



## OFFICE OF LOCAL DEFENSE COMMUNITY COOPERATION

2231 CRYSTAL DRIVE, SUITE 520  
ARLINGTON, VA 22202-3711



### National Environmental Policy Act Determination Sherry Drive Water Main Extension Project, City of Atlantic Beach – Naval Station Mayport, Florida

The Department of Defense Office of Local Defense Community Cooperation (OLDCC) reviewed the attached National Environmental Policy Act (NEPA) determination from the Naval Station Mayport (NS Mayport) for a proposed interconnection between the City of Atlantic Beach's and NS Mayport's potable water systems along an unimproved section of Sherry Drive, Jacksonville, Florida. The OLDCC Grantee, the City of Atlantic Beach, proposes facilitating an intertie between the base and the City of Atlantic Beach by installing a new 12-inch water main to improve capacity and pressure in the northeastern section of the potable water system. The Proposed Action will benefit NS Mayport and the surrounding community by expanding the City's potable water distribution and providing a secondary backup water source if either entity loses their ability to supply water from their own systems.

OLDCC is the grantor of federal funding for the proposed project under the Defense Community Infrastructure Pilot Program, which seeks to address deficiencies in community infrastructure that support military installations to enhance military value, installation resilience, and/or military family quality of life. The attached documentation was prepared by the OLDCC Grantee for NS Mayport, who reviewed the environmental analysis and executed the "United States Navy Record of Categorical Exclusion for Sherry Drive Watermain Extension, Naval Station Mayport, Jacksonville/Duval County, FL," determination pursuant to 32 CFR Part 775, "Policies and Responsibilities for Implementation of the National Environmental Policy Act Within the Department of the Navy," dated December 5, 2019. The Navy Categorical Exclusion applied is 32 CFR § 775.6(f)(35), for the "Acquisition, installation, modernization, repair, or operation of utility (including, but not limited to, water, sewer, and electrical) and communication systems (including, but not limited to, data processing cable and similar electronic equipment) that use existing rights of way, easements, distribution systems, and facilities" (Attachment 1). OLDCC agrees with this determination and finds the attached documentation appropriately evaluates the Proposed Action.

In accordance with the Council on Environmental Quality's "National Environmental Policy Act Implementing Regulations" at 40 CFR §1506.3, OLDCC may adopt another agency's determination that a Categorical Exclusion applies to a proposed action if the action covered by the original Categorical Exclusion determination and OLDCC's proposed action are substantially the same. The action evaluated in the Navy Categorical Exclusion determination is the same proposed project that is the subject of the OLDCC award. Further, OLDCC agrees the project will not have significant individual or cumulative environmental impacts, meets the criteria for the listed Categorical Exclusion, and that no extraordinary circumstances exist to preclude use of the Categorical Exclusion. Therefore, OLDCC adopts the Navy Categorical Exclusion

determination for the subject project as supported by the analysis and documentation provided in the following attached files, which are incorporated by reference herein:

- “United States Navy Record of Categorical Exclusion for Sherry Drive Watermain Extension, Naval Station Mayport, Jacksonville/Duval County, FL,” signed by Nathan Chenarak, P.E., Lieutenant Commander, Civil Engineer Corps, US Navy, Public Works Officer, Naval Station Mayport, executed on January 10, 2023 (Attachment 1 – Navy Signed Record of Categorical Exclusion for the Sherry Drive Watermain Extension); and
- Biological resources information and Section 106 Consultation Records from the State of Florida and multiple tribes; various dates and signers (Attachment 2\_National Historic Preservation Act State Historic Preservation Officer and Tribal Consultation Records).

The Categorical Exclusion determination and supporting materials demonstrate that the Proposed Action will have no significant environmental impacts and therefore does not require further assessment. The documentation constitutes a complete NEPA determination and shows that the Navy Categorical Exclusion listed in 32 CFR § 775.6(f)(35) is applicable to this project.

OLDCC has independently reviewed the attached documentation and finds that implementation of the Proposed Action will not significantly impact the quality of the human environment. The Proposed Action may result in minor levels of air emissions from construction equipment and dust, but air emissions will be temporary and will not exceed de minimis levels or result in significant impacts. The Grantee should follow construction best management practices to limit fugitive dust and exhaust from vehicles and equipment during construction. Noise levels may be heightened during construction but will be of a limited duration and not significant. In February 2023, the Grantee provided final notice of a proposed activity in a floodplain with expected de minimis impacts due to minimal size; the City received no comments (Attachment 1). The Florida Department of Environmental Protection (DEP) approved the Grantee’s use of a General Permit according to their regulation of section 404 of the Clean Water Act on May 18, 2023 (Attachment 1). The Florida DEP 404 permit contains many construction activity conditions and best management practices that the Grantee must follow, including impacts to wetlands and vegetation, debris removal, erosion control, and impacts to cultural and biological resources. The Grantee is responsible for obtaining any state or local permits that may still be required.

Multiple protected species may potentially occur in the project area; however, no critical habitat has been designated on or near the proposed site for any species and the proposed work will have no effect because the limited vegetation removal and construction must avoid disturbing any protected species and any active nests (Attachments 1 & 2). The Proposed Action will have no effect to historic properties and the Florida State Historic Preservation Officer (SHPO), Seminole Tribe of Florida, and the Seminole Nation of Oklahoma concurred (Attachment 2). If human remains, funerary objects, cultural items, or archaeological materials are encountered during project construction and related work, activity in the area will cease immediately and appropriate Native American tribal government contacts, OLDCC, and the SHPO will be contacted for additional guidance.

The action for which the Grantee and the Navy prepared and executed the attached Categorical Exclusion determination (Attachment 1) is the same as OLDCC's Proposed Action and applying the Navy Categorical Exclusion listed in 32 CFR § 775.6(f)(35) is an appropriate NEPA determination for this project. Therefore, OLDCC adopts the Categorical Exclusion determination per 40 CFR § 1506.3. Further, OLDCC, as the adopting agency, confirms that none of the circumstances listed in 40 CFR § 1506.3(e) are present.

I have determined that the information provided in the documents referenced above provides sufficient evidence and analysis for determining that an Environmental Assessment or Environmental Impact Statement is not required.

Sincerely,

Patrick J. O'Brien  
Director

Attachments:  
As stated