



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

1200 New Jersey Avenue, SE
Washington, DC 20590

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To: Mitch Anderson
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**Subject: Categorical Exclusion Determination
Lake Apopka Natural Gas District, NGDISM-FY24-CE-2025-03**

PROPOSED ACTION

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has reviewed the materials submitted by Lake Apopka Natural Gas District (Sponsor) to support PHMSA's environmental review of the pipeline replacement project in Lake and Orange Counties, Florida (the Project). A map of the project area is enclosed as Attachment A. PHMSA understands the Project involves the replacement of 30 vintage and aging natural gas service lines and meters throughout the distribution network, totaling approximately 0.39 miles of plastic pipe.

APPLICABLE CATEGORICAL EXCLUSION

C(5): Repair, rehabilitation, or replacement of natural gas distribution pipelines and associated equipment within existing rights-of-way or easements.

EXTRAORDINARY CIRCUMSTANCES

Based on the scope of the action, PHMSA has determined the proposed action does not meet the criteria for extraordinary circumstances listed in DOT 5610.1D.

RESOURCE REVIEW

Air Quality: The Project falls within Lake and Orange Counties, Florida which is designated by the EPA as in attainment for all National Ambient Air Quality Standards (NAAQS) based on EPA's Greenbook. Replacing leak-prone pipe with newer, more durable materials will result in the overall reduction of risks from leaking natural gas. Therefore, it is PHMSA's assessment that the Project would provide a net benefit to air quality from the overall reduction of risks from

leaking natural gas and that no adverse indirect or cumulative air quality impacts would result from the Project.

Cultural Resources: PHMSA sent a consultation letter to the Florida State Historic Preservation Officer (SHPO) on November 12, 2025 with PHMSA's determination of a finding of no adverse effect under Section 106 of the National Historic Preservation Act. The SHPO concurred with the findings presented by PHMSA on December 11, 2025. PHMSA also invited federally recognized tribes to participate in the consultation by separate letter on November 12, 2025. None of these groups have elected to participate in the process or provided comments.

Section 4(f): The Project would not result in a use of a property protected by Section 4(f) of the Department of Transportation Act.

Biological Resources: The Project would have no effect on any Endangered Species Act listed species or designated critical habitat, or on any essential fish habitat as outlined in the Magnuson-Stevens Fishery Conservation and Management Act.

Land Use: The Project is located in Lake and Orange Counties, Florida, which is subject to compliance with the Coastal Zone Management Act. Project activities consist entirely of in-kind replacement of existing infrastructure and do not constitute new development. The proposed project activities would not affect any coastal use or natural resource of the coastal zone that require a Consistency Determination and Certification.

The Sponsor must implement all mitigation and other commitments identified in Attachment B. In addition, the Sponsor is responsible for securing all necessary permits, approvals, and authorizations.

DETERMINATION

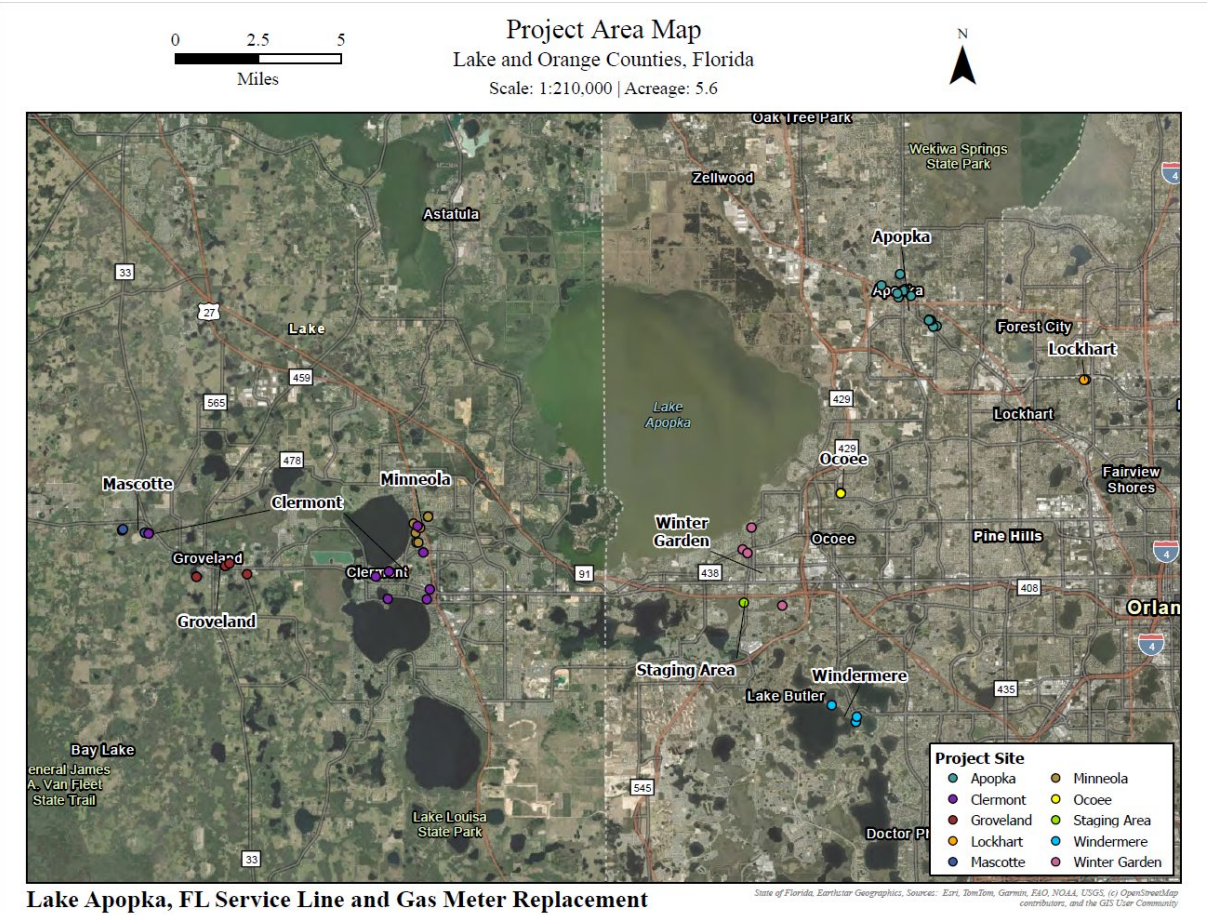
Based on a review of the information and documentation submitted by the Sponsor, including review of Extraordinary Circumstances, PHMSA finds the proposed action qualifies as a Categorical Exclusion in accordance with Section 102 of the National Environmental Policy Act, 42 U.S.C. § 4332 and DOT Order 5610.D, Departmentwide National Environmental Policy Act Implementing Procedures.

Approval by Environmental Analysis and Compliance Division:

Attachment(s):

- Attachment A: Project Area Map
- Attachment B: Mitigation and Other Commitments

Attachment A: Project Area Map



Attachment B: Mitigation and Other Commitments

Air Quality

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

Water Resources

- Avoid staging and laydown areas in wetlands and floodplains;
- Reseed disturbed areas with native plant species;
- Restore any disturbed areas to pre-construction contours; and
- Use best management practices during construction to control sediment and erosion and prevent any pollutants from entering adjacent waterways.

Groundwater and Hazardous Materials/Waste

- Develop and adhere to a Stormwater Pollution and Prevention Plan, if necessary;
- Avoid boring or drilling, staging, and laydown areas within EPA superfund sites or areas containing known wastes;
- Adhere to applicable groundwater or soil management plans; and
- 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.

Cultural Resources

- 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 Lake Apopka Natural Gas District will immediately notify PHMSA. This may include discovery of cultural features (*e.g.*, foundations, water wells, or trash pits) or artifacts (*e.g.*, pottery, stone tools and flakes, or animal bones) 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. Lake Apopka Natural Gas District 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 Lake Apopka Natural Gas District 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.

Land Use and Transportation

- 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 routing adjustments during construction;
- Notify potentially impacted residents and business owners (access, parking, etc.); and
- Have a traffic control plan in place prior to construction if required by local permits, and coordinate with the appropriate agency well in advance of any impacted emergency services or essential agency functions.

Noise and Vibration

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

Community Effects

- Provide advanced notification of service disruptions and construction schedules to all affected parties including residents and businesses adjacent to the project area;
- Coordinate service disruptions and construction schedule with local community leader and groups, as applicable;
- Maintain service at temporary facilities, if appropriate;
- Promote public engagement to reduce project delivery delays and public controversy; and
- Develop outreach plans to involve and engage populations.

Safety

- 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; and
- Comply with all local, state, and federal regulations.