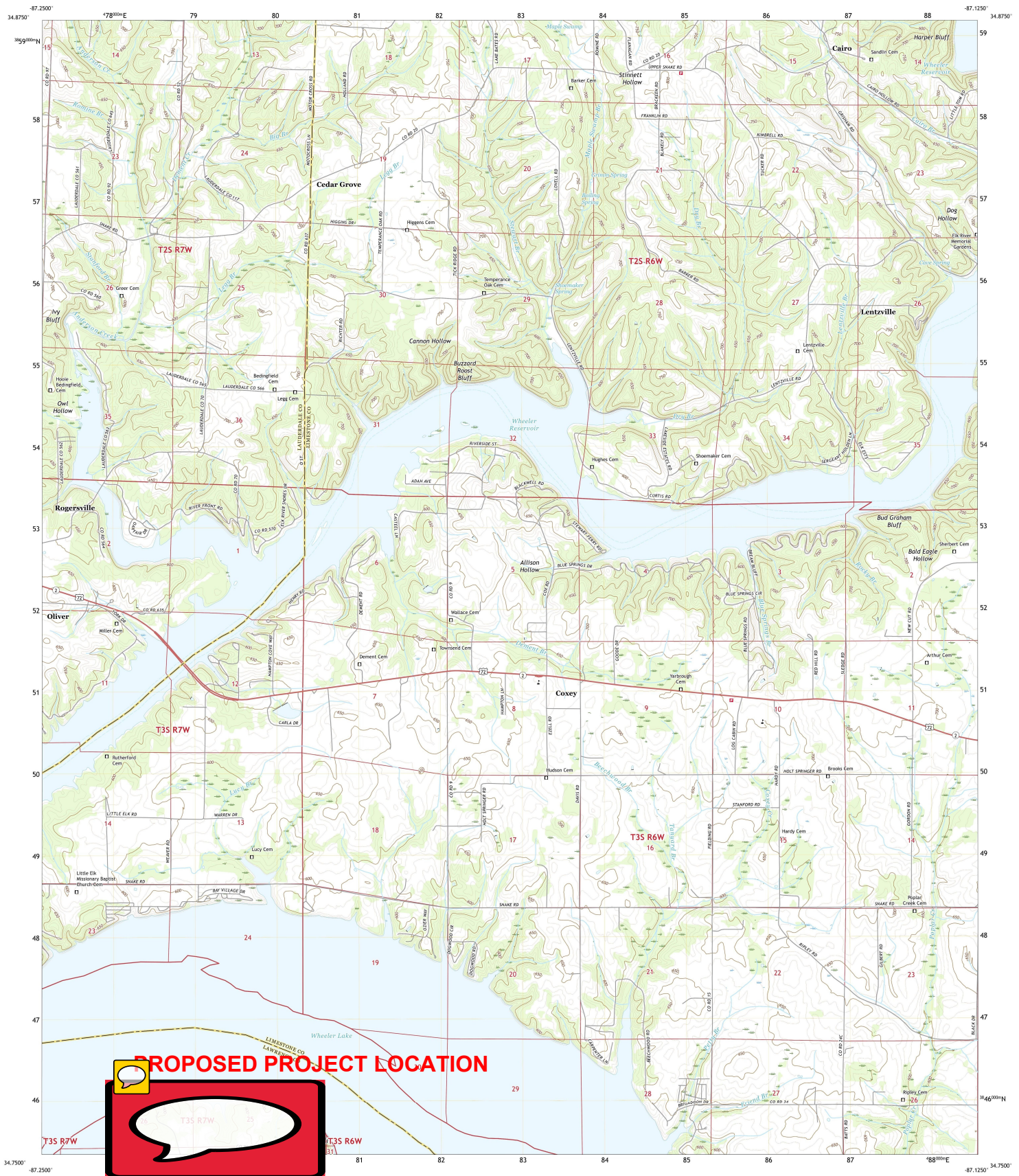
We appreciate your commitment to helping us preserve Alabama's historic archaeological and architectural resources. Should you have any questions, please contact Amanda McBride at 334.230.2692 or [Amanda.McBride@ahc.alabama.gov](mailto:Amanda.McBride@ahc.alabama.gov). Have the AHC tracking number referenced above available and include it with any future correspondence.

Sincerely,

Lee Anne Wofford  
Deputy State Historic Preservation Officer

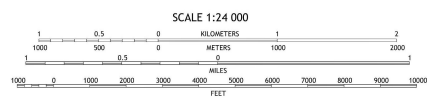
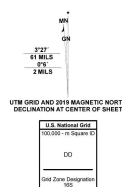
LAW/AMH/nj





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ROAD CLASSIFICATION	
Expressway	Local Connector
Secondary Hwy	Local Road
Ramp	4WD
Interstate Route	US Route
	State Route

CAIRO, AL  
2020



# National Flood Hazard Layer FIRMMette



87°14'2"W 34°45'32"N



## 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
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		8 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		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 10/12/2022 at 3:19 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.

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

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

87°13'24"W 34°45'2"N

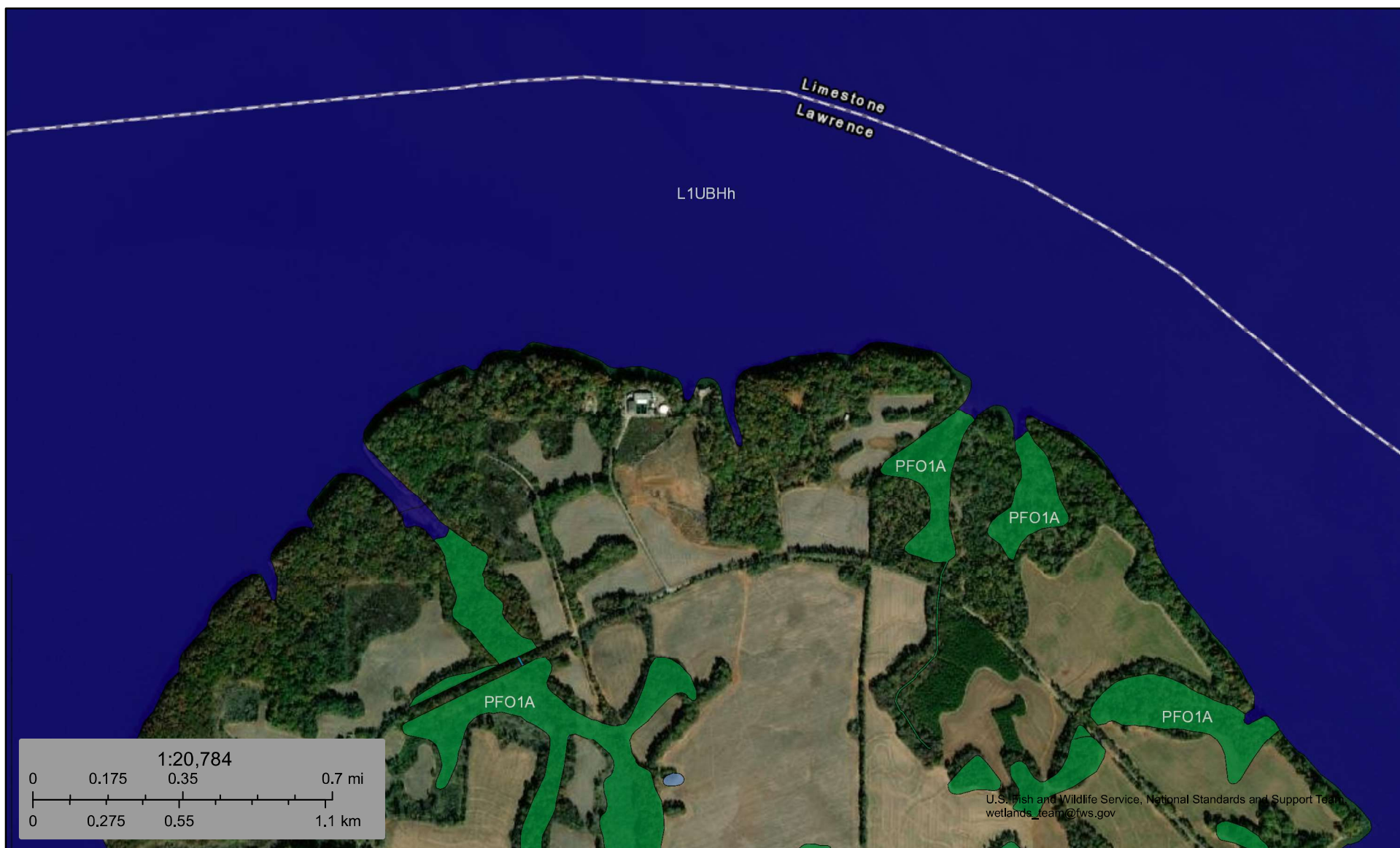




U.S. Fish and Wildlife Service

# National Wetlands Inventory

## Water Treatment Plant



November 3, 2022

### Wetlands

	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
	Freshwater Pond		Riverine		

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

1208-B Main Street  
Daphne, Alabama 36526

NOV 22 2022

IN REPLY REFER TO:

2023-0014117

Mr. Timothy Rylee  
Insite Engineering  
5800 Feldspar Way  
Hoover, AL 35244

Dear Mr. Rylee:

Thank you for your letter dated November 4, 2022, informing us of the proposed project to perform upgrades to the waste stream at the J.D. Sims – R.M. Hames Reverse Osmosis Water Treatment Facility. The facility is located in Lawrence County, Alabama. 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 threatened [T] and endangered [E] species may occur in or near your project area:

- Gray bat (*Myotis grisescens*) [E]
- Indiana bat (*Myotis sodalist*) [E]
- Northern long-eared bat (*Myotis septentrionalis*) [T]
- Pink mucket (*Lampsilis abrupta*) [E]
- Rough pigtoe (*Pleurobema plenum*) [E]
- Snuffbox mussel (*Epioblasma triquetra*) [E]
- Monarch butterfly (*Danaus plexippus*) [C]

Based on the information provided in your letter, suitable summer habitat for the Indiana bat and northern long-eared bat may be present near this site. Suitable Indiana and northern long-eared bat habitat includes forests and woodlots containing potential roost trees, including live trees and/or snags  $\geq 5$  inches (12.7 centimeters) and  $\geq 3$  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 unclear if any tree clearing is required for this project. Any clearing of trees meeting the dbh criteria for bat habitat 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 *2019 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>

### **Wetland Areas**

While no critical habitat is located in your proposed project boundary, we are concerned about projects of this nature due to the proximity of wetland 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>



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 Mr. Scott Lamont of my staff at (251) 441-5857 or at [scott\\_lamont@fws.gov](mailto:scott_lamont@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