

Determination of Minor Construction Activity

North Carolina Division of Water Quality Construction Grants and Loans Section

Project Applicant: Town of Troy
Date: May 6, 2011
Project Number: CS370604-03
Estimated Project Cost: \$449,820
Estimated Funding Amount: \$441,000

Project Description: The project includes a pump station and forcemain to convey reclaimed effluent from the Town's wastewater treatment plant (WWTP) to the municipal golf course for use as irrigation water. A new 312 gallons per minute duplex pump station will be constructed at the WWTP to draw water from the existing decommissioned chlorine contact basin, which will serve as the wetwell for the pumps. The project will also include 9,000 linear feet of 8-inch forcemain and modifications to a pond at the golf course that will serve as storage pond for the irrigation system.

Because the forcemain route includes a railroad crossing where a population of the endangered Schweinitz' sunflower (*Helianthus schweinitzii*) has been identified within the project limits, the U.S. Fish and Wildlife Service was consulted during our review. Recommendations from the service's May 2, 2011 letter (attached) will be incorporated into the project during the construction phase. These include directional drilling under the railroad tracks and installing orange mesh fencing to mark a construction buffer around this sensitive area.

The above named applicant intends to apply for assistance from the State Revolving Fund program to construct the wastewater facilities described above. The North Carolina Division of Water Quality (DWQ) has conducted a review of the project in accordance with the procedures (NCAC 15A Subchapter 1C) for conformance with the North Carolina Environmental Policy Act. The DWQ has determined that this project is a minor construction activity, and that the preparation of additional environmental documents is not required.

This determination shall become effective upon its distribution by DWQ and will be available on the DWQ Construction Grants and Loans Section's website (<http://portal.ncdenr.org/web/wq/cgls/er/fonsis>). This determination can be revoked at any time adverse information is made available. The documentation to support this decision will be on file with the North Carolina Department of Environment and Natural Resources, Division of Water Quality, Construction Grants and Loans Section, and is available for public scrutiny upon request.

Comments concerning this decision may be addressed to Ms. Jennifer Haynie, Facility Evaluation Unit, Construction Grants and Loans Section, Division of Water Quality, 1633 Mail Service Center, Raleigh, North Carolina 27699, or she can be reached by phone at (919) 715-6223.

Sincerely,

A handwritten signature in blue ink that reads "Daniel M. Blaisdell". The signature is written in a cursive style with a large initial 'D'.

Daniel M. Blaisdell, P.E., Chief
Construction Grants and Loans Section
Division of Water Quality



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726

May 2, 2011

Michael R. Koser
Withers and Ravenel
416 Gallimore Dairy Road, Suite D
Greensboro, NC 27409

Dear Mr. Koser:

Thank you for your April 14, 2011 email regarding the proposed reclaimed water force main project on Glenn Road in Troy, Montgomery County, North Carolina. This letter provides the U.S. Fish and Wildlife Service's (USFWS) response pursuant to section 7 of the Endangered Species Act, as amended (16 U.S.C. 1531 *et seq.*) (Act).

Based on the information provided during telephone conversations and in your email with attachments, the USFWS understands that you are aware of a population of the federally endangered Schweinitz's sunflower (*Helianthus schweinitzii*) that occurs within your project limits on Glenn Road, specifically in the vicinity of the railroad track crossing near the east end of your project. Please note that the NC Plant Conservation Program (NC Department of Agriculture and Consumer Services) owns the Denson's Creek Nature Preserve on both sides of Glenn Road in Glenn Road and northwest of the railroad track. The purpose of this preserve is to protect the endangered Schweinitz's sunflower. We understand that you intend to directional drill the force main underneath the railroad track and adjacent population of endangered plants. According to our phone conversations, we also understand that you will not disturb any vegetation or ground surface along the east shoulder of Glen Road within 50 feet of the existing railroad. In order to assure that this doesn't happen, we strongly recommend that you install orange mesh fencing along the road shoulder within 50 feet of each side of the railroad track as a reminder to keep construction equipment out of this area. This buffer should adequately protect known Schweinitz's sunflower plants. Based on this information, the Service believes that this project is not likely to adversely affect the endangered Schweinitz's sunflower. We also believe that this project will not affect any other federally listed species or critical habitat for any federally listed species.

Due to potential impacts to Denson's Creek Nature Preserve, we strongly recommend that you coordinate your project with Rob Evans, Coordinator of the Plant Conservation Program. He can be reached by phone at 919-733-3610 extension 249.

We believe that the requirements of section 7(a)(2) of the Act have been satisfied. We remind you that obligations under section 7 consultation must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner that was not considered in this review; or, (3) a new species is listed or critical habitat determined that may be affected by the identified action.

Thank you for the opportunity to review this project. If you have any questions or comments regarding our response, please contact Mr. Dale W. Suiter of this office at (919) 856-4520, Ext. 18 or Dale_Suiter@fws.gov.

Sincerely,


to Pete Benjamin
Field Supervisor

cc: NC Plant Conservation Program (Rob Evans)