



Town of Plymouth

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COMBINED NOTICE TO PUBLIC OF EXPLANATION OF PROPOSED ACTIVITY IN A FLOODPLAIN/WETLAND AND FINDING OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT AND INTENT TO REQUEST RELEASE OF FUNDS

06/17/20

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TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

This is to give notice that the Town of Plymouth, NC under U.S. Department of Housing and Urban Development (HUD) regulations at 24 CFR Parts 58 and 55, has conducted an evaluation as required by Executive Orders 11988/11990 to determine the potential affect that its activity in floodplain/wetlands will have on the environment for the Town of Plymouth **FY15/18 CDBG Infrastructure Water System Improvements Project**.

On or about **July 3, 2020**, or **sixteen (16) days** after publication of this notice, the Town will request the North Carolina Department of Environmental Quality (DEQ) Division of Water Infrastructure (DWI) to release Federal Community Development Block Grant (CDBG) funds under Title I of the Housing and Community Development Act of 1974 (PL 93-383), as amended, for the project. The project is funded with approximately \$505,000 of CDBG funds (100% of total project cost).

The proposed project is to improve the Town's publicly owned and operated water distribution and treatment system, specifically: Replace approximately 1,800 LF of deteriorated 6-inch raw water line along NC Hwy 32 from Well #3 to the Water Treatment Plant (WTP) located at 809 Washington Street; Replace the existing SCADA system network and the 10,000-gallon salt/brine storage tank at the WTP. If time and budget allow, Plymouth also intends to replace the APA Hach Tester at the WTP, install a water level sensor at the E. Main Elevated Water Tank, and install hard-wired heat strips at all six groundwater wells. the project will improve water service and quality to low-income residents that would otherwise be displaced, address issues from water loss and pipe leaks, improve reliability and efficiency of the Town's water distribution system, reduce environmental and public health risks, and reduce system operations, maintenance, and treatment costs.

The only proposed ground disturbance involves the raw water line, which includes approx. 0.88 acres of ground disturbance. One stream crossing of unnamed tributary of Conaby Creek crosses the raw water line, but directional drilling or bore & jack are the preferred crossing methods to completely avoid disturbance to wetland and potential habitat. However, the scope involves approx. 0.89 ac of 500-yr floodplain and 0.91 ac of 100-yr floodplain (35.4% of up to 2.82 temporary disturbance). There are no proposed floodway areas. Well Site 3 has 0.31 ac of national/CAMA wetland in the eastern portion of the property, which is highly unlikely to be encroached upon since raw water line reconnection will occur in the western part of the property up to the fence line, which is not in a wetland. The Town has considered alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and

preserve natural and beneficial values, including: 1) no action/project activity (resulting lack of critical water quality and public safety improvements to serve LMI area & potential displacement of residents); 2) different location (however, best place for new waterline is parallel to existing waterline); 3) rehabilitation of existing lines via pigging (considered infeasible due to pipe age & degree of deterioration); and 4) replacement with 6" PVC pipe. The preferred alternative is construction within the floodplain and replacement with 6" PVC. Proposed ground disturbance will be temporary and returned to original conditions after construction is complete, with no change in base flood elevation, no increase in footprint or impervious surface, and no filling or disturbance of wetland. Where feasible, construction will take place within the existing utility rights-of-way and adjacent utility easements/properties, and adjacent to previously disturbed, developed, and impervious surface. Installation methods must consider best technical design, grade, elevation, topography, and subsurface conditions, which are not analyzed until field investigation, delineations, and surveying take place during the engineering design process. The anticipated benefits from the community development project outweigh the health/environmental hazards caused by deficient water lines, potential residential displacement, and anticipated mitigation measures. The Town has determined that it has no practicable alternative to building in floodplains, and coordination with the U.S. Army Corps of Engineers (USACE), NCDEQ, NC Emergency Management (NCEM), and compliance with applicable regulations, ordinances, permits, and buffers will take place as needed/required.

PURPOSE OF NOTICE

This notice is intended to meet several purposes under 24 CFR Parts 55 and 58: (1) People who may be affected by activities in floodplains/wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. (2) An adequate public notice program can be an important public educational tool. The dissemination of information about floodplains/wetlands can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. (3) As a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains/wetlands, it must inform those who may be put at greater or continued risk. (4) To notify the public that the Town has determined that the Request for Release of Funds for the above named project will not have a significant impact on the environment, and (5) To notify the public that the Town is requesting the release of funds for the above named project.

FINDING OF NO SIGNIFICANT IMPACT

It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and accordingly the Town has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA-PL 91-190). In addition to the aforementioned floodplain/wetland analysis and mitigation measures, the reasons for such decision not to prepare an EIS are as follows:

Appropriate permits and approvals will be obtained as needed for hazardous waste remediation, disposal, sedimentation and erosion control, floodplains, wetlands, buffers, farmland, etc. The proposed project is compatible with current and future water distribution, local zoning, and land use. No adverse impact to ambient air quality is anticipated beyond temporary emissions during construction. No adverse impact to historic or cultural preservation or noise-sensitive uses is anticipated. EPA-listed facilities within 1 mile report no air, water, toxin, or hazard violations or concerns impacting the project. The immediate project area is grass, gravel, asphalt, and shrubs, surrounded by moderate rural mixed development, and does not provide critical habitat for federal, state, or local threatened, endangered, or otherwise known unique species. No construction will take place in caves or wetlands, and no tree clearing is proposed. While some of the proposed project is located on land with soil types related to prime/unique farmlands, it is not currently farmed, adjacent to an urban built-up area, and proposed ground disturbance involves previously disturbed natural/developed areas & road rights-of-way/adjacent utility easements, with little/no increase in current footprint. The DOT right-of-way along the route slightly encroaches into floodplain areas and appropriate mitigation measures will be followed. Any excavated soil will be replaced as backfill where feasible, with no increase in base flood elevation. The project's location and features do not actively contribute to, support, or avert local tourism, parks and recreation, social services, historic landmarks, or environmental justice issues. Any USTs or petroleum contaminants discovered will be reported to NCDEQ and properly addressed. The Town will require its contractors to provide proof of proper disposal for all waste generated as part of the project and encourage use of recyclable materials. Community agencies, organizations, and the State Environmental Clearinghouse were consulted for

concurrence of the anticipated FONSI, and generally responded with no adverse comments beyond typical identification of mitigation measures.

Additional project information is contained in the Town's Environmental Review Record is on file at the above address and is available for public examination and copying upon **between the hours of 9 AM and 4 PM Monday - Friday**. No further environmental review of such project is proposed to be conducted prior to the request for release of federal funds.

PUBLIC COMMENTS

All interested agencies, groups and persons are invited to submit written comments for consideration by the Town to the above address on or before **July 2, 2020**, or **fifteen (15) days after this publication**. All such comments so received will be considered by the Town prior to authorizing submission of a Request for Release of Funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The Town certifies to DWI that Joanne Floyd (Interim Town Manager/Town Clerk/Finance Director) and Mike Wright (Public Works Director), in their official capacities, consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval, the Town may use the CDBG Program funds and DWI will have satisfied its responsibilities under NEPA and related laws and authorities.

OBJECTIONS TO STATE RELEASE OF FUNDS

DWI will accept an objection to its approval and release of funds and the Town's certification until **July 18, 2020**, or for a period of **fifteen (15) days** following the anticipated submission date, or its actual receipt of the request (whichever is later) only if it is on one of the following bases: (a) the certification was not executed by the Town's Certifying Officer; (b) the Town omitted a step or failed to make a decision