U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration

Natural Gas Distribution Infrastructure Safety and Modernization Grant Program

Village of Bath

Bath, New York

Categorical Exclusion Documentation

NGDISM-FY23-CE-2024-03

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1. Overview

This document serves as the Pipeline and Hazardous Materials Safety Administration's (PHMSA) determination of applicability of Department of Energy's (DOE) B5.4 categorical exclusion (CE) for repair or replacement of pipelines for the project identified below. Effective July 3, 2024, PHMSA adopted DOE's CE in accordance with the Section 109 of the National Environmental Policy Act, enacted as part of the Fiscal Responsibility Act of 2023, which allows a federal agency to ''adopt'' another federal agency's CEs for proposed actions.

For projects that PHMSA determines that the DOE CE B5.4 is applicable, it must: (1) consider the presence of any integral elements at 10 CFR part 1021, subpart D, appendix B (1)-(5); and (2) evaluate the proposed action for extraordinary circumstances in which a normally excluded action may have a significant effect. If an extraordinary circumstance is present, the agency nevertheless may categorically exclude the proposed action if the agency determines that there are circumstances that lessen the impacts or other conditions sufficient to avoid significant effects.

The project identified below was provisionally awarded federal funding through PHMSA's Natural Gas Distribution Infrastructure Safety and Modernization (NGDISM) grant program. This document describes the proposed action, the anticipated impacts of that action, any circumstances or conditions that must be implemented to ensure significant effects are avoided, and documents the approval of the project as a categorical exclusion.

2. Project Description/Proposed Action

Project Title	Village of Bath Pipe Replacement
Project Location	Village of Bath, Steuben County, New York

Project Description/Proposed Action:
The project would include the replacement of 11.9 miles of aging leak-prone 1950s bare steel and 1970s PVC gas pipe throughout the Village of Bath (the Village) (see Appendix A). Construction would generally involve open cut installation of new high density polyethylene (HDPE) gas mains installed parallel to the existing mains and offset as needed for safety. Directional drilling of gas main may be required in certain areas or instances that are identified during construction. Gas services will also be replaced via insertion wherever possible or run parallel to the existing service if insertion is not feasible. The proposed gas mains would be limited to an existing right of way along roadways, generally within the confines of the sidewalks on either side of the road, but the exact location is not known at this time as the presence of other utilities and roadways would determine where the gas main is placed. No new right of ways or easements would be required. The pipe would be buried to a depth of 18 inches.

Question	**Information**
Describe the location and dimensions of all ground disturbing activities and provide a map depicting the location(s) where ground disturbance would occur. (e.g., width and depth of trenching or excavation for borings, location of regulator stations, etc.)	Open cut excavation for the gas main, and services where required, would generally involve a 3-feet wide by 2-feet depth trench.
If the exact location where new pipe would be installed or where other work would occur, provide	Exact location of gas main is not known at this time but generally the existing right of way ranges from

the width of the ROW and/or the general area encompassing the footprint where all work would occur. Include the anticipated footprint and depth of new pipe installation.	45 feet to over 90 feet wide. The general footprint of the work area will include 2-3 lane width streets, grassy median areas, and sidewalks. The new gas main would be installed to a depth of 18 inches below surface elevation.
Will service lines be replaced?	Yes.
Will meters or other equipment be replaced? If so, provide a description detailing what meter components, etc. will be replaced and indicate if this will require ground disturbance, if the equipment will be attached to existing structures, etc.	The existing meters would be relocated from inside of each building to the outside of the building. A small amount of ground disturbance would be required to reinstall the meter to the gas service outside of each building. No other equipment would be replaced or relocated as part of this project.
What portions of the pipeline will be abandoned? What portions of the pipeline will be removed?	All portions of the 11.9 miles of existing pipe will be abandoned in place once services for each customer are switched over. No portions of the existing gas main would be removed.

Question	**Information**
What construction methods will be used?	Insertion; Directional boring; Cut and cover (trenching); Replacement adjacent to existing pipe; Abandonment of an existing pipe for a new location
Does the project require a new right-of-way not currently in the ownership of the utility? If new ROW will occur, please provide a description of the property to be acquired (existing condition and land use).	No new right-of-way or easement needed
How many linear feet of pipe will be replaced or repaired?	62,832.00 Linear Feet

2.1 Proposed Pipeline Replacement Details

Existing Pipeline Length in feet	*Pipeline Diameter in inches*	*Pipeline Material (cast iron, bare steel, coated steel, PVC)*	*Operating Pressure (PSI)*	*Reduced Pressure if Possible (PSI)*	*Year installed if known.*
42,240.00 feet	4.00	Bare steel	69.00	0.25	1950s
10,560.00 feet	6.00	Bare steel	69.00	0.25	1950s
8,448.00 feet	4.00	PVC	69.00	0.25	1970s
1,584.00 feet	6.00	PVC	69.00	0.25	1970s

3. Resource Review

The following information represents questions posed to the project proponent identified on the cover page of this document regarding the project that was provisionally awarded grant funds under PHMSA's NGDISM program. The information and justification section includes the applicant's response. PHMSA's conclusions are based on applicant provided information, independently reviewed by PHMSA. The mitigation measures were reviewed and confirmed by the project proponent.

Air Quality and Greenhouse Gases (GHG)	
Question	**Information and Justification**
Is the project located in an area designated by the EPA as non-attainment or maintenance status for one or more of the National Ambient Air Quality Standards (NAAQS)[1]?	No. The project area is located in Steuben County, NY which is designated by the EPA as in attainment for all National Ambient Air Quality Standards (NAAQS) based on EPA's Greenbook.
Will the construction activities produce emissions that exceed de minimis thresholds (tons per year)?	N/A
Will mitigation measures be used to capture blowdown[2]?	No.
Will project proponent commit to reducing pressure on the segments/lines to be replaced, prior to venting?	Yes, the operating system pressure would be reduced from 69 pounds per square inch (PSI) to .25 PSI, prior to venting. Based on the size of the existing pipes identified in Section 2.1, 6.92 thousand cubic feet (MCF) or 212.6 kilograms (kg) of methane would be vented during construction.
Estimate the current leak rate per mile based on the type of pipeline material. Based on mileage of replacement and new pipeline material, estimate the total reduction of methane.	The existing leak rate is estimated to be 21,586 kg/year (yr). Replacement of pipelines would result in a leak rate of approximately 343 kg/yr. This would result in an estimated reduction of 21,030 kg/yr in the first year (factoring in venting emissions) and 21,243 kg/yr, each year after. This would result in a reduction of approximately 424,647 kg over a 20-year timeframe.
Is there any other information relevant to the project area or the proposed work as it pertains to Air Quality and Greenhouse Gas?	No.
Conclusion: The project area is located in Steuben County, New York which is designated by the EPA as in attainment for all National Ambient Air Quality Standards (NAAQS).	

[1] Criteria Air Pollutants | US EPA

[2] Blowdown refers to the venting of natural gas in current facilities, in order to begin rehabilitation, repair, or replacement activities.

The proposed project would result in minor air quality impacts associated with construction activities, including the intentional venting of methane contained in the existing pipelines prior to replacement. Pipeline blowdowns are typically necessary to ensure that construction and maintenance work can be conducted safely on depressurized natural gas facilities and pipelines. Venting methane is required when service is switched from the existing line to the newly constructed line, but the volume of vented gas can depend on the ability to reduce pressure on the pipe segment or other mitigation actions. The Village of Bath is committed to reducing pressure from the normal operating pressure of 69 PSI to .25 PSI, prior to venting to reduce the amount of methane that will be released when gas services are transferred. During project construction, there would be some increase in ambient dust particulate from machinery and soil disturbances. These would be only temporary in nature and all efforts would be made through proper construction methods to ensure dust control and properly functioning equipment. Replacing leak prone pipe with newer, more durable materials will reduce leaks and overall methane emissions. Therefore, it is PHMSA's assessment that the proposed project would provide a net benefit to air quality from the overall reduction of greenhouse gas emissions and that no adverse indirect or cumulative impacts would result from the Proposed Action.

Mitigation Measures:

- Use on-road and non-road vehicles efficiently by minimizing speeds and the number of vehicles;
- Minimize excavation to the greatest extent practical;
- Use cleaner, newer, non-road equipment as much as practicable;
- Minimize all vehicle idling and at minimum, conforming with local idling regulations;
- Ensure that all vehicles and equipment are in proper operating condition;
- On-road and non-road engines must meet EPA exhaust emission standards (40 CFR Parts 85, 86, and 89);
- Cover open-bodied trucks while transporting materials;
- Use water or other approved dust suppressants at construction sites and on unpaved roadways, as necessary;
- Minimize the area of soil disturbance to that necessary for construction;
- Minimize construction site traffic by using offsite parking and shuttle buses, as necessary;
- Minimize the idling of equipment;
- Reduce pressure from 69 PSI to 0.25 PSI, prior to venting.

Water Resources	
Question	**Information and Justification**
Are there water resources within the project area, such as wetlands, streams, rivers, or floodplains? If so, would the project temporarily or permanently impact wetlands or waterways? If water resources are present but will not be impacted, please describe how these impacts will be avoided (e.g. directional boring under the resource, etc.)	According to United States Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI), there are no wetlands or open waters in the project area. Federal Emergency Management Agency (FEMA) maps show that there are special flood hazard areas within the project area. No wetlands or water bodies occur within the project area; however, it is noted that the project occurs just north of the Cohocton River. Therefore, there will be no impacts to wetlands or open water resources.

Under the Clean Water Act, is a Section 401 State certification potentially required? If yes, describe anticipated permit and how project proponent will ensure permit compliance.	No.
Under the Clean Water Act, is a USACE Section 404 Permit required for the discharge of dredge and fill material? If yes, describe anticipated permit and how project proponent will ensure permit compliance.	No.
Under the Clean Water Act, is an EPA or State Section 402 permit required for the discharge of pollutants into the waters of the United States? Is a Stormwater Pollution Prevention Plan (SWPPP) required? If yes, describe how project proponent will ensure permit compliance.	Construction activities may exceed soil disturbance thresholds and a 402 permit could be required prior to construction. The Village of Bath will ensure that all federal, state, and local permits are obtained prior to construction.
Will work activities take place within a FEMA designated floodplain? If so, describe any permanent or temporary impacts and the required coordination efforts with state or local floodplain regulatory agencies.	FEMA's flood maps[3] indicate the project area is located in FEMA Flood Zones X and Zone B. Areas designated as Zone X are outside of any designated special flood hazard areas. Areas designated as Zone B are between the limits of the 100-year floodplain and the 500-year floodplain with average depths of less than one foot or where the contributing drainage area is less than one square mile.
Is the project located in a Coastal Zone? Will the proposed project activities affect any coastal use or natural resource of the coastal zone, requiring a Consistency Determination and Certification? Please provide any relevant information regarding how the project proponent normally coordinates with the applicable state's coastal zone management agency.	No.
Is there any other information relevant to the project area or the proposed work as it pertains to Water Resources.	No.
Conclusion: PHMSA reviewed NWI maps, as well as the FEMA national flood hazard maps. The Cohocton River is located southwest of the project area. According to NWI, no wetlands or open waters occur within the project area. A small portion of the project area along Geneva Street falls in Zone B. The remainder of the project area falls in Zone X. Project activities would not affect the flood-holding capacity of the 100-year floodplain or cause any adverse impacts to the Special Flood Hazard Area. There would be temporary impacts from insertion, directional boring, cut and cover (trenching) and excavation activities; however, all areas would be restored to pre-construction contours and conditions and there would be no permanent impacts. PHMSA does not	

[3] FEMA Flood Map Service Center | Welcome!

anticipate any adverse impacts to water resources.
Mitigation Measures: • Avoid staging and laydown areas in wetlands or floodplains; • Reseed disturbed areas with native plant species; • Restore disturbed areas to pre-construction contours; • Adhere to additional mitigation measures in accordance with applicable permits; • Use Best Management Practices during construction to control sediment and erosion and prevent pollutants from entering adjacent waterways; • Coordinate with the appropriate FEMA representative or local floodplain coordinator when work will occur in FEMA designated special flood hazard areas, as needed.

Groundwater and Hazardous Materials/Waste	
Question	**Information and Justification**
Does the project have potential to encounter and impact groundwater? If yes, describe potential impacts from construction activities.	Yes, there is a possibility of encountering groundwater while trenching for gas mains and services, though unlikely. No impact is expected as no hazardous materials would be in contact with the groundwater. Construction would involve the placement of pipe bedding or use of native materials in the trenches.
Will the project require boring or directional drilling that may require pits containing mud and inadvertent return fluids? If yes, describe measures that will be taken during construction activities to prevent impacts to groundwater resources. If boring or directional drilling will not require pits, please describe why these will not be required and how fluids will be contained.	The project may involve horizontal directional drilling and may require pits. Construction crews would be required to contain all inadvertent returns of drilling fluids via pits, vacuum truck, or other methods and dispose of them properly.
Will the project potentially involve a site(s) contaminated by hazardous waste? Sites identified as containing hazardous waste/materials can be identified through EPA's NEPAssist tool https://nepassisttool.epa.gov/nepassist/nepamap.aspx or local databases identifying Superfund, Brownfields, etc. If hazmat sites are identified in or near areas where work will occur, describe how the proposed work poses no risk and/or what mitigative measures will be used to avoid identified sites.	Based on a review of NEPAssist, numerous hazardous waste sites were identified near the project area. While no brownfield or superfund sites were identified within the project area via NEPAssist, one New York State Superfund site was identified in the New York State Department of Environmental Conservation Database.
Is there any indication that the pipeline was ever used to convey coal gas? If yes, PHMSA will work with the project proponent for required studies.	No.

Does the project have the potential to encounter or disturb lead pipes or asbestos?	No, given the shallow depth of placement for gas main pipes compared to that of other utilities it is not likely that asbestos or lead pipes will be encountered during construction.
Is there any other information relevant to the project area or the proposed work as it pertains to Groundwater and hazardous materials/waste.	No.

Conclusion:

PHMSA reviewed EPA's NEPAssist to identify any brownfield properties, hazardous waste sites, and/or superfund sites. There were numerous hazardous waste sites identified near the project area. Hazardous waste information is identified in the Resource Conservation and Recovery Act Information (RCRAInfo), which is a national program that includes an inventory of all generators, transporters, treaters, storers, and disposers of hazardous waste that are required to provide information about their activities to state environmental agencies[4]. While there were no brownfields sites or superfund sites identified in the project area via NEPAssist, one State Superfund site, the former Loohns Cleaners is located outside of the project area north of the intersection of W. Morris Street and Conhocton Street at 126-130 West Morris Street. The site is currently occupied by a retail store for a cell phone company and a gift store. The Department of Health currently requires sampling of well water due to low levels of contaminants.

Mitigation Measures:

- Develop and adhere to a Stormwater Pollution Prevention Plan;
- Avoid boring/drilling, staging and laydown areas within EPA superfund sites or areas containing known waste;
- Adhere to applicable groundwater and/or soil management plans;
- Develop and implement an HDD Inadvertent Return and Contingency Plan to establish operational procedures and responsibilities for the prevention, containment, and clean-up of inadvertent returns associated with the directional drilling on the Project.

Biological Resources	
Question	**Information and Justification**
Based on review of IPaC and NOAA Fisheries database, are there any federally threatened or endangered species and/or critical habitat potentially occurring within the geographic range of the project area?	Yes, based on review of the USFWS's Information for Planning and Consultation (IPaC). Additionally, New York State Department of Environmental Conservation resources were inventoried to identify state listed species.
Are there any known State or Federally, listed threatened or endangered species or habitat areas for	There are listed endangered or threatened species within the vicinity of the project area but due to the

[4] Resource Conservation and Recovery Act (RCRA) Overview | US EPA
https://extapps.dec.ny.gov/cfmx/extapps/derexternal/haz/results.cfm?pageid=3

State or Federally listed species present in or immediately adjacent to areas where work will occur? If yes, describe how project proponent will avoid impacts to listed species or habitat. If there are potential impacts to federally listed species or critical habitat, PHMSA will work with the project proponent to conduct necessary consultation with resource agencies.	nature of construction no impacts are expected. Shallow excavation will be conducted in previously disturbed and developed areas. No tree clearing is foreseen as part of this project. No endangered or threatened species will be impacted.
Will there be any tree clearing or removal of woody vegetation involved with the proposed work?	No.
Is there any other information relevant to the project area or the proposed work as it pertains to Biological Resources?	No.

Conclusion:

The project area is built out and is comprised of previously disturbed developed and residential areas. PHMSA requested an official species list through the USFWS's IPaC website. The following species were identified as potentially occurring in the project area:

- Northern long-eared bat (*Myotis septentrionalis*) Endangered
- Green floater (*Lasmigona subviridis*) Proposed Threatened
- Monarch butterfly (*Danaus plexippus*) Candidate

There was no critical habitat identified within the project area.

Several state-listed species also occur within the geographical range, however based on the disturbed nature of the project area, no habitat is present for these species.

Because these areas are within ROW that has been previously impacted (pipeline laid in the ground in close proximity to the location where new pipes would be laid and subsequently paved), the immediate project area has very limited biological resources present. Therefore, in accordance with Section 7 of the Endangered Species Act (ESA), PHMSA's assessment is that the project would have no effect to the Northern long-eared bat. Under Section 7(a)(4) of the ESA, federal agencies must confer with the USFWS if their action would jeopardize the continued existence of a proposed species; therefore, PHMSA's assessment is that the project is unlikely to jeopardize the continued existence of the green floater. As a candidate species, the monarch butterfly receives no statutory protection under the ESA. PHMSA's assessment is that the project would have no adverse impacts to state-listed species and would not cause more than minor adverse impacts to other biological resources in the project area.

Mitigation Measures:

No mitigation measures needed.

Cultural Resources	
Question	**Information and Justification**
Please describe all ground disturbing activities associated with the project (including pipeline installation, service line installation, gas meter replacements, metering station construction or demolition, etc.). What is the maximum depth, width and length of excavations for each activity involving ground disturbance?	Construction will generally include open cut excavation of a trench approximately 3 feet wide by 2 feet deep. The length of excavation will be 11.9 miles for new gas main. Service lines will be inserted whenever possible but may require a small 1 foot wide by 2 feet deep trench. Directional drilling may also be required in certain areas of the project in which sending and received pits approximately 7 feet by 11 feet will be excavated. All excavations will occur in existing right of ways and not impact any existing structures.
Will ground disturbance take place entirely in existing ROW or utility easements? Will it be restricted entirely to paved areas or will some disturbance take place in grassy, undisturbed, or natural areas?	Yes All gas main and services will be installed in existing right of ways and easements. Construction activities would be limited to the confines of existing right of ways. Excavation may occur in paved areas and grassy areas between existing sidewalks and roadways for gas mains. Gas services will be installed in grassy areas, usually the front lawns of residences where the existing gas service is located. These areas have been disturbed by previous roadway and utility construction in a developed area
Has the entire project area (width, length and depth) been previously disturbed by the original installation or other activities? If so, provide documentation or a description of prior ground disturbances, such as road or utility cross sections, plans or as-builts. If documentation is not available provide justification for how the ground was previously disturbed.	Yes. The construction will be limited to existing right of ways. These areas have been previously disturbed by the construction of roadways and utilities.
Does the project involve any physical impacts to buildings or structures? Please provide a description of the work that may affect buildings or structures and provide addresses and/or a map showing the locations.	No.
Please describe the project area and provide several photographs to show the character of the project area and surrounding properties. Is it a residential or commercial area? Are the nearby properties old or modern? Streetscapes and views looking down the ROW to show flanking properties are preferred. Please	The project areas would include a mixture of both residential and commercial areas. Streetscapes are commonly comprised of 2-3 lane width roads, grassy areas, and sidewalks. Most properties within the project area are modern homes, though some historic properties have been identified.

provide a photo key and/or captions to identify where the photos were taken and what they are showing.	
Does the project involve construction or installation of any new aboveground components? If so, describe the components, identify their location and provide representative images of the components.	No.
Are there any nearby properties or resources that either appear to be or are documented to have been constructed more than 45 years ago?[5] Does there appear to be a group of properties of similar age, design, or method of construction? Or are there any designed landscapes such as a park or cemetery? Please provide photographs of any properties that may be more than 45 years in age and would have the potential to be affected by the project (such as properties that include meter replacements, service line replacements or buildings within 10 feet of the areas proposed for pipeline main replacement under pavement). Multiple properties may be photographed together in a streetscape view and if there are many properties over 45 years in age, representative photos may be provided of a neighborhood rather than individual photos of each property.	Yes, there are nine NRHP-listed above-ground resources and one NRHP-listed aboveground historic district (New York State Soldiers' and Sailors' Home / Bath Veterans Administration Center Historic District) have been identified within or immediately adjacent to the Area of Potential Effects (APE) as historic properties and based on the National Historic Properties Database. No, several historic properties have been identified within the project areas but are not grouped together. No, cemeteries are present around the project location but will not be impacted as the gas main will be limited to the existing right of way and will not encroach onto the cemetery.
Will project implementation require removal or disturbance of any stone or brick sidewalk, roadway, or landscape materials or other potentially old or unique features? Please provide a handful of representative photos of the project area to show the character of the roadway and sidewalk materials in the project and staging areas. Include a photo key and/or captions of what the photos are showing and where they were taken.	No.
Is there any other information relevant to the project area or the proposed work as it pertains to Cultural Resources?	No.
Conclusion: PHMSA identified properties based on available information on previously identified historic properties in the APE, including the National Register of Historic Places (NRHP) database and data received from the New York	

[5] Local tax and property records or historic maps may indicate dates of construction.

State Office of Parks, Recreation and Historic Preservation. PHMSA also conducted research to determine if there are any previously unidentified properties within the APE that are 45 years of age or older and may be eligible for the NRHP.

PHMSA's assessment is that the Proposed Project would not alter any of the characteristics or contributing features of the District that qualify it for inclusion in the NRHP. Project work is limited to the replacement of existing pipelines. The Undertaking would not result in lasting physical, visual, or audible effects to the District. The Undertaking also does not include land acquisition, nor would it limit access to or change the use of the District. In accordance with 36 CFR Part 800.5, PHMSA's assessment is that the project would have No Adverse Effect on historic properties.

A letter was sent on September 26, 2024, to the New York State Historic Preservation Officer (SHPO) and all consulting parties outlining the Section 106 process, including a description of the undertaking, delineation and justification of the APE, identification of historic properties and an evaluation and proposed finding of effects. Based on this consultation, PHMSA proposed a finding that the Proposed Action would not adversely affect historic properties. PHMSA has requested comments on the Section 106 process, identification of historic properties, and proposed finding within 30 days of receipt of the letter. Concurrence was received from the New York State Office of Parks, Recreation and Historic Preservation on October 21, 2024.

PHMSA also invited the following federally recognized tribes to participate in consultation by separate letter on September 26, 2024:

- Seneca Nation of Indians
- Seneca-Cayuga Nation

Mitigation Measures:

- If, during project implementation, a previously undiscovered archaeological or cultural resource that is or could reasonably be a historic property is encountered or a previously known historic property will be affected in an unanticipated manner, all project activities in the vicinity of the discovery will cease and the Village of Bath will immediately notify PHMSA. This may include discovery of cultural features (e.g., foundations, water wells, trash pits, etc.) and/or artifacts (e.g., pottery, stone tools and flakes, animal bones, etc.) or damage to a historic property that was not anticipated. PHMSA will notify the State Historic Preservation Office and participating federally recognized tribes and conduct consultation as appropriate in accordance with 36 CFR § 800.13. Construction in the area of the discovery must not resume until PHMSA provides further direction. The Village will strictly adhere to PHMSA's *Unanticipated Discoveries Protocols*.

- In the event that unmarked human remains are encountered during permitted activities, all work shall halt and the Village of Bath shall immediately contact PHMSA as well as the proper authorities in accordance with applicable state statutes to determine if the discovery is subject to a criminal investigation, of Native American origin, or associated with a potential archaeological resource. At all times human remains must be treated with the utmost dignity and respect. Human remains and associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be photographed, collected, or

removed until PHMSA has conducted the appropriate consultation and developed a plan of action. Project activities shall not resume until PHMSA provides further direction.

- All work, material, equipment, and staging to remain within the road's existing right-of-way or utility easement or other staging areas as identified in the environmental documentation. If the scope of work changes in any way that may alter the effects to historic properties as described herein, the grant recipient must notify PHMSA, and consultation may be reopened under Section 106.

Section 4(f)	
Question	**Information and Justification**
Are there Section 4(f) properties within or immediately adjacent to the project area? 4(f) properties include publicly owned parks, recreational areas, wildlife or waterfowl refuges, and historic sites. If yes, provide a list of properties and/or a map of 4(f) properties as an attachment.	Yes. Stewart Hill Park. Stewart Hill Park is located in the Village of Bath at the intersection of East Morris Street and East Steuben Street in close proximity to where work is planned.
Will any construction activities temporarily impact use of the park including but not limited to access to any portion of the park, parking lots, trails, recreational fields, etc.?	No. To avoid impacts to the park, the pipeline would be routed to continue along E. Steuben Street. The pipeline would be installed via horizonal drilling within existing ROW without impacting the park or access to the park.
Will any construction activities occur within the property boundaries of a Section 4(f) property? If so, please detail these activities and indicate if these are temporary or permanent uses of the Section 4(f) property.	No.
Is there any other information relevant to the project area or the proposed work as it pertains to Section 4(f)?	No.

Conclusion:

Section 4(f) of the US Department of Transportation (USDOT) Act of 1966 as amended (Section 4(f)) (49 U.S.C. § 303(c)); is a federal law that applies to transportation projects that require funding or other approvals by the USDOT. Section 4(f) prohibits the Secretary of Transportation from approving any program or project which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or any land from an historic site of national, state, or local significance unless:

- There is no feasible and prudent alternative to the use of the land;

- The program or project includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site, resulting from such use.

PHMSA conducted a review of the Project Area to identify potential properties that qualify as Section 4(f). One section 4(f) recreation park was identified within the project area. Stewart Hill Park is located in the Village of Bath at the intersection of East Morris Street and East Steuben Street in close proximity to where work is planned. One segment of pipeline near the boundary of the park would be routed to continue along E. Steuben Street. The pipeline would be installed via horizonal drilling within existing ROW, and the previous segment of pipeline would be abandoned in place without impacting the park or access to the park. In addition, as described in the Noise section of this document, no adverse impacts associated with construction noise have been identified that could affect the use of this property. Therefore, PHMSA's assessment that there would be no use of any Section 4(f) resources.

Mitigation Measures:

- The Village of Bath shall ensure that full public access to, and use of Stewart Hill Park is maintained during construction;
- Ensure construction activities do not interfere with public access to and/or use of public recreational facilities during construction.

Land Use and Transportation	
Question	**Information and Justification**
Will the full extent of the project boundaries remain within the existing right-of-way or easements? If no, please describe any right-of-way acquisitions or additional easements needed.	Yes, all work on mains would take place within the existing ROW.
Will the project result in detours, transportation restrictions, or other impacts to normal traffic flow or to existing transportation facilities during construction? How long are construction activities estimated to last?	Yes, replacement of gas main may occur within roadways and therefore cause lane closures or detours. Any lane closures or detours would be coordinated with the proper DOT agency to ensure safety for both drivers and construction crews. Construction is tentatively planned to begin the fall of 2025 and be completed by the spring of 2027.
Will there be any permanent change to existing transportation facilities? If so, what are the changes, and how would the changes affect the public?	No, the project would not result in any permanent changes to transportation facilities.
Will the project interrupt or impede emergency response services from fire, police, ambulance or any other emergency or safety response providers? If so, describe any coordination that will occur with emergency response providers? How long will service interruptions last, if applicable.	No impact to emergency services is anticipated with construction activities. If for any reason there could be interruptions the Village will coordinate will emergency services.

Is there any other information relevant to the project area or the proposed work as it pertains to Land Use and Transportation?	Traffic control measures in areas where gas mains will be placed in roads will be coordinated with the DOT to ensure safety for both drivers and construction crews.

Conclusion:

There would be no permanent changes to land use. The project is replacing/upgrading the existing pipe and would not include new pipeline to serve any additional areas. During construction, there may be short-term impacts to adjacent residences, businesses and normal traffic patterns. Potential impacts include an increase in noise, dust, and transportation accessibility, as a result of construction and construction staging.

Local and state regulations guide the transport of machinery, equipment, and automobiles around the construction areas. Temporary traffic impacts may occur on the local road network and adjacent pedestrian routes. Any impacts will be coordinated with local and state agencies.

Mitigation Measures:

- Restore all Impacted areas to pre-construction conditions;
- Maintain traffic flows to the extent possible;
- Use traffic control measures to assist traffic negotiating through construction areas, as needed;
- Coordinate with state and local agencies regarding detours and/or routing adjustments during construction;
- Notify potentially impacted residents and/or business owners (access, parking, etc.);
- Have a traffic control plan in place, prior to construction, and coordinate with the appropriate agency well in advance of any impacted emergency services or essential agency functions.

Noise and Vibration	
Question	**Information and Justification**
Will the project construction occur for longer than a month at a single project location?	No, construction crews would be constantly moving along streets and will not be in one place for longer than a month.
Will the project location be in proximity (less than 50-ft.) to noise sensitive receivers (residences, schools, houses of worship, etc.)? If so, what measures will be taken to reduce noise and vibration impacts to sensitive receptors?	Yes, construction would take place near residences and churches. Anticipated construction would take place during normal working hours. High intensity noise such as blasting or jack hammering is not anticipated.
Will the project require high-noise and vibration inducing construction methods? If so, please specify.	No.
Will the project comply with state and local ordinances? If so, identify applicable ordinances and limitations on noise/vibration times or sound levels.	Yes, the project would comply with Chapter 73 of the Village of Bath Administrative Code.

Will construction activities require large bulldozers, hoe ram, or other vibratory equipment within 20 ft of a structure?	No.
Is there any other information relevant to the project area or the proposed work as it pertains to Noise and Vibration?	No.

Conclusion:

The project is located in the Village of Bath. Ambient noise consists of a combination of environmental noise, primarily from road traffic, construction, industry, population density and other sources.

The pipeline replacement project would result in temporary construction noise impacts; however, no vibration impact should occur. Excavators, dump trucks, skid steers, rollers, pavers, and other similar construction equipment would be used to excavate a trench, lay pipe, compact soils and re-pave the affected areas. Construction for the project is anticipated to last 18 months. There are numerous sensitive noise receptors (i.e., residences, schools, houses of worship, etc.) located adjacent to the streets where work would occur. Noise impacts experienced by these receptors would be minor and temporary, and no adverse vibration impacts would result from the proposed work. Construction activities would be required to abide by local noise control ordinances in the Village of Bath. Noise control measures would be chosen by the contractor and could include the following, as necessary:

- Use low-noise emitting equipment;
- Implement noise-deadening measures for truck loading and operations;
- Conduct monitoring and maintenance of equipment to meet noise limits;
- Use acoustic enclosures, shields, or shrouds for equipment;
- Minimize the use of generators or use quiet generators to power equipment.

Mitigation Measures:

- Adhere to all local, city and/or state noise regulations.

Environmental Justice	
Question	**Information and Justification**
Using the EPA EJScreen or census data[6], is the project located in an area of minority and/or low-income individuals as defined by USDOT Order 5610.2(c)?	Based on review of socioeconomic data using the EPAs EJScreen, the population residing within the general project area contains 46 percent low income and 8 percent minority populations. The percentage of these populations is above the Steuben County average of 33 percent low income and 7 percent minority populations.

[6] https://www.census.gov/quickfacts/fact/table/US/PST045222

Will the project displace existing residents or workers from their homes and communities? If so, what is the expected duration?	No.
Will the project require service disruptions to homes and communities? If so, what is the expected communication and outreach plan to the residents and the duration of the outages?	Yes. Temporary disruption to services is expected when switching over the customers service lines. These disruptions should not last longer than two hours. The Village of Bath will send out notices to residents to inform of service disruptions as constructions crews progress along each street.
Are there populations with Limited English Proficiency located in the project area? If so, what measures will be taken to provide communications in other languages?	No.
Is there any other information relevant to the project area or the proposed work as it pertains to Environmental Justice?	No.

Conclusion:

Executive Order (E.O.) 14096—"Revitalizing Our Nation's Commitment to Environmental Justice for All" was enacted on April 21, 2023. E.O. 14096 on environmental justice does not rescind E.O. 12898 – "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," which has been in effect since February 11, 1994 and is currently implemented through DOT Order 5610.2C. This implementation will continue until further guidance is provided regarding the implementation of the new E.O. 14096 on environmental justice.

The proposed project would result in an overall reduction in GHG emissions. Construction activities would result in minor temporary air quality impacts, including the intentional venting of existing distribution lines prior to replacement. Noise impacts associated with construction are anticipated to be minor. Traffic impacts would be temporary and disruptions to service would last less than 2 hours. The removal of leak prone pipe would reduce leaks and the potential for incidents, will result an increase in pipeline safety across the system while also improving operation and reliability. Therefore, consistent with Executive Order 12898 and DOT Order 5610.2(c), PHMSA's assessment is that the project would not result in disproportionately high and adverse effects on minority or low-income populations, or other underserved and disadvantaged communities.

Mitigation Measures:

- Provide advanced notification of service disruptions and construction schedule to all affected parties including residents and businesses adjacent to the project area;

- Coordinate service disruptions and construction schedule with local community leaders and groups, as applicable;
- Maintain service at temporary facilities, if appropriate;
- Promote public engagement to reduce project delivery delays and public controversy;
- Develop outreach plans to involve and engage all populations.

Safety	
Question	**Information and Justification**
Has a risk profile been developed to describe the condition of the current infrastructure and potential safety concerns?	Yes, as described in the Distribution Integrity Management Program (DIMP).
Has a public awareness program been developed and implemented that follows the guidance provided by the American Petroleum Institute (API) Recommended Practice (RP) 1162?	Yes, the Village of Bath follows guidance provided by the API RP 1162 for public awareness and outreach.
Does the project area include pipes prone to leakage?	Yes. The pipes schedules for replacement under this project are aging leak prone pipes installed in the 1950s and 1970s.
Will construction safety methods and procedures to protect human health and prevent/minimize hazardous materials releases during construction, including personal protection, workplace monitoring and site-specific health and safety plans, be utilized? If yes, document measures and reference appropriate safety plans.	Yes, This construction would be completed by a third-party contractor who will be required to submit a health and safety plan to the Village of Bath prior to construction for review and approval.
Has an assessment of the project been performed to analyze the risk and benefits of implementation?	Yes, an assessment of the project has determined that it would have a large benefit to the community given the current risk caused by the existing leak prone pipe.
Is there any other information relevant to the project area or the proposed work as it pertains to Safety?	Appropriate health and safety measures will be satisfied by the requirement of the contractor to submit a safety plan for review and approval prior to construction activities.
Conclusion: The project would reduce the risk profile of existing pipeline systems prone to methane leakage and would	

also benefit disadvantaged rural and urban communities with the safe provision of natural gas. The project responds to the need to address the potentially unsafe condition of the natural gas distribution system of pipelines. The repair, rehabilitation, or replacement of pipelines would be constructed in accordance with industry best practices and would comply with all local, state, and federal regulations, including those for safety. The abandonment of the existing pipeline would be conducted in accordance with PHMSA requirements found in 49 CRF 192.727 and 195.402(c)(10). These requirements include disconnecting pipelines from all sources and supplies of gas, purging all combustibles and sealing the facilities left in place. These requirements for purging and sealing abandoned pipelines would ensure that the abandoned pipelines are properly purged and cleaned and pose no risk to safety in their abandoned state. Therefore, PHMSA's assessment is that this replacement project would improve the overall safety of the existing pipeline infrastructure.
Mitigation Measures: • Incorporate public awareness programs, as necessary; • Use standard construction safety methods and procedures; • Ensure DIMP procedures are updated as necessary; • Ensure work is constructed in accordance with industry best practices; • Comply with all local, state, and federal regulations.

4. Categorical Exclusion Determination

Categorical Exclusions to be Applied:

As the proposed action is repair, replacement, upgrading, rebuilding, or minor relocation of pipelines within existing rights-of-way to an existing natural gas pipeline, the following Categorical Exclusion, as listed in the DOE NEPA implementing procedures, 10 CFR 1021, adopted by PHMSA effective July 3, 2023[7] applies:

> B5.4 Repair or Replacement of Pipelines
>
> Repair, replacement, upgrading, rebuilding, or minor relocation of pipelines within existing rights-of-way, provided that the actions are in accordance with applicable requirements (such as Army Corps of Engineers permits under section 404 of the Clean Water Act). Pipelines may convey materials including, but not limited to, air, brine, carbon dioxide, geothermal system fluids, hydrogen gas, natural gas, nitrogen gas, oil, produced water, steam, and water.

Eligibility Criteria:

The proposed activity meets the eligibility criteria of 10 CFR 1021.41O(b) because the proposed action does not have any extraordinary circumstances that might affect the significance of the environmental effects, is not connected to other actions with potentially significant impacts [40 CFR 1508.25(a)(l)], is not related to other actions with individually insignificant but cumulatively significant impacts [40 CFR 1508.27(b)(7)], and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during environmental impact statement preparation.

[7] Federal Register :: Adoption of Department of Energy Categorical Exclusion Under the National Environmental Policy Act

The "Integral Elements" of 10 CFR 1021 are satisfied because the proposed action will not:

1. Threaten a violation of statutory, regulatory, or permit requirements for environment, safety, and health, including requirements of DOE and/or Executive Orders;
2. Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities;
3. Disturb hazardous substances, pollutants, contaminants, or Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)-excluded petroleum and natural gas products that preexist in the environment such that would be uncontrolled or un-permitted releases;
4. Have the potential to cause significant impacts on environmentally sensitive resources, which includes (i) property (sites, buildings, structures, and objects) of historical, archeological, or architectural significance; (ii) federally-listed and state-listed threatened or endangered species or their habitat, federally-protected marine mammals and essential fish habitat and otherwise federally-protected species; (iii) floodplains and wetlands; (iv) federally and state designated areas (wilderness areas, national parks, national monuments, national natural landmarks, wild and scenic rivers, wildlife refuges, scenic areas, and marine sanctuaries); (v) prime or unique farmland; (vi) special sources of water (sole-source aquifers, wellhead protection areas, and other vital water resources); and (vii) tundra, coral reefs, or rain forests); or
5. Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species.

Compliance Action:

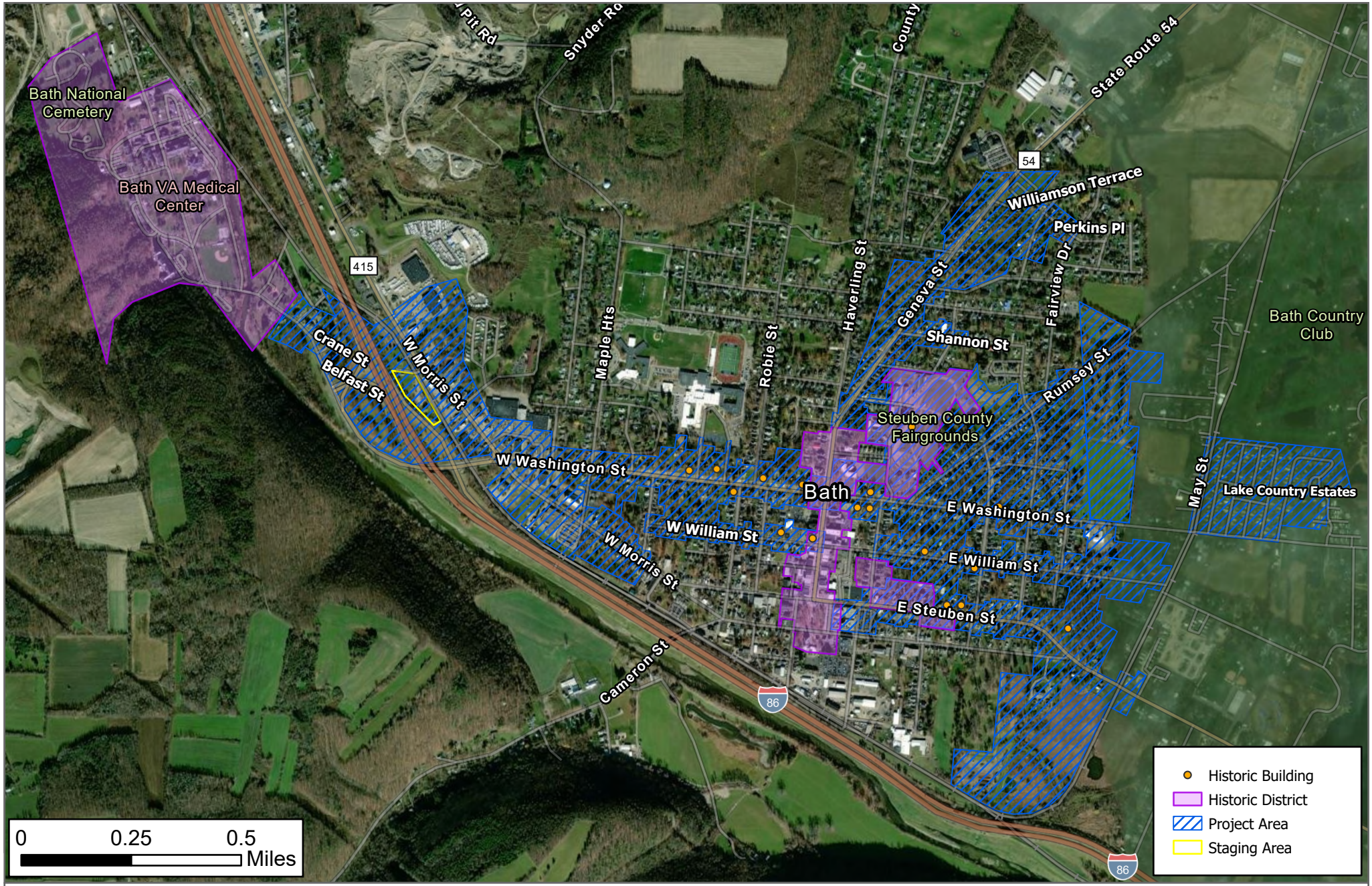
The proposed action satisfies the DOE NEPA eligibility criteria and integral elements, does not pose extraordinary circumstances, or includes conditions that must be implemented to ensure significant effects are avoided, and meets the requirements for the CE referenced above. Based on my review of the proposed action, I have determined that the proposed action fits within the specified categorical exclusion, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

PHMSA Approval:

SHELBY MATTHEW FULLER

Digitally signed by SHELBY MATTHEW FULLER
Date: 2024.11.12 08:36:27 -06'00'

Project Area Map



Name: Village of Bath Pipeline Replacement
Scale: 20,000
Total Acreage: 558
Bath, New York, Steuben County

N

Service Layer Credits: data.pa.gov, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, Maxar