

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**

Wolf Creek WS&FPA  
St. Clair County

SRF Project No. FS010367-01

April 24, 2024

The Alabama Department of Environmental Management has made \$800,000 in financial assistance available to the Wolf Creek WS&FPA using funds from the American Rescue Plan Act (ARPA) and Bipartisan Infrastructure Law (BIL). 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 Wolf Creek WS&FPA proposes a project to install a 100M gallon standpipe water storage tank with associated piping, valves, and telemetry. Improvements also include two 6-inch PVC extensions to an existing parallel water main along Wolf Creek Rd. The first extension takes place at the Wolf Creek Road/War Eagle Road intersection while the second is located at the Wolf Creek Road/Roberts Mill Pond Road intersection.

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. Thomas Cade Runyan, 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.

Lance R. LeFleur  
Director

TCR  
Attachment



Wolf Creek WS&FPA  
SRF# FS010367-01

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

1. The following drinking water projects are eligible for categorical exclusions:
  - a. Actions intended solely for minor rehabilitation, functional replacement, or ancillary facilities adjacent or appurtenant to existing facilities.
  - b. Minor construction, including:
    - (1) New wells or replacement wells for water supply purposes if ancillary to the existing system;
    - (2) Facilities for the disinfection of public water supplies;
    - (3) Facilities such as looping that will result solely in the provision of adequate public water system pressure;
    - (4) *Construction of water tanks;*
    - (5) *Construction of new water lines in previously disturbed areas within one mile of the existing distribution system.*
    - (6) Improvements not intended to increase capacity of the system;
  - c. Projects where funding is being provided for planning and/or engineering costs only (in which case the requirements of IV.C.1.a-d do not apply).
2. In order to determine if a drinking water project is eligible for a CE, all of the following must not apply:
  - a. The action is known or expected to directly or indirectly adversely impact any of the following:
    - (1) Cultural or historical resources;
    - (2) Endangered or Threatened Species and/or their critical habitats;
    - (3) Environmentally important natural resource areas such as floodplains, wetlands, prime agricultural land, or aquifer recharge zones.
  - b. The action is not cost effective.
  - c. The action will cause significant public controversy.
  - d. The action will create a new or expanded surface drinking water source.

This project complies with the above requirements and has been determined to be eligible for a Categorical Exclusion.



# 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

July 20, 2022

Isaac Howard  
4980 Wolf Creek Road  
Pell City, AL 35128

Re: AHC 22-0852  
Wolf Creek WS&FA - Water Storage and Water Main Extensions  
St. Clair County

Dear Mr. Howard:

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,

Eric D. Sipes  
Assistant State Archaeologist

EDS/AMH/nj



# United States Department of the Interior

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

AUG 24 2022

IN REPLY REFER TO:

2022-0061371

Mr. Jeffrey A. Harrison, P.E.  
197 East University Drive, Suite #1  
Post Office Box 2155  
Auburn, Alabama 36830

Dear Mr. Harrison:

Thank you for your recent CDG letter dated July 6, 2022 (received July 14, 2022), regarding Wolf Creek Water Sewer and Fire Authority (WSFA) – Water Storage Tank and Water Main Extension Project request for review, located in St. Clair County, Alabama. We understand that this project consists of construction of a 100,000 (100 M) gallon standpipe water storage tank at two potential locations and approximately 4,100 linear feet of water main extension installation along road right-of-ways (ROWs) in two locations (Roberts Mill Pond Road and War Eagle Road). We understand that this project may require tree removal for construction of a standpipe water storage tank. We understand that a portion of this project lies adjacent to Kelly Creek. We have reviewed your information and are providing comments in accordance with provisions of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

## Federally Listed Species

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

- Gray bat *Myotis grisescens* – Endangered
- Indiana bat *Myotis sodalis* – Endangered
- Northern long-eared bat *Myotis septentrionalis* – Threatened
- Coosa moccasinshell *Medionidus parvulus* – Endangered
- Finelined pocketbook *Hamiota altilis* – Threatened
- Ovate clubshell *Pleurobema perovatum* – Endangered
- Southern acornshell *Epioblasma othcaloogensis* – Endangered
- Southern clubshell *Pleurobema decisum* – Endangered
- Southern pigtoe *Pleurobema georgianum* – Endangered
- Triangular kidneyshell *Ptychobranchnus greenii* – Endangered
- Upland combshell *Epioblasma metastriata* – Endangered
- Tennessee yellow-eyed grass *Xyris tennesseensis* – Endangered

Mr. Jeffrey A. Harrison

Based on a review of our records, the information contained in your letter, and our August 17, 2022 phone conversation, we agree this project is likely to currently contain suitable summer roosting habitat for Indiana and northern long-eared bats. We agree there is a lack of suitable habitat available in the project area for the remaining listed species above.

If tree clearing will occur to complete the project, please follow the guidance provided below. Suitable summer habitat for the Indiana bat and northern long-eared bat consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forest and woodlots containing potential roosts (i.e., live trees and/or snags  $\geq 5$  inches dbh (12.7 cm) for the Indiana bat and  $\geq 3$  inches (7.62 cm) dbh for the northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. 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. To avoid impacts to spring/summer roosting and maternity colonies of the Indiana bat and northern long-eared bat in the State of Alabama, we recommend that tree clearing occur from October 15 to March 31.

If tree removal for this project occurs between October 15 and March 31, we will agree that the remaining portions of the proposed project unlikely to impact the Indiana bat or northern long-eared bat. If this timing is not achievable and no other measures to avoid adverse effects are possible, then we recommend that the projects proponents 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 2022 Range-wide Indiana Bat Summer Survey Guidelines (March 2022):

[Range-wide Indiana Bat & Northern Long-eared Bat Summer Survey Guidelines \(fws.gov\)](https://www.fws.gov/indiana-bat-survey-guidelines).

Thank you for including the above conservation measures regarding tree removal into your site plan. Based on the use of the above conservation measures, we agree that these measures will facilitate the conservation of federally protected species.

Additionally, our records indicate that the approximately 2,100' linear foot War Eagle Road water main extension portion of this project lies adjacent to Kelly Creek and crosses a small, unnamed tributary to Kelly Creek near the intersection of War Eagle Road and Wolf Creek Road. Kelly Creek is designated critical habitat for multiple aquatic mussel species (69FR40084) and has known locations for the tualatoma snail (*Tualatoma magnifica*), southern acornshell, and southern clubshell less than five miles downstream of your project area. It is essential that adequate BMPs be implemented at this location to protect aquatic resources and to prevent downstream sedimentation and turbidity.

Therefore, we recommend that all practicable measures be taken to avoid adverse impacts to aquatic species, including stringent sediment and erosion control measures and minimized use of

Mr. Jeffrey A. Harrison

herbicides. To minimize potential impacts to listed species, we recommend using the following BMPs to minimize the potential for sedimentation and erosion in the project area:

- Develop an erosion control plan tailored to the construction site and the dredge spoil dumping site (if any). Erosion and sedimentation controls should be installed and maintained between the construction site and any nearby, down-gradient surface waters. All erosion controls should be inspected routinely, especially during and immediately following significant rain events, to ensure no impacts to nearby surface waters and aquatic habitat. Immediate corrective action should be taken if erosion or sedimentation is observed.
- Maintain natural, vegetated buffers on all streams and creeks adjacent to the project site. Immediately revegetate any disturbed areas with a native species or an annual grass. Consider establishing vegetative cover on the site that is beneficial to wildlife such as native warm season grasses. Based on the seed mix chosen for the vegetative cover, maintenance such as mowing may be needed. We suggest a maintenance schedule that occurs outside of nesting wildlife season and avoids maintenance between April 1 and October 1.
- Pesticides, fertilizers, and other chemicals should not be used in wetland areas or near streams. If pesticides or chemicals will be used for site maintenance, then stormwater runoff from the site should be directed to bio-retention areas prior to discharge to streams or wetlands to provide additional protection for water quality and aquatic and terrestrial wildlife habitats.
- To the extent feasible, completed any work that results in exposed earth during periods when significant rainfall is not predicted.

For specific techniques, see “The Alabama Handbook for Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas” (December 2018), available from the Alabama Soil and Water Conservation Committee or on-line at:

<https://alabamasoilandwater.gov/wp-content/uploads/2021/03/2018-Handbook-Vol-2.pdf>

For further discussion, please contact Mr. Jason Ross of my staff at (251) 298-4122 or by email [jason\\_m\\_ross@fws.gov](mailto:jason_m_ross@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



July 13, 2022

Mr. Jeffery Harrison  
CDG Engineers & Associates  
197 East University Drive  
Auburn, Alabama 36830

Dear Mr. Harrison:

Re: Water Storage and Water Main Improvement Project  
Wolf Creek Water, Sewer, & Fire Authority – St. Clair County

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

Sincerely,

A handwritten signature in blue ink that reads 'Charles E. Ball'. The signature is written in a cursive style.

Charles E. Ball, AICP  
Executive Director

**KAY IVEY**  
GOVERNOR



**STATE OF ALABAMA**

July 7, 2022

**KENNETH W. BOSWELL**  
DIRECTOR

Mr. Jeffery Harrison, P.E.  
Team Leader  
CDG Engineers  
197 East University Drive  
Suite #1  
Auburn, Alabama 36830

RE: Review of Wolf Creek Water & Sewer Authority DWSRF Project for New Water Tank and  
Water Main Extensions  
(Your letter, July 6, 2022)

Dear Mr. Harrison:

We have reviewed the proposed water tank installation and water main extension project that has been submitted for funding under the Drinking Water State Revolving Loan Fund (DWSRF) program and have no objections to the proposed project.

If you have any questions or wish to discuss this matter further, please don't hesitate to contact our office at (334) 242-5499 or via e-mail at [water@adeca.alabama.gov](mailto:water@adeca.alabama.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Littlepage', is written over the typed name.

Thomas M. Littlepage, Chief  
Water Management Branch  
Alabama Office of Water Resources



**From:** Turney, Leslie E CIV USARMY CESAM (USA) <[Leslie.E.Turney@usace.army.mil](mailto:Leslie.E.Turney@usace.army.mil)>  
**Sent:** Thursday, August 11, 2022 6:15 PM  
**To:** Tyler Nemish <[tyler.nemish@cdge.com](mailto:tyler.nemish@cdge.com)>; Jeffrey Harrison <[Jeff.Harrison@cdge.com](mailto:Jeff.Harrison@cdge.com)>; Rhoades, Samantha N CIV USARMY CESAM (USA) <[Samantha.N.Rhoades@usace.army.mil](mailto:Samantha.N.Rhoades@usace.army.mil)>  
**Subject:** SAM-2022-00677-SNR // revised acknowledgement email // Wolf Creek Water Sewer & Fire Protection Authority, water system improvements

Mr. Nemish and Mr. Harrison,

The U.S. Army Corps of Engineers (USACE), Birmingham Field Office is in receipt of your recent request to amend/expand a review request submitted in July 2022. The amended request will continue to be evaluated under the previously assigned file number identified below, which should be referenced in all future correspondence with this office concerning this project.

File Number: SAM-2022-00677-SNR

Assigned Project Manager: Samantha Rhoades

Email Address: [samantha.n.rhoades@usace.army.mil](mailto:samantha.n.rhoades@usace.army.mil)

Telephone Number: 205-824-2745 (desk) / 205-792-7480 (cell)

Following an initial review of your request, the project manager will contact you for any additional information that is required.

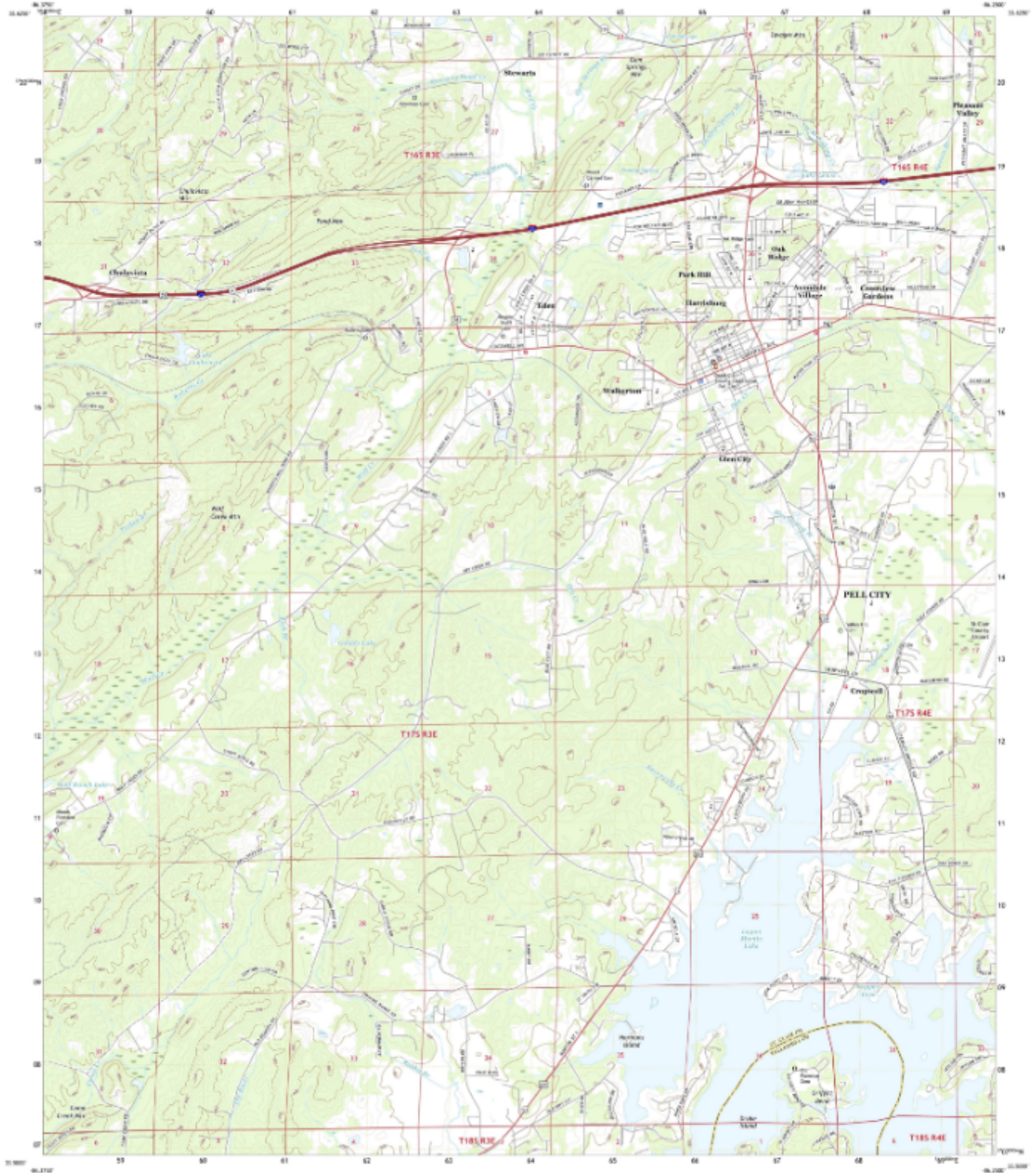
The USACE, Birmingham Field Office now utilizes paperless communication, and you will receive only electronic copies of any correspondence from us concerning this matter (including any possible permit authorizations), unless a paper copy is specifically requested. If you wish to receive paper copies of our correspondence you should send a written request to this office at the following address (PLEASE NOTE THAT OUR PHYSICAL ADDRESS HAS CHANGED):

U.S. Army Corps of Engineers  
Regulatory Division, North Branch (RD-N)  
600 Vestavia Parkway, Ste. 203,  
Vestavia Hills, Alabama 35216

Electronic copies of this email and any future correspondence will also be sent to your agent, if applicable, and to any relevant agencies.

For additional information on our Regulatory program, visit our website at: [www.sam.usace.army.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx)

Leslie Turney  
North Branch Chief  
USACE - Regulatory Division  
Mobile District - Birmingham Field Office  
600 Vestavia Parkway, Suite 203  
Vestavia Hills, Alabama 35216  
Desk: (205) 824-2740  
Cell: (205) 213-9623  
[leslie.e.turney@usace.army.mil](mailto:leslie.e.turney@usace.army.mil)



Produced by the United States Geological Survey

United States Department of the Interior

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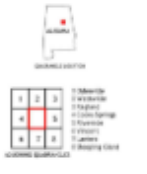
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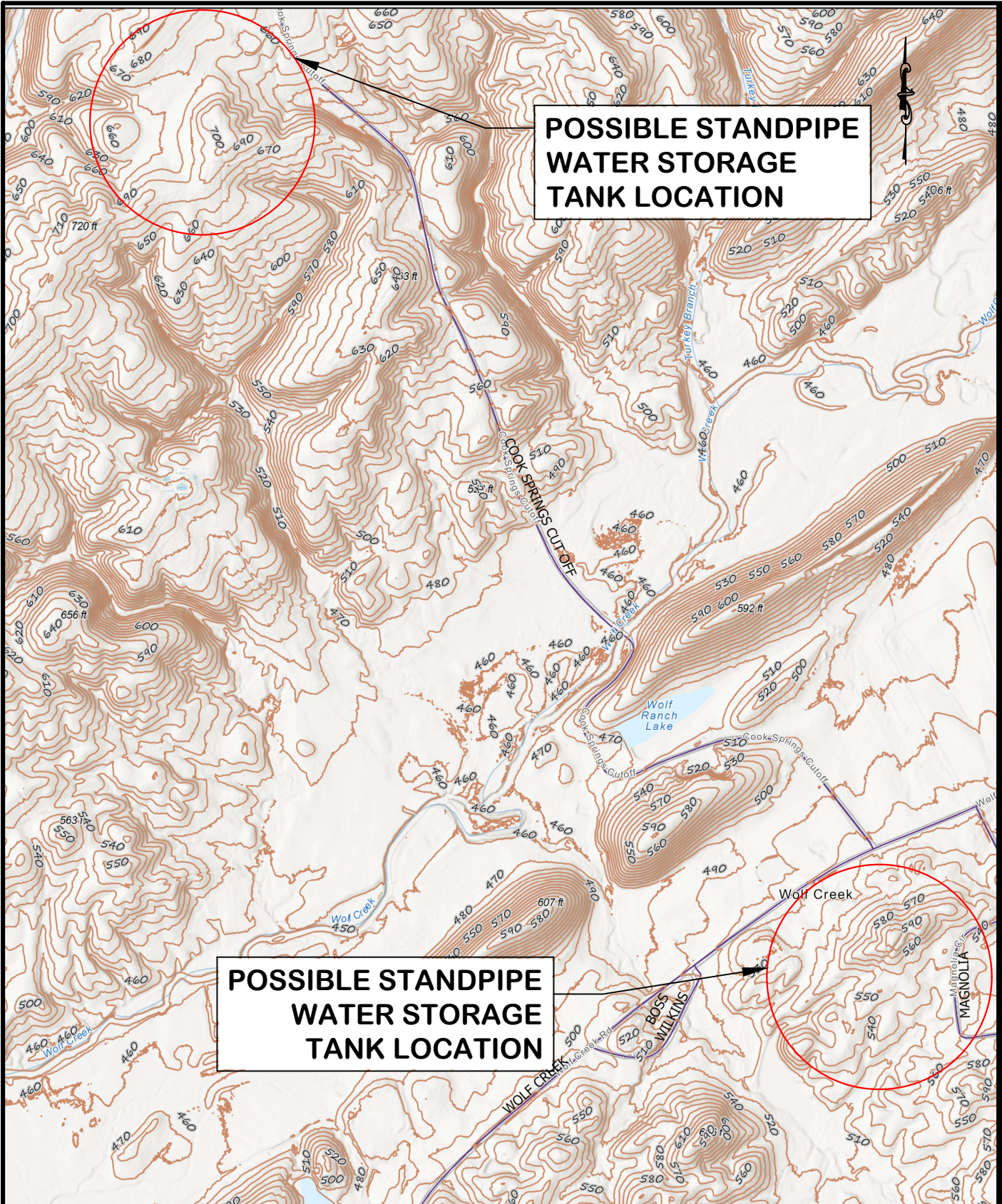
U.S. GEOLOGICAL SURVEY



SCALE 1:24,000  
CONTour INTERVAL 20 FEET  
NAD 83 DATUM  
This map was produced in accordance with the National Map Accuracy Standards, 2001. A standard 10% accuracy for this product is not required for 1:24,000.

PELL CITY, AL  
3000





**POSSIBLE STANDPIPE  
WATER STORAGE  
TANK LOCATION**

**POSSIBLE STANDPIPE  
WATER STORAGE  
TANK LOCATION**

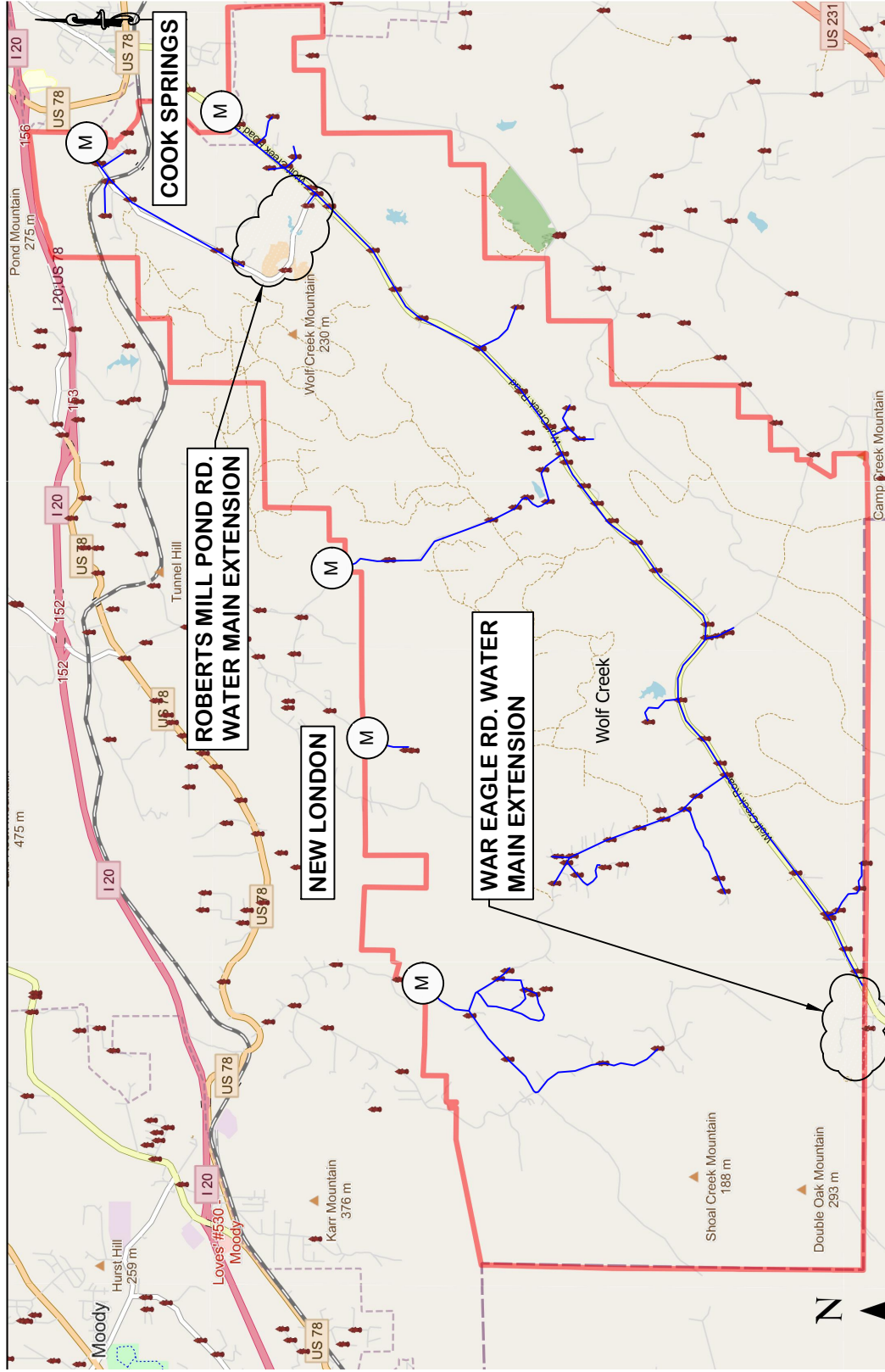


**POSSIBLE TANK LOCATIONS  
AND ELEVATIONS**

1/31/2022

**WOLF CREEK WATER SEWER  
AND FIRE PROTECTION  
AUTHORITY**

# Wolf Creek Water Sewer & Fire



**WOLF CREEK WATER SEWER  
AND FIRE PROTECTION  
AUTHORITY**

**OVERALL WATER  
DISTRIBUTION SYSTEM**

REVISED 05/16/22

**DWSRF  
PRE-APPLICATION**

# National Flood Hazard Layer FIRMette

86°20'26"W 33°34'18"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

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 OF FLOOD HAZARD

NO SCREEN *Zone X*

Area of Minimal Flood Hazard *Zone X*

Effective LOMRs *Zone D*

Area of Undetermined Flood Hazard *Zone D*

### OTHER AREAS

Channel, Culvert, or Storm Sewer  
Levee, Dike, or Floodwall

### GENERAL STRUCTURES

Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

### OTHER FEATURES

Digital Data Available

No Digital Data Available

Unmapped

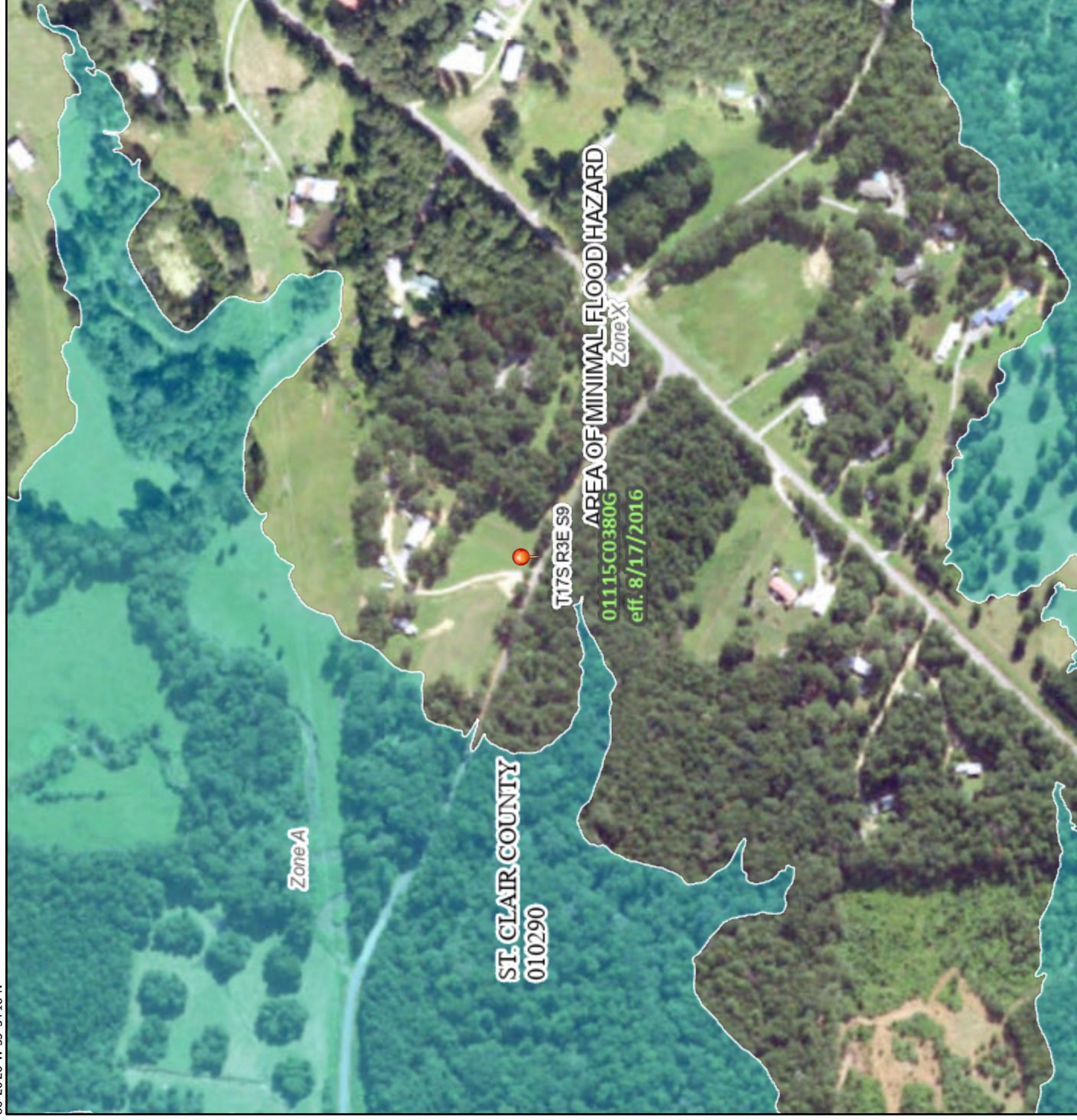
### MAP PANELS

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 7/28/2022 at 9:49 AM 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.



86°19'49"W 33°33'48"N

Feet 1:6,000

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