TIER I ENVIRONMENTAL REVIEW RECORD
PENDER COUNTY HOUSING RECOVERY PROGRAM

PREPARED FOR:

NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT

PREPARED BY:

IEM

AND

TETRA TECH, INC.

AUGUST 2018

TIER I ENVIRONMENTAL REVIEW RECORD: PENDER COUNTY HOUSING RECOVERY PROGRAM

Responsible Entity [24 CFR 58.2(a)(7)]	North Carolina Department of Commerce
Certifying Officer [24 CFR 58.2(a)(2)]	George Sherrill
Program Name	Rebuild NC: Pender County Single Family Housing Recovery Program (1-4 Units)
Federal Agency	U.S. Department of Housing and Urban Development (HUD)
Project Locations	Scattered locations throughout Pender County
Estimated Total Program Cost	$870,000 estimated for allocation to Pender County
Grant Recipient	State of North Carolina
Recipient Address	4346 Mail Service Center, Raleigh, NC 27699-4346
Program Representative	Iris Payne, Program Director
Telephone Number	919-814-4663
Conditions for Approval	See Attachment 1 following and Section 4.0
FINDING [58.40(g)]	☒ **Finding of No Significant Impact** (The project will not result in a significant impact on the quality of the human environment) ☐ **Finding of Significant Impact** (The project may significantly affect the quality of the human environment)
Preparer Signature	John R. Bock
Name/Company	John Bock/Tetra Tech, Inc.
RE Certifying Officer Signature	George Sherrill
Name/Agency	George Sherrill / North Carolina Department of Commerce Chief of Staff
Publication Date	August 29, 2018

Attachment 1
Conditions for Approval

The following mitigation measures are required as conditions for approval of the project, as applicable:

General

1. Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.
2. Contractors will be required to prepare and implement health and safety plans, and to conduct monitoring during construction to protect the health and safety of site workers and the public.
3. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for re-evaluation under the National Environmental Policy Act.

Historic Preservation

4. All activities must comply with Section 106 of the National Historic Preservation Act (NHPA) per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through the procedures set forth in the Programmatic Agreement between the North Carolina Department of Commerce, North Carolina Department of Public Safety, and State Historic Preservation Officer (SHPO), as signed onto by the North Carolina Department of Commerce.
5. If archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted, and the applicant shall stop all work immediately near the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant will inform the State of North Carolina (the State) immediately and consult with SHPO. Work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project complies with the NHPA.

Floodplain Management and Flood Insurance

6. All proposed reconstruction, repair, elevation and mitigation of substantially damaged structures in the 100-year floodplain will adhere to the most recent elevation requirements in accordance with local codes and Base Flood Elevation requirements where they exceed the federal standards.
7. All structures funded by the Rebuild NC: Single Family Housing Recovery Program (1-4 Units) (Rebuild NC), if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, will be covered by flood insurance and the flood insurance must be

maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. All areas within Pender County are participating with the National Flood Insurance Program (NFIP).

8. No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance but failed to obtain and maintain the insurance [24 CFR 58.6(b)].
9. Duration of Flood Insurance Coverage. The statutory period for flood insurance coverage may extend beyond project completion. For loans, loan insurance or guaranty, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of assistance, coverage must be continued for the life of the property, regardless of transfer of ownership of such property. Section 582(c) of the Community Development and Regulatory Improvement Act of 1994 mandates that "The requirement of maintaining flood insurance shall apply during the life of the property, regardless of transfer of ownership of such property." (42 USC 4012a). Such anticipated economic or useful life of the property may vary with the nature of the assisted activity. For example, construction of a new or substantially improved building requires flood insurance coverage for the life of the building, while for minor rehabilitation such as repairing, weatherizing, or roofing of a building, the grantee may require flood insurance coverage ranging from 5 to 15 years as deemed feasible. HUD will accept any period within that range that appears reasonable.
10. Dollar Amount of Flood Insurance Coverage. For loans, loan insurance or guaranty, the amount of flood insurance coverage need not exceed the outstanding principal balance of the loan. For grants and other forms of financial assistance, the amount of flood insurance coverage must be at least equal to the development or project cost (less estimated land cost) or to the maximum limit of coverage made available by the Act with respect to the particular type of building involved (SF-Single Family, OR-Other Residential, NR-Non-Residential, or SB-Small Business), whichever is less. The development or project cost is the total cost for acquiring, constructing, reconstructing, repairing or improving the building. This cost covers both the federally assisted and the non-Federally assisted portion of the cost, including any machinery, equipment, fixtures, and furnishings. If the Federal assistance includes any portion of the cost of any machinery, equipment, fixtures or furnishings, the total cost of such items must also be covered by flood insurance.
11. Proof of Purchase. The standard documentation for compliance with Section102 (a) is the Policy Declarations form issued by the NFIP or issued by any property insurance company offering coverage under the NFIP. The insured has its insurer automatically forward to the grantee in the same manner as to the insured, information copies of the Policy Declarations form for verification of compliance with the Act. Any financially assisted Special Flood Hazard Area (SFHA) building lacking a current Policy Declarations form is in Noncompliance.

12. Grantee's Evidence of Compliance under the Certification. The grantee must maintain a complete and up-to-date listing of its on-file and current Policy Declarations for all financially assisted SFHA buildings. As a part of the listing, the grantee should identify any such assisted building for which a current Policy Declarations form is lacking and attach a copy of the written request made by the grantee to the owner to obtain a current Policy Declarations form.

Wind

13. Pender County is located between the 110- and 130 mile-per-hour (mph) Basic Wind Speed for 50-year mean recurrence intervals, decreasing from 130 mph at increasing distance to the west. As such, all reconstruction or new construction must meet the requirements of the North Carolina Construction Code, Building Planning and Construction for wind design.

Wetlands Protection and Water Quality

14. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and off-site wetlands and waters and to prevent erosion in onsite and off-site wetlands and waters.
15. Minimize soil compaction by minimizing activities in vegetated areas, including lawns.

Noise

16. Outfit all equipment with operating mufflers.
17. Comply with applicable local noise ordinances.

Air Quality

18. Use water or chemical dust suppressant in exposed areas to control dust.
19. Cover the load compartments of trucks hauling dust-generating materials.
20. Wash heavy trucks and construction vehicles before they leave the site.
21. Employ air pollution control measures on all vehicles and equipment, as required.

Hazardous Materials

22. All activities must comply with applicable federal, state and local laws and regulations regarding environmental protection and asbestos, including but not limited to the following:
    - North Carolina Environmental Policy Act and Rules at 01 NCAC (North Carolina Administrative Code) 25
    - National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145 and 150
    - North Carolina Asbestos Hazard Management Program, NC General Statutes (GS) Section 130A-444 through 452 – Asbestos Hazard Management

23. Applicant or contractor must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g., asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides / herbicides, white goods).
24. All activities must comply with applicable federal, state and local laws and regulations regarding lead-based paint including, but not limited to, HUD's lead-based paint regulations in 24 CFR Part 35.
25. All residential structures must be treated for mold attributable to Hurricane Matthew in accordance with federal, state or local guidelines.

Wild and Scenic Rivers

26. Comply with any conditions specified by the National Park Service for protection of wild and scenic river Nationwide Rivers Inventory segments in Pender County. No designated wild and scenic rivers are located in Pender County. The Black River, Cape Fear River, Colly Creek, Moores Creek, and Northeast Cape Fear River in Pender County are in the Nationwide Rivers Inventory. The NPS identified that "best practices" would be used, specifically *"All construction activities occurring on or adjacent to a federally designated Wild and Scenic River or on a river listed on the Nationwide Rivers Inventory should take care to avoid any unnecessary clearing of native riparian vegetation such that local scenery remains intact. Further, for all projects where construction derived runoff has the potential to enter the waterway, appropriate sediment control measures should be required. Sediment control measures can include, but are not limited to, the use of straw bales and silt fences."* ***(See Appendix C, Exhibit 6)***. The North Carolina Division of Parks and Recreation recommended the use of erosion and sedimentation controls during construction and after completion of the work at project sites where vegetation removal and/or land disturbance is planned within 100 feet of the bank for the protected wild and scenic river segments.

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ACRONYMS AND ABBREVIATIONS

Acronym	Meaning
ABFE	Advisory base flood elevation
ASD	Acceptable Separation Distance
BFE	Base flood elevation
CBRA	Coastal Barrier Resource Act
CDBG	Community Development Block Grant
CDBG-DR	Community Development Block Grant – Disaster Recovery
CFR	Code of Federal Regulations
CPD	Community Planning and Development
CZMA	Coastal Zone Management Act / Area
EA	Environmental Assessment
EO	Executive Order
EPA	Environmental Protection Agency
ERR	Environmental Review Record
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
GIS	Geographical Information System
GS	General Statutes
HUD	Housing and Urban Development
LMI	Low to Moderate Income
NAAQS	National Ambient Air Quality Standards
NCDEQ	North Carolina Department of Environmental Quality
NCEM	North Carolina Division of Emergency Management
NCNHP	North Carolina Natural Heritage Program
NCPCP	North Carolina Plant Conservation Program
NCWRC	North Carolina Wildlife Resources Commission
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHL	National Historic Landmark
NHPA	National Historic Preservation Act
NLEB	Northern Long Eared Bat
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NOI	Notice of Intent
NPIAS	National Plan of Integrated Airport Systems
NPL	National Priorities List
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRI	Nationwide Rivers Inventory
PA	Programmatic Agreement
RCRA	Resource Conservation and Recovery Act
RCW	Red Cockaded Woodpecker
RE	Responsible Entity
RFO	Raleigh Field Office
RROF	Request for Release of Funds
SCS	Soil Conservation Service
SFHA	Special Flood Hazard Area
SHPO	State Historic Preservation Office

Acronym	Meaning
T&E	Threatened and Endangered Species
URA	Uniform Relocation Act
US	United States
USACE	United States Army Corps of Engineers
USC	United States Code
USFWS	United States Fish and Wildlife Service

1.0 PROJECT DESCRIPTION

1.1 Background and Statement of Purpose

Hurricane Matthew began as a Category 5 storm in the Caribbean eventually moving up the Atlantic Seaboard. By the time it hit the coast of North Carolina on October 8, 2016, it had been downgraded to a Category 1 storm. The greatest impact on Pender County (**Appendix A, Pender County Map**) during this storm was severe rain over several days, causing rivers and tributaries to swell and overflow into adjacent communities. During the storm, portions of Pender County received more than 8 inches of rain (**Appendix A, Pender County Hurricane Matthew Rainfall Map**). Effects of Hurricane Matthew on Pender County were most pronounced along Black River in southwest Pender County where several major streams converge. The northeast Cape Fear River, near Burgaw, reached a peak of nearly 18 feet, just under 5 feet below the previous record level. In addition, Pender County underwent coastal flooding at Scotts Hill Marina and Harbour Village Yacht Club on Pamlico Sound and Jolly Roger Inn and Pier on the open coast.

On October 10, 2016, 50 counties in North Carolina were declared a Major Disaster Area (DR-4285, **Appendix A, Declared Disaster Areas maps**). The state of North Carolina was included in the US Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program pursuant to the Disaster Relief Appropriations Act of 2016 (Pub. L. 114-113, approved December 18, 2015). HUD appropriated $198,553,000 in CDBG-DR funding to the state of North Carolina. Due to the nature of the damage, 80 percent of funding is targeted toward the four most-impacted counties. An estimated $870,000 would be allocated to Pender County.

The purpose of the proposed action is to assist residents in Pender County whose single-family dwellings and small rental properties (1 to 4 units) were damaged or destroyed by Hurricane Matthew. The project is needed to help provide adequate housing and support for these residents by repairing and /or reconstructing existing homes, relocating homeowners to a new location or constructing new structures in less flood-prone areas. Rental properties damaged by Hurricane Matthew will be eligible for repair or reconstruction in this program.

1.2 Project Location

Proposed projects actions under this Tiered Environmental Review Record will be limited to Pender County including all municipalities and rural areas therein. While it is not known how many persons will apply to the program, as of March 20, 2017, 957 registrations for Individual Assistance in Pender County had been received as a result of Hurricane Matthew. FEMA individual assistance applications are shown in **Appendix A, Pender County Individual Assistance Applications map**.

1.3 Project Description

The North Carolina Division of Emergency Management (NCEM) working with its partners, the North Carolina Department of Commerce, initiated housing programs for Pender County to provide financial assistance to homeowners, renters, landlords, and developers building affordable small rental housing. The programs and assistance to be provided by each are:

- Homeowner Recovery Program – focused on owner-occupied single-family dwellings (structures and mobile homes) that experienced major to severe damage. Eligible activities include:

    - Single-family homeowner rehabilitation
    - Single-family homeowner reconstruction
    - Single-family homeowner repair reimbursement
    - Single-family homeowner new construction or relocation
    - Manufactured home repair
    - Manufactured home replacement or relocation
    - Home buyout
    - Homeowner's assistance
    - Temporary rental assistance
    - Home insurance assistance
    - Relocation
    - Elevation of applicant homes

- Small Rental Repair Program – funding activities necessary to restore storm-damaged homes, including rehabilitation, reconstruction, elevation, and/or other mitigation activities within the disturbed area of the previous parcel.

Structures that are in a 100-year floodplain and were substantially damaged (greater than or equal to 50 percent) will require elevation. Any new construction (as opposed to reconstruction) of structures will not be allowed in a floodplain, unless a site-specific 24 CFR 55.20 decision is approved and permitted (if required) by the Wilmington District Corps of Engineers. All applicants with proposed actions in a floodplain will be required to obtain and maintain flood insurance, for the ownership life of the property, as part of this program.

Homeowners will also be eligible for reimbursement of repairs already done to the owned structure. In accordance with the HUD guidance for pre-award costs issued on September 15, 2015 (Source: CPD 15-07), reimbursement for repairs or replacement costs paid for by private homeowner funds will only be eligible up to 1 year from the date of the disaster. The time allowed for reimbursement of expenses is from the time of the storm (October 8, 2016) to October 8, 2017,

unless the applicant applies for an exemption from HUD on a case-by-case basis. Expenses after the 1-year timeframe are not eligible for reimbursement as part of this program.

Project activities would not remove trees and would minimize the removal or other disturbance of vegetation. All activities would be largely limited to the disturbed area of the previously developed lot, but elevation and reconstruction would disturb the ground surface to install pier and beam foundations and accommodate required utilities. Rehabilitation activities would be completed in the same footprint of the damaged structure. Reconstruction would be largely limited to replacing a damaged structure at another location in the disturbed area of the previously developed lot.

The above project activities apply to the overall project. The State of North Carolina (the State), as the Responsible Entity, determined that the project will be reviewed in a tiered environmental assessment. The specific addresses of homes and other properties to be rehabilitated, reconstructed, newly constructed, or elevated are not known now because the owner identification process is ongoing. So, under 24 CFR 58.15 (Tiering) and 24 CFR 58.32 (Project Aggregation), the State will use a tiered approach in combining similar work into geographic as well as functional packages for the environmental review.

1.4 Existing and Future Need

Several homes were damaged in Pender County, especially in the southwest part of the county, which is a flood-prone area. Based on historical flooding information, this area includes a significant number of repetitive loss properties. The bottom levels of some elevated houses have been closed in and used as living space, resulting in increased flooding impact. Many homeowners, small rental tenants and landlords, and other potential applicants do not have the resources to repair, reconstruct, newly construct, or elevate their properties. Without the proposed program, the damaged properties will continue to deteriorate doing further harm to the communities where they are located.

1.4.1 Estimation of Overall Housing Damage

The State of North Carolina has taken multiple steps to estimate the unmet housing needs resulting from Hurricane Matthew—including field inspections of damaged homes; analyses of, and updates to FEMA individual assistance claims data, Small Business Administration loan information, and insurance information; county-led planning efforts; and surveys of Public Housing Authorities and other housing providers to determine financial needs required to restore homes and neighborhoods.

The State of North Carolina conducted and published an Unmet Needs Assessment in spring 2017 as part of its initial *State of North Carolina CDBG-DR Action Plan*. An updated Unmet Needs Assessment, prepared as part of the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, presented damage estimates and recovery needs as of October 15, 2017, approximately 1 year after the flooding. The assessment found: (1) numerous unmet needs remain

to be resolved before homeowners can return homes under safe and sanitary conditions, and (2) unmet needs for homeowners who want to sell their homes and relocate to higher and safer ground.

According to FEMA Individual Assistance claims as of March 20, 2017, 957 registrations for Individual Assistance in Pender County have been received for damages from Hurricane Matthew. Additional claims regarding Hurricane Matthew may be pending so the final claims data from the event may change. A substantial portion of Pender County is covered by wetlands, with low ground elevations and near major river systems.

As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, a top priority for the State for this funding is to address single-family housing recovery needs in Pender County stemming from Hurricane Matthew. An estimated $870,000 would be allocated to Pender County.

1.5 Summary of Findings and Conclusions

Based on completion of this environmental assessment, environmental review of the proposed project indicates there will be no expected significant impacts on existing environmental conditions across the impact categories implemented by HUD in response to the National Environmental Policy Act of 1969. These subject areas require additional site-specific analysis before it can be concluded that a specific proposed project activity would have no significant environmental impacts on an individual site. These authorities are referenced under HUD's regulations at 24 CFR 58.5:

- Historic Preservation [36 CFR Part 800]
- Floodplain Management and Flood Insurance [24 CFR 58.5(b) and 24 CFR 58.6]
- Wetlands Protection [Executive Order 11990]
- Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]
- Endangered Species Act [50 CFR 402; 16 USC 1531 et seq.]
- Wild and Scenic Rivers [36 CFR 297]
- Farmland Protection [Farmland Protection Policy Act of 1981 Sections 1504(b) and 1541, 7 CFR 658]
- Noise Abatement and Control [24 CFR 51 Subpart B]
- Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances [24 CFR 58.5(i)(2)(i)) and Environmental Checklist for Solid Waste]
- Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51C]
- Magnuson-Stevens Fishery Conservation and Management Act [16 USC 1801 et seq]
- Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501].

Alternatives to the Proposed Action

No Action: The "No-Action" alternative would mean that homeowners would not receive funding to provide for reimbursement, new, rehabilitated, or reconstructed housing under the Rebuild NC program. As a result, these homeowners may not be able to recover and have affordable housing. The homeowners would not be provided financial assistance to repair their properties, so their properties would remain unsafe, unsanitary, and more vulnerable to adverse weather conditions. The No-Action alternative would address neither the shortage of safe housing nor the increase in unoccupied, unsafe homes in the project area.

Relocating the Homeowner Outside the Floodplains or Wetlands: This alternative was considered and is a viable option provided to all applicants through the Homeowner Relocation Option that allows, under certain conditions, the applicant to relocate from their current property (if the applicant meets conditions of eligibility for the program) to another property to reduce their exposure to these conditions. Participation in the program is strictly voluntary. Assuming all grant eligibility criteria can be met, including the need for any gap financing, the homeowner may be approved where the original location is in the 100-year floodplain and the new location is not. It is not currently known how many applications would meet this scenario. Most applicants are expected to remain on their current parcels. The economic feasibility of mass relocations would likely not be practical given funding restrictions. So, this alternative is not the most practicable for all the applicants affected by Hurricane Matthew.

Infrastructure Action or Other Flood Protection Measures: There are potential actions that have been used historically to protect housing in a floodplain, including drainage, flood protection structures, levees, and the like. These mitigation measures have proven to be effective in protecting communities from flooding; however, these actions do not address the housing needs for the homeowners and, in general, are not feasible based on the limited size of most home sites and are far less effective when implemented on individual scattered sites. While community or larger scale levees and flood protection structures are eligible for CDBG-DR funding, levees and flood control structures are prohibitively expensive on a home-by-home, or small-scale, basis. For these reasons, this alternative is not practicable.

Proposed Action: The Pender County Single Family Housing Recovery Program will provide financial assistance to single-family homeowners and owners of small rental properties (1 to 4 units) to address unmet needs remaining from Hurricane Matthew. This assistance will allow applicants to repair/rehabilitate, elevate, reconstruct/replace, or relocate their storm-damaged homes; have their storm damaged homes acquired for buyout or redevelopment as single-family housing; or seek reimbursement for similar activities implemented by the homeowner within 1 year of the storm. This alternative will allow the program to meet the State's goal of achieving

safe and compliant housing that meets minimum property standards through rehabilitation, elevation, reconstruction/replacement, relocation, and mitigation in damaged communities.

Conclusion: The No-Action alternative, the Relocating the Homeowner Outside the Floodplains or Wetlands alternative, and the Infrastructure Action or Other Flood Protection Measures alternative are either impractical, prohibitively expensive, and/or would not meet the State's goal of achieving safe and compliant housing that meets minimum property standards through rehabilitation, elevation, reconstruction/replacement, relocation, and mitigation in damaged communities. For these reasons, the Proposed Action is the Preferred Alternative.

1.6 Evaluation of the Effects

Individual actions undertaken by the described Rebuild NC program will provide a safe and secure environment for a substantial number of its low, moderate, and middle-income households recovering from Hurricane Matthew. The CDBG-DR funds will provide a positive financial impact on these households, their damaged neighborhoods, and extended communities.

As proposed, the described program activities will improve or replace residential structures on scattered properties throughout damaged neighborhoods. The addresses will remain unknown until applicant eligibility is determined. The desire of the State is to prepare a Tiered Environmental Assessment per HUD regulation at 24 CFR Part 58.40 Subpart E. This tiered review will be combined with a site-specific review to be prepared for each construction site as described in Section 2.0, Tiering Plan for Environmental Review. This includes a review of the provisions outlined under Parts 58.5 and 58.6.

1.7 Finding

☒ **Finding of No Significant Impact (FONSI)**
(The project will not result in a significant impact on the quality of the human environment.)

☐ **Finding of Significant Impact**
(The project may significantly affect the quality of the human environment.)

Rebuild NC: Single Family Housing Recovery Program (1-4 Units) (Pender County)
Funding: An estimated $870,000 would be allocated to Pender County.

Environmental Review Preparer's Information

Environmental Preparer's name, title, and organization (printed or typed):

John Bock, Senior Environmental Scientist, Tetra Tech, Inc.

Environmental Preparer's Signature:

John R. Bock

Date: August 29, 2018

Responsible Entity, Representative's Information / Certification

Responsible Entity, Representative's name, title, and organization (printed or typed):

George Sherrill, Chief of Staff, North Carolina Department of Commerce

Responsible Entity, Representative's Signature:

George Sherrill

Date: August 29, 2018

2.0 TIERING PLAN FOR ENVIRONMENTAL REVIEW

The Proposed Actions under this program will be evaluated under an Environmental Assessment (EA, 24 CFR 36). The environmental "Statutory Checklist" contains compliance components related to 24 CFR 58.5, 24 CFR 58.6 and HUD environmental standards in addition to the Environmental Assessment Checklist, intended to compliment findings in the Statutory Checklist, which would also be part of the Environmental Review Record (ERR). The State of North Carolina (the State) will be the Responsible Entity for all environmental work. The EA, as prepared for the State, is essentially a two-step, tiered process, per 24 CFR 58.15.

The following EA serves as the Tier I environmental compliance document for the proposed CDBG-DR program for Pender County. Applying the tiering rule gives the State the ability to aggregate work on individual project sites into categories of activities having similar geographic or functional environmental attributes. Documentation of site-specific environmental issues requiring individual evaluation or additional agency consultation will be compiled separately. Site-specific review is also referred to as "Tier II Review." No reconstruction, rehabilitation, elevation, new construction, or mitigation work on properties will begin until both the broad and site-specific levels of environmental review are completed and the proposed work found compliant.

Compliance with 24 CFR 58.5

The Statutory Checklist in Section 3.0 lists each of the Federal laws and authorities in HUD's regulations listed at 24 CFR 58.5. It addresses the specific environmental factors for which compliance has been documented regardless of specific site locations in the subject counties.

A Site-Specific Checklist, to be completed for each site, was developed to assess all environmental statutes, authorities, and regulations for which the compliance review has not been completed using the Statutory Checklist. The Site-Specific Checklist in **Appendix B** will document how those requirements have been met.

Compliance with 24 CFR 58.6

In addition to the duties under the laws and authorities specified in 24 CFR 58.5 for assumption by the State, under the laws cited in Section 58.1(b), the State must comply with the requirements at 24 CFR 58.6. The information needed for compliance with 24 CFR 58.6 will be included in Section 3.0 and in the Tier II site-specific reviews in Appendix B for those proposed actions that require compliance with both 24 CFR 58.5 and 58.6.

Compliance with 24 CFR 58.36

In addition to the duties under the laws and authorities specified in 24 CFR Part 58.5 and 58.6 for assumption by the State, under the laws cited in Section 58.1(b), the State must comply with the requirements listed at 24 CFR 58.36 (Environmental Assessment) and the Environmental Assessment Checklist (24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27). All EA requirements are addressed in Section 3.0 of the Tier I ERR and further addressed, as necessary, in the Tier II Site-Specific Review in Appendix B.

2.1 Tier I Environmental Review Record

This Tier I ERR describes the action area targeted by the State's Rebuild NC program. It provides a basic profile of the proposed rehabilitation, reconstruction, reimbursement, new construction, elevation and other mitigation activities relative to required compliance factors, as presented in the Statutory Checklist, Other Requirements (24 CFR 58.6) and the Environmental Assessment Checklist (**Section 3.0**) This level of review evaluates impacts of the proposed housing activities in an aggregated way as determined by the potential for impacts relative to the protected or regulated resources and HUD Environmental Standards. Where possible, this level of review resulted in a finding for certain compliance factors that further review at the site-specific level **(Appendix B)** is not necessary. The State identified the potential for environmental impacts for several compliance factors that must be evaluated during the Tier II process before individual projects can be environmentally cleared to proceed. Tables and figures prepared to support the Tier I analysis of environmental compliance factors are in appendices.

As part of this Tier I ERR, the process for decision making under 24 CFR 55.20 (also known as the eight-step process) is presented as a Programmatic Compliance Process in **Appendix D**.

The Tier I ERR aids the State in understanding the scope of applicable mitigation measures that may be selected for projects (**Section 4.0**) and includes a Compliance Documentation Checklist per 24 CFR 58.6 and other requirements that were developed as presented in **Section 3.0**. This evaluates the Rebuild NC (Pender County) compliance relative to the Flood Disaster Protection Act, the National Flood Insurance Reform Act, the Coastal Barrier Improvement Act, and Runway Clear Zones and Accident Potential Zones. The Tier I ERR findings for this program are summarized in the Statutory and Environmental Assessment Checklists in **Section 3.0** that identify impact categories, the type and degree of impacts anticipated, and whether proposed housing activities should be evaluated at the site-specific level to determine conditions and what appropriate mitigation or modification measures might be required.

Appendix E has the combined FONSI and Notice of Intent to Request Release of Funds (NOI/RROF). All public notices, the circulars to which they were published, any comments, and

responses to those comments will be included in **Appendices D and E**. Publishing the FONSI and the NOI/RROF together on the same date should expedite the periods for public comment on these notices and for objections to be received by HUD. The actual FONSI and NOI/RROF and HUD's Authority to Use Grant Funds, used to formally authorize the use of CDBG-DR grant funds, will be incorporated into **Appendix E**, once approved by HUD.

Appendix F has the Programmatic Agreement for Section 106 of the National Historic Preservation Act of 1966 between the North Carolina Historic Preservation Office, any participating tribal communities and the North Carolina Department of Commerce. This agreement will be used to address the effects of this program on historic properties and archaeological resources.

2.2 Tier II ERR or Site-Specific Environmental Review Record

Conclusive adverse impact findings cannot be made for all factors in the Tier I ERR, so the Rebuild NC program (Pender County) compliance cannot be fully achieved at the programmatic level. The Tier II site-specific ERR for the Rebuild NC program (Pender County) will be carried out for each proposed activity to address those environmental compliance factors and HUD standards that remained unresolved by the programmatic level Tier I analysis. A site-specific documentation checklist has been developed for the Rebuild NC program (Pender County), and is in **Appendix B**. These factors require site-specific analysis to determine compliance:

- Historic Preservation [36 CFR Part 800]
- Floodplain Management and Flood Insurance [24 CFR 58.5(b) and 24 CFR 58.6]
- Wetlands Protection [Executive Order 11990]
- Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]
- Endangered Species Act [50 CFR 402; 16 USC 1531 et seq.]
- Wild and Scenic Rivers [36 CFR 297]
- Farmland Protection [Farmland Protection Policy Act of 1981 Sections 1504(b) and 1541, 7 CFR 658]
- Noise Abatement and Control [24 CFR 51 Subpart B]
- Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51C]
- Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances [24 CFR 58.5(i)(2)(i)) and Environmental Checklist for Solid Waste]
- Magnuson-Stevens Fishery Conservation and Management Act [16 USC 1801 et seq]
- Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]
- Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] and 24 CFR 55

Site-specific reviews will include evaluation of the application, the proposed site activity, and its location relative to the above compliance factors. Reviews will include direct field observation with photographs, measurements, and notes for the file, and possible resource agency consultations. If there are no impacts identified, or if impacts will be fully mitigated through individual site actions, the proposed project activity planned for a residential site will proceed without further notice to the public. If impacts cannot be identified and mitigated during the site-specific reviews, that site may be subject to further studies, treated as a separate project, subject to agency consultations, and the ERR process may require the publishing or posting of notices for that individual site. In some isolated cases, the proposed project activity may not be eligible for funding, based on a specific mitigation or environmental issue.

Each completed site-specific checklist and supporting documents will be submitted to the State for review and approval before individual activity site work or construction begins. A notice of environmental clearance will be issued for each project. All steps of the ERR process will be completely documented at the site-specific level before the construction activity proceeds.

The Responsible Entity (RE) for this program is the State of North Carolina. The Certifying Officer (CO) is George Sherrill, Chief of Staff, North Carolina Department of Commerce.

Written inquiries regarding this Tier I document can be submitted to:

George Sherrill
Chief of Staff
North Carolina Department of Commerce
4346 Mail Service Center
Raleigh, NC 27699-4346

3.0 COMPLIANCE WITH 24 CFR 50.4, 58.5, AND 58.6 LAWS AND AUTHORITIES

Project Name: Rebuild NC: Pender County Single Family Housing Recovery Program (1-4 Units) (Rebuild NC), administered under the HUD CDBG-DR Program for Unspecified Sites in Pender County, North Carolina.

The State of North Carolina (the State) is the Responsible Entity (RE) for the required environmental review as indicated in 24 CFR 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities," and will oversee completion of environmental and historic preservation reviews of each applicant's proposed project activity in accordance with HUD regulations and guidance.

A "Yes" answer below means further steps are needed and a Tier II site-specific review is required. A "No" answer indicates that compliance is met at the programmatic level.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
Historic Preservation [36 CFR 800]	Yes ☒ No ☐	The North Carolina Department of Commerce has signed on to the Programmatic Agreement (PA) with the SHPO and North Carolina Department of Public Safety. The PA provides an exemption from further review for proposed activities on buildings or structures less than 50 years old, provided the proposed activities substantially conform to the original footprint or are done in previously disturbed soils, and the buildings or structures are not in or adjacent to a historic district. Proposed activities that do not qualify for an exemption will be subject to historic preservation review in accordance with the PA. <u>Regulatory Agency and Source Review</u> See **Appendix F** for a copy of the PA. <u>Consultation for Tier II, if Required</u> North Carolina SHPO **Refer to the Tier II: Site-specific Project Review form for each individual property for compliance determination.**
Floodplain Management [24 CFR 55, Executive Order 11988]	Yes ☒ No ☐	For those residential properties in flood zones in Pender County **(Appendix C, Exhibit 1, Pender County 100-Year Floodplain Map)**, the County made the decision that there is no practicable alternative to providing CDBG-DR assistance to homeowners and owners of rental or support properties for the reconstruction, rehabilitation, reimbursement and elevation of their properties in these zones. Prior to making this decision, the State completed an eight-step analysis of the long- and short-term adverse impacts associated with the continued occupancy of the floodplain and considered if there were any practicable alternatives to providing CDBG-DR assistance in the

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
		floodplain (refer to **Appendix D – Programmatic Compliance Process**). As a condition of receiving CDBG-DR assistance, property owners who rebuild will have to build to the highest available Local, State, or FEMA elevation level. All proposed reconstruction and improvement or repair of substantially damaged structures [as defined in 44 CFR 59.1 and 24 CFR 55.2(b)(8), "substantial improvement"] in the floodplain must adhere to the federally required minimum of 2 feet above the advisory base flood elevation (ABFE) or local building code, if higher (**Appendix C, Exhibit 1, Table 1-1)**. There will be no new construction or relocation in the floodplain unless a site-specific decision is made in accordance with 24 CFR 55.20 and permitted, if required, by the Wilmington District of the United States Army Corps of Engineers (USACE). Pender County establishes standards for floor elevations for buildings constructed and fill placed in the floodplain through its local codes. The Pender County Central Permitting Division is responsible for processing applications for all residential building permits. Communities that participate in the National Flood Insurance Program (NFIP) are required to adopt and enforce local regulations for development in mapped Special Flood Hazard Areas (SFHAs) to reduce the risk of flooding (see 44 CFR Parts 59 and 60). Construction must adhere to the Pender County Flood Damage Prevention Ordinance, adopted on December 9, 2013, and FEMA's Coastal Construction Manual: Principles and Practices of Planning, Siting, Designing, Constructing, and Maintaining Residential Buildings in Coastal Areas, August 1, 2011. All areas within Pender County are participating in the NFIP *(Source: FEMA Community Status Book Report, North Carolina, Communities Participating in the National Flood Program,* https://www.fema.gov/national-flood-insurance-program-community-status-book*)*. Regulatory Agency and Source Review See **Appendix C, Exhibit 1.** Consultation for Tier II, if Required Pender County Floodplain Coordinator **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination.**
Wetland Protection [24 CFR 55, Executive Order 11990]	Yes ☒ No ☐	Because project activities involving repair, reconstruction, or elevation of single-family homes and properties would take place in the disturbed area of the previously developed parcel, these activities are not expected to result in any permanent direct or indirect impacts to wetlands. Pender County wetlands are shown in **Appendix C, Exhibit 2, Pender County National Wetlands Inventory Map.**

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
		In the Tier II process, available information will be evaluated and, if warranted, a site inspection will be done by a trained wetland professional to ensure that wetlands are not impacted by the proposed action. Any activity that would adversely affect freshwater wetlands would not be eligible for funding unless a permit was acquired on behalf of the homeowner. If any impacts on wetlands are expected, a site-specific eight-step analysis of the long- and short-term adverse impacts must be performed to determine if there are any practicable alternatives to providing CDBG-DR assistance in the wetland. During construction, best management practices for erosion and sediment control will be implemented (see **Conditions for Approval**). Repair, reconstruction or elevation of structures located over waters of the United States require a USACE permit under the Rivers and Harbors Appropriation Act of 1899, regardless of whether the project results in discharge of fill to the water. Any project not consistent with the Rivers and Harbors Appropriation Act of 1899 would not be funded. <u>Regulatory Agency and Source Review</u> See **Appendix C, Exhibit 2.** <u>Consultation for Tier II, if Required</u> US Army Corps of Engineers, Wilmington District **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination.**
Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]	Yes ☒ No ☐	The North Carolina Coastal Resources Commission designated 20 counties in North Carolina as covered by the Coastal Area Management Act (**Appendix C, Exhibit 3 Table 3-1)**. Pender County is one of these 20 counties. Projects that lie near (within 75 feet) of Normal Water Level (NWL) adjacent to coastal or joint waters, or within 30 feet of NWL of inland waters, will be further reviewed through the Tier II process to determine whether a permit or exemption from the North Carolina Division of Coastal Management (DCM) is needed. <u>Regulatory Agency and Source Review</u> See **Appendix C, Exhibit 3**. **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination**
Sole Source Aquifers [40 CFR 149]	Yes ☐ No ☒	According to the US Environmental Protection Agency's Source Water Protection, Sole Source Aquifer Protection Program, there are no Sole Source Aquifers in Pender County (**Appendix C, Sole Source Aquifers map)**. <u>Regulatory Agency and Source Review</u> See **Appendix C, Exhibit 4.**

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
		Review regarding Sole Source Aquifers is complete.
Endangered Species [50 CFR 402]	Yes ☒ No ☐	The Endangered Species Act (ESA), as amended, and its implementing regulations provide federal agencies with a mandate to conserve threatened and endangered (T&E) species and ensure that any action they authorize, fund, or implement is not likely to jeopardize the continued existence of a T&E species in the wild or destroy or adversely modify its critical habitat. The environmental review must consider potential impacts of the HUD-assisted project activities on T&E species and, for animals' critical habitats. The review must evaluate potential impacts not only to any listed, but also to any proposed or candidate, endangered or threatened species and critical habitats. Project activities that affect T&E species or critical habitats require consultation with the Department of the Interior, US Fish and Wildlife Service (USFWS) or the National Oceanic and Atmospheric Administration (NOAA) Fisheries Service/National Marine Fisheries Service (NMFS), in compliance with the procedure of Section 7 of the ESA and with the North Carolina Wildlife Resources Commission. The bald eagle (*Haliaeetus leucacephalus*), though no longer listed under the ESA, continues to be protected by the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act (16 USC 703 et seq.). The North Carolina Wildlife Resources Commission (NCWRC) lists state-protected species pursuant to GS 113-331 to 113-337, North Carolina Endangered and Threatened Wildlife and Wildlife Species of Special Concern. The North Carolina Department of Cultural and Natural Resources, Natural Heritage Program (NCNHP), as part of its mission to preserve the biological diversity of North Carolina, maintains an inventory of all known occurrences/locations of rare taxa and is the state's data source of locality information of rare and federal- and state-listed animal and plant species, including species proposed for or are candidates for federal listing. A USFWS Official Species List for Pender County was generated through the Information for Planning and Consultation (IPaC) website on July 11, 2018. The NCNHP Data Explorer (http://ncnhp.org/data/species-community-search) was accessed on July 12, 2018, as a first step in identifying federal- and state-listed T&E species previously found in Pender County as a starting point for consultations with the USFWS Raleigh Field Office (USFWS-RFO) and the NMFS for federally listed T&E species, the NCWRC for state-listed T&E animal species, and the North Carolina Department of Agriculture and Consumer Services/Plant Conservation Program (NCPCP) for state-listed T&E plant species. The species identified by the USFWS-RFO and the NCWRC for site-specific review are discussed below along with the review approach to be used for each species.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
		No National Wildlife Refuges/National Fish Hatcheries are in Pender County; therefore, review is complete with respect to NOAA topics. The NCPCP does not have regulatory authority to advise on, or issue, effect determinations, or conduct consultations as described under Section 7 of the ESA. The following regulations guide the NCPCP: • GS 106- 202.19 Unlawful Acts. …the incidental disturbance of protected plants during agricultural, forestry or development operation is not illegal so long as the plants are not collected for sale or commercial use. • North Carolina Administrative Code 48F Section .0400 states that you only need to apply for a protected plant permit to authorize collection, movement and possession of any protected plant or their propagules for scientific research, conservation purposes, or for propagation and sale. Because CDBG-DR funds are not being used for purchase or sale, propagation, or research of plants, the regulations governing the NCPCP are not applicable to the proposed actions under the CDBG-DR Program. <u>Listed T&E Species</u> A total of 16 federally listed threatened, endangered, or candidate species potentially of concern are in Pender County. The eight threatened species are the northern long-eared bat (*Myotis septentrionalis*), West Indian manatee (*Trichechus manatus*), piping plover (*Charadrius melodus*), red knot (*Calidris canutus rufa*), American alligator (*Alligator mississippiensis*), green sea turtle (*Chelonia mydas*), loggerhead sea turtle (*Caretta caretta*), and seabeach amaranth (*Amaranthus pumilus*). The eight endangered species are the red-cockaded woodpecker (*Picoides borealis*), hawksbill sea turtle (*Eretmochelys imbricate*), Kemp's ridley sea turtle (*Lepidochelys kempii*), leatherback sea turtle (*Dermochelys coriacea*), American chaffseed (*Schwalbea Americana*), Cooley's meadowrue (*Thalictrum cooleyi*), golden sedge (*Carex lutea*), and rough-leaved loosestrife (*Lysimachia asperulaefolia*). There is final critical habitat for the West Indian manatee, hawksbill sea turtle, and leatherback sea turtle, but Pender County is outside the critical habitat. There are three final critical habitats wholly or partially within Pender County for the piping plover, loggerhead sea turtle, and golden sedge. The location of the proposed critical habitat for Kemp's ridley sea turtle is not known. ***Piping Plover.*** This species breeds mainly on gently sloping foredunes and blow-out areas behind primary dunes of sandy coastal beaches, and on suitable dredge oil deposits. Vegetation cover on nesting islands is generally less than 25 percent. Woody species encroachment is a problem at many alluvial island sites due to reduced flows, and at saline wetland shorelines due to drawdown and irrigation pumping. It forages along ocean beaches, on intertidal flats, and at tidal pool edges.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
		Loggerhead Sea Turtle. Nesting by this species usually occurs on open, sandy, high-energy, steeply sloped beaches above the high-tide mark and seaward of well-developed dunes. It nests mainly at night, often at high tide. Renesting generally occurs at the same beach or within a few kilometers. It eats various marine invertebrates, several plants, and also fish (carrion or slow-moving species). ***Golden Sedge.*** This species occurs on wet savannahs with sandy soils underlain by coquina limestone. Plants occur mostly in the somewhat shaded ecozone between savannah and swamp. ***Northern Long-eared Bat.*** This species roosts in hollow trees and buildings in warmer months and in caves and mines during winter, mainly in the mountains. As of July 2, 2018, Pender County is located inside the white-nose syndrome zone according to the White-nose Syndrome Zone Per Northern Long-Eared Bat Final 4(d) Rule (**Appendix C, Exhibit 5, Northern Long-Eared Bat White Nose Syndrome Zones map**). If incidental take of the bat is possible, consultation with the USFWS is required. ***Bald Eagle – of concern state wide.*** If tall cypress or pine trees are to be removed, they should be visually checked for nests, as they may be nesting spots for bald eagles. <u>Regulatory Agency and Source Review</u> See **Appendix C, Exhibit 5.** <u>Consultation for Tier II, if Required</u> US Fish and Wildlife Service, Raleigh Field Office North Carolina Wildlife Resources Commission North Carolina Natural Heritage Program **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination.**
Wild and Scenic Rivers [36 CFR 297] North Carolina Natural and Scenic Rivers Act of 1971 National Rivers Inventory, Presidential Directive 1979	Yes ☒ No ☐	The Wild and Scenic Rivers Act created the National Wild and Scenic Rivers System in 1968 to protect selected rivers in a free-flowing condition and to recognize their importance to our cultural and natural heritage (16 USC 1271). The Act prohibits federal support for activities such as construction of dams or other on-stream activities that could harm a designated river's free-flowing condition, water quality or outstanding resource values. Activities require review by the National Park Service only if they would disturb the bed or bank of a designated river. There are no designated National Wild and Scenic Rivers in Pender County. There are no State Natural and Scenic Rivers under the North Carolina Natural and Scenic Rivers Act of 1971 in Pender County (**Appendix C, Exhibit 6, Wild and Scenic Rivers map**). The Nationwide Rivers Inventory (NRI) is a listing of more than 3,400 free-flowing rivers or river segments in the US believed to possess one or more "outstanding remarkable" natural or cultural value. Under a 1979 Presidential Directive, all federal agencies must seek to avoid or

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
		mitigate actions that would adversely affect one or more of the NRI segments. The Black River, Cape Fear River, Colly Creek, Moores Creek, and Northeast Cape Fear River in Pender County are on the NRI (**Appendix C, Exhibit 6, Wild and Scenic Rivers map**). The proposed program activities will not involve water resource projects or any work on or directly affecting any Federal Wild and Scenic River, State Natural or Scenic River, or river segment on the NRI. The proposed activities will be confined to residential lots and activities that will not disturb the beds or banks of these rivers. Any activities occurring adjacent to such rivers or river segments will be subject to **Condition for Approval** number 25. Regulatory Agency and Source Review See **Appendix C, Exhibit 6**. Consultation for Tier II, if Required National Park Service North Carolina Department of Parks and Recreation **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination.**
Air Quality [40 CFR parts 6, 51,61, 93]	Yes ☐ No ☒	The proposed program for Pender County is in compliance. Emissions associated with the proposed actions are limited to use of residential and small construction equipment and are estimated to be well below the threshold when compared to the federal General Conformity Rule de minimis thresholds. Pender County also is not among the counties or areas in North Carolina that fail to meet the National Ambient Air Quality Standards (NAAQS) in one or more of the following areas: ozone (1-hour and 8-hour standards), carbon monoxide, lead, nitrogen dioxide, sulfur dioxide, and particulate matter (2.5 micron and 10-micron standards). *(Source: https://deq.nc.gov/about/divisions/air-quality/air-quality-planning/attainment)* **(Appendix C, Exhibit 7, Nonattainment Areas map)** Emission Methodology As Pender County is not listed as a Non-attainment area, a determination of emissions as they compare to NAAQS is not required. Pender County is listed as Zone 3 – Low Potential for Radon (**Appendix C, Exhibit 7, EPA Radon Zones map)** Regulatory Agency and Source Review See **Appendix C, Exhibit 7**. ***Review regarding Air Quality is complete.***
Farmland Protection [7 CFR 658]	Yes ☒ No ☐	The Farmland Protection Policy Act (FPPA) of 1981 (7 USC 4201 et seq.) regulates Federal actions with the potential to convert farmland to non-agricultural uses. The purpose of the Act, as regulated in 7 CFR 658, is "to minimize the extent to which Federal programs contribute

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
		to the unnecessary and irreversible conversion of farmland to nonagricultural uses." "Farmland", in accordance with 7 CFR 658.2(a), is defined as "prime or unique farmlands as defined in section 1540(c)(1) of the Act or farmland that is determined by the appropriate … government agency … to be farmland of statewide or local importance." The definition further explains that farmland does not include land already in or committed to urban development or water storage, and that farmland already in urban development includes all land with a density of 30 structures per 40-acre area. The United States Department of Agriculture Natural Resources Conservation Service (NRCS) makes determinations of prime and unique farmlands in North Carolina, and consultation with the NRCS is required if farmland that is protected under the FPPA is to be converted to nonagricultural uses. The NRCS uses Form AD-1006 ("Farmland Conversion Impact Rating") to make determinations regarding the relative value of land that is deemed farmland. Form AD-1006 involves scoring of the relative value of the site for preservation and would be completed by both Pender County and the NRCS. Total scores below 160 require no further analysis. Scores between 160 and 200 may have potential impacts and require further consideration of alternatives that would avoid this loss. <u>Regulatory Agency and Source Review</u> See **Appendix C, Exhibit 8.** <u>Consultation for Tier II, if Required</u> US Department of Agriculture, Natural Resources Conservation Service North Carolina Department of Agriculture **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination.**
Environmental Justice [Executive Order 12898]	Yes ☐ No ☒	The proposed activities would encourage people in the areas most affected by Hurricane Matthew to continue living where they live now. In general, those areas have proven vulnerable to flooding. Other pre-existing environmental conditions would continue under the proposed program. However, the primary effects of the proposed program would be to improve the condition of the housing, making it more durable, energy-efficient, and safe from mold, asbestos, lead-based paint, and other health and safety impacts. The program would also enhance health and safety by making many homes less vulnerable to flooding by elevating them above base flood elevations. Low- to moderate-income (LMI) households would receive significant benefits from this program. Because there are no environmental issues for this Program that would disproportionately affect LMI and/or

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
		minority populations, the proposed project would comply with Executive Order 12898. <u>Regulatory Agency and Source Review</u> See **Appendix C, Exhibit 9.** ***Review regarding Environmental Justice is complete.***
HUD Environmental Standards 24 CFR Part 51		**Summary of consultations, supporting documentation, determinations and mitigation measures**
Noise Abatement and Control [24 CFR 51B]	Yes ☒ No ☐	The reconstruction or rehabilitation of 1- to 4-unit residential properties would cause temporary increases in noise levels. Long-term noise levels would be the same as pre-Hurricane Matthew levels. Temporary increases in noise levels will be mitigated by complying with local noise ordinances. The State considered noise criteria and standards according to the provision at 24 CFR 51.101(A)(2) that states that, "responsible entities under 24 CFR 58 must take into consideration the noise criteria and standards in the environmental review process and consider ameliorative actions when noise sensitive land development is proposed in noise exposed areas." The provision at 24 CFR 51.101(a)(3) addresses new construction (not to be confused with rehabilitation or reconstruction) and states that, "HUD assistance for the construction of new noise sensitive uses is prohibited generally for projects with unacceptable noise exposures and is discouraged for projects with normally unacceptable noise exposure." This provision addresses reconstruction, rehabilitation, elevation and mitigation that meets the exclusion for this regulation. The regulation states that HUD noise policy does not apply to "assistance that has the effect of restoring facilities substantially as they existed prior to the disaster." The proposed housing activities of reconstruction, rehabilitation, reimbursement, elevation and mitigation without substantially increasing the existing footprint would restore housing substantially as it existed prior to Hurricane Matthew. So, these activities would be exempt from this section. (Refer to e-mail correspondence from Danielle Schopp in **Appendix C, Exhibit 10, Attachment 10-1**). The provision at 24 CFR 51.101(a)(5) addresses rehabilitation (including reconstruction) and states for major or substantial rehabilitation projects in the Normally Unacceptable and Unacceptable noise zones, HUD actively shall seek project sponsors to incorporate noise attenuation features, given the extent and nature of the rehabilitation being undertaken and the level of exterior noise exposure. Where possible, proposed activities in these areas will be reviewed for inclusion of noise attenuation features. New construction or relocation in these Normally Unacceptable and Unacceptable areas will not be allowable.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
		Regulatory Agency and Source Review See **Appendix C, Exhibit 10.** Consultation for Tier II, if Required HUD, Region IV **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination.**
Siting of HUD-Assisted Projects Near Hazardous Operations [24 CFR 51C]	Yes ☒ No ☐	The definition of "HUD-assisted project" at 24 CFR 51.201 is predicated on whether the project increases the number of people exposed to hazardous operations. Therefore, the environmental review for activities to reconstruct, rehabilitate, elevate, or reimburse for housing that existed prior to the disaster is not required to apply the acceptable separation distance (ASD) standards in 24 CFR 51C where the number of dwelling units is not increased and the activities are limited to the general area of the pre-existing footprint (refer to e-mail correspondence from Danielle Schopp in **Appendix C, Exhibit 11, Attachment 11-1**). An ASD analysis is required if the number of dwelling units increases or the building footprint changes substantially, potentially bringing the structure (and number of residents) closer to an aboveground tank containing a flammable or explosive substance. Therefore, new construction will require a site-specific review. Regulatory Agency and Source Review See **Appendix C, Exhibit 11.** Consultation for Tier II, if Required HUD, Region IV **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination.**
Airport Hazards (Runway Protection Zones and Clear Zones/Accident Potential Zones) [24 CFR 51D]	Yes ☐ No ☒	The restrictions on construction and major rehabilitation of structures in runway protection zones (formerly called runway clear zones) apply to civil airports (24 CFR 51.303). Civil airports are defined as commercial service airports designated in the Federal Aviation Administration's National Plan of Integrated Airport Systems (NPIAS) (24 CFR 51.301(c)). Because there are no civil airports in Pender County, this regulation is not applicable for runway protection zones. HUD regulations also include restrictions on construction and major rehabilitation in clear zones and accident potential zones associated with runways at military airfields (24 CFR 51.303). There are no military clear zones or accident potential zones in Pender County. Regulatory Agency and Review Parties See **Appendix C, Exhibit 12**. ***Review regarding Airport Hazards is complete.***

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances [24 CFR 58.5(i)(2)]	Yes ☒ No ☐	**<u>Hazardous Materials</u>** HUD policy requires that the proposed site and adjacent areas be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants of the property or conflict with the intended utilization of the property. The properties subject to proposed reconstruction, rehabilitation, elevation, or reimbursement may be near enough to sites of concern to experience related health and safety effects. To identify sites near the proposed project location with hazardous materials, contamination, toxic chemicals, gases and radioactive substances as specified in 24 CFR 58.5(i), a review of web-based data information will be done for each site, including EPA's Geographic Information System (GIS) database. The review includes an examination of EPA's Superfund List, National Priorities List (NPL), Toxics Release Inventory, Brownfields, Air Facility Systems, and Hazardous Waste (RCRA) databases, including NEPAssist. We will review information from the North Carolina Department of Environmental Quality (NCDEQ). Based upon these reviews, the State will determine whether the homeowner's property lies within 3,000 feet of a facility that handles or otherwise disposes of a hazardous material or toxic substance. **<u>Radon</u>** This sub-topic is addressed under Air Quality; however, as indicated there, Pender County is in a Zone 3 – Low Potential for Radon. **<u>Asbestos, Lead-Based Paint, and Mold</u>** It is HUD policy that all occupied structures proposed for inclusion in HUD-funded programs be free of hazardous materials that could affect the health of the occupants. Structures to be reconstructed or rehabilitated in the Rebuild NC program (Pender County) may include lead-based paint and materials containing asbestos. These are hazardous materials that could affect the health of residents. All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to: • National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145; and • National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to, HUD's lead-based paint regulations in 24 CFR Part 35 Subparts B, H, and J. These regulations apply to housing constructed prior to January 1, 1978.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
		Mold can also have an adverse effect on human health and is a very common problem in houses that have been flooded. Mold should not be a problem in houses that are demolished and reconstructed but could remain in rehabilitated housing if steps are not taken to eliminate mold during the rehabilitation. All residential structures funded under the Rebuild NC program (Pender County) must be remediated for mold attributable to Hurricane Matthew in accordance with State requirements. <u>Regulatory Agency and Source Review</u> None <u>Consultation for Tier II, if Required</u> US Environmental Protection Agency, Region IV North Carolina Department of Environmental Quality **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination.**
ADDITIONAL STATUTORY AUTHORITIES NOT LISTED IN 24 CFR 58.5		
Fish and Wildlife Coordination Act [16 USC 661-666c]	Yes ☐ No ☒	The Fish and Wildlife Coordination Act applies to impounding, diverting, deepening, or otherwise controlling or modifying a stream or other body of water. The proposed activities in this program would be limited to work on residential structures. No activities are allowed for modifying any stream or body of water. Therefore, the Fish and Wildlife Coordination Act does not apply to the proposed program. ***Review regarding Fish and Wildlife Coordination Act is complete.***
Magnuson-Stevens Fishery Conservation and Management Act [16 USC 1801 et seq.]	Yes ☒ No ☐	The Magnuson-Stevens Fishery Conservation and Management Act applies to ocean fish, including ocean fish that spawn in fresh water or in estuaries (anadromous fish). The Act requires protection of "essential fish habitat," defined as habitat that fish need for spawning, breeding, feeding, or growth to maturity. North Carolina is on the Atlantic Ocean and contains numerous streams and estuaries used for spawning by striped bass, American shad, Hickory shad, alewife, short-nosed sturgeon, and Atlantic sturgeon. Pender County has Anadromous Fish Spawning Areas, including the Black River, Cape Fear River, Northeast Cape Fear River, Long Creek, Pike Creek, Turkey Creek, Prince George Creek, Merrick Creek, and Thorofare (**Appendix C, Exhibit 13, Anadromous Fish Spawning Areas map**) (http://portal.ncdenr.org/web/mf/afsa-maps). Therefore, the Magnuson-Stevens Fishery Conservation and Management Act applies to the proposed program in Pender County. Examination of proximities of individual projects to the identified Anadromous Fish Spawning Areas will be evaluated during the Tier II process. <u>Regulatory Agency and Source Review</u> See **Appendix C, Exhibit 13.**

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and .6	Are formal compliance steps or mitigation required?	**COMPLIANCE FINDING**
		Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes ☐ No ☒	There are no civil airports with runway protection zones or military airfields with clear zones or accident potential zones in Pender County, as addressed in the Airport Hazards section above. ***Review regarding Airport Hazards is complete.***
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☒ No ☐	The John H. Chafee Coastal Barrier Resources System (CBRS) was established in 1982 and is administered by the U.S. Fish and Wildlife Service. In accordance with 24 CFR 58.6(c), HUD assistance may not be used for most activities proposed in the CBRS or otherwise protected areas. Nine designated units of the CBRS are in North Carolina, as well as seven "Otherwise Protected Areas." The Lea Island Complex is the only designated unit of the CBRS in Pender County. <u>Regulatory Agency and Source Review</u> See **Appendix C, Exhibit 14.** **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination.**
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] and 24 CFR 55	Yes ☒ No ☐	Pender County has several areas that are in a Special Flood Hazard Area (SFHA, 100-year floodplain). Because of that, site-specific determinations must be made to determine the need for flood insurance as part of this citation. There are several items to be checked for this topic: • Is the project located in a Special Flood Hazard Area? • Is the community participating in the National Flood Insurance Program or has less than 1 year passed since FEMA notification of Special Flood Hazards? • Did the applicant previously receive federal assistance that was conditioned on obtaining and maintaining flood insurance? • Did the applicant obtain and maintain flood insurance? **Refer to Tier II: Site-Specific Project Review form for each individual property for compliance determination.**

Environmental Assessment Checklist (ref.: Environmental Review Guide HUD CPD 782, 24 CFR 58.40, 40 CFR 1508.8 & 1508.27)

Land Development	Code	Summary of consultations, supporting documentation, determinations, and mitigation measures
Conformance with Comprehensive Plans and Zoning	3	The proposed action would demolish, repair, replace or construct homes consistent with current local plans and zoning ordinances. If it is determined that permits are needed, the contractor will obtain them from the appropriate department prior to construction activities (see **Conditions for Approval**).
Land Use Compatibility and Urban Impact	2	The proposed action sites would maintain current land use and would therefore be compatible with surrounding and existing land uses. Most of the proposed actions will consist of replacement or reconstruction of an existing home. Though there is an option for new construction, the number of applicants who will choose this proposed action is not anticipated to increase urban sprawl.
Slope and Erosion	2	Most of the proposed actions under the Rebuild NC program (Pender County) will be repair or reconstruction of homes on previously disturbed parcels where erosion controls are expected to have been put in place during the initial establishment of the home site. For these actions, the placement of fill or creation of bare soil will be minimized and therefore will not cause significant erosion. On sites adjacent to wetlands, best management practices will be implemented to protect wetlands from sedimentation caused by erosion. For proposed activities including new construction or elevation, the parcel will be evaluated prior to those activities, and best management practices will be implemented to reduce possible erosion impacts where slope conditions may exist.
Soil Suitability	2	Unsuitable soils are not expected to affect the proposed projects. Any soil issues that may have posed issues on previously disturbed parcels should have been addressed during initial construction activities. In the instance where the proposed action includes new construction, soil suitability will be assessed prior to construction and will be addressed during local permitting processes.
Hazards and Nuisances and Site Safety	3	Hazards, nuisances and site safety will be assessed on a site-by-site basis during the Rebuild NC program (Pender County). Contractors will be required to provide health and safety plans and monitoring during construction (see **Conditions for Approval**).
Energy Consumption	1	Though some energy will be consumed over the short term implementing the program, changes in existing long-term energy consumption due to the project activities will be minimal as the program is not anticipated to significantly expand the housing stock. Rehabilitated and reconstructed homes would be more energy-efficient because of the program, due to incorporation of updated energy efficient building materials and practices. All proposed actions will accord with HUD standards and local codes.
Noise – Contribution to community noise levels	3	The proposed activities would cause temporary increases in noise levels at nearby residences. Noise impacts would be mitigated to the extent feasible. The proposed project actions themselves will not impact long-term ambient noise levels. See **Conditions for Approval**.
Air Quality – Effects of ambient air quality on project and contribution to	2	There would be temporary, unavoidable increases in community air pollution levels during the proposed activities. Air quality impacts would be mitigated to the extent feasible (see **Conditions for Approval**). The completed project would not have an adverse impact on air quality in the affected communities. Existing ambient air quality would have no effect on the proposed project.

Land Development	Code	Summary of consultations, supporting documentation, determinations, and mitigation measures
community pollution levels		
Environmental Design – Visual quality – coherence, diversity, compatible use & scale	1	The proposed project would involve reconstruction, rehabilitation, and elevation and mitigation of existing damaged or recently demolished homes. The proposed work would improve visual quality relative to current conditions and would have little effect relative to conditions before the storm. The proposed project would not have significant impacts on visual coherence, diversity, or compatibility of use or scale.
Socioeconomic Factors	**Code**	**Summary of consultations, supporting documentation, determinations, and mitigation measures**
Demographic Character Changes	2	The proposed project will not significantly alter the demographic characteristics of the communities involved. Most of the proposed activities will allow for displaced community members to return to their previous residences and communities. The number of actions that include new construction would not significantly alter the demographics of chosen communities and would allow for a better quality of life for the families involved. Residential, commercial or industrial uses will not be altered because of the project as proposed activities will be carried out on parcels that have already been designated for residential use. There is no potential to destroy or harm community institutions. Proposed actions that include demolition will involve homes that have previously been inhabited or managed by program applicants.
Displacement	1	The proposed project involves the rehabilitation or reconstruction of damaged homes. Homeowners currently living in homes may be displaced for a period during construction activities but will be allowed to move back into their homes immediately following construction. Persons participating in the program that have been displaced due to hurricane damage will be able to return home after construction is complete, leading to a decrease in displaced citizens due to the proposed project.
Employment and Income Patterns	1	The proposed project will aid in restoring homeowners to their previous communities, employment and income patterns, thus leading to favorable developments to commercial, industrial and institutional operations in the project area. The proposed program would help to alleviate some of the financial burden from homeowners for the repair or reconstruction of their home.
Community Facilities and Services	**Code**	**Summary of consultations, supporting documentation, determinations, and mitigation measures**
Educational Facilities	2	The proposed action would allow previous residents to return to their homes. Local educational facilities were able to accommodate student levels prior to Hurricane Matthew, and therefore should be able to accommodate returning students. The number of applicants moving to new areas through new construction is not expected to be substantial, and thus would not cause a need for additional facilities.
Commercial Facilities	2	The proposed action would allow previous residents to return to their homes, which in turn would increase demand for local commercial services. Though local retail services will be available, the increase in demand may lead to shorter supplies for some businesses while the commercial sector adjusts to the

Land Development	Code	Summary of consultations, supporting documentation, determinations, and mitigation measures
		returned homeowners. The number of applicants moving to new areas through the new construction program is not expected to be substantial and therefore would not cause a need for additional commercial facilities.
Health Care	2	The return of residents to their homes would increase the demand for health care services in the affected neighborhoods, and there may be a period of adjustment during which the demand for some health care services in some neighborhoods would exceed the supply. The proposed project would have little effect on regional health care facilities, which should be able to return to providing services at the same level as before Hurricane Matthew. The number of applicants moving to new areas through the new construction program is not expected to be substantial and would therefore not cause a need for additional health care facilities.
Social Services	2	Social services in Pender County are provided by city-level, county-level, or state-level organizations. The proposed project would facilitate a return to pre-Matthew population levels in certain neighborhoods in the County, but this would not cause a significant increase in the demand for social services at the city or state level.
Solid Waste	2	The proposed action would result in generation of substantial quantities of remodeling, demolition and construction wastes. All solid waste must be properly segregated and disposed of in accordance with applicable regulations (see **Conditions for Approval)**. These activities may cause increases in short-term generation of municipal solid wastes; however the project is not expected to overload design capacities of local facilities.
Waste Water	2	The returning homeowners will cause increases in the number of households generating wastewater in the target area; however, the number of homes contributing to wastewater will be approximately the same as those that existed before Hurricane Matthew. The existing or planned waste water systems are believed to be adequate and available to service the proposed project.
Storm Water	2	Existing storm water disposal and treatment systems are anticipated to adequately service the proposed projects. Best management practices will be implemented during construction activities to prevent erosion and sedimentation at sites, especially those near wetlands. Best management practices would be implemented to prevent erosion and sedimentation at sites near wetlands (see **Conditions for Approval**). Proximity of wetlands would be determined on a site-by-site basis.
Water Supply	2	The returning homeowners will cause increases in the demand for water in the target area; however, the number of homes contributing to water supply demand will be approximately the same as those that existed before Hurricane Matthew. The existing or planned municipal water utility or supplies are therefore believed to be adequate and available to service the proposed project.
Public Safety - Police	2	Most of the homes included in the program are currently occupied, and the residents are receiving local police services as needed. Though the returning homeowners will also receive the services described above, the increase in community members is not expected to strain effectiveness of these local services.
Public Safety - Fire	1	The proposed project activities would replace, repair, elevate, mitigate or provide for new construction of damaged homes. Unrepaired structures pose a

Land Development	Code	Summary of consultations, supporting documentation, determinations, and mitigation measures
		potential fire risk, and the program would assist in removing the potential hazards.
Public Safety - Emergency Medical	2	Most of the proposed actions will be rehabilitation or reconstruction of currently occupied homes where the residents are currently able to obtain emergency medical services. Though the return of residents to currently unoccupied homes will cause some increases in the population eligible to receive medical services in certain areas, this impact is not anticipated to overload the current emergency medical services available.
Open Space, Recreation, and Cultural Facilities	2	The proposed project activities take place on previously developed properties. These activities would have no impact on open space or recreational facilities. The project activities would also have no impact on cultural facilities.
Transportation	2	The proposed project would help people return to their homes and would therefore cause a slight increase in traffic levels and demand for public transportation services relative to current conditions but would not increase levels or demand relative to conditions prior to Hurricane Matthew. Proposed projects that include the option of new construction are anticipated to be minimal and would not cause a significant impact to the availability of transportation facilities and services in the project area.
Natural Features	**Code**	**Summary of consultations, supporting documentation, determinations, and mitigation measures**
Water Resources	2	The proposed project is not anticipated to cause water quality issues in or around construction sites. Construction activities will implement best management practices and will not involve discharge or sewage effluent into surface water bodies.
Unique and Natural Features and Agricultural Lands	3	Construction activities will occur primarily on previously developed parcels where homes currently reside. The projects that include new construction will be on parcels designated for residential use. Therefore, unique and natural features are not anticipated to be impacted or cause impacts to the proposed project.
Vegetation and Wildlife	2	Construction activities will occur primarily on previously developed parcels where there are currently homes. The projects that include new construction will be on parcels designated for residential use, and it is not anticipated that trees, vegetation or native plant community habitats will be negatively affected.

Determination – Because some topics in the Statutory Checklist require Site-Specific Reviews including further consultation, mitigation, and potential permit requirements or approvals, the project activities cannot revert to Exempt per 24 CFR 58.34 (a) (12). Complete pertinent compliance requirements, publish a combined FONSI and NOI/RROF, request release of funds, and obtain HUD's Authority to Use Grant Funds per §58.70 and §58.71 for any project activities.

4.0 APPLICABLE MITIGATION MEASURES

As detailed in **Appendix B**, the Tier II ERR employs a site-specific checklist to assess several NEPA compliance factors in accordance with 24 CFR 58.36 and HUD Environmental Standards. This assessment helps determine whether environmental mitigation measures would be required for the proposed housing activity to achieve NEPA compliance on a specific construction site.

Conditions encountered during the site inspection and environmental screening of a proposed construction site will typically determine whether mitigation measures will be required. Following a review of the property inspection report and photographs, a Tier II site-specific checklist will be completed and will describe both the project and required mitigation measures. This assessment will be packaged with supporting documentation into a site-specific file for the State's review. After the State issues environmental clearance for the proposed construction project, thus receiving authority to use grant funds, the file becomes available for the assigned construction contractor to review in support of site planning activities, in the Rebuild NC program (Pender County) system of record, and in the ERR maintained by the State.

This Tier I ERR for the program indicates that environmental mitigation measures may be required for several compliance factors, including:

- Historic Preservation [36 CFR Part 800]
- Floodplain Management and Flood Insurance [24 CFR 58.5(b) and 24 CFR 58.6]
- Wetlands Protection [Executive Order 11990]
- Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]
- Endangered Species Act [50 CFR 402; 16 USC 1531 et seq.]
- Wild and Scenic Rivers [36 CFR 297]
- Farmland Protection [Farmland Protection Policy Act of 1981 Sections 1504(b) and 1541, 7 CFR 658]
- Noise Abatement and Control [24 CFR 51 Subpart B]
- Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances [24 CFR 58.5(i)(2)(i)) and Environmental Checklist for Solid Waste]
- Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51C]
- Magnuson-Stevens Fishery Conservation and Management Act [16 USC 1801 et seq]
- Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501].

While specific mitigation measures cannot be fully defined upon Tier I ERR publication, they are summarized below. These will support Tier II site-specific standard environmental analysis procedures approved by the State to help define the measures applicable to most sites. The construction contractor will note what the specific mitigation measures are required for the

assigned project by the Tier II checklist and incorporate these into their construction plans and document how compliance was achieved.

These are conditions for mitigation for environmental items that need additional actions either before or during the proposed project activities.

General

1. Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.
2. Contractors will be required to prepare and implement health and safety plans, and to conduct monitoring during construction to protect the health and safety of site workers and the public.
3. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for re-evaluation under the National Environmental Policy Act.

Historic Preservation

4. All activities must comply with Section 106 of the National Historic Preservation Act (NHPA) per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through the procedures set forth in the Programmatic Agreement between the North Carolina Department of Commerce, North Carolina Department of Public Safety, and State Historic Preservation Officer (SHPO), as signed onto by the North Carolina Department of Commerce.
5. If archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted, and the applicant shall stop all work immediately near the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant will inform the State of North Carolina (the State) immediately and consult with SHPO. Work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project complies with the NHPA.

Floodplain Management and Flood Insurance

6. All proposed reconstruction, repair, elevation and mitigation of substantially damaged structures in the 100-year floodplain will adhere to the most recent elevation requirements in accordance with local codes and Base Flood Elevation requirements where they exceed the federal standards.
7. All structures funded by the Rebuild NC: Single Family Housing Recovery Program (1-4 Units) (Rebuild NC), if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, will be covered by flood insurance and the flood insurance must be

maintained for the economic life of the structure [24 CFR 58.6(a)(1)]. All areas within Pender County are participating with the National Flood Insurance Program (NFIP).

8. No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance but failed to obtain and maintain the insurance [24 CFR 58.6(b)].
9. Duration of Flood Insurance Coverage. The statutory period for flood insurance coverage may extend beyond project completion. For loans, loan insurance or guaranty, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of assistance, coverage must be continued for the life of the property, regardless of transfer of ownership of such property. Section 582(c) of the Community Development and Regulatory Improvement Act of 1994 mandates that "The requirement of maintaining flood insurance shall apply during the life of the property, regardless of transfer of ownership of such property." (42 USC 4012a). Such anticipated economic or useful life of the property may vary with the nature of the assisted activity. For example, construction of a new or substantially improved building requires flood insurance coverage for the life of the building, while for minor rehabilitation such as repairing, weatherizing, or roofing of a building, the grantee may require flood insurance coverage ranging from 5 to 15 years as deemed feasible. HUD will accept any period within that range that appears reasonable.
10. Dollar Amount of Flood Insurance Coverage. For loans, loan insurance or guaranty, the amount of flood insurance coverage need not exceed the outstanding principal balance of the loan. For grants and other forms of financial assistance, the amount of flood insurance coverage must be at least equal to the development or project cost (less estimated land cost) or to the maximum limit of coverage made available by the Act with respect to the particular type of building involved (SF-Single Family, OR-Other Residential, NR-Non-Residential, or SB-Small Business), whichever is less. The development or project cost is the total cost for acquiring, constructing, reconstructing, repairing or improving the building. This cost covers both the federally assisted and the non-Federally assisted portion of the cost, including any machinery, equipment, fixtures, and furnishings. If the Federal assistance includes any portion of the cost of any machinery, equipment, fixtures or furnishings, the total cost of such items must also be covered by flood insurance.
11. Proof of Purchase. The standard documentation for compliance with Section102 (a) is the Policy Declarations form issued by the NFIP or issued by any property insurance company offering coverage under the NFIP. The insured has its insurer automatically forward to the grantee in the same manner as to the insured, information copies of the Policy Declarations form for verification of compliance with the Act. Any financially assisted Special Flood Hazard Area (SFHA) building lacking a current Policy Declarations form is in Noncompliance.
12. Grantee's Evidence of Compliance under the Certification. The grantee must maintain a complete and up-to-date listing of its on-file and current Policy Declarations for all

financially assisted SFHA buildings. As a part of the listing, the grantee should identify any such assisted building for which a current Policy Declarations form is lacking and attach a copy of the written request made by the grantee to the owner to obtain a current Policy Declarations form.

Wind

13. Pender County is between the 110- and 130-mph Basic Wind Speed for 50-year mean recurrence interval, decreasing from 130 mph at increasing distance to the west. As such, all reconstruction or new construction must meet the requirements of the North Carolina Construction Code, Building Planning and Construction for wind design.

Wetlands Protection and Water Quality

14. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and off-site wetlands and waters and to prevent erosion in onsite and off-site wetlands and waters.
15. Minimize soil compaction by minimizing activities in vegetated areas, including lawns.

Noise

16. Outfit all equipment with operating mufflers.
17. Comply with applicable local noise ordinances.

Air Quality

18. Use water or chemical dust suppressant in exposed areas to control dust.
19. Cover the load compartments of trucks hauling dust-generating materials.
20. Wash heavy trucks and construction vehicles before they leave the site.
21. Employ air pollution control measures on all vehicles and equipment, as required.

Hazardous Materials

22. All activities must comply with applicable federal, state and local laws and regulations regarding environmental protection and asbestos, including but not limited to the following:
    - North Carolina Environmental Policy Act and Rules at 01 NCAC (North Carolina Administrative Code) 25
    - National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145 and 150
    - North Carolina Asbestos Hazard Management Program, NC General Statutes (GS) Section 130A-444 through 452 – Asbestos Hazard Management
23. Applicant or contractor must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g., asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides / herbicides, white goods).

24. All activities must comply with applicable federal, state and local laws and regulations regarding lead-based paint including, but not limited to, HUD's lead-based paint regulations in 24 CFR Part 35.
25. All residential structures must be treated for mold attributable to Hurricane Matthew in accordance with federal, state or local guidelines.

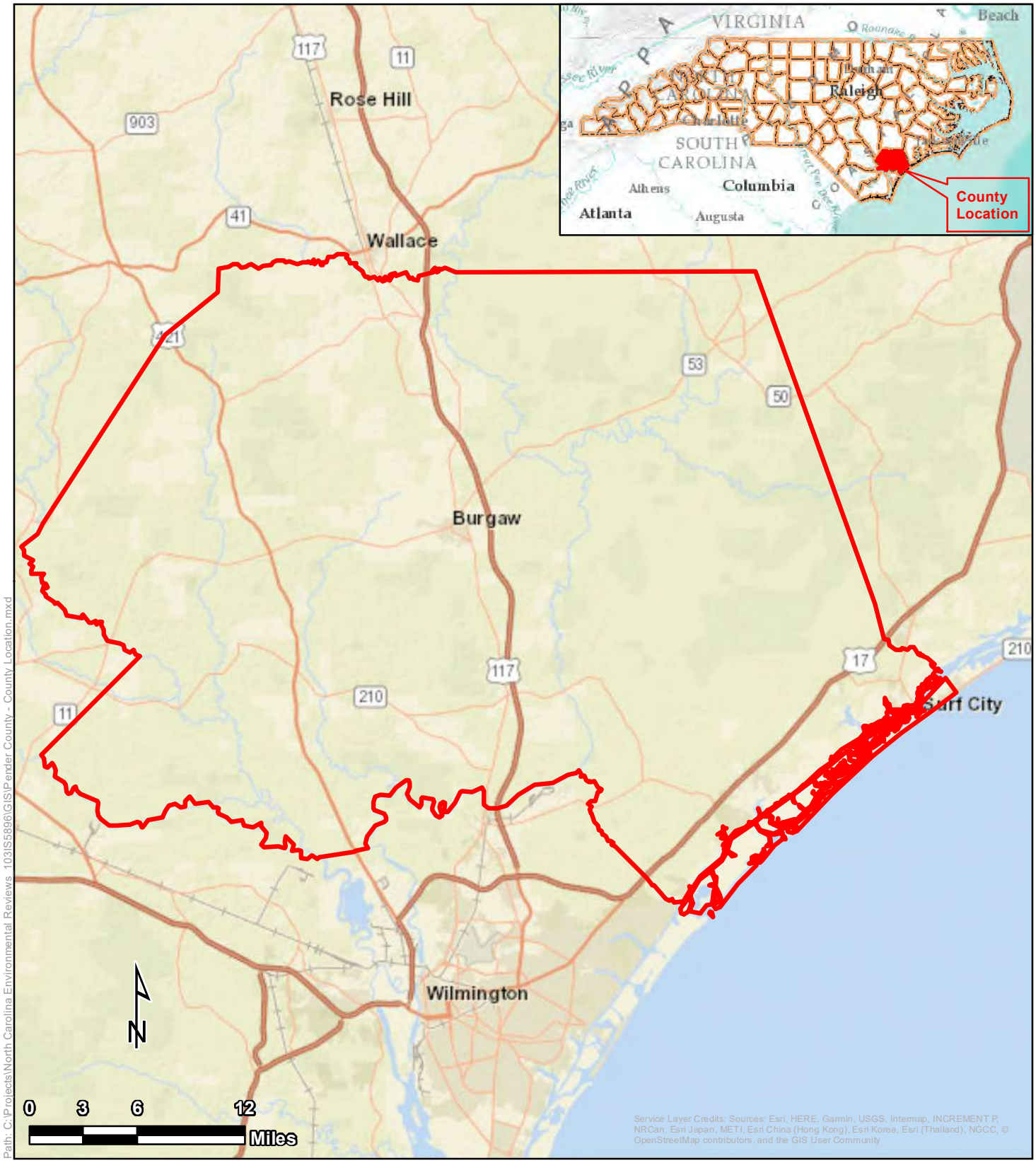
Wild and Scenic Rivers

26. Comply with any conditions specified by the National Park Service for protection of the wild and scenic river and Nationwide Rivers Inventory segments in Pender County. No designated wild and scenic rivers are in Pender County. The Black River, Cape Fear River, Colly Creek, Moores Creek, and Northeast Cape Fear River in Pender County are in the Nationwide Rivers Inventory. The NPS identified that "best practices" would be used, specifically *"All construction activities occurring on or adjacent to a federally designated Wild and Scenic River or on a river listed on the Nationwide Rivers Inventory should take care to avoid any unnecessary clearing of native riparian vegetation such that local scenery remains intact. Further, for all projects where construction derived runoff has the potential to enter the waterway, appropriate sediment control measures should be required. Sediment control measures can include, but are not limited to, the use of straw bales and silt fences."* ***(See Appendix C, Exhibit 6)***. The North Carolina Division of Parks and Recreation recommended the use of erosion and sedimentation controls during construction and after completion of the work at project sites where vegetation removal and/or land disturbance is planned within 100 feet of the bank for the protected wild and scenic river segments.

Appendix A

Figures

Pender County Map
Pender County Rainfall Map
Declared Disaster Areas
Pender County Individual Assistance Applications

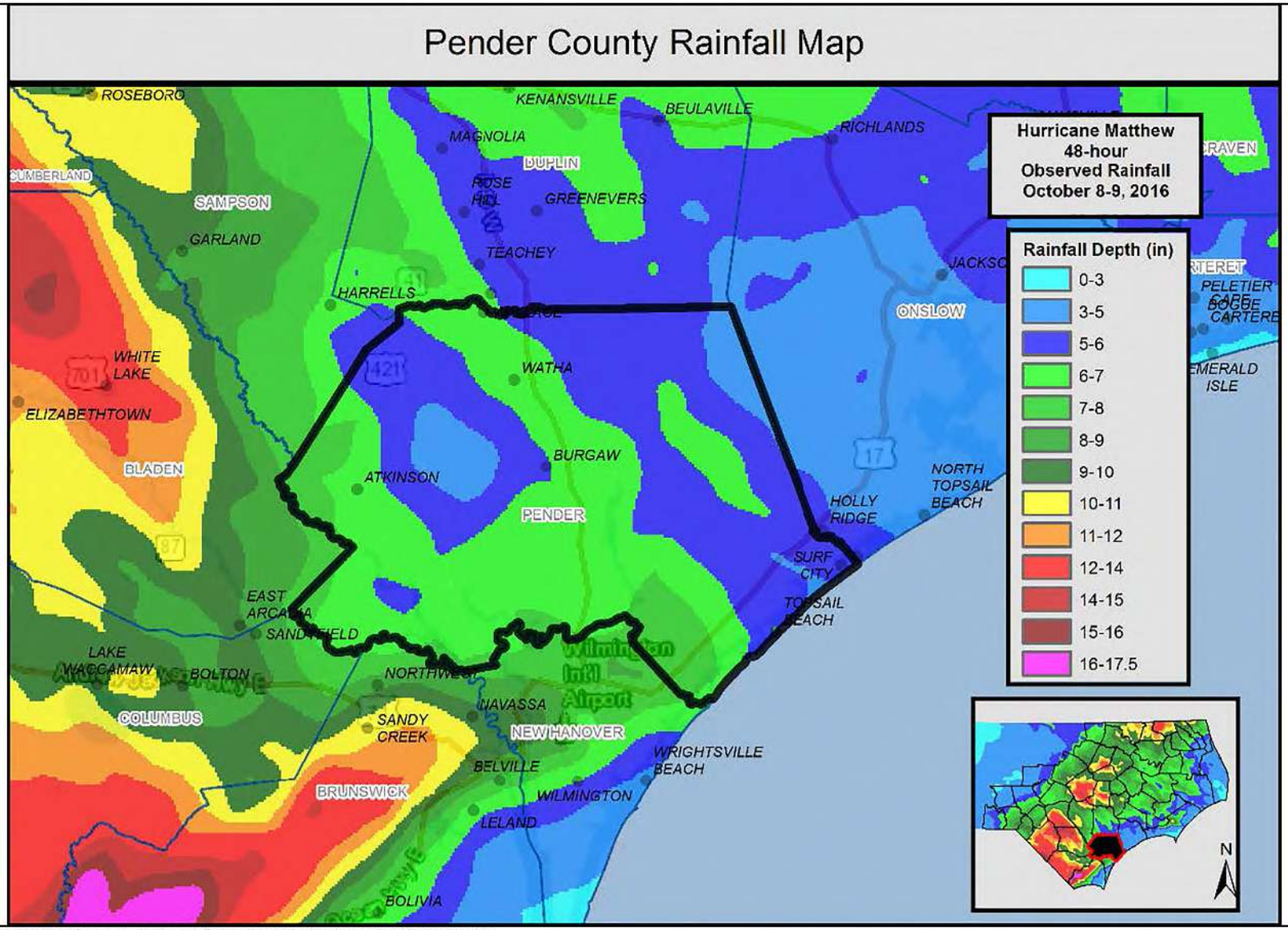


Pender County Map

Legend

Tier 1 Area of Review

TETRA TECH



Source: National Weather Service, National Oceanic and Atmospheric Administration

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Pender County Hurricane Matthew Rainfall Map

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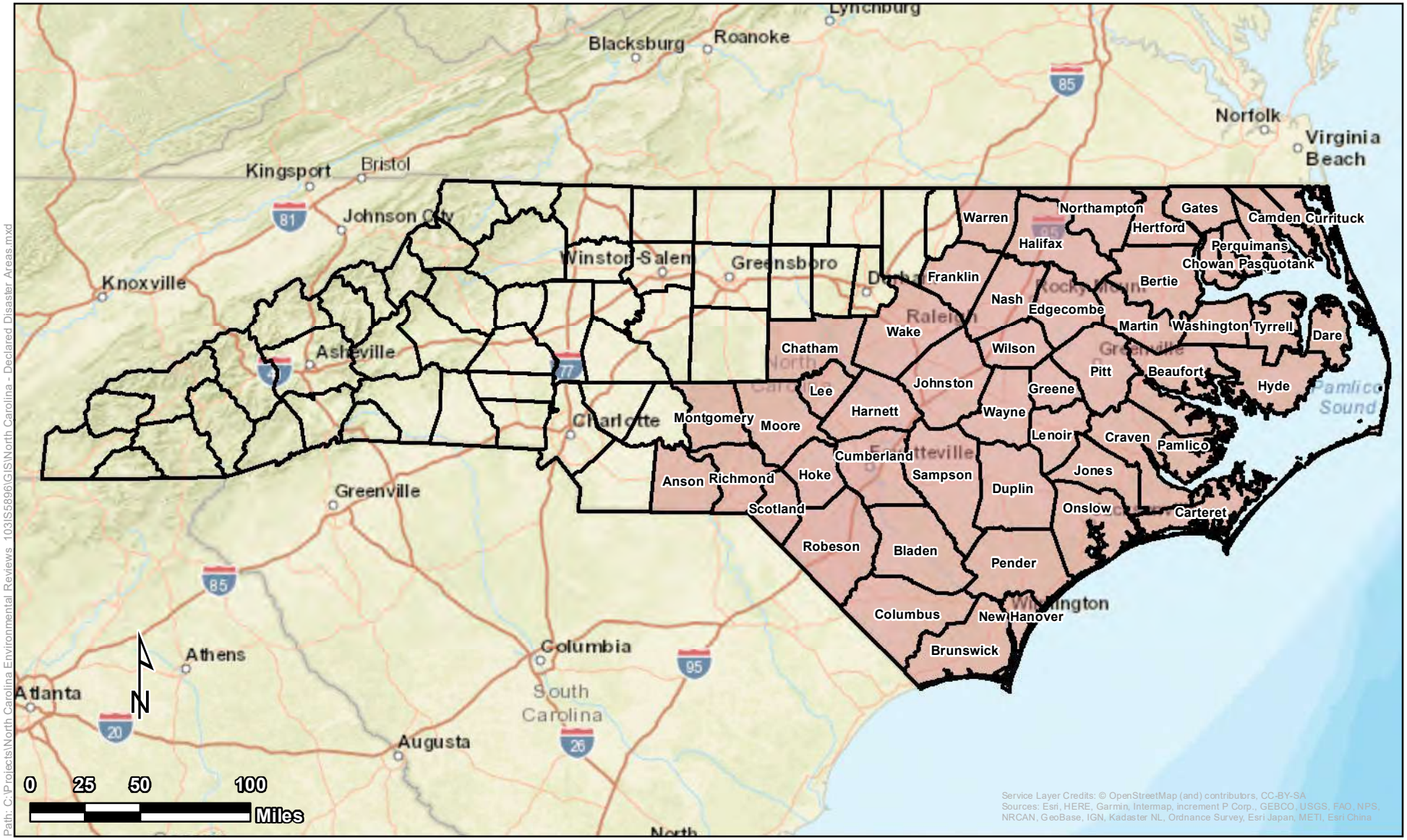

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Declared Disaster Areas

Legend

- Declared Disaster Area Counties
- North Carolina Counties

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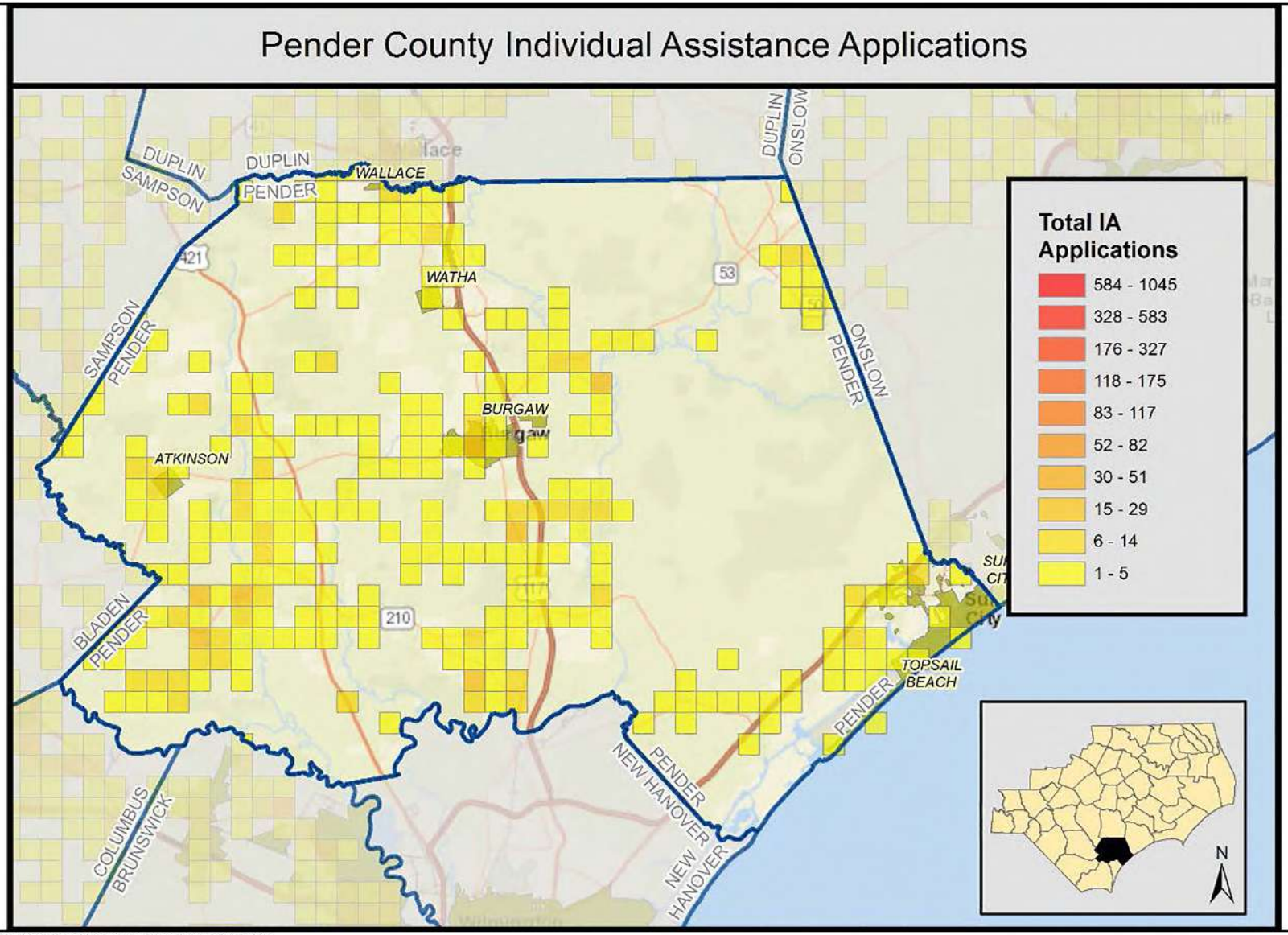

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Source: Pender County Resilient Redevelopment Plan

Pender County Individual Assistance Applications

TETRA TECH

Appendix B

Tier II Site-Specific Checklist

Tier II: Site Specific Environmental Review for Pender County, North Carolina

Project Information

HUD Grant Number 17-R-3004	
Submittal Date:	**Application ID #:**
Property Address:	
GPS Coordinates:	**Census Tract:**
Parcel No:	**Tax ID:**
Date of Field Inspection:	**Date of Review:**
Inspector Name:	**Reviewer Name:**
Attachments:	
Funding Information Estimated Total HUD Funded Amount: [For the Proposed Activity, if known]	

Project Description:

Note: Throughout this annotated form, explanatory language is in blue font and should be deleted upon completion of the form.

(Delete all that do not apply)

- **For rehabilitation:**

The proposed activity is rehabilitation of the (insert number)-unit residential structure at the address listed above. The structure was damaged because of Hurricane Matthew. The structure was constructed in (insert year). Renovations will include addressing storm-related damage and repairing the property to current minimum property standards and compliance with applicable Americans with Disabilities Act requirements. All activities will be limited to the disturbed area of the previously developed lot. Pre-award and pre-application activities will be limited to work completed in the same footprint of the damaged structure. A map showing the location of the property is attached.

- **For elevation of an existing building:**

The proposed activity is elevation of the (insert number)-unit residential structure at the address listed above. The structure was damaged because of Hurricane Matthew. The structure was constructed in (insert year). The lowest habitable floor of the structure would be elevated at least 2 feet above the advisory base flood elevation (ABFE), in accordance with federal requirements or local code, whichever is higher. All activities will be limited to the disturbed area of the previously developed lot or activities will largely be limited to the disturbed area of the previously developed residential site but would disturb the ground surface to install pier and beam foundation and accommodate required utilities. Pre-award and pre-application activities will be limited to work completed in the same footprint of the damaged structure. A map showing the location of the property is attached.

The federal or local code, whichever is higher, would determine the elevation requirements. Based upon that code, "1 foot" should be changed to "X feet" based upon the code.

- **For reconstruction on an existing lot:**

The proposed activity involves possible demolition of an existing structure built in (insert year) and reconstruction on an existing property of same residential density with the above-listed address, where the structure received damage from Hurricane Matthew to the extent that rehabilitation was not possible. Proposed activities would include reconstruction activities in accordance with minimum property standards and site-specific EA mitigation measures (insert to protect wetlands, U.S. waters, threatened and endangered species, and to minimize the hazards future flood events, and invasive species). If the home site is in the floodplain, compliance with the local floodplain ordinance will be required and include elevation of the home to 2 feet above the advisory base flood elevation (ABFE), in accordance with the effective Flood Insurance Rate Map or Preliminary Flood Insurance Rate Map published by FEMA. Activities will be limited to the disturbed area of the previously developed lot or activities will largely be limited to the disturbed area of the previously developed residential site but would disturb the ground surface to install pier and beam foundation and accommodate required utilities. A map showing the location of the property is attached.

The federal or local code, whichever is higher, would determine the elevation requirements. The sentence regarding elevation above the ABFE should be removed from the description if the new structure would be entirely outside the 100-year floodplain.

- **For reimbursement**

The proposed activity is reimbursement of the rehabilitation repairs of the residential unit at the address listed above. The structure was damaged due to Hurricane Matthew. The structure was constructed in (insert year). All reimbursement activities are limited to work completed within the existing footprint of the damaged structure. A map showing the location of the property is attached.

- **For new construction or relocation on a previously undisturbed lot:**

The proposed activity is new construction of a (insert number)-unit residential structure at the address listed above. The project activity is the result of the need to build a new structure, as the homeowner's old structure was damaged extensively due to Hurricane Matthew. Proposed activities would include construction activities in accordance with minimum property standards and site-specific EA mitigation measures (insert to protect wetlands, U.S. waters, threatened and endangered species, and to minimize the hazards future flood events, of toxic and radioactive materials, explosive and flammable hazards, and invasive species). Activities will be limited to the disturbed area of the previously developed lot or activities will largely be limited to the disturbed area of the previously developed residential site but would disturb the ground surface to install pier and beam foundation and accommodate required utilities. New construction is not allowed in a 100-year floodplain. A map showing the location of the property is attached.

Finding of Tier II Review	**Choose one of the following:** ☐ The proposed activity conditionally complies with environmental requirements for funding. ☐ The proposed activity does not comply with environmental requirements for funding because (provide reason such as permanent impact to a wetland or within a floodway). ☐ A finding cannot be made without additional information or documentation (attached)

Site Specific Findings

1. Historic Preservation

(36 CFR Part 800)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

A. SHPO/Tribal Review or Notification Required

The historic preservation review must be concluded for both above ground resources and archaeological resources

Project activity is for a building built after 1968 that is not within a historic district, and the project activity will not involve reconstruction or elevation. Meets PA Allowance and Historian with Secretary of the Interior Standards approves. ***Submit information to SHPO detailing findings for Round 1 SHPO review.***

☐ SHPO findings indicate no further consultation needed, proceed to Item 2, Floodplain Management and Flood Insurance. **(Review Concluded)**

☐ SHPO findings indicate further consultation required. Continue to next step for Historic Preservation.

B. National Historic Landmark (NHL)

☐ Activity meeting Programmatic Allowances involves a National Historic Landmark.

☐ SHPO and National Park Service NHL Program Manager notified and provided appropriate project documentation

☐ **No Adverse Effect Determination.**

Are project conditions required?

☐ No **(Review Concluded)**

☐ Yes. Attach conditions. **(Review Concluded)**

☐ **Adverse Effect Determination**

(HPO concurrence on file)

☐ Mitigation not possible. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

☐ Resolution of Adverse Effect completed

☐ MOA on file

Are project stipulations required?

☐ No **(Review Concluded)**

☐ Yes. Attach conditions. **(Review Concluded)**

C. Standard Project Review: SHPO/Tribal Consultation Required

☐ Proposed activity does not involve a NHL and does not meet the above programmatic allowances for both above ground and archaeological considerations and requires Section 106 review of the entire undertaking.

☐ List any tribes or other consulting parties who were notified or consulted for this undertaking:

_____

(Proceed to boxes *in both columns* below *until the review of both resource types is concluded*)

- ☐ No above ground Section 106-defined historic properties in Area of Potential Effects. **No Historic Properties Affected Determination.** SHPO concurrence on file. **(Above Ground Review Concluded)**
- ☐ Individual historic properties or historic districts are located in the Area of Potential Effects.
  - ☐ **No Historic Properties Adversely Affected Determination** (SHPO concurrence on file)

    Are project conditions required?
    - ☐ No **(Above Ground Review Concluded)**
    - ☐ Yes. Attach conditions. **(Above Ground Review Concluded)**
  - ☐ **Adverse Effect Determination** (SHPO concurrence on file)
    - ☐ Mitigation not possible. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**
    - ☐ Resolution of Adverse Effect completed
      - ☐ Standard Treatment Measure(s) listed in PA applied (SHPO concurrence on file)
      - ☐ Separate MOA on file

      Are project stipulations required?
      - ☐ No **(Above Ground Review Concluded)**
      - ☐ Yes. Attach stipulations. **(Above Ground Review Concluded)**

- ☐ Consultation conducted with SHPO and project area assessed as not having potential for eligible archaeological resources.
  - ☐ Project area assessed as having low potential for archaeological resources
    - ☐ **No Historic Properties Affected Determination** (SHPO concurrence or consultation on file). **(Archaeological Review Concluded)**
  - ☐ Project area has been field assessed for presence of archeological resources
    - ☐ No archaeological materials identified in Area of Potential Effects.
      - ☐ **No Historic Properties Affected Determination** (SHPO concurrence or consultation on file). **(Archaeological Review Concluded)**
  - ☐ Archaeological materials identified in Area of Potential Effects through consultation or fieldwork.
    - ☐ **No Historic Properties Adversely Affected Determination** (SHPO concurrence on file)

      Are project conditions required?
      - ☐ No **(Archaeological Review Concluded)**
      - ☐ Yes. Attach conditions. **(Archaeological Review Concluded)**
- ☐ **Adverse Effect Determination** (SHPO concurrence on file)
  - ☐ Mitigation not possible. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**
  - ☐ Resolution of Adverse Effect completed
    - ☐ Standard Treatment Measure(s) listed in PA applied, (SHPO concurrence on file.)
    - ☐ Separate MOA on file

    Are project stipulations required?
    - ☐ No **(Archaeological Review Concluded)**
    - ☐ Yes. Attach stipulations. **(Archaeological Review Concluded)**

2. Floodplain Management and Flood Insurance

(EO 11988, 24 CFR Part 55, and 24 CFR 58.6)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

The proposed site is (check only one of the following):

☐ Not in a 100-year floodplain (A zone). Attach appropriate floodplain map showing site location. (Complies with EO 11988, 24 CFR Part 55, and 24 CFR 58.6.) (**Review Concluded**)

☐ In a 100-year floodplain (A zone) and not in a National Flood Insurance Program (NFIP) participating community. Attach appropriate floodplain map showing site location. **Does not comply** with EO 11988, 24 CFR Part 55, and 24 CFR 58.6 because required flood insurance is not obtainable. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

☐ In a 100-year floodplain (A zone) and in an NFIP-participating community. Are the existing structure and the proposed activity in a designated floodway area?

- ☐ Yes. Is the project activity property acquisition, buyout assistance, or relocation outside of floodway?
  - ☐ Yes. Project may continue. **(Review Concluded)**
  - ☐ No. Attach appropriate floodplain map showing site location. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**
- ☐ No. Proceed to the following question.

Is the project activity new construction in or relocation of a structure to the floodplain?

- ☐ Yes. Activity does not meet Programmatic Compliance eight-step process. An individual eight-step must be completed for the property and permitted, if required. **Perform individual decision-making process for this site.**
- ☐ No. If the structure is substantially damaged (damage equal to or more than 50 percent of the pre-Hurricane Matthew value of the structure), the structure may require elevation, and other mitigation, including flood insurance. A decision-making process would be required. If the structure is not substantially damaged, the structure does not require elevation but would require flood insurance. **(Review Concluded)**

3.1 Wetlands

(EO 11990 and Clean Water Act, especially Section 404)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

Are there coastal or freshwater wetlands on or adjacent to the site?

☐ No. There are no wetlands on the project site. (**Review Concluded**)

☐ Yes. Would (Did) the activity affect a wetland? Attach appropriate wetlands map.

Work in wetlands, including operation of equipment in wetlands, would affect the wetlands. A freshwater wetland greater than 12.4 acres and the 100-foot "adjacent area"' (measured horizontally) surrounding the wetland is granted protection under the Freshwater Wetland Act of 1975. Work in state or federally protected wetlands and/or their adjacent areas constitute a direct impact to the wetland. Best management practices should prevent impact to adjacent wetlands.

- ☐ No. Project involves disturbance in existing disturbed area only. There is no potential to impact wetlands. **Compliance met**. (**Review Concluded**)
- ☐ Yes. Possible adverse effect in wetlands.
  - ☐ Eight-step process done?

☐ No. The 8-step decision-making process was not completed. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

☐ Yes. The 8-step decision-making process was completed.

☐ **Activity in compliance** with EO 11990 and the Clean Water Act. Explain basis for conclusion and describe the permitting process and mitigation measures. Attach supporting documentation. (**Review Concluded**)

☐ **Activity not in compliance** with EO 11990 and the Clean Water Act. Explain basis for conclusion. Attach supporting documentation. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

3.2 Clean Water Act

(EO 11990 and Clean Water Act, especially Section 404)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

Are there any Waters of the United States in or within proximity of the applicant site?

☐ No. There are no Waters of the United States that can be affected by the project. (**Review Concluded)**

☐ Yes.

Is the project work within the same footprint of the existing structure?

☐ Yes. Construction best practices are required to prevent any construction impact. However, construction work can continue. **(Review Concluded)**

☐ No. CWA-trained professional has reviewed the property conditions and conducted a site visit of the Applicant's site.

☐ Based on that site visit, the professional concluded that the proposed action site does not contain Waters of the United States or that the proposed action will not adversely impact the Waters of the United States. **(Review Concluded)**

☐ Based on the site visit of the applicant's site and review of the information, at least a portion of the site contains Waters of the United States that could be adversely impacted. **(Mitigation requires coordination with the US Army Corps of Engineers and possible 401/404 permitting. Inform Certifying Officer)**

4. Coastal Zone Management Act

(Coastal Zone Management Act, Sections 307(c) and (d))

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

The proposed site is (check only one of the following):

☐ Not in a coastal zone. Attach appropriate Coastal Zone Management Act map showing site location. (**Review Concluded**)

☐ In a coastal zone and project work is more than 75 feet from the Normal Water Level (NWL). Attach appropriate Coastal Zone Management Act map showing site location. (**Review Concluded**)

☐ In a coastal zone and project work would be within 75 feet of an NWL. Property owner must contact the North Carolina Department of Environmental Quality, Division of Coastal Management, to determine if a permit or exemption is required. (**Review Concluded**)

5. Sole Source Aquifers

(40 CFR Part 149)

Not applicable. Compliance determined in Tier I Environmental Assessment.

6. Endangered Species Act

(16 USC 1531 et seq., 50 CFR Part 402

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

☐ All proposed activities are occurring in the pre-existing disturbed area associated with the structure. There is no native tree removal in the scope of work and no potential to affect Federally or State-listed species and/or designated critical habitat, based on the limited scope of action. **(Review Concluded)**

☐ Proposed activities involve new construction or construction outside of the pre-existing disturbed area.

Are any of the Federally or State-listed species or critical habitats present or potentially present on the project site or potentially subject to disturbance from the project activities?

☐ No. Trained personnel have reviewed site conditions and concluded that no Federally or State-listed threatened and endangered species or designated critical habitat are present in areas affected directly by the proposed action. **(Review Concluded)**

☐ Yes. Consultation with USFWS is required and resulted in a determination that (check only one of the following):

☐ The proposed activity, including appropriate measures to avoid adverse impacts, would not adversely affect threatened and endangered species. Attach supporting documentation. Activity complies. (**Review Concluded**) **Explain how this conclusion was reached. Describe required mitigation measures.**

☐ The proposed activity would adversely affect threatened and endangered species. Attach supporting documentation. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.** **Explain how this conclusion was reached.** Attach supporting documentation.

7. Wild & Scenic Rivers Act

(Sections 7(b), (c))

Not applicable. Compliance determined in Tier I Environmental Assessment.

Is the proposed site within 100 feet of a Federally or State-designated Wild and Scenic River?

☐ No. Attach map. **(Review Concluded)**

☐ Yes. Contractor must use best management practices to control soil and sediment movement (assuming the work is of such nature as to impact the surrounding surface area) off the work-site during rainfall events, reduce the impact to streams and manage rainwater runoff both during construction and after completion of the work. Examples of construction best management practices are silt fences, hay bales in ditches, constructed detention basins, and other basins to hold silt-laden water on site. Document mitigation requirements. **(Review Concluded)**

8. Air Quality

(Clean Air Act, Sections 176 (c) & (d), & 40 CFR Part 6, 51, & 93)

Not applicable. Compliance determined in Tier I Environmental Assessment.

9. Farmland Protection Policy Act

(7 CFR Part 658)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Is the proposed activity new construction or relocation on a previously undisturbed parcel?

☐ No. This activity is not subject to Farmland Protection Policy Act (FPPA). Previously, Natural Resources Conservation Service (NRCS) has specified that parcels previously converted [from farmland to nonagricultural uses], regardless of location, are not subject to FPPA because the parcels were converted when the original dwelling was constructed on the parcel. The subject activities involve no alteration of undisturbed land and repair/reconstruction of structure in-place and in the previously disturbed area. **(Review Concluded)**

☐ Yes. Continue. Check one of the following.

☐ Area subject to disturbance is less than 3 acres. **(Review Concluded)**

☐ Site located as farmland already in urban development in accordance with 7 CFR 658.2 - not subject to FPPA. **(Review Concluded)**

☐ Site located in an area that includes a density of 30 structures per 40 acres. **(Review Concluded)**

☐ New construction activities and parcel is located outside urban development area; subject to additional review. Continue.

☐ Information obtained documenting that the parcel was previously residentially developed land. The NRCS specified that parcels that had previously been converted [from farmland to nonagricultural uses] when the original dwelling was constructed on the parcel, regardless of location, are not subject to FPPA. **(Review Concluded)**

☐ Coordination with NRCS is required.

☐ Farmland Conversion Impact Rating, Form AD-1006, or other NRCS-approved documentation has been completed and submitted on Date:

☐ NRCS has replied on Date: (attach documentation)

Are conditions required? ☐ No. ☐ Yes. Document conditions. **(Review Concluded)**

☐ NRCS has not replied within 30 days; no response is considered to be concurrence with finding of no significant adverse effect. **(Review Concluded)**

10. Environmental Justice

(EO 12898)

Not applicable. Compliance determined in Tier I Environmental Assessment.

11. Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances

(24 CFR Part 58.5(i)(2))

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Note: This review is not intended to satisfy the requirements of a Phase I Environmental Site Assessment (ESA) or other Environmental Due Diligence Process as defined by the American Society of Testing and Materials (ASTM), or any of the requirements necessary to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability. However, in the event of acquisition of property, a Phase I assessment may be required. That assessment will be done as an additional study to this Tier II.

FINDINGS FROM SITE INSPECTION

Are there any recognized environmental conditions (RECs), such as obvious signs of hazardous, toxic, or radioactive materials or substances as observed during the site visit?

☐ No. Attach site observation report.

☐ Yes. Describe and attach site observation report.

REC explanation: Site conditions indicate that the subject property is contaminated or likely contaminated via the release of on-site or off-site hazardous substances or petroleum products.

During the site reconnaissance, the subject property and adjoining properties are visually inspected for RECs, such as:

- **UST vent or fill pipes**
- **Corroded ASTs, drums or containers**
- **Pits, ponds, lagoons, pools of hazardous substances or petroleum products**
- **Mounds of rubble, garbage, or solid waste**
- **Distressed vegetation**
- **Surface staining**
- **Faulty septic systems**
- **Groundwater monitoring or injection wells**
- **Structure(s): present and former uses, such as any industrial or commercial structure that potentially used, stored or handled hazardous materials.**

Note any obstacles to identification of RECs (Examples: soil piles, household debris, no access to backyard)

FINDINGS FROM REVIEW OF REGULATORY DATABASES AND OTHER INFORMATION SOURCES

Is the site within 3,000 feet of a listed solid or hazardous material facility, landfill, or contaminated area? Attach figure of site location with findings indicated.

☐ No. Based on the limited site observations made in support of this review and review of the listed sources of information, the project site does not appear to be impacted by hazardous, toxic, or radioactive materials or substances where the specified hazard could affect the health and safety of occupants or conflict with the intended utilization of the site. **(Review Concluded)**

☐ Yes.

☐ The project site is listed as a known or suspected contaminated (hazardous, toxic, or radioactive materials or substances) site.

☐ More information is required, such as documentation of cleanup or remediation or "No Further Action" letter from the governing agency.

Specify additional information obtained from the governing agency:

☐ Based on the review, it does not appear that the identified hazard affects the health and safety of occupants or conflicts with the intended utilization of the project site. Note that this review does not constitute a risk assessment or definitive determination of the hazard and its potential effect on health and safety of occupants or the environmental condition of the project site. **(Review Concluded)**

☐ Based on the review, it does appear that the identified hazard affects the health and safety of occupants or conflicts with the intended utilization of the project site. The project site and/or proposed action DOES NOT clear the site-specific review process. **STOP – SITE IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

☐ Based on review of regulatory databases and other information sources, the project site does not appear to be located proximate (within 500 feet) to a site of environmental concern (toxic site or solid waste landfill site), and no known studies indicate an environmental concern for the location. **(Review Concluded)**

☐ Based on review of information sources, the project site does appear to be located proximate (within 500 feet) to a site of environmental concern that could have adversely impacted the project site, and/or is known or suspected to be contaminated by toxic substances or radioactive materials.

Specify additional information obtained from the governing agency.

Based on topography or distance of the project site relative to the site of environmental concern:

☐ It does not appear that the project site is likely to have been impacted by the site of environmental concern to a degree where the hazard could affect the health and safety of occupants or conflict with the intended utilization of the project site. **(Review Concluded)**

☐ It does appear that the project site is likely to have been impacted by the site of environmental concern to a degree where the hazard could affect the health and safety of occupants or conflict with the intended utilization of the project site. Additional regulatory file review to be done.

☐ Regulatory agency file review done for site of environmental concern. The review indicates that the project site is not suspected or known to be contaminated by the site (attach regulatory file review documentation). **(Review Concluded)**

☐ Regulatory agency file review done for site of environmental concern. Results of regulatory agency file review indicate that the project site is known to be contaminated by the site of environmental concern. The project site and/or proposed action does not clear the site-specific environmental review process. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING**. **Inform Certifying Officer**.

☐ Regulatory agency file review done for site of environmental concern. Results of regulatory agency file review indicate that the project site is suspected to be contaminated by the site of environmental concern. Request additional information from the Applicant. Information provided by Applicant documents that the project site is not contaminated. (Attach documentation) **(Review Concluded)**

☐ Regulatory agency file review done for site of environmental concern. Results of regulatory agency file review indicate that the project site is suspected to be contaminated by the site of environmental concern. Request additional information from the Applicant. Applicant does not have documentation related to the potential for contamination of the project site. Applicant must request a letter or finding from the State stating that the project site is not contaminated or has been remediated. Information provided by Applicant documents that the project site is not contaminated. (Attach documentation) **(Review Concluded)**

☐ Regulatory agency file review done for site of environmental concern. Results of regulatory agency file review indicate that the project site is suspected to be contaminated by the site of environmental concern. Request additional information from the Applicant. Applicant does not have documentation related to the potential for contamination of the project site. Applicant must request a letter or finding from the State stating that the project site is not contaminated or has been remediated. Applicant does not provide adequate documentation. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

Are any of the following documented or suspected of being present at the project site? Check all that apply.

☐ Lead-based paint
☐ Asbestos
☐ Mold

If any of the above is checked, document site-specific hazards and mitigation requirements. If determination is unknown, document and include mitigation requirements.

12. Siting of HUD-Assisted Projects Near Hazardous Operations

(24 CFR Part 51, Subpart C)

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Would (Did) the proposed activity increase the number of dwelling units of the housing structure that existed on the project site prior to Hurricane Matthew or change the location of that structure?

☐ No. **In compliance.** Identify source of information. **(Review Concluded)**

The source of information will be the grant application.

☐ Yes.

Would the structure be (are the structures) less than the acceptable separation distance (ASD) from a stationary aboveground storage tank (AST) that is within 1 mile of the subject property and holds an explosive or combustible substance? Note: ASTs of 100 gallons or less that hold "common liquid fuels" such as fuel oil, kerosene, and gasoline or tanks that are ancillary to the structure are exempt from the ASD requirements and cannot cause the answer to this question to be Yes. However, this exemption does not apply to compressed fuel gases such as propane, so it is possible that a stationary compressed fuel gas tank of 100 gallons or less not ancillary to the structure could cause the answer to this question to be Yes.

Additional explanation of ASD analysis is provided below.

☐ No. **In compliance**. Explain finding. **(Review Concluded)**

☐ Yes. Describe the information used in calculating the ASD and attach a map showing the location of the tank relative to the subject property. Describe any feasible mitigation measures per 24 CFR 51.205, or other verifiable information that is pertinent to compliance with the ASD standard. If no mitigation measures are feasible, the activity is **not in compliance** with the applicable HUD environmental standard, 24 CFR Part 51C. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

Requires use of Google Earth or like tool for desktop search for large ASTs within 1 mile plus a field reconnaissance of project site and surrounding properties.

Common liquid fuels include fuel oil, gasoline, diesel fuel, and kerosene. Other flammable or explosive substances include propane and other fuel gases. If the type of substance in a tank cannot be determined, it must be assumed to contain a flammable or explosive substance that is not a common liquid fuel.

The ASD is determined using HUD's Acceptable Separation Distance Electronic Assessment Tool, http://www.hud.gov/offices/cpd/environment/asdcalculator.cfm. The information required to use the tool depends on the type of tank involved. For diked tanks, it is not necessary to know the volume of the tank, but the dimensions of the diked area must be estimated. This can be done using Google Earth.

For tanks holding ordinary fuel gases such as propane, which are always pressurized, only the volume of the tank must be determined. Information at the following link can be used to determine the volume of a tank if at least one of its dimensions is known: http://www.missiongas.com/lpgastankdimensions.htm.

A tank holding a cryogenic liquid such as liquid natural gas may or may not be diked. If it is, the dimensions of the diked area must be estimated. If it is not diked, the volume of the tank must be estimated.

The ASD Electronic Assessment Tool calculates three ASDs for pressurized tanks containing ordinary fuel gas: blast overpressure, thermal radiation for people, and thermal radiation for buildings. The blast overpressure ASD is not calculated for unpressurized tanks because they are not subject to explosion. The activity must comply with all applicable ASDs.

The ASD for thermal radiation for people is the longest. Blast overpressure can be mitigated with a blast wall, but this approach is generally not feasible for thermal radiation because the maximum thermal radiation comes from a fireball well above the tank.

13. Coastal Barrier Resources Act/Coastal Barrier Improvement Act

(24 CFR 58.6(c))

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Is the project located in a designated unit of the Coastal Barrier Resource System?

☐ No. Attach appropriate map showing site location. **(Review Concluded)**

☐ Yes. Attach appropriate map showing site location. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

14. Airport Clear Zones and Accident Potential Zones

(24 CFR Part 51, Subpart D)

Not applicable. Compliance determined in Tier I Environmental Assessment.

15. Fish and Wildlife Coordination Act

(16 USC 661-666c)

Not applicable. Compliance determined in Tier I Environmental Assessment.

16. Magnuson-Stevens Fishery Conservation and Management Act

(16 USC 1801 et seq.)

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Would (Did) the proposed activity occur in an Anadromous Fish Spawning Area?

☐ No. **In compliance.** Identify source of information. **(Review Concluded)**

☐ Yes. Is the project compliant with the required conditions/mitigations to ensure that the project does not adversely affect the fish spawning area?

- ☐ Yes. **In compliance.** Identify source of information. **(Review Concluded)**
- ☐ No. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

17. Noise Abatement and Control

(24 CFR Part 51, Subpart B)

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Would (Did) the proposed activity change the facility substantially from its condition that existed prior to Hurricane Matthew, such as increasing the number of dwelling units or changing the location of the housing structure?

☐ No. **In compliance.** Identify source of information. **(Review Concluded)**

The source of information will be the grant application.

Is the building within 1,000 feet of a major roadway, 3,000 feet of a railroad, or 15 miles of a military airfield or Federal Aviation Administration-regulated civil airfield?

☐ No. **In compliance.** Identify source of information. **(Review Concluded)**

Is the building within an area with a calculated noise level that is Acceptable (at or below 65 DNL)?

☐ Yes. **In compliance.** Identify source of information. **(Review Concluded)**

Is the building within an area with a calculated noise level that is Normally Unacceptable (66-75 DNL)?

☐ Yes. Identify noise attenuation requirements that will bring the interior noise level to 45 DNL or exterior noise level to 65 DNL. **(Review Concluded)**

Is the building within an area with a calculated noise level that is Unacceptable (above 75 DNL)?

☐ Yes. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

Environment Assessment Factors

[Environmental Review Guide HUD CPD 782, 24 CFR 58.4, 40 CFR 1508.8 and 1508.27]

For the Rebuild NC program, all Environmental Assessment Factors have been considered in the Tier I Environmental Review Record and have all been found to not have any significant adverse impacts on the environment. No Tier II site-specific review of these factors is required.

Appendix C

Agency Consultations and Correspondence

[40 CFR 1508.9(b)] (List and attach all evidence of inquiries and responses received at all stages of consultation and analysis.)

Exhibit 1. Floodplain Management
Exhibit 2. Wetland Protection
Exhibit 3. Coastal Zone Management
Exhibit 4. Sole Source Aquifers
Exhibit 5. Endangered Species
Exhibit 6. Wild and Scenic Rivers
Exhibit 7. Air Quality
Exhibit 8. Farmland Protection
Exhibit 9. Environmental Justice
Exhibit 10. Noise Abatement and Control
Exhibit 11. Siting of HUD-Assisted Projects Near Hazardous Operations
Exhibit 12. Airport Hazards
Exhibit 13. Magnuson-Stevens Fishery Conservation Act
Exhibit 14. Coastal Barrier Resources Act

Note: The Historic Preservation Programmatic Agreement is included in Appendix F.

Exhibit 1
Floodplain Management

Attachment 1-1. Check List for Building and Zoning Requirements for Pender County

Pender County 100-year Floodplain Map

Attachment 1-1
Check List for Zoning and Building Permits

1. Zoning Permit "Issued by Pender County Planning and Community Development"
    a. Complete Zoning Permit Application.
    b. Site Plan to Engineer Scale.
    c. Additional Use Site Plan by a Surveyor if more than one home will be placed on the property.
    d. Notarized Authorization Letter (Required if you.

2. Septic Tank Approval "Issued by the Pender County Health Department - Environmental Health Division"
    1. Completed Pender County Health Department – Environmental Health Division Application for Permits including owner signature
    2. Site Plan or Plat showing:
        1 Existing and proposed property lines with dimensions
        2 All existing and proposed easements, rights of way, CAMA lines
        3 Location of all existing and proposed structures and driveway
        4 Location of all existing and proposed wells and water lines
        5 Preferred location of septic and/or well
    3. Preparation of the Site:
        1 Clearly mark existing and proposed property lines / corners / easements;
        2 Stake location of proposed structures / additions / driveways.
        3 Make site accessible; clean undergrowth as required.
        4 Mark preferred location for septic and / or well.
        5 Call in and notify the office that the site is staked and ready.
    4. The following additional information is required with applications for Construction Authorizations (CA):
        1 A floor plan of the proposed structure showing all rooms on each floor of the building, including basements. Please label each room as to its use, and show location of doors and any stairs between floors.
        2 A site plan for CA's must show setbacks from property lines to proposed structures, location of driveways, water supplies/lines and any easements. Site plans must be pre-approved by Pender County Building Inspections.
        3 Other additional required documents such as tri-party agreements, easements, design plans and specifications,

etc. Some of these documents must be approved by Pender County Environmental Health and recorded with the Pender County Register of Deeds prior to issuance of the CA.

3. DOT Driveway Permit "Issued by NC Department of Transportation"
   Is required to obtain access to the property from a state maintained right of way. G. S. 136-18(5) and 136-93

4. Flood Elevation Preconstruction Certification "If the home is located in the Special Flood Plain Hazard Area?" Provided by a NC Licensed Surveyor or Engineer.

5. Building Permits "Issued by the Pender County Inspections & Permitting Department"

Two (2) complete sets of construction drawings are required prior to any permit to build will be issued. Plans cannot be larger than 11 x 17. Listed below are the minimum required documents before a review can be conducted:

- **a.** Complete Residential Building Permit Application
- **b.** Lien Agent Entry # (receipt with barcode)
- **c.** Zoning Permit (copy). Energov #
- **d.** Flood Permit # (if applicable)
- **e.** CAMA Permit # (if applicable)
- **f.** CAMA Exempt Letter (if applicable)
- **g.** Moving Permit (only applies to relocated structure)
- **h.** Notarized Authorization Letter (owner/general contractor/trade) if applicable
- **i.** Water Source:
  - **i** PCU - Determination of Potable Water and Waste Service Letter
  - **ii** PCU - Capacity Fee Receipt/Permit #
  - **iii** PCU - Exempt Letter (if well will be water source)
  - **iv** EH - Existing Well
  - **v** EH - Well Permit #
  - **vi** Pluris - Intention to Provide Utility Service Letter
  - **vii** Pluris - Water Service Permit #
  - **viii** Old North State Water Co. – Intention to Provide Utility Service / Water Service Permit
  - **ix** Aqua – Intention to Provide Utility Service Letter / Water Service Permit
  - **x** Utilities Inc. – Intention to Provide Utility Service Letter / Water Service Permit
  - **xi** Carolina Water Service

j. Sewer Source:

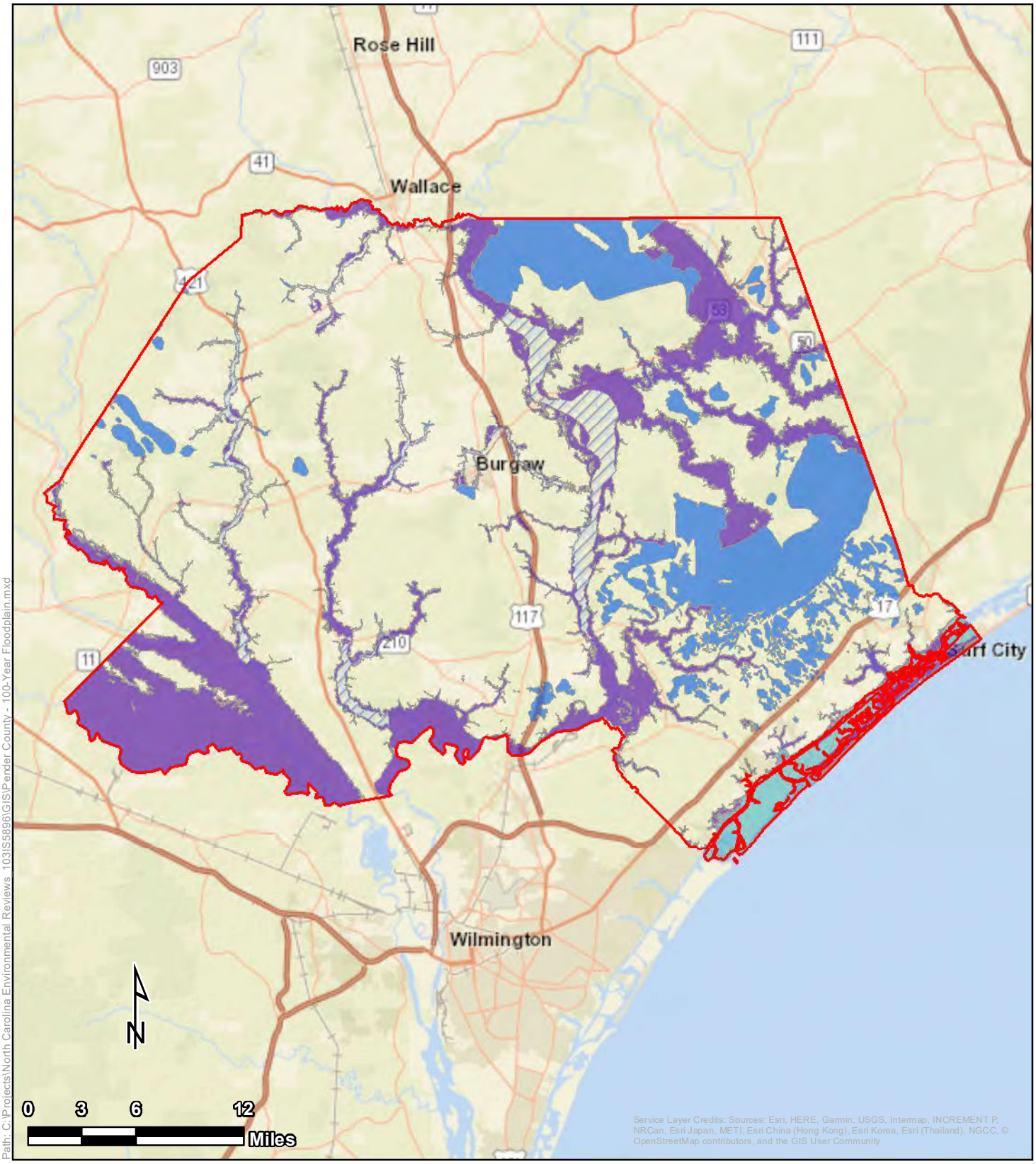
- **i** EH – Existing Septic Approval #
- **ii** EH - Construction Authorization (CA) #
- **iii** EH – EOP #
- **iv** Pluris – Intention to Provide Utility Service Letter
- **v** Pluris - Sewer Service Permit #
- **vi** Old North State Water Co. – Intention to Provide Utility Service / Sewer Service Permit
- **vii** Aqua – Intention to Provide Utility Service Letter / Sewer Service Perm.
- **viii** Utilities Inc. – Intention to Provide Utility Service Letter / Sewer Service Permit.
- **ix** Carolina Water Service.

Permits required:

Note: The construction, reconstruction, alteration, repair, movement to another site, removal, or demolition of any building may be commenced or proceeded without first securing each permit required by the NC Building Code. G.S. 153A-357 and 160A-417

a. Building
b. Electrical
c. Plumbing
d. Mechanical
e. Insulation

Permits required may be obtained by the owner, providing the owner qualifies and successfully executes the Owner's Exception Form as required. If not issued to the owner, a state qualified licensed individual in their appurtenant trade must apply for the permits.



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Source: FEMA Flood Map Service Center

Pender County 100-Year Floodplain Map

Legend

Tier 1 Area of Review

100-Year Floodplain

- Zone A - No Base Flood Elevations Determined
- Zone AE - Base Flood Elevations Determined
- Zone AE - Floodway
- Zone VE - Coastal Flood Zone with Velocity Hazard

TETRA TECH

Exhibit 2
Wetland Protection

Attachment 2-1: Consultation with U.S. Army Corps of Engineers

Pender County National Wetlands Inventory Map

Attachment 2-1. Consultation with U.S. Army Corps of Engineers

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
69 DARLINGTON AVENUE
WILMINGTON, NORTH CAROLINA 28403

July 27, 2018

Regulatory Division

Mr. Daniel Herrera
Environmental Manager, CDBG Disaster Recovery
4218 Mail Service Center
Raleigh, NC 27699-4218

Dear Mr. Herrera:

Please reference your July 17, 2018 letter requesting the Wilmington District Corps of Engineers Regulatory Division (Division) to make comments on the proposed Tiered Environmental Assessment process of Single-Family Housing Projects funded by the Hurricane Matthew Community Development Block Grant - Disaster Recovery Program (CDBG-DR).

As stated in your letter, it is understood that the North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally-required environmental reviews for the CDBG-DR single-family housing programs in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) in accordance with 24 CFR Part 58. You also stated that the best available data suggest that 833 homes in these counties sustained damage due to Hurricane Matthew and may seek funding through this program.

You further explained that in order to expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM is seeking input/comments from the Division on the need for individual wetlands consultation concerning the following types of single-family housing unit projects:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously-undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously-completed eligible repair activities.

Regulatory Division Comments:

Pursuant to Section 404 of the Clean Water Act, any discharge of excavated or fill material into waters of the United States, including streams and wetlands in conjunction with these types of projects, as well as disposal of construction debris, the construction of temporary access roads, and removal of underground utilities, requires Department of the Army (DA) permit authorization. For your information some construction activities do not normally require a Section 404 permit because they do not impact wetlands or streams. For example, 1) elevation of structures on pilings in the same footprint, 2) acquisition/demolition of a structure provided the demolition material is hauled off to an approved upland disposal site/landfill), and 3) demolition/reconstruction of a structure in the same footprint, do not normally impact wetlands or streams and therefore do not normally require DA authorization.

The Division concurs with NCEM for project types 1, 2, 3, and 7 listed above, site-specific consultation for wetlands does not appear to be warranted since the disturbed footprint of the single-family home will not be substantially changed. Project types 4 through 6 may possibly impact wetlands and thus require site-specific Division consultation if wetlands are potentially present. The Division also concurs with your proposed review and notification process for project types 4 through 6. This includes the desktop research and visual site observation to determine if any of the technical criteria relating to soils, vegetation, and hydrology are present to support a wetlands determination or if non-wetland waters such as streams or ponds are present. Desktop research will include, as warranted, review of available mapping information from the US Fish and Wildlife Service National Wetland Inventory and the National Resource Conservation Service soil survey, topographic maps from the US Geologic Survey, and aerial photographs. Also, visual site observation by a qualified professional will be made of each property to identify the presence of standing water or other obvious wetland conditions.

When requesting the Division to do a project-specific jurisdictional determination please utilize the guidance located on our webpage at:

http://saw-reg.usace.army.mil/JD/OBTAINING_A_JD_17-07.pdf

Division Field Office contact information is located on our webpage at:

http://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Contact/

If you have any questions or need additional information, please feel free to contact me, Henry Wicker, Deputy Chief, Regulatory Division, at (910) 251-4930.

Sincerely,

Henry Wicker

Henry Wicker
Deputy Chief, Regulatory Division
Wilmington District

North Carolina Department of Public Safety
Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

July 17, 2018

Mr. Scott McLendon
Chief, Regulatory Division, Wilmington District
US Army Corps of Engineers
69 Darlington Avenue
Wilmington, NC 28403

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant - Disaster Recovery Program

Dear Mr. McLendon:

The State of North Carolina has received an allocation through a Community Development Block Grant - Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to help fund Hurricane Matthew recovery efforts. Under the CDBG-DR funding umbrella, the State of North Carolina has established Homeowner Recovery, Small Rental Repair, and Buyout/Acquisition Programs that include actions to address unmet housing needs in areas impacted by Hurricane Matthew. As part of these programs, funding will be allocated for single-family (between 1 and 4 units, including mobile homes) housing-related activities in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) to assist low-to-moderate income homeowners who experienced damage to their homes from Hurricane Matthew and have remaining unmet needs. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation, acquisition for buyout, acquisition for redevelopment, and reimbursement for eligible repairs. Although most projects are expected to involve repair/rehabilitation or reconstruction of homes within the previously disturbed footprints, there is the possibility of relocation of homes to previously undisturbed land.

The North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally-required environmental reviews for the CDBG-DR single-family housing programs in these 18 counties in accordance with 24 CFR Part 58. As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the best available data suggest that 833 homes in these counties sustained damage due to Hurricane Matthew and may seek funding through this program.

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OFFICE LOCATION:
4105 Reedy Creek Rd
Raleigh, NC 27607
Telephone: (919) 715-5711
Fax: (919) 715-0408

To expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM seeks input from the US Army Corps of Engineers, Wilmington District (USACE) on the need for individual USACE wetlands consultation concerning the following types of single-family housing unit projects:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously-completed eligible repair activities.

Please let us know which of these types of projects may require site-by-site consultation with USACE. We would also appreciate any suggestions on how our environmental review could be conducted in the most efficient manner consistent with protection of the environment. For example, for types of projects that may require wetlands consultation, please identify the specific conditions that would trigger the need for consultation with the goal of limiting the number of required consultations to the situations that warrant such consultation.

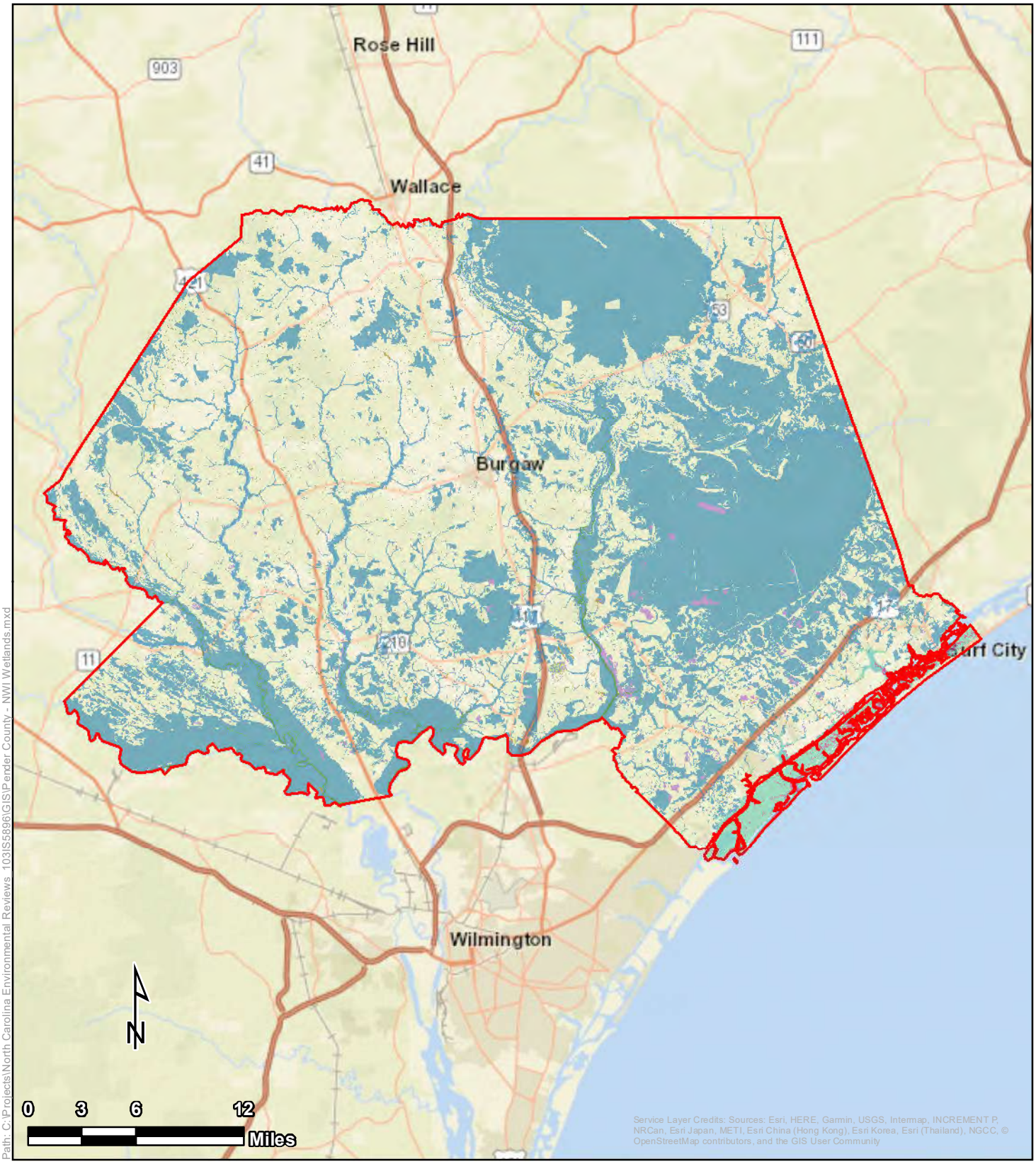
For project types 1, 2, 3, and 7 listed above, site-specific consultation for wetlands does not appear to be warranted because the disturbed footprint of the single-family home will not be substantially changed. Although project types 4 through 6 may possibly impact wetlands and thus require site-specific USACE consultation, this is only the case if wetlands are potentially present. For project types 4 through 6, we suggest that only those project sites that potentially have wetlands present be submitted to USACE for consultation. Potential for presence of wetlands will be determined based on desktop research and visual site observation to determine if any of the technical criteria relating to soils, vegetation, and hydrology are present to support a wetlands determination or if non-wetland waters such as streams or ponds are present. Desktop research will include, as warranted, review of available mapping information from the US Fish and Wildlife Service National Wetlands Inventory and the National Resource Conservation Service soil survey, topographic maps from the US Geologic Survey, and aerial photographs. Visual site observation will be made of each property to identify the presence of standing water or other obvious wetland conditions. Please provide your concurrence with this approach for site-specific environmental assessments or modify as appropriate.

The State of North Carolina is dedicated to providing disaster assistance to people in need of single-family housing as a result of the impacts of Hurricane Matthew in the 18 subject counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter. If you have any questions, please contact John Bock at (510) 302-6249 (john.bock@tetratech.com) or Cliff Jarman at (512) 244-2192 (clifford.jarman@tetratech.com).

Sincerely,

Daniel Herrera
Environmental Manager, CDBG Disaster Recovery
North Carolina Division of Emergency Management

cc: Michael Gagner – NCEM, Deputy Chief of Resilience
Michael A. Sprayberry – NCEM, Director/Deputy Homeland Security Advisor



Path: C:\Projects\North Carolina Environmental Reviews 103\S5896\GIS\Pender County - NWI Wetlands.mxd

Source: US Fish and Wildlife Service

Legend

- Tier 1 Area of Review
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

Pender County National Wetlands Inventory Map

TETRA TECH

Exhibit 3
Coastal Zone Management Act

Attachment 3-1. Consultation with North Carolina Department of Environmental Quality, Division of Coastal Management

Table 3-1. Coastal Area Management Act Counties

Coastal Zone Management Areas map

Attachment 3-1. Consultation with North Carolina Department of Environmental Quality, Division of Coastal Management

Jarman, Clifford

From: Bodnar, Gregg <gregg.bodnar@ncdenr.gov>
Sent: Thursday, August 02, 2018 7:47 AM
To: Bock, John
Cc: Herrera, David (NCEM); Bahlinger, Lauren; Jarman, Clifford; Hart, Kevin; Govoni, Daniel
Subject: RE: [External] RE: Programmatic Consultation for Single-Family Housing Projects (18 Counties)
Attachments: Tiered Environmental Assessment of Single-Family Housing Projects CDBG-DR

Morning Mr. Bock,

Upon consultation with DCM staff I believe we provided a letter on 6/18/18 that can assist with NCDCM consultation as it pertains to the Coastal Area Management Act. I have attached the email above that contains our consultation letter. If there is anything else you need please let me know.

Regards,

Gregg

Gregg Bodnar
Assistant Major Permits Coordinator
Division of Coastal Management
Department of Environmental Quality

252 808 2808 ext 215 office
Gregg.Bodnar@ncdenr.gov

400 Commerce Ave
Morehead City, NC 28557

Nothing Compares

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Bock, John [mailto:John.Bock@tetratech.com]
Sent: Friday, July 27, 2018 4:58 PM
To: Bodnar, Gregg <gregg.bodnar@ncdenr.gov>
Cc: Herrera, David (NCEM) <daniel.herrera@ncdps.gov>; Bahlinger, Lauren <Lauren.Bahlinger@iem.com>; Jarman, Clifford <Clifford.Jarman@tetratech.com>
Subject: [External] RE: Programmatic Consultation for Single-Family Housing Projects (18 Counties)

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to Report Spam.

Mr. Bodnar, we would like to confirm that you received the consultation letter and ask if you have an estimated timeframe for your response. Thank you.

From: Bock, John
Sent: Tuesday, July 17, 2018 7:20 PM
To: 'gregg.bodnar@ncdenr.gov' <gregg.bodnar@ncdenr.gov>
Cc: 'Herrera, Daniel' <Daniel.Herrera@ncdps.gov>; 'Bahlinger, Lauren' <Lauren.Bahlinger@iem.com>
Subject: Programmatic Consultation for Single-Family Housing Projects (18 Counties)

Mr. Bodnar, on behalf of Dan Herrera, please find attached a programmatic consultation letter that addresses single-family housing projects proposed for Community Development Block Grant – Disaster Recovery funding in 18 North Carolina counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson). Thank you.

John R. Bock | **Senior Environmental Scientist**
Main: 510.302.6300 | Fax: 510.433.0830
john.bock@tetratech.com

Tetra Tech | Complex World, Clear Solutions
1999 Harrison Street, Suite 500 | Oakland, CA 94612
www.tetratech.com

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Coastal Management
ENVIRONMENTAL QUALITY

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

June 18, 2018

Mr. Daniel Herrera
Environmental Manager
CDBG Disaster Recovery
North Carolina Department of Public Safety
4218 Mail Service Center
Raleigh, NC 27699

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant- Disaster Recovery Program

Dear Mr. Herrera:

In deciding if an individual consultation is needed for a project we need determine if a project is located within a North Carolina Division of Coastal Management (DCM) Area of Environmental Concern and if it is considered development. Each project has differences which makes each situation unique, but if the project is within 75 feet of Normal Water Level (NWL) adjacent coastal or joint waters as defined by the Marine Fisheries Commission (75 foot AEC) or within 30 feet of NWL of inland waters as defined by the Wildlife Resources Commission (30 foot AEC), the North Carolina Division of Coastal Management (DCM) may have jurisdiction if development is occurring. Development is defined as, "any activity in a duly designated area of environmental concern involving, requiring or consisting of the construction or enlargement of a structure; excavation; dredging; filling; dumping; removal of clay, silt, sand, gravel or minerals; bulkheading; driving of pilings; clearing or alteration of land as an adjunct of construction," as stated in the Coastal Area Management Act. In Bertie County, development (as defined above) within this 75-foot AEC or 30-foot AEC may either be an exemption or require a permit. You have requested information if individual consultation is needed for:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously-undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously completed eligible repair activities.

If the properties are located within 75 feet of NWL the property owner should contact the DCM for situations (as described above) 1, 2, 3, 4, and 7. These situations may require permits or an exemption from DCM. Please also note that DCM defines a project as replacement if, "the cost to do the work exceeds 50 percent of the market value of an existing structure immediately prior to the time of damage or the time of the request," (15A NCAC 07J.0210). If the project meets the above situations, it is recommended that the property owners contact DCM prior to any work. Situations (as described above) 5 and 6 are not considered development and would not require a permit from the DCM.

If you have any further questions or a list of properties you would like for me to review please feel free to contact me a 252-948-3936.

Kevin Hart

Environmental Senior Specialist

North Carolina Department of Public Safety
Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

July 16, 2018

Mr. Gregg Bodnar
Assistant Major Permits Coordinator
Division of Coastal Management
North Carolina Department of Environmental Quality
400 Commerce Avenue
Morehead City, NC 28557

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant - Disaster Recovery Program

Dear Mr. Bodnar:

The State of North Carolina has received an allocation through a Community Development Block Grant - Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to help fund Hurricane Matthew recovery efforts. Under the CDBG-DR funding umbrella, the State of North Carolina has established Homeowner Recovery, Small Rental Repair, and Buyout/Acquisition Programs that include actions to address unmet housing needs in areas impacted by Hurricane Matthew. As part of these programs, funding will be allocated for single-family (between 1 and 4 units, including mobile homes) housing-related activities in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) to assist low-to-moderate income homeowners who experienced damage to their homes from Hurricane Matthew and have remaining unmet needs. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation, acquisition for buyout, acquisition for redevelopment, and reimbursement for eligible repairs. Although most of the proposed projects are expected to involve repair/rehabilitation or reconstruction of homes within the previously disturbed footprints, there is the possibility of relocation of homes to previously undisturbed land.

The North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally required environmental reviews for the CDBG-DR single-family housing programs in these 18 counties in accordance with 24 CFR Part 58. As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the best available data suggest that 833 homes in these counties sustained damage due to Hurricane Matthew and may seek funding through this program.

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To expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM seeks input from the North Carolina Department of Environmental Quality (NCDEQ) Division of Coastal Management (DCM) on the need for individual NCDEQ DCM consultation concerning the following types of single-family housing unit projects:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously completed eligible repair activities.

Please let us know which of these types of projects may require site-by-site consultation with NCDEQ DCM and which would not. For example, for project types 1, 2, 3, and 7 listed above, site-specific consultation with NCDEQ DCM does not appear to be warranted because the disturbed footprint of the single-family home will not be substantially changed.

We would also appreciate any suggestions on how our environmental review could be conducted in the most efficient manner consistent with protection of the environment. For example, for types of projects that may require NCDEQ DCM consultation, please identify the specific conditions that would trigger the need for consultation with the goal of limiting the number of required consultations to the situations that warrant such consultation.

The State of North Carolina is dedicated to providing disaster assistance to people in need of single-family housing as a result of the impacts of Hurricane Matthew in the 18 subject counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter. If you have any questions, please contact John Bock at (510) 302-6249 (john.bock@tetratech.com) or Cliff Jarman at (512) 244-2192 (clifford.jarman@tetratech.com).

Sincerely,

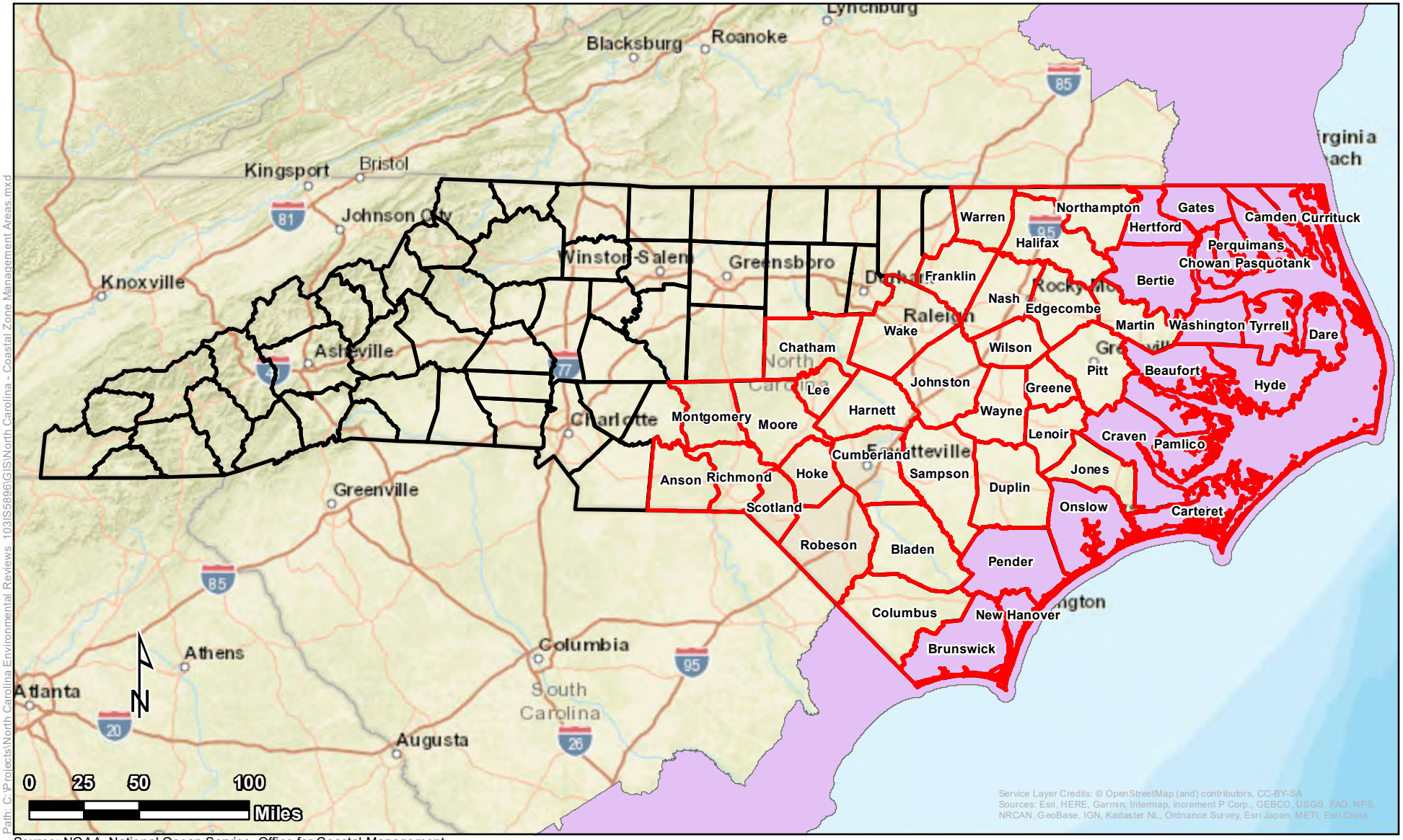
Daniel Herrera
Environmental Manager, CDBG Disaster Recovery

cc: Michael Gagner - NCEM, Deputy Chief of Resilience
Michael A. Sprayberry – NCEM, Director/Deputy Homeland Security Advisor
Lyn Hardison - NCDEQ, Environmental Assistance and SEPA Coordinator
John A. Nicholson – NCDEQ, Chief Deputy Secretary

Table 3-1
North Carolina Coastal Area Management Act Counties

Counties	
Beaufort	Hertford
Bertie	Hyde
Brunswick	New Hanover
Camden	Onslow
Carteret	Pamlico
Chowan	Pasquotank
Craven	Pender
Currituck	Perquimans
Dare	Tyrrell
Gates	Washington

Source: North Carolina Environmental Quality, Division of Coastal Management



Source: NOAA, National Ocean Service, Office for Coastal Management

Coastal Zone Management Areas

Legend

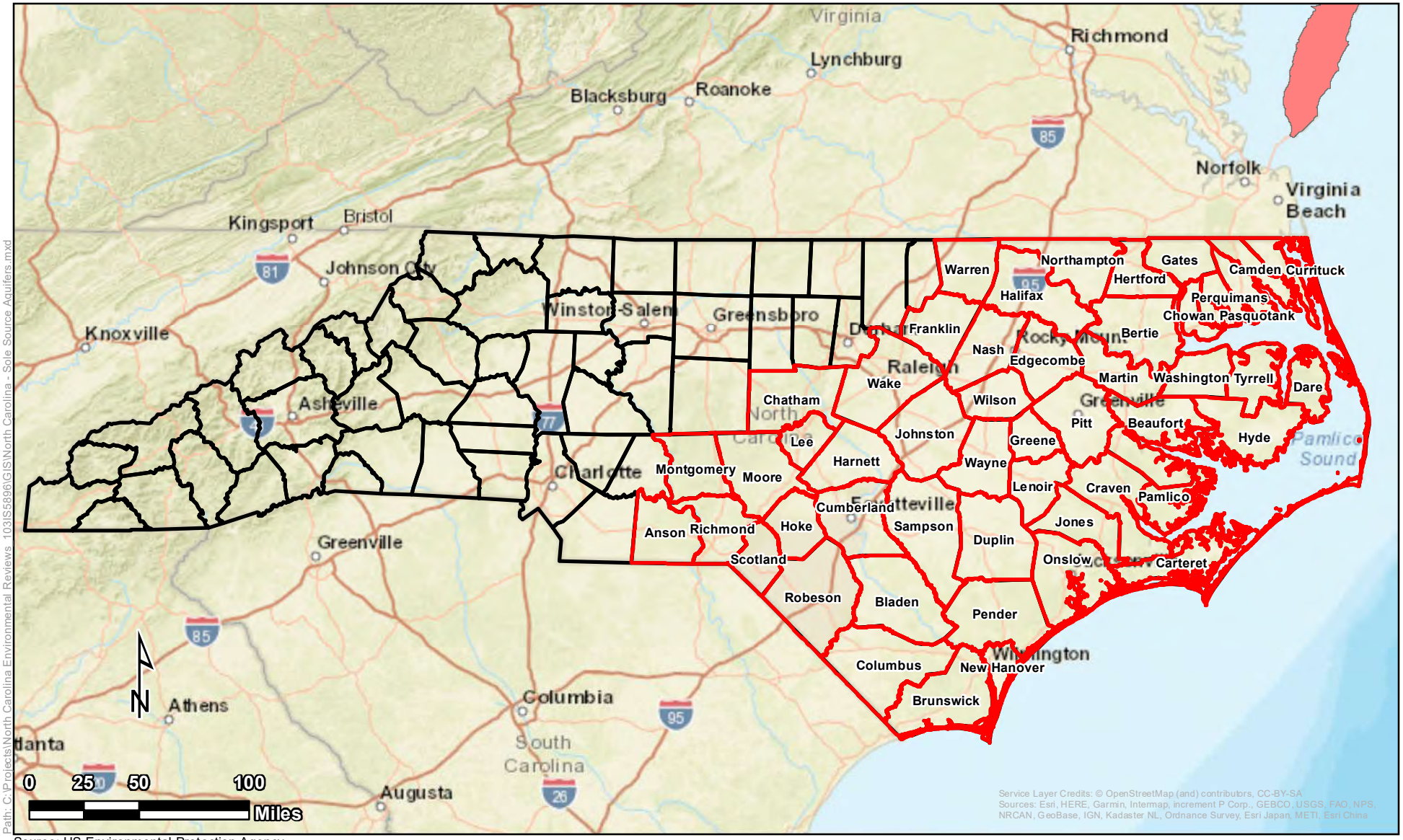
- Declared Disaster Area Counties
- North Carolina Counties
- Coastal Zone Management Act Boundary

TETRA TECH

Path: C:\Projects\North Carolina Environmental Reviews_103\S5896\GIS\North Carolina - Coastal Zone Management Areas.mxd

Exhibit 4
Sole Source Aquifers

Sole Source Aquifers map



Source: US Environmental Protection Agency

Sole Source Aquifers

Legend

- Declared Disaster Area Counties
- North Carolina Counties
- Columbia and Yorktown-Eastover Multi-aquifer System

TETRA TECH

Exhibit 5
Endangered Species

Attachment 5-1. Consultation with U.S. Fish and Wildlife Service

Attachment 5-2. Consultation with National Marine Fisheries Service

Attachment 5-3. Consultation with North Carolina Wildlife Resources Commission

Northern Long-Eared Bat White Nose Syndrome Zones map

Attachment 5-1. Consultation with U.S. Fish and Wildlife Service

Memorandum to File

August 10, 2018

Subject: Tiered Environmental Assessment of Single-Family Housing Projects, Hurricane Matthew Community Development Block Grant - Disaster Recovery Program, USFWS Consultation Requirements

Per communication with the USFWS (Attachment 1), Mr. John Ellis directed us to follow the methodology developed during the consultation for the first four counties (i.e., Cumberland, Edgecombe, and Wayne Counties).

In a letter to the NCEM in July 2018 (Attachment 2), the USFWS stated that the site-specific conditions which would trigger the need for consultation with the goal of facilitating the Endangered Species Act consultation process outlined in the May 29, 2018 letter from NCEM to USFWS (Attachment 3) letter correctly captures the USFWS approved approach.

That approach focused on the types of projects that may require site-specific consultation with the USFWS and specifically the conditions that would trigger the need for such consultation with the goal of limiting the number of required consultations to the situations that so warrant.

In the May 29, 2018 letter, the USFWS identified a list of species and activities of most interest to them for the site-specific environmental review consultations. The USFWS primary interest, triggering the potential need for consultation, is the removal of trees. Project activities would result in no effect on federally-listed threatened and endangered species unless the project activity required the removal of a tree. If the removal of a tree is necessary, site-specific environmental review would be required.

Additional species-specific considerations are included below:

Mammals

The northern long-eared bat (NLEB) (Beaufort, Bladen, Camden, Craven, Dare, Hyde, Jones, New Hanover, Pasquotank, Pender, and Washington Counties) is threatened due to impacts of white-nose syndrome. Species survival depends on protecting locations where the bat hibernates and roosts, especially during the pup season. The following link identifies counties in eastern North Carolina where USFWS records indicate the presence of the Northern Long-eared Bat (NLEB): https://www.fws.gov/raleigh/NLEB RFO.html. Roosting sites for the NLEB are identified as red areas on the map that can be downloaded at https://www.sciencebase.gov/catalog/item/5851849ee4b0f99207c4f10e. These maps should be

checked once a month for updates as bat survey work is ongoing in North Carolina. USFWS consultation is required for any project site located within a known roosting area.

Based on these maps, the NLEB has been observed in Dare, Hyde, Craven, Pender, Bladen, Pasquotank and Camden Counties and there are known NLEB roost trees in portions of Bladen, Pasquotank and Camden Counties. For project sites within areas of known NLEB roost trees, there is no incidental take and these project sites are subject to restrictions for the NLEB and site-specific consultation with the USFWS is required.

For projects outside of known NLEB roosting areas, barring new data to the contrary, project sites in these counties are not subject to restrictions for the NLEB. If project activity involves tree cutting or removal (any size), percussive activities (e.g. blasting, pile driving) or removal of bats from structures, then effects on the NLEB must be assessed. Tree removal activities are covered by the Programmatic Biological Opinion for the final 4(d) rule, and consultation with the USFWS should not be required; unless tree removal actives result in removing a known occupied maternity roost tree, is within 150 feet of a known occupied maternity roost tree from June 1 through July 31 or within 0.25 mile of a hibernaculum at any time.

Birds

The wood stork has been found in a small part of Bladen County. Wood storks feed in a wide variety of tidal and freshwater ecosystems, including ponds, swamps, narrow tidal creeks or shallow tidal pools, and artificial wetlands, including flooded ditches, impoundments, and large reservoirs. They nest in patches of medium to tall trees in standing water or on islands surrounded by open water. We do not anticipate any impacts, but for any sites involving wetland disturbance within two miles of previously identified wood stork habitat, as determined using the NCNHP Data Explorer, or within 0.5 miles of N 34.4199, W -78.33108 (Bladen County, nearest town Zara), the USFWS will be consulted.

Attachments:
Attachment 1 – Email Correspondence with USFWS
Attachment 2 – July 12, 2018 Letter to NCEM
Attachment 3 – May 29, 2018 Letter to USFWS

North Carolina Department of Public Safety

Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

July 17, 2018

Mr. John Ellis
Federal Project Endangered Species Act Reviewer
U.S. Fish and Wildlife Service
Raleigh Field Office
551F Pylon Drive
Raleigh, NC 27606

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant - Disaster Recovery Program

Dear Mr. Ellis:

The State of North Carolina has received an allocation through a Community Development Block Grant - Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to help fund Hurricane Matthew recovery efforts. Under the CDBG-DR funding umbrella, the State of North Carolina has established Homeowner Recovery, Small Rental Repair, and Buyout/Acquisition Programs that include actions to address unmet housing needs in areas impacted by Hurricane Matthew. As part of these programs, funding will be allocated for single-family (between 1 and 4 units, including mobile homes) housing-related activities in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) to assist low-to-moderate income homeowners who experienced damage to their homes from Hurricane Matthew and have remaining unmet needs. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation, acquisition for buyout, acquisition for redevelopment, and reimbursement for eligible repairs. Although most projects are expected to involve repair/rehabilitation or reconstruction of homes within the previously disturbed footprints, there is the possibility of relocation of homes to previously undisturbed land.

The North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally required environmental reviews for the CDBG-DR single-family housing programs in these 18 counties in accordance with 24 CFR Part 58. As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the best available data suggest that 833 homes in these counties sustained damage due to Hurricane Matthew and may seek funding through this program.

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Fax: (919) 715-0408

To expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM seeks input from the US Fish and Wildlife Service (USFWS) on the need for individual threatened and endangered (T&E) species consultation concerning the following types of single-family housing unit projects:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously-completed eligible repair activities.

Please let us know which of these types of projects may require site-by-site consultation with the USFWS and which would not. For example, for project types 1, 2, 3, and 7 listed above, site-specific consultation with the USFWS does not appear to be warranted because the disturbed footprint of the single-family home will not be substantially changed.

Additionally, NCEM reviewed the types of habitats for the T&E species listed in the attached Table 1. Please let us know which habitats related to these species would require site-specific consultation.

Freshwater Fish (Moore County)

These species are found in aquatic habitats. For any construction that would occur in these habitats, the State would require that appropriate erosion and sedimentation control measures be implemented and maintained during construction. We do not anticipate in-stream work to occur. If it does, we will require a site-specific consultation.

Freshwater Bivalves (Johnston, Nash, Pender, and Wilson Counties)

Federal T&E freshwater bivalve species (listed for Johnston, Nash, Pender, and Wilson Counties in Table 1) could potentially be adversely impacted if a project involves any clearing and/or land disturbance within 100 feet of a perennial freshwater stream. In these instances, the North Carolina Natural Heritage Program (NCNHP) Data Explorer element occurrence data should be reviewed to determine if there have been any occurrences of any Federal T&E freshwater bivalve species within a distance of one mile upstream or one mile downstream within the impacted stream. If so, the USFWS should be consulted to determine the need for species surveys and/or mitigative actions.

Freshwater or Terrestrial Gastropods (New Hanover County)

The magnificent ramshorn is endemic to the extreme southeast corner of the state, including New Hanover County. We do not anticipate any impacts, but for any sites involving wetland disturbance within two miles of previously identified magnificent ramshorn habitat, as determined using the NCNHP Data Explorer, the USFWS will be consulted.

Birds

The bald eagle is of statewide concern. Bald eagles nest in super dominant canopy trees (i.e., trees that are much taller than surrounding trees). If the project involves the removal of a large pine or cypress tree near a creek or lake, there is a potential for presence of a bald eagle nest. As a first screening, the NCNHP Data Explorer should be accessed to find out if a known bald eagle nest is present. The next step is to visually inspect any super dominant canopy cypress or pine tree that is to be removed for evidence of a large bird nest (important because not every nest is shown in the NCNHP Data Explorer). If there is any evidence of a large bird nest, the USFWS should be consulted.

The red-cockaded woodpecker has been found in Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pender, Sampson, Washington, and Wilson Counties. If the project is located in one of these counties and involves the removal of a 10-inch diameter at breast height (dbh, i.e., 4.5 feet) pine tree, further review is required. Using the NCNHP Data Explorer and visual observation (important because not every cavity tree is shown in the NCNHP Data Explorer), the reviewer should determine whether there are any red-cockaded woodpecker cavities within 200 feet (the immediate foraging area around the nest) of the project site. If there is any evidence of a nest, the USFWS should be consulted.

The wood stork has been found in a small part of Bladen County. Wood storks feed in a wide variety of tidal and freshwater ecosystems, including ponds, swamps, narrow tidal creeks or shallow tidal pools, and artificial wetlands, including flooded ditches, impoundments, and large reservoirs. They nest in patches of medium to tall trees in standing water or on islands surrounded by open water. We do not anticipate any impacts, but for any sites involving wetland disturbance within two miles of previously identified wood stork habitat, as determined using the NCNHP Data Explorer, the USFWS will be consulted.

The roseate tern has been found in Dare County. Roseate terns can be found in sand flats on maritime islands and nest on small barrier islands, often at ends or breaks, in hollows, or under dense vegetation, debris or rocks. We do not anticipate any impacts, but for any sites involving beach or marine disturbance within two miles of previously identified roseate tern habitat, as determined using the NCNHP Data Explorer, the USFWS will be consulted.

The piping plover has been found in Dare, Hyde, New Hanover and Pender Counties. Piping plovers can be found in ocean beaches and island-end flats with very little grass or other vegetation and around small creeks or wetlands. We do not anticipate any impacts, but for any sites involving wetland disturbance within two miles of previously identified piping plover habitat, as determined using the NCNHP Data Explorer, the USFWS will be consulted.

The red knot has been found in Beaufort, Camden, Craven, Dare, Hyde, New Hanover, Pasquotank, Pender and Washington Counties. Red knots can be found in beaches and sand flats and nest in depressions on the ground. We do not anticipate any impacts, but for any sites involving beach or sand disturbance within two miles of previously identified red knot habitat, as determined using the NCNHP Data Explorer, the USFWS will be consulted.

Mammals

The West Indian manatee (Beaufort, Craven, Dare, Hyde, New Hanover, and Pender Counties) is found in aquatic habitats. For any construction that would occur in these habitats, the State would require that appropriate erosion and sedimentation control measures be implemented and maintained during construction. We do not anticipate in-stream work to occur. If it does, we will require site-specific consultation.

The northern long-eared bat (Beaufort, Bladen, Camden, Craven, Dare, Hyde, Jones, New Hanover, Pasquotank, Pender, and Washington Counties) is threatened due to impacts of white-nose syndrome. Species survival depends on protecting locations where the bat hibernates and roosts, especially during the pup season. The NCNHP Data Explorer will be used as an initial screen with site-specific consultation required for project sites located within one mile of previously identified populations of northern long-eared bat.

The red wolf (Beaufort, Dare, Hyde, and Washington Counties) is found in coastal prairie and marsh habitats; however, any habitat area in the Southeastern United States of sufficient size, providing adequate food, water, and cover could be suitable habitat. The red wolf's main threat is from human-caused mortality and habitat fragmentation. The NCNHP Data Explorer will be used as an initial screening, with site-specific consultation required for project sites located within two miles of previously identified red wolf occurrence.

Reptiles

Adverse impacts to the American alligator are not anticipated because this species inhabits canals and stormwater ditches and adapts to disturbed areas. We do not anticipate work to occur in canals and/or stormwater ditches. If it does, we will require site-specific consultation.

The leatherback sea turtle, Kemp's Ridley sea turtle, green sea turtle, hawksbill sea turtle, and the loggerhead sea turtle (Beaufort, Craven, Dare, Hyde, New Hanover and Pender Counties) are found in aquatic habitats and nest on beaches. For any construction that would occur in these

habitats, the State would require that appropriate erosion and sedimentation control measures be implemented and maintained during construction. We do not anticipate in-stream or marine work to occur. If it does, we will require site-specific consultation.

Vascular Plants

Populations of Cooley's meadowrue have been identified along a couple of roadsides in New Hanover and Pender Counties. Cooley's meadowrue is a perennial herb that grows in circumneutral soils in grass-sedge bogs and wet pine savannahs and may also grow along fire plow lines, roadside ditches, woodland clearings, and powerline rights-of-way. The NCNHP Data Explorer will be used as an initial screening, with site-specific consultation required for project sites located within one mile of previously identified populations of Cooley's meadowrue.

There are two T&E species of vascular plants in Beaufort, Craven, Hyde, and Moore Counties, three such species in Bladen County, one such species in Dare, Johnston, Nash, Sampson, and Wilson Counties, four such species in New Hanover County, and five such species in Pender County.

These plants have a variety of possible habitats throughout the counties, as shown in Table 2. The NCNHP Data Explorer will be used as the first screening tool to determine if site-specific consultation is required. Where the NCNHP Data Explorer shows a current element occurrence for any of the species listed in Table 2 within two miles of a project site, the project site will then be surveyed to determine if suitable habitat for that species may exist on the site. If potentially suitable habitat does exist, then site-specific consultation will be initiated.

The State of North Carolina is dedicated to providing disaster assistance to people in need of single-family housing as a result of the impacts of Hurricane Matthew in the 18 subject counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter. If you have any questions, please contact John Bock at (510) 302-6249 (john.bock@tetratech.com) or Cliff Jarman at (512) 244-2192 (clifford.jarman@tetratech.com).

Sincerely,

Daniel Herrera
Environmental Manager, CDBG Disaster Recovery
North Carolina Division of Emergency Management

cc: Michael Gagner - NCEM, Deputy Chief of Resilience
Michael A. Sprayberry – NCEM, Director/Deputy Homeland Security Advisor

Attachments:
Table 1 - Federal Threatened and Endangered Species, 18 Counties
Table 2 – Federal Threatened and Endangered Species, Vascular Plants and Their Habitats, 18 Counties

North Carolina Department of Public Safety

Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

Table 1
Federal Threatened and Endangered Species
18 Counties (North Carolina)
Community Development Block Grant - Disaster Recovery
Tiered Environmental Assessment for Single-Family Housing Programs

Common Name and Scientific Name	State/ Federal Status	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
Mammals		**3**	**1**	**1**	**2**	**3**			**3**		**1**			**2**	**1**	**2**		**2**	
Northern Long-eared bat (*Myotis septentrionalis*)	(T/T)	1	1	1	1	1			1		1			1	1	1		1	
Red Wolf (*Canis rufus*)	(SR/EXP)	1				1			1									1	
West Indian Manatee (*Trichechus manatus*)	(E/E)	1			1	1			1					1		1			
Birds		**2**	**2**	**2**	**2**	**4**	**1**	**1**	**3**	**1**	**1**	**1**	**1**	**3**	**1**	**3**	**1**	**2**	**1**
Red Knot (*Caladris canutus rufa*)	(T/T)	1		1	1	1			1					1	1	1		1	
Piping Plover (*Charadrius melodus*)	(T/T)					1			1					1		1			
Wood Stork (*Mycteria Americana*)	(T/T)		1																
Red-cockaded Woodpecker (*Picoides borealis*)	(E/E)	1	1	1	1	1	1	1	1	1	1	1	1	1		1	1	1	1
Roseate Tern (*Sterna dougallii dougallii*)	(E/E)					1													
Reptiles		**2**	**1**	**1**	**3**	**6**	**1**		**6**		**1**			**6**		**6**	**1**	**1**	
American Alligator (*Alligator mississippiensis*)	(T/T)		1	1	1	1	1		1		1			1		1	1	1	
Loggerhead Sea Turtle (*Caretta caretta*)	(T/T)					1			1					1		1			

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4218 Mail Service Center
Raleigh, NC 27699-4218
www.ncfloodmaps.com

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4105 Reedy Creek Rd
Raleigh, NC 27607
Telephone: (919) 715-5711
Fax: (919) 715-0408

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Common Name and Scientific Name	State/ Federal Status	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
Green Sea Turtle (*Chelonia mydas*)	(T/T)	1			1	1			1					1		1			
Leatherback Sea Turtle (*Dermochelys coriacea*)	(E/E)				1	1			1					1		1			
Hawksbill Sea Turtle (*Eretmochelys imbricate*)	(/E)					1			1					1		1			
Kemp's Ridley Sea Turtle (*Lepidochelys kempii*)	(E/E)	1				1			1					1		1			
Fish												1							
Cape Fear Shiner (*Notropis mekistocholas*)	(E/E)											1							
Invertebrates										3			3	1					3
Dwarf Wedgemussel (*Alasmidonta heterodon*)	(E/E)									1			1						1
Yellow Lance (*Elliptio lanceolate*)	(E/T)									1			1						1
Tar River Spinymussel (*Elliptio steinstansana*)	(E/E)									1			1						1
Magnificent Ramshorn (*Planorbella magnifica*)	(/C)													1					
Plants		2	3		2	2			3	1		3	1	6		8	1		1
Sensitive Joint-vetch (*Aeschynomene virginica*)	(T/T)	1			1				1										
Seabeach Amaranth (*Amaranthus pumilus*)	(T/T)					1			1					1		1			
Golden Sedge (*Carex Lutea*)	(E/E)													1		1			
Pondberry (*Lindera melissifolia*)	(E/E)		1														1		
Rough-leaved Loosetrife (*Lysimachia asperulaefolia*)	(E/E)	1	1		1									1		1			
Michaux's Sumac (*Rhus michauxii*)	(E/E)									1		1	1						1
American Chaffseed (*Schwalbea Americana*)	(E/E)		1									1				1			
Cooley's Meadowrue (*Thalictrum cooleyi*)	(E/E)													1		1			
Critical Habitats																			
Loggerhead Sea Turtle (*Caretta caretta*)	(T/T)													1		1			
Golden Sedge (*Carex Lutea*)	(E/E)															1			
Piping Plover (*Charadrius melodus*)	(T/T)					1			1					1		1			

Common Name and Scientific Name	State/ Federal Status	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
Cape Fear Shiner (*Notropis mekistocholas*)	(E/E)											1							

Sources:

USFWS. 2018. Official species list of threatened and endangered species that may occur in the 18 Counties (North Carolina). Requested by Tetra Tech via USFWS Information for Planning and Consultation (IPaC) website, July 11, 2018.

North Carolina Department of Natural and Cultural Resources, Natural Heritage Program; Natural Heritage Data Explorer [web application] available at https://www.ncnhp.org/data/species-community-search and accessed on July 11, 2018 (County Status - Current).

Table 2
State Threatened and Endangered Species
Vascular Plants and Their Habitats
18 Counties (North Carolina)
Community Development Block Grant - Disaster Recovery
Tiered Environmental Assessment for Single-Family Housing Programs

Common Name and Scientific Name	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson	Habitat Description
Sensitive Joint-vetch (*Aeschynomene virginica*)																			freshwater to slightly brackish tidal marshes and wet ditches
Seabeach Amaranth (*Amaranthus pumilus*)	1			1				1											ocean beaches and island-end flats
Golden Sedge (*Carex Lutea*)					1			1					1		1				ecotones between very wet clay savannas and swamp forests
Pondberry (*Lindera melissifolia*)													1		1				Carolina bays and seasonally wet depressions
Rough-leaved Loosetrife (*Lysimachia asperulaefolia*)		1														1			longleaf pine uplands and pond pine pocosins, on moist to seasonally saturated sands and on shallow organic soils overlaying sand.
Michaux's Sumac (*Rhus michauxii*)	1	1		1									1		1				sandhills, sandy forests, woodland, woodland edges
American Chaffseed (*Schwalbea Americana*)									1		1	1						1	savannas and moist to dryish pinelands with frequent fire
Cooley's Meadowrue (*Thalictrum cooleyi*)		1									1				1				wet savannas

Sources:

USFWS. 2018. Official species list of threatened and endangered species that may occur in the 18 Counties (North Carolina). Requested by Tetra Tech via USFWS Information for Planning and Consultation (IPaC) website, July 11, 2018.

North Carolina Department of Natural and Cultural Resources, Natural Heritage Program; Natural Heritage Data Explorer [web application] available at https://www.ncnhp.org/data/species-community-search and accessed on July 11, 2018 (County Status - Current).

Attachment 5-2. Consultation with National Marine Fisheries Service

North Carolina Environmental Reviews
Telecon Record

Meeting Date: August 2, 2018

Location: Teleconference

Subject: Programmatic Consultation for Single-Family Housing Projects (18 Counties)

Meeting Attendees:

Name	Project Role or Title	Phone	Email
Noah Silverman	NEPA Coordinator, Southeast Region, National Marine Fisheries Service	727-824-5353	Noah.silverman@noaa.gov
Tetra Tech			
Cliff Jarman	EIAP	512-244-2192	clifford.jarman@tetratech.com

Noah Silverman had responded to the request for a programmatic consultation for the single-family housing projects proposed for Community Development Block Grant – Disaster Recovery funding 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson), with a voicemail requesting further conversation.

He followed up the voicemail with an email stating that "unless your project has a potential to impact aquatic species or habitat connected to water resources, you do not need to interact with us at all."

Cliff Jarman and Mr. Silverman discussed how the Tier 1 and Tier 2 process would evaluate each property in the program. Mr. Silverman stated that the NMFS was interested in potential for impacts, and could not set quantifiable parameters like set distances.

He advised that further coordination would be needed for projects involving repair or replacement in the existing footprint.

For projects involving new construction, the project should be reviewed to see if a water of the US or water resource dependent species would be impacted. If there would be impacts then his office should be consulted.

To help with the Tier 2 desktop review process, the following steps were developed.

1) If there are no waters near the project site (A Subject Matter Expert (SME) might set a distance) then there would be no issue and review would be complete
2) If there are waters nearby, then the Tier II review should be forwarded to the SME for their opinion.

3) If the SME determines that construction details and conditions of approval/mitigations would prevent impacts to the waters and habitat, then no consultation is needed and the review is complete.
4) If the SME says there would be impacts, then consultation with NOAA would be required.

When asked if NOAA could document its agreement with these steps, Mr. Silverman stated to use the email he sent to Tetra Tech (see attached) and reference our conversation for extra detail.

Jarman, Clifford

From: Noah Silverman - NOAA Federal <noah.silverman@noaa.gov>
Sent: Friday, July 27, 2018 4:21 PM
To: Bock, John
Cc: Herrera, Daniel; Bahlinger, Lauren; Jarman, Clifford; David Dale (David.Dale@noaa.gov); Mary Wunderlich - NOAA Federal
Subject: Re: Programmatic Consultation for Single-Family Housing Projects (18 Counties)

Hi Mr. Bock,

I left you a VM..... please give me a call when you have time. I want to make sure I fully understand your request.

But I will offer this, as a general "rule of thumb" regarding the need to coordinate with NOAA Fisheries Service. Unless your project has a potential to impact aquatic species or habitat connected to water resources, you do not need to interact with us at all.

Thank you,
-Noah

On Fri, Jul 27, 2018 at 4:59 PM, Bock, John <John.Bock@tetratech.com> wrote:

> Mr. Silverman, we would like to confirm that you received the consultation letter and ask if you have an estimated timeframe for your response. Thank you.
>
> **From:** Bock, John
> **Sent:** Tuesday, July 17, 2018 7:20 PM
> **To:** 'noah.silverman@noaa.gov' <noah.silverman@noaa.gov>
> **Cc:** 'Herrera, Daniel' <Daniel.Herrera@ncdps.gov>; 'Bahlinger, Lauren' <Lauren.Bahlinger@iem.com>
> **Subject:** Programmatic Consultation for Single-Family Housing Projects (18 Counties)
>
> Mr. Silverman, on behalf of Dan Herrera, please find attached a programmatic consultation letter that addresses single-family housing projects proposed for Community Development Block Grant – Disaster Recovery funding in 18 North Carolina counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson). Thank you.

John R. Bock | **Senior Environmental Scientist**
Main: 510.302.6300 | Fax: 510.433.0830

john.bock@tetratech.com

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--

Noah Silverman
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National Marine Fisheries Service
263 13th Avenue South
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Cell: (727) 612-0258
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Web: http://sero.nmfs.noaa.gov

North Carolina Department of Public Safety

Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

July 16, 2018

Mr. Noah Silverman
NEPA Coordinator
NOAA Fisheries
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant - Disaster Recovery Program

Dear Mr. Silverman:

The State of North Carolina has received an allocation through a Community Development Block Grant - Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to help fund Hurricane Matthew recovery efforts. Under the CDBG-DR funding umbrella, the State of North Carolina has established Homeowner Recovery, Small Rental Repair, and Buyout/Acquisition Programs that include actions to address unmet housing needs in areas impacted by Hurricane Matthew. As part of these programs, funding will be allocated for single-family (between 1 and 4 units, including mobile homes) housing-related activities in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) to assist low-to-moderate income homeowners who experienced damage to their homes from Hurricane Matthew and have remaining unmet needs. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation, acquisition for buyout, acquisition for redevelopment, and reimbursement for eligible repairs. Although most projects are expected to involve repair/rehabilitation or reconstruction of homes within the previously disturbed footprints, there is the possibility of relocation of homes to previously undisturbed land.

The North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally required environmental reviews for the CDBG-DR single-family housing programs in these 18 counties in accordance with 24 CFR Part 58. As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the best available data suggest that 833 homes in these counties sustained damage due to Hurricane Matthew and may seek funding through this program.

MAILING ADDRESS:
4218 Mail Service Center
Raleigh, NC 27699-4218
www.ncfloodmaps.com

OFFICE LOCATION:
4105 Reedy Creek Rd
Raleigh, NC 27607
Telephone: (919) 715-5711
Fax: (919) 715-0408

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To expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM seeks input from NOAA Fisheries on the need for individual NOAA Fisheries consultation concerning the following types of single-family housing unit projects:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously-completed eligible repair activities.

Please let us know which of these types of projects may require site-by-site consultation with NOAA Fisheries and which would not. For example, for project types 1, 2, 3, and 7 listed above, site-specific consultation with NOAA Fisheries does not appear to be warranted because the disturbed footprint of the single-family home will not be substantially changed.

We would also appreciate any suggestions on how our environmental review could be conducted in the most efficient manner consistent with protection of the environment. For example, for types of projects that may require NOAA Fisheries consultation, please identify the specific conditions that would trigger the need for consultation with the goal of limiting the number of required consultations to the situations that warrant such consultation.

The State of North Carolina is dedicated to providing disaster assistance to people in need of single-family housing as a result of the impacts of Hurricane Matthew in the 18 subject counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter. If you have any questions, please contact John Bock at (510) 302-6249 (john.bock@tetratech.com) or Cliff Jarman at (512) 244-2192 (clifford.jarman@tetratech.com).

Sincerely,

Daniel Herrera
Environmental Manager, CDBG Disaster Recovery

cc: Michael Gagner - NCEM, Deputy Chief of Resilience
Michael A. Sprayberry – NCEM, Director/Deputy Homeland Security Advisor
Lyn Hardison - NCDEQ, Environmental Assistance and SEPA Coordinator
John A. Nicholson – NCDEQ, Chief Deputy Secretary

Attachment 5-3. Consultation with North Carolina Wildlife Resources Commission

North Carolina Wildlife Resources Commission

Gordon Myers, Executive Director

MEMORANDUM

TO: Clifford Jarman
Tetratech

FROM: Maria T. Dunn, Coastal Coordinator
Habitat Conservation Division

DATE: August 9, 2018

SUBJECT: Request for Comments for the Tiered Environmental Assessment of Single-family Housing Projects for the Hurricane Matthew Community Development Block Grant – Disaster Recovery Program; Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson Counties, North Carolina.

Biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the subject document. Comments are provided in accordance with provisions of the Coastal Area Management Act (G.S. 113A-100 through 113A-128), as amended, Sections 401 and 404 of the Clean Water Act, as amended, Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667e), North Carolina Environmental Policy Act (G.S. 113A-1 through 113A-10; 1 NCAC 25) and North Carolina General Statutes (G.S. 113-131 et seq.).

The State of North Carolina received funding from the US Department of Housing and Urban Development through a Community Development Block Grant, Disaster Recovery (CDBG-DR), to assist with Hurricane Matthew recovery efforts in the eastern portion of the State. Funding will be allocated for single-family, housing-related activities in Counties for those who experienced damage from Hurricane Matthew. Program work will include the following activities: repair/rehabilitation; elevation; reconstruction; relocation; acquisition for buyout; acquisition for redevelopment; and reimbursement for eligible repairs. Most projects will likely involve work within the previously disturbed footprints, however it is possible that homes may be relocated on previously undisturbed land.

In accordance with the amended *State of North Carolina CDBG-DR Action Plan*, best available data indicates numerous residences in the subject counties experienced damage during Hurricane Matthew. As such, property owners from these residences may seek funding through the program. These are the following types of single-family housing unit projects:

1. Repair/rehabilitate with no substantial change in footprint on the same parcel.

Mailing Address: Habitat Conservation • 1721 Mail Service Center • Raleigh, NC 27699-1721
Telephone: (919) 707-0220 • **Fax:** (919) 707-0028

2. Elevate with no substantial change in footprint on the same parcel.
3. Reconstruct/replace with no substantial change in footprint on the same parcel.
4. Relocate on previously undisturbed land.
5. Acquire for buyout.
6. Acquire for redevelopment as single-family housing.
7. Reimburse to homeowners for previously completed eligible repair activities.

The primary action requiring potential consultation with NCWRC is Project Activity 4: relocation on previously undisturbed land. The NCWRC should be consulted if the NC Natural Heritage Program, Data Explorer element occurrence data indicates potential presence of state-listed terrestrial species within one-half mile of proposed construction on previously undisturbed lands. If state-listed aquatic species are located within one mile (upstream or downstream) of clearing or disturbance near a freshwater stream, the following actions should be taken:

1. Maintain a minimum 100-foot undisturbed, native, forested buffer along perennial streams, and a minimum 50-foot buffer along intermittent streams and wetlands. Maintaining undisturbed, forested buffers along these areas will minimize impacts to aquatic and terrestrial wildlife resources, water quality, and aquatic habitat both within and downstream of the project area. Also, wide riparian buffers are helpful in maintaining stability of stream banks and for treatment of pollutants associated with urban stormwater.

2. Erosion and sediment control measures should conform to the High Quality Water Zones standards stipulated in the NC Department of Environmental Quality Erosion and Sediment Control Plan (https://deq.nc.gov/about/divisions/energy-mineral-land-resources/energy-mineral-land-permit-guidance/erosion-sediment-control-planning-design-manual). Sediment and erosion control measures should use advanced methods and installed prior to any land-disturbing activity. The use of biodegradable and wildlife-friendly sediment and erosion control devices is strongly recommended. Silt fencing, fiber rolls and/or other products should have loose-weave netting that is made of natural fiber materials with movable joints between the vertical and horizontal twines. Silt fencing that has been reinforced with plastic or metal mesh should be avoided as it impedes the movement of terrestrial wildlife species. Excessive silt and sediment loads can have detrimental effects on aquatic resources including destruction of spawning habitat, suffocation of eggs, and clogging of gills.

If a (minimum) 100-foot, riparian buffer is maintained and erosion and sediment control devices are installed outside of this buffer, consultation with NCWRC for state-listed aquatic species is no longer required. Please see the following general recommendations to minimize impacts to aquatic and terrestrial species:

1. The project footprint should be surveyed for wetlands and streams to ensure there are no impacts to surface waters. In addition to providing wildlife habitat, wetland areas and streams aid in flood control and water quality protection. United States Army Corps of Engineers Section 404 Permits and NC Division of Water Resources Section 401 Certifications are required for any impacts to jurisdictional streams or wetlands.

2. Stormwater runoff to receiving surface waters can be minimized by reducing impervious surfaces and increasing infiltration on site using Low Impact Development (LID) techniques. LID techniques appropriate for this project may include permeable pavement and bioretention areas that can collect stormwater from impervious areas. Additional alternatives include narrow driveways, swales versus curbs/gutters and permeable surfaces such as turf stone, brick and cobblestone.

3. Re-seed disturbed areas with seed mixtures that are beneficial to wildlife. Avoid fescue-based mixtures as fescue is invasive and provides little benefit to wildlife. A list of wildlife-friendly plants is available upon request. In addition, the use of non-invasive, native species is recommended. Using native species instead of ornamentals should reduce the need for water, fertilizers and pesticides.

4. Insecticides and herbicides should not be used within 100 feet of perennial streams and 50 feet of intermittent streams, or within floodplains and wetlands associated with these streams.

The NCWRC does not have jurisdiction over vascular plants. If plant species are listed as federally endangered, threatened or species of concern, please contact the US Fish & Wildlife Service (USFWS). If plant species are listed as state-endangered, threatened or special concern, please contact the NC Department of Agriculture and Consumer Services, Plant Conservation Program.

Thank you for the opportunity to review and comment on this project. If I can be of further assistance, please contact me at (252) 948-3916 or maria.dunn@ncwildlife.org

North Carolina Department of Public Safety

Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

July 17, 2018

Mr. David Cox
Technical Guidance Supervisor
North Carolina Wildlife Resources Commission
1701 Mail Service Center
Raleigh, NC 27699-1701

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant - Disaster Recovery Program

Dear Mr. Cox:

The State of North Carolina has received an allocation through a Community Development Block Grant - Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to help fund Hurricane Matthew recovery efforts. Under the CDBG-DR funding umbrella, the State of North Carolina has established Homeowner Recovery, Small Rental Repair, and Buyout/Acquisition Programs that include actions to address unmet housing needs in areas impacted by Hurricane Matthew. As part of these programs, funding will be allocated for single-family (between 1 and 4 units, including mobile homes) housing-related activities in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) to assist low-to-moderate income homeowners who experienced damage to their homes from Hurricane Matthew and have remaining unmet needs. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation, acquisition for buyout, acquisition for redevelopment, and reimbursement for eligible repairs. Although most projects are expected to involve repair/rehabilitation or reconstruction of homes within the previously disturbed footprints, there is the possibility of relocation of homes to previously undisturbed land.

The North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally required environmental reviews for the CDBG-DR single-family housing programs in these 18 counties in accordance with 24 CFR Part 58. As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the best available data suggest that 833 homes in these counties sustained damage due to Hurricane Matthew and may seek funding through this program.

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To expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM seeks input from the North Carolina Wildlife Resources Commission (NCWRC) on the need for individual State-listed threatened and endangered (T&E) species consultation concerning the following types of single-family housing unit projects:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously-completed eligible repair activities.

Please let us know which of these types of projects may require site-by-site consultation with the NCWRC and which would not. For example, for project types 1, 2, 3, and 7 listed above, site-specific consultation with the NCWRC does not appear to be warranted because the disturbed footprint of the single-family home will not be substantially changed.

Additionally, NCEM reviewed the types of habitats for the T&E species listed in the attached Table 1. Please let us know which habitats related to these species would require site-specific consultation.

Amphibians (Bladen, Craven, Duplin, Jones, Moore, Pender, and Sampson Counties)

The Mabee's salamander lives in soil near bogs, ponds, and swamps with identified occurrences in Bladen, Duplin, Jones, and Sampson Counties. The eastern tiger salamander lives in fish-free semi-permanent ponds and forages in adjacent woods, usually in sandy pinewoods with identified occurrences in Moore County. The ornate chorus frog lives in swamps, savannas, wooded ponds and pools with occurrences in Bladen, Craven and Sampson Counties. The Carolina gopher frog breeds in temporary fish-free pools and lives in sandy woods, especially pine-oak sandhills with occurrences in Pender and Sampson Counties.

For any sites that will disturb potentially suitable habitat, the North Carolina Natural Heritage Program (NCNHP) Data Explorer will be used to screen for the likelihood of Mabee's salamander, eastern tiger salamander, dwarf salamander, four-toed salamander, Neuse River waterdog, ornate chorus frog, or Carolina gopher frog in or near the project sites. If occurrences are identified within one mile, the NCWRC will be consulted.

Birds (Beaufort, Bladen, Camden, Craven, Dare, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, and Washington Counties)

The NCWRC defers to the US Fish and Wildlife Service regarding the need for consultations regarding the bald eagle, golden eagle, red knot, piping plover, roseate tern and the red-cockaded woodpecker.

Henslow's sparrow has been found in parts of Beaufort County. It nests in wet meadows and grasslands, but not marshes. In North Carolina, these habitats are largely human-created areas, such as cleared non-riverine swamp maintained by mowing or burning. In winter, the Henslow's sparrow's primary habitat includes open stands of longleaf pine with dense wiregrass that has been burned to allow for ample seeds. Some have been found in wet powerline clearings or other damp grassy fields. The NCNHP Data Explorer will be used as a screening tool, and NCWRC will be consulted if Henslow's sparrow occurrences have been documented within two miles of the site.

The wood stork has been found in Bladen and Sampson Counties. Wood storks feed in a wide variety of tidal and freshwater ecosystems, including ponds, swamps, narrow tidal creeks or shallow tidal pools, and artificial wetlands, including flooded ditches, impoundments, and large reservoirs. They nest in patches of medium to tall trees in standing water or on islands surrounded by open water. We do not anticipate any impacts, but for any sites involving wetland disturbance within two miles of previously identified wood stork habitat, as determined using the NCNHP Data Explorer, the NCWRC will be consulted.

American peregrine falcon nests in cliffs and live in coastal ponds and mudflats with occurrences in Dare and Hyde Counties. Gull-billed tern lives in sand flats on maritime islands with occurrences in Dare, Hyde and New Hanover Counties. Caspian tern lives in sand flats on maritime islands with occurrences in Dare and Hyde Counties. Black-throated green warbler (Coastal Plain Population) lives in nonriverine wetland forests, especially where white cedar or cypress are mixed with hardwood trees with occurrences in Beaufort, Bladen, Camden, Craven, Dare, Hyde, Jones, Pasquotank and Washington Counties. Common tern lives in sand flats on maritime islands with occurrences in Dare, Hyde, New Hanover and Pender Counties.

Wilson's plover lives in beaches, island-end flats and estuarine islands with occurrences in Dare, Hyde, New Hanover and Pender Counties. The little blue heron lives in forests or thickets on maritime islands and rarely in swamps or ponds with occurrences in Dare, Hyde, Jones, New Hanover and Pender Counties. The NCNHP Data Explorer will be used as a screening tool, and NCWRC will be consulted if American peregrine falcon, gull-billed tern, Caspian tern, black-throated green warbler, or common tern occurrences have been documented within two miles of the site.

Freshwater Bivalves (Bladen, Craven, Johnston, Jones, Moore, Nash, Pender, Sampson, Washington and Wilson Counties)

State T&E freshwater bivalve species (listed for Bladen, Craven, Johnston, Jones, Moore, Nash, Pender, Sampson, Washington and Wilson Counties in Table 1) could potentially be adversely impacted if a project involves any clearing and/or land disturbance within 100 feet of a perennial freshwater stream. In these instances, the NCNHP Data Explorer element occurrence data would be reviewed to determine if there have been any occurrences of any State T&E freshwater bivalve species within a distance of one mile upstream or one mile downstream within the impacted stream. If so, the NCWRC should be consulted to determine the need for species surveys and/or mitigative actions.

Freshwater Fish

These species are found in aquatic habitats. For any construction that would occur in these habitats, the State would require that appropriate erosion and sedimentation control measures be implemented and maintained during construction. We do not anticipate in-stream work to occur; if it does, we will require a site-specific consultation.

Freshwater or Terrestrial Gastropods (New Hanover County)

The Cape Fear threetooth is endemic to the extreme southeast corner of the state, including New Hanover County. It lives in forested wetland and scrub-shrub wetland, particularly around longs and under litter. We do not anticipate any impacts, but for any sites involving wetland disturbance within two miles of previously identified Cape Fear threetooth habitat, as determined from the NCNHP Data Explorer, the NCWRC will be consulted.

Mammals (Beaufort, Bladen, Camden, Craven, Dare, Hyde, Jones, New Hanover, Pasquotank, Pender and Washington Counties)

The West Indian Manatee (Beaufort, Craven, Dare, Hyde, Jones, New Hanover and Pender Counties) is found in aquatic habitats. For any construction that would in these habitats, the State would require that appropriate erosion and sedimentation control measures be implemented and maintained during construction. We do not anticipate in-stream work to occur; if it does, we will require a site-specific consultation.

The northern long-eared bat (Bladen, Camden, Dare, New Hanover, Pasquotank, Pender and Washington Counties) is threatened due to impacts of white-nose syndrome. The Rafinesque's big-eared bat (Washington County) roosts in caves, mines, and hollow trees near water and are threatened due to habitat loss, primarily loss of swampland forests. Species survival depends on protecting locations where the bat hibernates and roosts, especially during the pup season. NCNHP Data Explorer will be used as an initial screen with site-specific consultation required for project sites located within one mile of previously identified populations of northern long-eared bat and Rafinesque's big-eared bat.

The eastern woodrat lives in forests, mainly in moist areas, with occurrences in Jones, New Hanover and Pender Counties. NCNHP Data Explorer will be used as an initial screening, with site-specific consultation required for project sites located within one mile of previously identified populations of eastern woodrat.

Reptiles (Beaufort, Bladen, Craven, Dare, Duplin, Hyde, Jones, Moore, New Hanover, Pender, Sampson, and Washington Counties)

Adverse impacts to the American alligator are not anticipated because this species inhabits canals and stormwater ditches and adapts to disturbed areas. If construction will occur in canals and/or stormwater ditches, we will require a site-specific consultation.

Eastern diamondback ratttlesnakes can be found in sandy pine flatwoods in southeastern North Carolina, including portions of Bladen, Craven and Pender Counties. Southern hognose snakes can be found in sandy woods, particularly pine-oak sandhills, with occurrences in Bladen, Duplin, Moore, New Hanover, Pender and Sampson Counties. Eastern coralsnakes can be found in pine-oak sandhills, sandy flatwoods, and maritime forests, with occurrences in Bladen, New Hanover, Pender and Sampson Counties. Northern pinesnakes can be found in dry and sandy woods, mainly in pine-oak sandhills with occurrences in Moore County. NCNHP Data Explorer will be used as an initial screening, with site-specific consultation required for project sites located within one mile of previously occurrences of the eastern diamondback rattlesnake, the southern hognose snake, the eastern coralsnake, or the northern pinesnake.

The leatherback sea turtle, Kemp's ridley sea turtle, green sea turtle, and the loggerhead sea turtle (Beaufort, Dare, Hyde, New Hanover and Pender Counties) are found in aquatic habitats and nests on beaches. For any construction that would occur, the State would require that appropriate erosion and sedimentation control measures be implemented and maintained during construction. We do not anticipate in-stream or marine work to occur; if it does, we will require a site-specific consultation.

Vascular Plants (Bertie and Columbus Counties)

There are 3 threatened or endangered species of vascular plants in Beaufort County, 20 such species in Bladen County, 1 such species in Camden and Duplin Counties, 18 such species in Craven County, 16 such species in Dare County, 10 such species in Hyde County, 4 such species in Johnston County, 9 such species in Jones County, 19 such species in Moore County, 2 such species in Nash County, 35 such species in New Hanover County, 49 such species in Pender County, 7 such species in Sampson County, and 5 such species in Washington County.

These plants have a variety of possible habitats throughout the counties, as shown in the attached Table 2. The NCNHP Data Explorer will be used as the first screening tool to determine if site-

specific consultation is required. Where the NCNHP Data Explorer shows a current element occurrence for any of the species listed in Table 2 within two miles of a project site, the project site will then be surveyed to determine if suitable habitat for that species may exist on the site. If potentially suitable habitat does exist, then a site-specific consultation with NCWRC will be initiated.

The State of North Carolina is dedicated to providing disaster assistance to people in need of single-family housing as a result of the impacts of Hurricane Matthew in the 18 subject counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter. If you have any questions, please contact John Bock at (510) 302-6249 (john.bock@tetratech.com) or Cliff Jarman at (512) 244-2192 (clifford.jarman@tetratech.com).

Sincerely,

Daniel Herrera
Environmental Manager, CDBG Disaster Recovery
North Carolina Division of Emergency Management

cc: Michael Gagner - NCEM, Deputy Chief of Resilience
Lyn Hardison - NCDEQ, Environmental Assistance and SEPA Coordinator
Michael A. Sprayberry – NCEM, Director/Deputy Homeland Security Advisor

Attachments:
Table 1 - State Threatened and Endangered Species, 18 Counties
Table 2 - State Threatened and Endangered Species; Vascular Plants and their Habitats; Bertie, Columbus, Lenoir, & Pitt Counties

North Carolina Department of Public Safety

Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

Table 1
State Threatened and Endangered Species
18 Counties (North Carolina)
Community Development Block Grant - Disaster Recovery
Tiered Environmental Assessment for Single-Family Housing Programs

Common Name (State/Federal Status)	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
Amphibian		**2**		**1**		**1**				**1**	**1**				**1**	**3**		
Mabee's Salamander (T/)		1				1				1						1		
Eastern Tiger Salamander (T/)											1							
Ornate Chorus Frog (E/)		1		1												1		
Carolina Gopher Frog (E/FSC)															1	1		
River Frog (E/)																		
Reptile	**2**	**4**		**2**	**5**	**2**		**5**		**1**	**2**		**7**		**7**	**3**	**1**	
American Alligator (T/T(S/A))	1	1		1	1	1		1		1			1		1	1	1	
Loggerhead Seaturtle (T/T)					1			1					1		1			
Green Seaturtle (T/T)					1			1					1		1			
Eastern Diamondback Rattlesnake (E/FSC)		1		1											1			
Leatherback Seaturtle (E/E)					1			1					1					

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Common Name (State/Federal Status)	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
Southern Hognose Snake (T/FSC)		1				1					1		1		1	1		
Kemp's Ridley Seaturtle (E/E)	1				1			1					1		1			
Eastern Coralsnake (E/)		1											1		1	1		
Northern Pinesnake (T/FSC)											1							
Bird	**3**	**4**	**3**	**3**	**9**			**9**	**2**	**3**	**1**	**1**	**6**	**2**	**5**	**2**	**3**	
Henslow's Sparrow (E/FSC)	1																	
Red Knot -- Rufa subspecies (T/T)					1			1					1		1			
Piping Plover - Atlantic Coast subspecies (T/T)					1			1					1		1			
American Peregrine Falcon (E/)					1			1										
Gull-billed Tern (T/)					1			1					1					
Bald Eagle (T/BGPA)	1	1	1	1	1			1	1	1		1	1	1	1		1	
Caspian Tern (T/)					1			1										
Wood Stork (T/T)		1														1		
Red-cockaded Woodpecker (E/E)		1	1	1	1			1	1	1	1		1		1	1	1	
Black-throated Green Warbler - Coastal Plain population (E/FSC)	1	1	1	1	1			1		1				1			1	
Roseate Tern (E/E)																		
Common Tern (E/)					1			1					1		1			
Freshwater Bivalve		**3**		**1**		**1**			**10**	**3**	**8**	**10**			**2**	**2**	**3**	**6**
Dwarf Wedgemussel (E/E)									1			1						1
Triangle Floater (T/FSC)									1	1	1	1						1
Brook Floater (E/FSC)											1							
Barrel Floater (E/)		1																
Alewife Floater (T/)																1	1	

Common Name (State/Federal Status)	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
Yellow Lance (E/T)									1			1						
Tar River Spinymussel (E/E)									1			1						
Atlantic Pigtoe (E/FSC)		1							1		1	1			1	1		1
Yellow Lampmussel (E/FSC)									1		1	1						
Eastern Lampmussel (T/)		1		1					1	1		1			1			1
Green Floater (E/FSC)									1			1						
Tidewater Mucket (T/)																	1	
Eastern Pondmussel (T/)																	1	
Creeper (T/)									1	1	1	1						1
Savannah Lilliput (E/FSC)											1							
Notched Rainbow (T/FSC)						1			1		1	1						1
Carolina Creekshell (E/FSC)											1							
Freshwater or Terrestrial Gastropod													1					
Cape Fear Threetooth (T/FSC)													1					
Freshwater Fish	1	1	2	2	2			2	2	2	2	1	2	2	2		2	1
Shortnose Sturgeon (E/E)		1	1		1			1					1	1	1		1	
Atlantic Sturgeon (E/E)	1		1	1	1			1					1	1	1		1	
Least Brook Lamprey (T/)									1									
Carolina Redhorse (T/FSC)											1							
Bridle Shiner (E/FSC)				1						1								
Cape Fear Shiner (E/E)											1							
Mimic Shiner (T/)										1								
Carolina Madtom (T/FSC)									1			1						1
Mammal	7	1	1	1	2			1		2			3	1	3		2	
Rafinesque's Big-eared Bat (T/FSC)																	1	

Common Name (State/Federal Status)	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
Northern Long-eared Bat (T/T-4(d))		1	1		1								1	1	1		1	
Eastern Woodrat (T/)										1			1		1			
West Indian Manatee (E/E)	1			1	1			1		1			1		1			
Vascular Plant	**3**	**20**	**1**	**18**	**16**	**1**		**10**	**4**	**9**	**19**	**2**	**35**		**49**	**7**	**5**	
Sensitive Jointvetch (T/T)	1			1				1										
Branched Gerardia (T/)				1									1		1			
Seabeach Amaranth (T/T)					1								1		1			
Savanna Indigo-bush (T/FSC)																		
Georgia Indigo-bush (E/FSC)											1				1			
Bog Bluestem (T/)				1											1			
Southern Anemone (E/)											1							
Big Three-awn Grass (T/)		1											1		1			
Chapman's Three-awn (E/)															1			
Savanna Indian-plantain (E/)										1					1			
Carolina Spleenwort (E/FSC)		1		1						1								
Blue Water-hyssop (T/)		1											1		1			
Purple Honeycomb-head (E/FSC)		1																
Thick-pod White Wild Indigo (T/)									1									
American Bluehearts (E/)																		
Many-flower Grass-pink (E/FSC)															1			
Cherokee Sedge (E/)															1			
Coastal Sedge (E/)																		
Golden Sedge (E/E)															1			
Kidney Sedge (T/)		1													1	1		
Wire Sedge (E/)											1							

Common Name (State/Federal Status)	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
Nutmeg Hickory (E/)															1			
A Spanglegrass (T/)															1			
Georgia Calamint (E/)															1			
Roughleaf Dogwood (E/)															1			
Carolina Sunrose (E/)					1								1		1			
Pinebarren Sunrose (T/)					1													
Georgia Sunrose (E/)					1			1					1					
Florida Scrub Frostweed (E/)													1					
Leconte's Flatsedge (T/)																		
Tennessee Bladder-fern (E/)				1						1								
Blue Witch Grass (E/FSC)					1			1							1			
Salt-meadow Grass (E/)					1			1										
Gulfcoast Spikerush (E/)	1				1			1									1	
Viviparous Spikerush (E/)								1			1		1		1			
Green Fly Orchid (T/)		1											1		1			
Estuary Pipewort (T/)				1				1										
Coralbean (E/)													1					
Limesink Dog-fennel (E/)													1					
Heartleaf Sandmat (T/)		1																
Sandhills Blanket-flower (E/)																		
Confederate Huckleberry (E/)													1					
Indian Physic (T/)																		
Florida Sunflower (T/)		1																
Comfortroot (T/)													1					
Sand Heather (T/)					1													

Common Name (State/Federal Status)	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
Waccamaw River Spiderlily (T/FSC)															1			
Peelbark St. John's-wort (E/)											1							
Beach Morning-glory (T/)								1										
Thin-wall Quillwort (T/FSC)										1					1	1		
Brown Bogbutton (T/)													1		1			
Maritime Pinweed (E/)					1													
Torrey's Pinweed (E/)															1			
Sandhills Lily (E/FSC)											1							
Awl-leaf Mudwort (T/)					1													
Pondberry (E/E)																1		
Yellow-fruited Flax (T/)															1			
Fen Orchid (E/)					1													
Boykin's Lobelia (E/FSC)																		
Golden-crest (E/)													1					
Lanceleaf Seedbox (E/)													1					
Flaxleaf Seedbox (T/)													1					
Raven's Seedbox (T/FSC)				1						1						1		
Globe-fruit Seedbox (E/)				1							1		1				1	
Shrubby Seedbox (T/)													1					
Rough-leaf Loosestrife (E/E)	1	1		1									1		1			
Carolina Bogmint (E/FSC)		1							1						1			
Godfrey's Sandwort (E/FSC)				1														
Loose Water-milfoil (E/)																		
Leafless Water-milfoil (E/)		1															1	
Northern Rattlesnake-root (T/)										1								

Common Name (State/Federal Status)	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
Spiked Medusa (E/)													1					
Carolina Grass-of-Parnassus (T/FSC)		1													1			
Large-leaved Grass-of-parnassus (T/FSC)															1			
Mudbank Crown Grass (E/)				1							1				1			
Hairy Smartweed (E/)		1																
Small Butterwort (E/)															1			
Pineland Plantain (T/FSC)															1			
Snowy Orchid (T/)				1									1		1			
Seabeach Knotweed (E/)					1			1										
Shadow-witch (T/)				1						1					1			
Ribbed Bishop-weed (T/)													1					
Michaux's Sumac (E/E)											1	1						
Alabama Beaksedge (T/FSC)											1							
Swamp Forest Beaksedge (T/)															1			
Southern White Beaksedge (T/)											1							
Coastal Beaksedge (T/FSC)		1											1					
Tracy's Beaksedge (T/)													1					
Sun-facing Coneflower (E/FSC)											1							
Limestone Wild-petunia (E/)															1			
Cabbage Palm (T/)					1								1					
Small-flowered Buckthorn (T/)															1			
Chapman's Arrowhead (E/)		1																
Quillwort Arrowhead (T/)		1											1			1	1	
Streamhead Sagittaria (T/FSC)											1							
Grassleaf Arrowhead (E/)				1		1							1		1			

Common Name (State/Federal Status)	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
Hooded Pitcherplant (E/)													1					
Chaffseed (E/E)		1																
Drooping Bulrush (T/)				1						1			1		1			
Baldwin's Nutrush (T/)															1			
Netted Nutrush (T/)													1			1		
Southern Skullcap (E/)																		
Shale-barren Skullcap (E/)											1							
Tough Bumelia (T/FSC)													1					
Leavenworth's Goldenrod (T/)																1		
Twisted-leaf Goldenrod (E/)		1													1			
Coastal Goldenrod (E/FSC)				1	1										1			
Eaton's Ladies'-tresses (E/)				1							1				1			
Giant Spiral Orchid (E/)		1													1			
Water Dawnflower (E/)											1							
Cooley's Meadowrue (E/E)													1		1			
Virginia Spiderwort (T/)											1							
Chapman's Redtop (T/)		1		1	1					1	1				1			
Buffalo Clover (T/)											1							
Carolina Least Trillium (E/FSC)															1			
Virginia Least Trillium (E/FSC)			1						1			1						
Dwarf Stinging Nettle (E/)									1									
Horned Bladderwort (T/)													1					
Dwarf Bladderwort (T/)													1		1			
Northeastern Bladderwort (E/)																	1	
Cranberry (T/)					1			1										

Common Name (State/Federal Status)	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson
American Speedwell (T/)																		
Florida Yellow-eyed-grass (T/)															1			
Pineland Yellow-eyed-grass (E/)																		

Source: North Carolina Department of Natural and Cultural Resources, Natural Heritage Program; Natural Heritage Data Explorer [web application] available at https://www.ncnhp.org/data/species-community-search and accessed on July 11, 2018 (County Status - Current).

Table 2
State Threatened and Endangered Species
Vascular Plants and Their Habitats
18 Counties (North Carolina)
Community Development Block Grant - Disaster Recovery
Tiered Environmental Assessment for Single-Family Housing Programs

Common Name	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson	Habitat Description
Sensitive Jointvetch	1			1				1											freshwater to slightly brackish tidal marshes and wet ditches
Branched Gerardia				1									1		1				savannas and depression pond shores
Seabeach Amaranth					1								1		1				ocean beaches and island-end flats
Savanna Indigo-bush																			wet savannas
Georgia Indigo-bush											1				1				mesic to moist terraces along blackwater streams and ecotones between pocosins and savannas
Bog Bluestem				1											1				wet savannas
Southern Anemone											1								thin soils around rock outcrops, usually on basic soil
Big Three-awn Grass		1											1		1				bay rims with xeric pine-oak scrub
Chapman's Three-awn															1				wet savannas
Savanna Indian-plantain										1					1				wet savannas
Carolina Spleenwort		1		1						1									coquina limestone outcrops

Common Name	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson	Habitat Description
Blue Water-hyssop		1											1		1				Shallow ponds, marshes, natural lakes, and tidal creeks
Purple Honeycomb-head		1																	savannas
Thick-pod White Wild Indigo									1										open woodlands, clearings
American Bluehearts																			glades, open forests, streambanks, probably primarily over mafic or calcareous rocks
Many-flower Grass-pink															1				savannas
Cherokee Sedge															1				floodplains
Coastal Sedge																			seepage slopes, wet seepy powerlines
Golden Sedge															1				ecotones between very wet clay savannas and swamp forests
Kidney Sedge		1													1	1			swamps, open wet areas
Wire Sedge											1								xeric sandhills
Nutmeg Hickory															1				wet marl forests
A Spanglegrass															1				blackwater bottomlands over marl
Georgia Calamint															1				rock ledges near blackwater streams and disturbed pine-oak uplands
Roughleaf Dogwood															1				wet marl forests
Carolina Sunrose					1								1		1				sandhills, pinelands, dry savannas
Pinebarren Sunrose					1														maritime forests
Georgia Sunrose					1			1					1						maritime forests
Florida Scrub Frostweed													1						coastal fringe sandhill
Leconte's Flatsedge																			limesink ponds
Tennessee Bladder-fern				1						1									calcareous rock outcrops

Common Name	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson	Habitat Description
Blue Witch Grass					1			1							1				maritime grasslands and wet savannas with a calcareous influence
Salt-meadow Grass					1			1											fresh to brackish tidal marshes
Gulfcoast Spikerush	1				1			1									1		interdune ponds, brackish marshes & tidal freshwater marshes
Viviparous Spikerush								1			1		1		1				bogs and pools
Green Fly Orchid		1											1		1				epiphytic on trees in blackwater river swamps
Estuary Pipewort				1				1											natural lakes
Coralbean													1						maritime forests
Limesink Dog-fennel													1						limesink ponds and clay-based Carolina bays
Heartleaf Sandmat		1																	sandhills
Sandhills Blanket-flower																			dry sandy roadsides, dry longleaf pine-oak uplands
Confederate Huckleberry													1						coastal fringe sandhill
Indian Physic																			forests and open woods, mainly over mafic rocks
Florida Sunflower		1																	savannas and pocosins
Comfortroot													1						bay forests, sand ridges, and roadsides
Sand Heather					1														openings in maritime forest, blowouts, and dunes
Waccamaw River Spiderlily															1				banks of blackwater rivers
Peelbark St. John's-wort											1								beaver ponds, low pinelands, pools
Beach Morning-glory								1											sea beaches and foredunes

Common Name	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson	Habitat Description
Thin-wall Quillwort										1					1	1			emergent riverbanks, calcareous influenced riverbanks
Brown Bogbutton													1		1				depression ponds and ditches
Maritime Pinweed					1														barren dunefields with *Hudsonia tomentosa*
Torrey's Pinweed															1				sandhills, savannas
Sandhills Lily											1								streamhead pocosin ecotones and openings
Awl-leaf Mudwort					1														tidal marshes
Pondberry																1			Carolina bays and seasonally wet depressions
Yellow-fruited Flax															1				pine savannas
Fen Orchid					1														seeps, bay swamps
Boykin's Lobelia																			depression ponds and meadows and clay-based cypress savannas
Golden-crest													1						very wet, mucky habitats in pine savannas
Lanceleaf Seedbox													1						interdune ponds, open wet areas
Flaxleaf Seedbox													1						limesink ponds
Raven's Seedbox				1						1						1			savannas, swamps, marshes, wet open places
Globe-fruit Seedbox				1							1		1				1		bogs, pools, and lake shores
Shrubby Seedbox													1						limesink ponds, clay-based Carolina bays
Rough-leaf Loosestrife	1	1		1									1		1				pocosin/savanna ecotones, pocosins

Common Name	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson	Habitat Description
Carolina Bogmint		1							1						1				blackwater swamps, savanna/pocosin ecotones, ditches
Godfrey's Sandwort				1															tidal freshwater marshes
Loose Water-milfoil																			limesink ponds, waters of natural lakes
Leafless Water-milfoil		1															1		waters of natural lakes
Northern Rattlesnake-root										1									hardwood forests
Spiked Medusa													1						Mesic pinelands with blackjack oak sandhills, and dry-mesic to mesic longleaf pinelands.
Carolina Grass-of-Parnassus		1													1				wet savannas
Large-leaved Grass-of-parnassus															1				fens and seeps over calcareous or mafic rocks
Mudbank Crown Grass				1							1				1				mudflats, other open wet areas
Hairy Smartweed		1																	limesink ponds, clay-based Carolina bays, drawdown zones of blackwater riverbanks
Small Butterwort															1				savannas
Pineland Plantain															1				wet savannas
Snowy Orchid				1									1		1				wet savannas
Seabeach Knotweed					1			1											ocean and sound beaches
Shadow-witch				1						1					1				blackwater forests and swamps, especially over marl
Ribbed Bishop-weed													1						tidal swamps or marshes
Michaux's Sumac											1	1							sandhills, sandy forests, woodland, woodland edges

Common Name	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson	Habitat Description
Alabama Beaksedge											1								seepy banks of blackwater rivers
Swamp Forest Beaksedge															1				swamp forests
Southern White Beaksedge											1								sandhill seeps, blackwater impoundments, stream head pocosins
Coastal Beaksedge		1											1						limesink ponds
Tracy's Beaksedge													1						clay-based Carolina bays, limesink ponds
Sun-facing Coneflower											1								moist pine flatwoods and woodland borders
Limestone Wild-petunia															1				low woods over marl
Cabbage Palm					1								1						maritime forests on the southeastern coast
Small-flowered Buckthorn															1				shell middens
Chapman's Arrowhead		1																	limesink ponds
Quillwort Arrowhead		1											1			1	1		limesink ponds, clay-based Carolina bays, beaver ponds, natural lakes
Streamhead Sagittaria											1								shoreline of blackwater stream impoundment
Grassleaf Arrowhead				1		1							1		1				fresh to slightly brackish marshes, streams, swamps, and pond margins
Hooded Pitcherplant													1						savannas
Chaffseed		1																	savannas and moist to dry-ish pinelands with frequent fire
Drooping Bulrush				1						1			1		1				low rich woods over marl
Baldwin's Nutrush															1				wet savannas

Common Name	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson	Habitat Description
Netted Nutrush													1			1			clay-based Carolina bays, limesink ponds
Southern Skullcap																			alluvial forests
Shale-barren Skullcap											1								diabase glades
Tough Bumelia													1						maritime forests and scrub
Leavenworth's Goldenrod																1			savannas, pocosin borders, clay-based Carolina bays, peaty seeps
Twisted-leaf Goldenrod		1													1				dry savannas and mesic flats
Coastal Goldenrod				1	1										1				edges and openings in maritime upland forests
Eaton's Ladies'-tresses				1							1				1				pine savannas and pine-oak sandhills
Giant Spiral Orchid		1													1				savannas
Water Dawnflower											1								clay-based Carolina bays, pineland pools
Cooley's Meadowrue													1		1				wet savannas
Virginia Spiderwort											1								rich woods on circumneutral soils
Chapman's Redtop		1		1	1					1	1				1				dry pine and oak woods, sandy roadsides
Buffalo Clover											1								open woods and clearings
Carolina Least Trillium															1				ecotones between savannas and nonriverine wet hardwood forests, over marl
Virginia Least Trillium			1						1			1							mesic to swampy hardwood forests
Dwarf Stinging Nettle									1										rich blackwater and brownwater levee forests

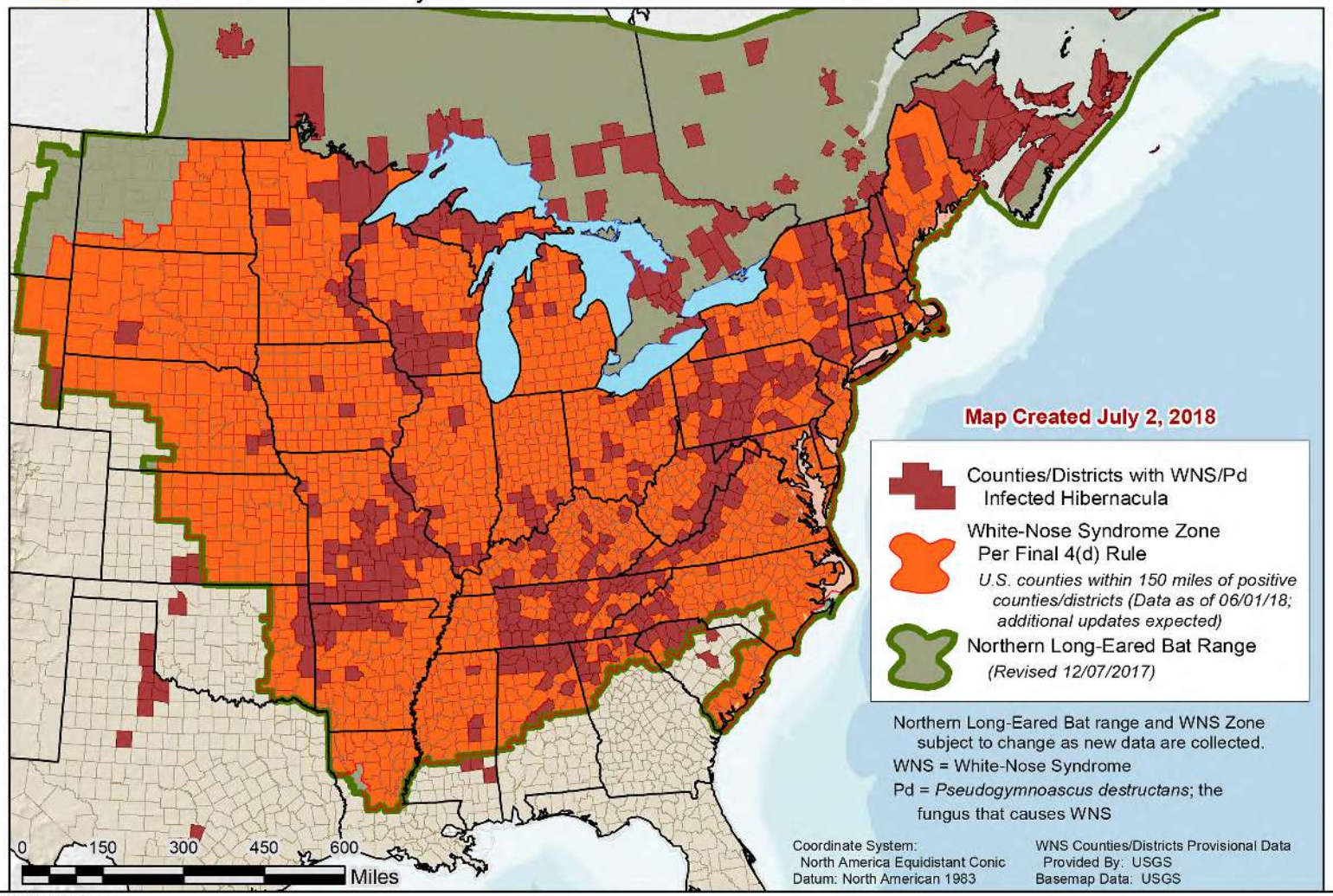
Common Name	Beaufort	Bladen	Camden	Craven	Dare	Duplin	Greene	Hyde	Johnston	Jones	Moore	Nash	New Hanover	Pasquotank	Pender	Sampson	Washington	Wilson	Habitat Description
Horned Bladderwort													1						bogs, limesink ponds
Dwarf Bladderwort													1		1				limesink ponds, beaver ponds
Northeastern Bladderwort																	1		natural lakes
Cranberry					1			1											bogs, seeps, pocosins
American Speedwell																			seeps, bogs
Florida Yellow-eyed-grass															1				savannas
Pineland Yellow-eyed-grass																			savannas

Source: North Carolina Department of Natural and Cultural Resources, Natural Heritage Program; Natural Heritage Data Explorer [web application] available at https://www.ncnhp.org/data/species-community-search and accessed on July 11, 2018 (County Status - Current).

U.S. Fish & Wildlife Service

Northern Long-Eared Bat Final 4(d) Rule

White-Nose Syndrome Zone Around WNS/Pd Positive Counties/Districts



Source: US Fish and Wildlife Service

C:\Projects\North Carolina\GIS

Northern Long-Eared Bat White Nose Syndrome Zones

TETRA TECH

Exhibit 6
Wild and Scenic Rivers

Attachment 6-1. Consultation with National Park Service

Attachment 6-2. Consultation with North Carolina Division of Parks and Recreation

Wild and Scenic Rivers map

Table 6-1. Wild and Scenic Rivers, Pender County, North Carolina

Attachment 6-1. Consultation with the National Park Service

Bock, John

From: Duncan, Jeffrey <jeff_duncan@nps.gov>
Sent: Wednesday, July 18, 2018 8:38 AM
To: Bock, John
Cc: Herrera, Daniel; Bahlinger, Lauren
Subject: Re: [EXTERNAL] Programmatic Consultation for Single-Family Housing Projects (18 Counties)

Mr. Bock--

Thanks for reaching out. I have reviewed the letter, and I concur with the conclusion that no further coordination nor formal consultation with the NPS is required. Should the setting or extent of any of these projects change, such that they would affect a federal Wild and Scenic River or an NRI river segment, please don't hesitate to reach back out.

Best regards,
Jeff Duncan

Jeffrey R. Duncan, PhD
National Park Service-Southeast Region
Science and Natural Resources Division
Fisheries and Aquatic Resources

100 West Martin Luther King, Jr. Blvd
Suite 215
Chattanooga, TN 37402
423-987-6127

On Tue, Jul 17, 2018 at 10:20 PM, Bock, John <John.Bock@tetratech.com> wrote:

> Mr. Duncan, on behalf of Dan Herrera, please find attached a programmatic consultation letter that addresses single-family housing projects proposed for Community Development Block Grant – Disaster Recovery funding in 18 North Carolina counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson). Thank you.
>
> **John R. Bock** | **Senior Environmental Scientist**
> Main: 510.302.6300 | Fax: 510.433.0830
>
> john.bock@tetratech.com
>
> **Tetra Tech** | Complex World, Clear Solutions
>
> 1999 Harrison Street, Suite 500 | Oakland, CA 94612

www.tetratech.com

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North Carolina Department of Public Safety

Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

July 16, 2018

Jeffrey R. Duncan, PhD
National Park Service, Southeast Region
100 West Martin Luther King, Jr. Boulevard, Suite 215
Chattanooga, TN 37402

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant - Disaster Recovery Program

Dear Dr. Duncan:

The State of North Carolina has received an allocation through a Community Development Block Grant - Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to help fund Hurricane Matthew recovery efforts. Under the CDBG-DR funding umbrella, the State of North Carolina has established Homeowner Recovery, Small Rental Repair, and Buyout/Acquisition Programs that include actions to address unmet housing needs in areas impacted by Hurricane Matthew. As part of these programs, funding will be allocated for single-family (between 1 and 4 units, including mobile homes) housing-related activities in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) to assist low-to-moderate income homeowners who experienced damage to their homes from Hurricane Matthew and have remaining unmet needs. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation, acquisition for buyout, acquisition for redevelopment, and reimbursement for eligible repairs. Although most projects are expected to involve repair/rehabilitation or reconstruction of homes within the previously disturbed footprints, there is the possibility of relocation of homes to previously undisturbed land.

The North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally-required environmental reviews for the CDBG-DR single-family housing programs in these 18 counties in accordance with 24 CFR Part 58. As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the best currently available data suggest that 833 homes in these 18 counties sustained major to severe damage due to Hurricane Matthew and may seek funding through this program.

To expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM seeks input from the National Park Service (NPS) on the need for individual consultation concerning the following types of single-family housing unit projects:

MAILING ADDRESS:
4218 Mail Service Center
Raleigh, NC 27699-4218
www.ncfloodmaps.com

OFFICE LOCATION:
4105 Reedy Creek Rd
Raleigh, NC 27607
Telephone: (919) 715-5711
Fax: (919) 715-0408

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1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously completed eligible repair activities.

The single-family housing project types listed above will not involve water resource projects or any work on or directly affecting any Federal Wild and Scenic River, State Natural or Scenic River, or river segment on the Nationwide Rivers Inventory (NRI). The proposed activities will be confined to residential lots and activities that will not disturb the beds or banks of these rivers. Any activities occurring adjacent to such rivers or river segments will be subject to best practices, specifically *"All construction activities occurring on or adjacent to a federally designated Wild and Scenic River or on a river listed on the Nationwide Rivers Inventory should take care to avoid any unnecessary clearing of native riparian vegetation such that local scenery remains intact. Further, for all projects where construction derived runoff has the potential to enter the waterway, appropriate sediment control measures should be required. Sediment control measures can include, but are not limited to, the use of straw bales and silt fences."* The projects also would use erosion and sedimentation controls during construction and after completion of the work at project sites where vegetation removal or land disturbance is planned within 100 feet of the bank of any protected river section.

Therefore, we do not believe that NPS coordination or consultation is required for the site-specific environmental reviews. If you agree, please provide your concurrence with this conclusion. If you envision situations that might warrant NPS consultation (or coordination), please identify the specific conditions that would trigger the need for such consultation.

The State of North Carolina is dedicated to providing disaster assistance to people in need of single-family housing as a result of the impacts of Hurricane Matthew in these 18 counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter. If you have any questions, please contact John Bock at (510) 302-6249 (john.bock@tetratech.com) or Cliff Jarman at (512) 244-2192 (clifford.jarman@tetratech.com).

Sincerely,

Daniel Herrera
Environmental Manager, CDBG Disaster Recovery

cc: Michael Gagner - NCEM, Deputy Chief of Resilience
Michael A. Sprayberry – NCEM, Director/Deputy Homeland Security Advisor
Lyn Hardison - NCDEQ, Environmental Assistance and SEPA Coordinator
John A. Nicholson – NCDEQ, Chief Deputy Secretary

Attachment 6-2. Consultation with North Carolina Division of Parks and Recreation

Division of Parks and Recreation
NC Department of Natural and Cultural Resources

Governor Roy Cooper

Secretary Susi H. Hamilton

July 18, 2018

Daniel Herrera
Environmental Manager
CDBG Disaster Recovery
4218 Mail Service Center
Raleigh, NC 27699-4218

Dear Mr. Herrera:

I am responding to your request for information regarding the CDBG-DR environmental assessment efforts in Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington and Wilson counties. Based on the information in your letter concerning the different types of single-family housing unit projects, the North Carolina Division of Parks and Recreation (DPR) concurs that site-specific consultation will not be required for these projects. However, it is important to note that while DPR does not believe any impacts to State Park Land or Management Areas will be affected by this project, DPR does manage several properties within these counties, including State Parks, State Natural Area and State Trails and if potential impacts were to occur we would require further consultation.

If you need further information please let me know.

Sincerely,

Justin Williamson
Environmental Review Coordinator
North Carolina Division of Parks and Recreation
(919) 707-9329 / justin.williamson@ncparks.gov

North Carolina Department of Public Safety

Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

July 16, 2018

Justin Williamson
Environmental Review Coordinator
North Carolina Division of Parks and Recreation
1615 Mail Service Center
Raleigh, NC 27699-1615

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant - Disaster Recovery Program

Dear Mr. Williamson:

The State of North Carolina has received an allocation through a Community Development Block Grant - Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to help fund Hurricane Matthew recovery efforts. Under the CDBG-DR funding umbrella, the State of North Carolina has established Homeowner Recovery, Small Rental Repair, and Buyout/Acquisition Programs that include actions to address unmet housing needs in areas impacted by Hurricane Matthew. As part of these programs, funding will be allocated for single-family (between 1 and 4 units, including mobile homes) housing-related activities in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) to assist low-to-moderate income homeowners who experienced damage to their homes from Hurricane Matthew and have remaining unmet needs. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation, acquisition for buyout, acquisition for redevelopment, and reimbursement for eligible repairs. Although most projects are expected to involve repair/rehabilitation or reconstruction of homes within the previously disturbed footprints, there is the possibility of relocation of homes to previously undisturbed land.

The North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally-required environmental reviews for the CDBG-DR single-family housing programs in these 18 counties in accordance with 24 CFR Part 58. As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the best currently available data suggest that 833 homes in these counties sustained major to severe damage due to Hurricane Matthew and may seek funding through this program.

To expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM seeks input from the North Carolina Division of Parks & Recreation

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4218 Mail Service Center
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OFFICE LOCATION:
4105 Reedy Creek Rd
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Telephone: (919) 715-5711
Fax: (919) 715-0408

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(NC State Parks) on the need for individual consultation concerning the following types of single-family housing unit projects:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously completed eligible repair activities.

The single-family housing project types listed above will not involve water resource projects or any work on or directly affecting any Federal Wild and Scenic River, State Natural or Scenic River, or river segment on the Nationwide Rivers Inventory (NRI). The proposed activities will be confined to residential lots and activities that will not disturb the beds or banks of these rivers. Any activities occurring adjacent to such rivers or river segments will be subject to best practices, specifically *"All construction activities occurring on or adjacent to a federally designated Wild and Scenic River or on a river listed on the Nationwide Rivers Inventory should take care to avoid any unnecessary clearing of native riparian vegetation such that local scenery remains intact. Further, for all projects where construction derived runoff has the potential to enter the waterway, appropriate sediment control measures should be required. Sediment control measures can include, but are not limited to, the use of straw bales and silt fences."* The projects also would use erosion and sedimentation controls during construction and after completion of the work at project sites where vegetation removal or land disturbance is planned within 100 feet of the bank of any protected river section.

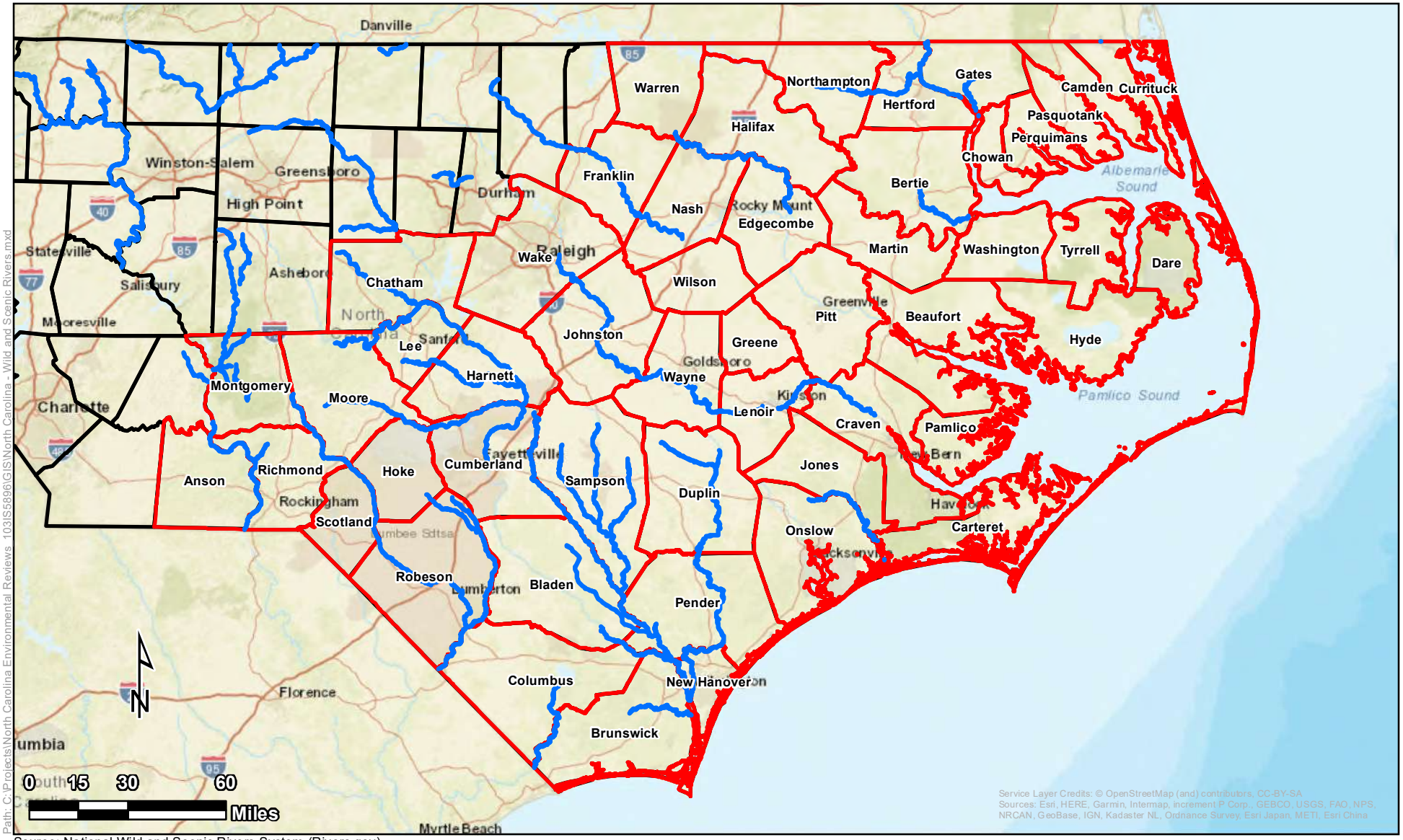
Therefore, we do not believe that NC State Parks coordination or consultation is required for the site-specific environmental reviews. If you agree, please provide your concurrence with this conclusion. If you envision situations that might warrant NC State Parks consultation (or coordination), please identify the specific conditions that would trigger the need for such consultation.

The State of North Carolina is dedicated to providing disaster assistance to people in need of single-family housing as a result of the impacts of Hurricane Matthew in these 18 counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter. If you have any questions, please contact John Bock at (510) 302-6249 (john.bock@tetratech.com) or Cliff Jarman at (512) 244-2192 (clifford.jarman@tetratech.com).

Sincerely,

Daniel Herrera
Environmental Manager, CDBG Disaster Recovery

cc: Michael Gagner - NCEM, Deputy Chief of Resilience
Michael A. Sprayberry – NCEM, Director/Deputy Homeland Security Advisor
Lyn Hardison - NCDEQ, Environmental Assistance and SEPA Coordinator
John A. Nicholson – NCDEQ, Chief Deputy Secretary



Source: National Wild and Scenic Rivers System (Rivers.gov)

Wild and Scenic Rivers

Legend

- Wild and Scenic Rivers
- Declared Disaster Area Counties
- North Carolina Counties

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Table 6-1
Wild and Scenic Rivers, Pender County

River	Reach
Nationwide Rivers Inventory	
Northeast Cape Fear River	RM (River Mile) 3, Ness Creek junction, to RM 106, State Road 1502 Bridge
Cape Fear River	RM 27, Wilmington, to RM 63, one mile below US Lock No. 1.
Moores Creek	RM O, confluence with Black River, to RM 8, Moores Creek National Military Park.
Black River	RM O, confluence with Cape Fear River, to RM 52, junction of Six Runs and Little Coharie Creeks
Colly Creek	RM O, confluence with Black River near Currie, to RM 36, headwaters in Big Colly Swamp.

Source: US Department of the Interior, National Park Service, Nationwide Rivers Inventory
North Carolina State Parks, State Rivers

Exhibit 7
Air Quality

Attachment 7-1. Consultation with North Carolina Department of Environmental Quality, Division of Air Quality

Nonattainment Areas map

EPA Radon Zones map

Attachment 7-1. Consultation with North Carolina Department of Environmental Quality, Division of Air Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL ABRACZINSKAS
Director

NORTH CAROLINA
Environmental Quality

August 2, 2018

Daniel Herrera, Environmental Manager
Community Development Block Grant – Disaster Recovery
4218 Mail Service Center
Raleigh, NC 27699-4218

Subject: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant – Disaster Recovery Program
State Implementation Plan (SIP) Conformance

Dear Mr. Herrera:

This letter is in response to your letter of July 16, 2018, requesting concurrence from the North Carolina Department of Environmental Quality's Division of Air Quality (DAQ) that the Hurricane Matthew recovery effort activities funded under the U.S. Department of Housing and Urban Development's Community Development Block Grant – Disaster Recovery (CDBG-DR) program will comply with all applicable Federal and State air quality standards. The DAQ has reviewed the scope of the CDBG-DR program with respect to the counties affected, as well as the potential number and type of single-family housing projects covered by the program, and concludes that the projects are not considered to be significant for the purposes of General Conformity. In addition, I applaud your efforts in applying the best management practices identified in your letter to minimize any emissions associated with the construction projects.

If you have any questions regarding this submittal, please contact Randy Strait of my staff at (919) 707-8721.

Sincerely,

Michael A. Abraczinskas, Director
Division of Air Quality, NCDEQ

MAA/rps

cc: Andy Bollman, NCDAQ
Sushma Masemore, NCDAQ
Michael Pjetraj, DAQ
Randy Strait, NCDAQ

North Carolina Department of Public Safety
Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

July 16, 2018

Mr. Michael Abraczinskas
Director
Division of Air Quality
North Carolina Department of Environmental Quality
1641 Mail Service Center
Raleigh, NC 27699-1641

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant - Disaster Recovery Program

Dear Mr. Abraczinskas:

The State of North Carolina has received an allocation through a Community Development Block Grant - Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to help fund Hurricane Matthew recovery efforts. Under the CDBG-DR funding umbrella, the State of North Carolina has established Homeowner Recovery, Small Rental Repair, and Buyout/Acquisition Programs that include actions to address unmet housing needs in areas impacted by Hurricane Matthew. As part of these programs, funding will be allocated for single-family (between 1 and 4 units, including mobile homes) housing-related activities in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) to assist low-to-moderate income homeowners who experienced damage to their homes from Hurricane Matthew and have remaining unmet needs. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation, acquisition for buyout, acquisition for redevelopment, and reimbursement for eligible repairs. Although most projects are expected to involve repair/rehabilitation or reconstruction of homes within the previously disturbed footprints, there is the possibility of relocation of homes to previously undisturbed land.

The North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally required environmental reviews for the CDBG-DR single-family housing programs in these 18 counties in accordance with 24 CFR Part 58. As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the best available data suggest that 833 homes in these counties sustained damage due to Hurricane Matthew and may seek funding through this program.

MAILING ADDRESS:
4218 Mail Service Center
Raleigh, NC 27699-4218
www.ncfloodmaps.com

An Equal Opportunity Employer

OFFICE LOCATION:
4105 Reedy Creek Rd
Raleigh, NC 27607
Telephone: (919) 715-5711
Fax: (919) 715-0408

To expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM seeks to provide the NCDEQ Division of Air Quality with notice of the program and to obtain written confirmation from that the proposed activities will be in compliance with Federal and North Carolina air quality standards for the following types of single-family housing unit projects:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously completed eligible repair activities.

NCEM anticipates that the actions of the program will conform to the State Implementation Plan because they are not anticipated to:

1. Cause or contribute to a new violation of any existing standard in any area;
2. Increase the frequency or severity of any existing violation of any standard in any area; or
3. Delay timely attainment of any standard or any required interim emission reduction or other milestones in any area.

Mitigation measures, such as dust suppression, covering haul loads, washing vehicles, street sweeping, vehicle idling reduction, and spill mitigation measures, among others, are examples of best management practices that may be implemented during program activities. NCEM anticipates a Finding of No Significant Impact (FONSI) for these actions.

We would also appreciate any suggestions on how our environmental review could be conducted in the most efficient manner consistent with protection of the environment. For example, please identify any other standard practices that would help avoid triggering the need for additional review by the Division of Air Quality.

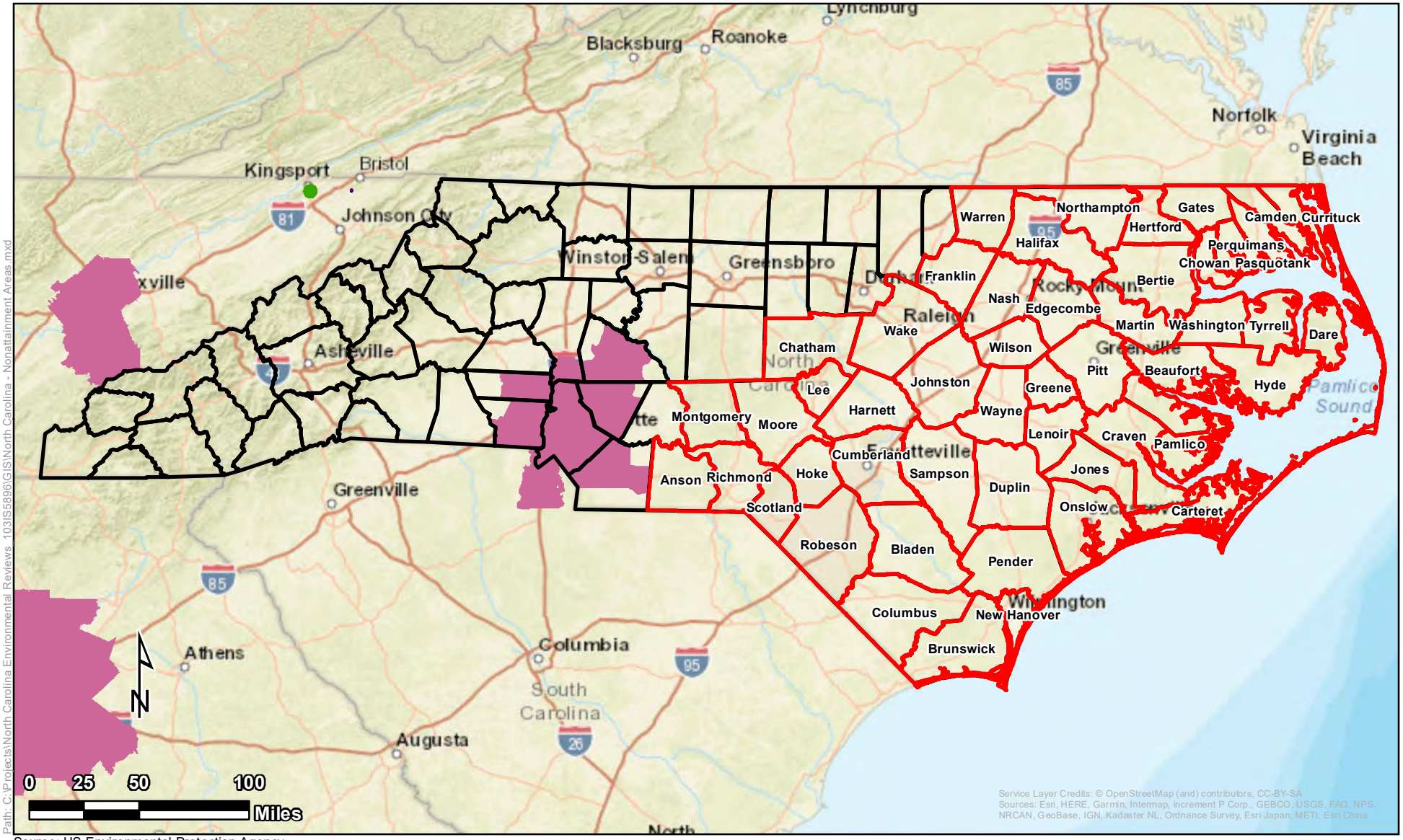
NCEM is requesting a comprehensive response letter addressing all seven project types for all 18 counties to document completion of coordination with the Division of Air Quality and compliance with Federal and State air quality standards.

The State of North Carolina is dedicated to providing disaster assistance to people in need of single-family housing as a result of the impacts of Hurricane Matthew in the 18 subject counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter. If you have any questions, please contact John Bock at (510) 302-6249 (john.bock@tetratech.com) or Cliff Jarman at (512) 244-2192 (clifford.jarman@tetratech.com).

Sincerely,

Daniel Herrera
Environmental Manager, CDBG Disaster Recovery

cc: Michael Gagner - NCEM, Deputy Chief of Resilience
Michael A. Sprayberry – NCEM, Director/Deputy Homeland Security Advisor
Lyn Hardison - NCDEQ, Environmental Assistance and SEPA Coordinator
John A. Nicholson – NCDEQ, Chief Deputy Secretary



Source: US Environmental Protection Agency

Nonattainment Areas

Legend

- Declared Disaster Area Counties
- North Carolina Counties
- PM2.5 2012 Standard
- Lead 2008 Standard
- SO2 2010 Standard
- Ozone 8 Hour 2008 Standard

TETRA TECH

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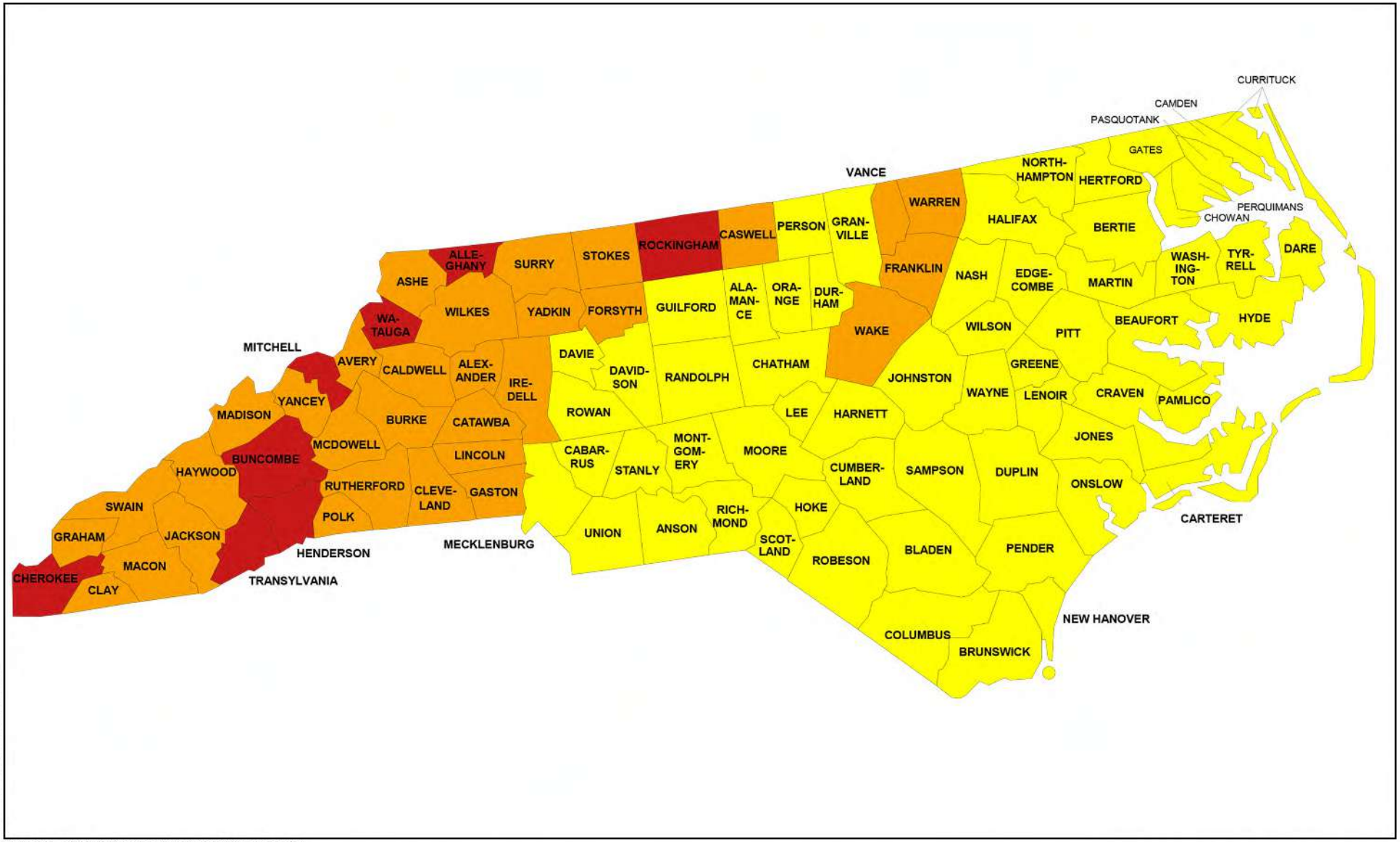

Source: US Environmental Protection Agency

EPA Radon Zones

Zone 1 – Highest Potential (greater than 4 pCi/L)

Zone 2 – Moderate Potential (from 2 to 4 pCi/L)

Zone 3 – Low Potential (less than 2 pCi/L)

TETRA TECH

C:\Projects\North Carolina\GIS

Exhibit 8
Farmland Protection

Attachment 8-1. Consultation with Natural Resources Conservation Service

Attachment 8-1. Consultation with Natural Resources Conservation Service

United States Department of Agriculture

Natural Resources
Conservation Service

North Carolina
State Office

4407 Bland Road
Suite 117
Raleigh, NC 27609
Voice 919-873-2171
Fax 844-325-6833

July 23, 2018

Daniel Herrera
Environmental Manager, CDBG Disaster Recovery
4218 Mail Service Center
Raleigh, NC 27699

Subject: Programmatic Consultation for Single-Family Housing Projects (18 Counties)

Dear Mr. Herrera:

The following guidance is provided for your information.

Projects are subject to the Farmland Protection Policy Act (FPPA) requirements if they may irreversibly convert farmland (directly or indirectly) to non-agricultural use and are completed by a federal agency or with assistance from a federal agency. Farmland means prime or unique farmlands as defined in section 1540(c)(1) of the FPPA or farmland that is determined by the appropriate state or unit of local government agency or agencies with concurrence of the Secretary of Agriculture to be farmland of statewide local importance.

For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forestland, pastureland, cropland, or other land, but not water or urban built-up land.

Farmland does not include land already in or committed to urban development or water storage. Farmland *already in* urban development or water storage includes all such land with a density of 30 structures per 40-acre area. Farmland already in urban development also includes lands identified as *urbanized area* (UA) on the Census Bureau Map, or as urban area mapped with a *tint overprint* on the United States Geological Survey (USGS) topographical maps, or as *urban-built-up* on the United States Department of Agriculture (USDA) Important Farmland Maps.

<u>For projects 4, 5 and 6</u> the areas may meet one or more of the above criteria for Farmland. Farmland area may be affected or converted. The agency that will fund the project needs to initiate an AD-1006, Farmland Conversion Impact Rating Form according to the 7 Code of Federal Regulations (CFR) 658 - Farmland Protection Policy Act. The AD-1006 Form can be found at the

The Natural Resources Conservation Service
is an agency of the Department of Agriculture's
Natural Resources mission.

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following link:
http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf

For corridor type projects (e.g. roads, power lines, water distribution lines, etc.) use the CPA-106 Form that can be found at the following link:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf

The Natural Resources Conservation Service (NRCS) will complete PARTS II, IV and V and will return the form to be completed by the federal agency who will provide the assistance. A soils map needs to be included, with your review request, showing the exact area that will be affected. Soil maps can be prepared from the Web Soil Survey website at http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm.

Also, we need a soil map unit inventory and the amount of acres by soil map unit that will be affected directly or indirectly.

If you have any questions, please contact Milton Cortes, Acting State Soil Scientist at 919-873-2171 or by email: milton.cortes@nc.usda.gov.

Again, thank you for inquiry. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

Milton Cortes

Milton Cortes
Acting State Soil Scientist

Cc John Bock, Senior Environmental Scientist, Tetra Tech Inc.

Farmland Protection Policy Act (FPPA) Evaluations
Farm Land Conversion Impact Rating (AD1006 and CPA-106)

Reviewed on FY2017

Milton Cortes, Acting State Soil Scientist, USDA NRCS, Raleigh, NC (milton.cortes@nc.usda.gov)

Projects are subject to Farmland Protection Policy Act (FPPA) requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency. Farmland means prime or unique farmlands as defined in section 1540(c)(1) of the Act or farmland that is determined by the appropriate state or unit of local government agency or agencies with concurrence of the Secretary of Agriculture to be farmland of statewide of local importance.

To request Farmland Impact Evaluations the customer needs to provide the following documents:

1. Brief description of the intended project(s)

2. AD1006 (CPA106 for corridors) with PART I & PART III completed. We will complete PART II, PART IV and PART V and return the form to the customer. Customer will take the form to be completed by the Federal Agency providing the support for the project. Once the form is completed, customer will send the final copy back to me by email.

3. Soils map of the proposed area to be impacted. Can be created using any GIS software but we prefer the customer to use the Web Soil Survey site since it offers the latest version of the soils data and maps. Copy and paste the following link:

   http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm

NOTE: If you have a GIS shape file, you can submit a project boundary polygon instead. I would generate the soils map and information I need that would be requested in the next step. If you submit the boundary polygon you won't need to complete the next step.

4. Mapunit inventory included in the area. Customer needs to provide the total acres by mapunit in the same table. Please exclude existing right of ways. You should include new right of ways. Areas that will be impacted temporarily but will be reverted to the previous state should be excluded as well

Example of a map and the mapunit inventory printed form the Web Soil Survey Site:

Map Unit Legend

Halifax County, North Carolina (NC083)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
BaA	Bethera loam, 0 to 1 percent slopes	16.6	15.0%
EmA	Emporia fine sandy loam, 0 to 2 percent slopes	19.0	17.2%
EmB	Emporia fine sandy loam, 2 to 6 percent slopes	2.6	2.4%
GoA	Goldsboro fine sandy loam, 0 to 2 percent slopes	60.4	54.6%
GyB2	Gritney sandy clay loam, 2 to 6 percent slopes, moderately eroded	4.1	3.7%
LyA	Lynchburg fine sandy loam, 0 to 2 percent slopes	3.2	2.9%
RaA	Rains fine sandy loam, 0 to 1 percent slopes	4.7	4.3%
Totals for Area of Interest		**110.7**	**100.0%**

Projects and Activities Subject to FPPA

Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency.

Assistance from a Federal agency includes:

- Acquiring or disposing of land.
- Providing financing or loans.
- Managing property.
- Providing technical assistance

Activities that may be subject to FPPA include:

- State highway construction projects, (through the Federal Highway Administration)
- Airport expansions
- Electric cooperative construction projects
- Railroad construction projects
- Telephone company construction projects
- Reservoir and hydroelectric projects
- Federal agency projects that convert farmland
- Other projects completed with Federal assistance.

Activities not subject to FPPA include: *The evaluation to exempt part of a project, or the entire project, from filing an AD1006 (CPA106) needs to be determined by our office*.

- Federal permitting and licensing
- Projects planned and completed without the assistance of a Federal agency
- Projects on land already in urban development or used for water storage
- Construction within an existing right-of-way purchased on or before August 4, 1984
- Construction for national defense purposes
- Construction of on-farm structures needed for farm operations
- Surface mining, where restoration to agricultural use is planned
- Construction of new minor secondary structures such as a garage or storage shed.

North Carolina Department of Public Safety
Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

July 16, 2018

Timothy A. Beard
State Conservationist
USDA Natural Resources Conservation Service
4407 Bland Rd., Suite 117
Raleigh, NC 27609

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant - Disaster Recovery Program

Dear Mr. Beard:

The State of North Carolina has received an allocation through a Community Development Block Grant - Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to help fund Hurricane Matthew recovery efforts. Under the CDBG-DR funding umbrella, the State of North Carolina has established Homeowner Recovery, Small Rental Repair, and Buyout/Acquisition Programs that include actions to address unmet housing needs in areas impacted by Hurricane Matthew. As part of these programs, funding will be allocated for single-family (between 1 and 4 units, including mobile homes) housing-related activities in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) to assist low-to-moderate income homeowners who experienced damage to their homes from Hurricane Matthew and have remaining unmet needs. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation, acquisition for buyout, acquisition for redevelopment, and reimbursement for eligible repairs. Although most projects are expected to involve repair/rehabilitation or reconstruction of homes within the previously disturbed footprints, there is the possibility of relocation of homes to previously undisturbed land.

The North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally required environmental reviews for the CDBG-DR single-family housing programs in these 18 counties in accordance with 24 CFR Part 58. As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the best currently available data suggest that 833 homes in these counties sustained major to severe damage due to Hurricane Matthew and may seek funding through this program.

To expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM seeks input from the Natural Resources Conservation Service (NRCS) on documenting program-wide, county-by-county, or individual project site compliance with the Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.). The program would include the following types of single-family housing unit projects:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously completed eligible repair activities.

Please let us know which of these types of projects may require site-by-site consultation with NRCS and which would not. For example, for project types 1, 2, 3, and 7 listed above, the individual project sites in the program would be within the footprint of the existing residence and would not convert farmland to nonagricultural purposes. The majority of the sites for project types 4, 5, and 6 would be less than 3 acres in size. Those projects greater than 3 acres in size would be evaluated for the presence of soil types that are considered Prime Farmland and Farmland of Statewide Importance.

We would also appreciate any suggestions on how our environmental review could be conducted in the most efficient manner consistent with protection of the environment. For example, for types of projects that may require NRCS site-specific consultation, please identify the specific conditions that would trigger the need for consultation with the goal of limiting the number of required consultations to the situations that warrant such consultation.

The State of North Carolina is dedicated to providing disaster assistance to people in need of single-family housing as a result of the impacts of Hurricane Matthew in the 18 subject counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter. If you have any questions, please contact John Bock at (510) 302-6249 (john.bock@tetratech.com) or Cliff Jarman at (512) 244-2192 (clifford.jarman@tetratech.com).

Sincerely,

Daniel Herrera
Environmental Manager, CDBG Disaster Recovery

cc: Michael Gagner - NCEM, Deputy Chief of Resilience
Michael A. Sprayberry – NCEM, Director/Deputy Homeland Security Advisor
Lyn Hardison - NCDEQ, Environmental Assistance and SEPA Coordinator
John A. Nicholson – NCDEQ, Chief Deputy Secretary

Exhibit 9
Environmental Justice

Attachment 9-1. Demographic Information for Pender County

Attachment 9-1
Demographic Information for Pender County

Sources: **US Census Bureau 2010 Survey, Pender County**
US Census Bureau 2016 American Community Survey

Population (2016 ACS):

The population of Pender County is 56,358.

Population Change (from 2010 U.S. Census to 2016 ACS):

The population increased by 8%. In comparison, North Carolina increased by 4.3%.

Age (2016 ACS):

The median age is 42.7, above the North Carolina median age of 42.

Race and Ethnicity (2016 ACS):

Location	White	Black or African American	American Indian and Alaska Native	Other Races
Pender County	76.6%	16.4%	0.4%	6.6%
North Carolina	69.2%	21.5%	1.2%	8.1%

* Other Races includes Asian, Native Hawaiian and Other Pacific Islands, Some Other Race, and Two or more races. The U.S. Census does not consider Hispanic and Latino as a race but rather as an ethnicity. Of the Pender County population, 6.9% identified as Hispanic and Latino (of any race).

Poverty (2016 ACS):

In Pender County, 18.7% of the population is below the poverty level compared to 16.8% in the population of North Carolina.

Low and Moderate-Income Individuals (Rebuild NC Pender County Plan):

In Pender County, based upon HUD's definition, 38% of the population is classified as low and moderate-income individuals compared to 39% of the population of North Carolina.

Median Household Income (2016 ACS):

The median household income of the population of Pender County (25 to 64 years old) is $46,580 compared to the median income of $48,256 for North Carolina.

Exhibit 10
Noise Control and Abatement

Attachment 10-1. Correspondence from Danielle Schopp on Noise Applicability

Attachment 10-1. Correspondence from Danielle Schopp on Noise Applicability

From: Schopp, Danielle L [mailto:Danielle.L.Schopp@hud.gov]
Sent: Monday, March 18, 2013 12:32 PM
To: Sullivan, Neil
Cc: Potter, James M; Rivera, Nelson A; Furda, Michael R; Fretwell, Therese J; Sanders, Jerimiah J
Subject: RE: Noise and above ground storage tanks - New Jersey

Neil,
As discussed, noise is not applicable for a disaster recovery program including reconstruction and rehabilitation that meets the requirement at 24 CFR 51.101(a)(3).

In addition, ASD requirements do not apply because the definition for HUD assisted projects at 24 CFR Part 51.201 is predicated on whether the HUD project increases the number of people exposed to hazardous operations; therefore, the environmental review for grants to elevate, rehabilitate, or reconstruct housing that existed prior to the disaster where the number of dwelling units is not increased is not required to apply 24 CFR Part 51 Subpart C.

Mike Furda, as the FEO for New Jersey, is available for questions, follow up or additional guidance.

Thanks,
Danielle

Danielle Schopp, JD, MPA
Director, Office of Environment and Energy
Department of Housing and Urban Development
451 7th Street SW, Room 7250
Washington, DC 20410

phone (202) 402-4442
fax (202) 708-3363
http://portal.hud.gov/portal/page/portal/HUD/topics/environment

Please consider the environment before printing this e-mail

From: Sullivan, Neil [mailto:Neil.Sullivan@icfi.com]
Sent: Monday, March 18, 2013 10:26 AM
To: Schopp, Danielle L
Subject: Noise and above ground storage tanks - New Jersey

Danielle,
Just to follow up on our call on Thursday, NJ DEP requested that I e-mail you and confirm that there is no need to conduct a noise analysis for rehab and reconstruction projects (as defined by HUD) for 1-4 unit homes (the subject of NJ's first Tier 1 EA). Your comment that the analysis is unnecessary is based on the citation below at 24 CFR Part 51.101(a)(3). Can you please confirm that NJ can just cite the highlighted text below and avoid doing noise and AST analysis for both rehab and reconstruction projects?

Thanks
Neil

24 CFR Part 51.101(a)(3)

HUD support for new construction. HUD assistance for the construction of new noise sensitive uses is prohibited generally for projects with unacceptable noise exposures and is discouraged for projects with normally unacceptable noise exposure. (Standards of acceptability are contained in § 51.103(c).) This policy applies to all HUD programs providing assistance, subsidy or insurance for housing, manufactured home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, redevelopment or any other provision of facilities and services which are directed to making land available for housing or noise sensitive development. The policy does not apply to research demonstration projects which do not result in new construction or reconstruction, flood insurance, interstate land sales registration, or any action or emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster.

NEIL SULLIVAN | Senior Manager | 703.218.2533 (o) | Neil.Sullivan@icfi.com | icfi.com
ICF INTERNATIONAL | 9300 Lee Highway, Fairfax, VA 22031 | 703.975.8853 (m)

Exhibit 11
Siting of HUD-Assisted Projects near Hazardous Operations

Attachment 11-1. Correspondence from Danielle Schopp on Siting of HUD-Assisted Projects

Attachment 11-1. Correspondence from Danielle Schopp on Siting of HUD-Assisted Projects

From: Schopp, Danielle L [mailto:Danielle.L.Schopp@hud.gov]
Sent: Monday, March 18, 2013 12:32 PM
To: Sullivan, Neil
Cc: Potter, James M; Rivera, Nelson A; Furda, Michael R; Fretwell, Therese J; Sanders, Jerimiah J
Subject: RE: Noise and above ground storage tanks - New Jersey

Neil,
As discussed, noise is not applicable for a disaster recovery program including reconstruction and rehabilitation that meets the requirement at 24 CFR 51.101(a)(3).

In addition, ASD requirements do not apply because the definition for HUD assisted projects at 24 CFR Part 51.201 is predicated on whether the HUD project increases the number of people exposed to hazardous operations; therefore, the environmental review for grants to elevate, rehabilitate, or reconstruct housing that existed prior to the disaster where the number of dwelling units is not increased is not required to apply 24 CFR Part 51 Subpart C.

Mike Furda, as the FEO for New Jersey, is available for questions, follow up or additional guidance.

Thanks,
Danielle

Danielle Schopp, JD, MPA
Director, Office of Environment and Energy
Department of Housing and Urban Development
451 7th Street SW, Room 7250
Washington, DC 20410

phone (202) 402-4442
fax (202) 708-3363
http://portal.hud.gov/portal/page/portal/HUD/topics/environment

Please consider the environment before printing this e-mail

From: Sullivan, Neil [mailto:Neil.Sullivan@icfi.com]
Sent: Monday, March 18, 2013 10:26 AM
To: Schopp, Danielle L
Subject: Noise and above ground storage tanks - New Jersey

Danielle,
Just to follow up on our call on Thursday, NJ DEP requested that I e-mail you and confirm that there is no need to conduct a noise analysis for rehab and reconstruction projects (as defined by HUD) for 1-4 unit homes (the subject of NJ's first Tier 1 EA). Your comment that the analysis is unnecessary is based on the citation below at 24 CFR Part 51.101(a)(3). Can you please confirm that NJ can just cite the highlighted text below and avoid doing noise and AST analysis for both rehab and reconstruction projects?

Thanks
Neil

24 CFR Part 51.101(a)(3)

HUD support for new construction. HUD assistance for the construction of new noise sensitive uses is prohibited generally for projects with unacceptable noise exposures and is discouraged for projects with normally unacceptable noise exposure. (Standards of acceptability are contained in § 51.103(c).) This policy applies to all HUD programs providing assistance, subsidy or insurance for housing, manufactured home parks, nursing homes, hospitals, and all programs providing assistance or insurance for land development, redevelopment or any other provision of facilities and services which are directed to making land available for housing or noise sensitive development. The policy does not apply to research demonstration projects which do not result in new construction or reconstruction, flood insurance, interstate land sales registration, or any action or emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster.

NEIL SULLIVAN | Senior Manager | 703.218.2533 (o) | Neil.Sullivan@icfi.com | icfi.com
ICF INTERNATIONAL | 9300 Lee Highway, Fairfax, VA 22031 | 703.975.8853 (m)

Exhibit 12
Airport Hazards

Attachment 12-1. Consultation with North Carolina Department of Transportation

Attachment 12-1. Consultation with North Carolina Department of Transportation

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

August 16, 2018

Daniel Herrera
Environmental Manager, CDBG Disaster Recovery
North Carolina Division of Emergency Management
4218 Mail Service Center
Raleigh, NC 27699

RE: NCDOT – Division of Aviation response to Tiered Environmental Assessment of Single-Family Housing Projects Hurricane Matthew Community Development Block Grant – Disaster Recovery Program

Dear Mr. Herrera,

The NC Department of Transportation – Division of Aviation is in receipt of your letter dated July 17, 2018 regarding tiered environmental assessments of single-family housing projects associated with the Hurricane Matthew Community Development Block Grant. In order to ensure that airport interests within Runway Protection Zones/Clear Zones are protected concerning repairs and/or modifications to homes within those zones, the Division of Aviation would like to be consulted on decisions regarding any housing units that may fall within those limits. Ideally, homes should not be present within Runway Protection Zones/Clear Zones as they are considered an incompatible land use.

Given the scope of this effort relative to airports as we understand it, we feel that this will be a reasonable approach given that only two North Carolina airports meet the definition of Commercial Service airports within the 18 subject counties. The airports that meet the definition are:

- Craven County: Coastal Carolina Regional Airport in New Bern
- New Hanover County: Wilmington International Airport in Wilmington

If you have any questions or need to reach our Division for Please contact Todd Meyer (tmeyer@ncdot.gov) or Jonathan Arnold (jonarnold@ncdot.gov) at 919-814-0550.

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISOIN OF AVIATION
1560 MAIL SERVICE CENTER
RALEIGH, NC 27699-1560

Telephone: (919) 814-0550
Fax: (919) 840-0645
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
1050 MERIDIAN DRIVE
MORRISVILLE, NC 27560

Sincerely,

Jonathan L. Arnold, PE
Deputy Director, Manager of Airport Development
NCDOT – Division of Aviation

Cc: Bobby Walston – NCDOT – Division of Aviation

North Carolina Environmental Reviews
Telecon Record

Meeting Date: July 27, 2018

Location: Teleconference

Subject: Programmatic Consultation for Single-Family Housing Projects (18 Counties)

Meeting Attendees:

Name	Project Role or Title	Phone	Email
Jonathan Arnold	Deputy Director, Airport Development Manager, Division of Aviation, NCDOT	919-814-0550	jonarnold@ncdot.gov
Lauren Bahlinger	Environmental Lead	225-776-4283	lauren.bahlinger@iem.com
Tetra Tech			
Cliff Jarman	Tier 1 EA Team Leader	512-244-2192	clifford.jarman@tetratech.com
John Bock	Project Manager	510-302-6260	john.bock@tetratech.com
Genevieve Kaiser	Tier 1 EA Team Leader	720-273-7249	genevieve.kaiser@tetratech.com

Mr. Arnold stated that civil airports in the regulation are defined as commercial airports. There are only two airports that are categorized as commercial aviation (Coastal Carolina and Wilmington) and need to have clear zones addressed in the environmental reviews.

The NCDOT priority is to get homes out of the clear zones. It is a State priority to own the land in the clear zones. Acquisition would be preferred by the NCDOT over rebuilding/repair of properties within the clear zones. NCDOT would like to be part of the conversation, for any such properties.

Mr. Arnold stated that the clear zone and noise data for the airports had been given to the NC DEM last year. He asked if Tetra Tech had the data from the last request.

Data will be needed in GIS shapefiles. Mr. Arnold will pulse the airports for the data

Mr. Arnold will prepare an official response from his office.

North Carolina Department of Public Safety

Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

July 17, 2018

Kathryn M Vollert, P.E.
Aviation Program Engineer
North Carolina Department of Transportation, Division of Aviation
1560 Mail Service Center
Raleigh, NC 27699-1560

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant - Disaster Recovery Program

Dear Ms. Vollert:

The State of North Carolina has received an allocation through a Community Development Block Grant - Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to help fund Hurricane Matthew recovery efforts. Under the CDBG-DR funding umbrella, the State of North Carolina has established Homeowner Recovery, Small Rental Repair, and Buyout/Acquisition Programs that include actions to address unmet housing needs in areas impacted by Hurricane Matthew. As part of these programs, funding will be allocated for single-family (between 1 and 4 units, including mobile homes) housing-related activities in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) to assist low-to-moderate income homeowners who experienced damage to their homes from Hurricane Matthew and have remaining unmet needs. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation, acquisition for buyout, acquisition for redevelopment, and reimbursement for eligible repairs. Although most projects are expected to involve repair/rehabilitation or reconstruction of homes within the previously disturbed footprints, there is the possibility of relocation of homes to previously undisturbed land.

The North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally required environmental reviews for the CDBG-DR single-family housing programs in these 18 counties in accordance with 24 CFR Part 58.

As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the best currently available data suggest that 833 homes in the 18 counties sustained damage due to Hurricane Matthew and may seek funding through this program.

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Raleigh, NC 27699-4218
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OFFICE LOCATION:
4105 Reedy Creek Rd
Raleigh, NC 27607
Telephone: (919) 715-5711
Fax: (919) 715-0408

To expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM seeks input from the North Carolina Department of Transportation, Division of Aviation (NC Aviation) on the need for individual consultation concerning the following types of single-family housing unit projects:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously-undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously completed eligible repair activities.

The restrictions on construction and major rehabilitation of structures within a Runway Protection Zone/Clear Zone (RPZ/CZ) apply to civil airports (24 CFR 51.303). Civil airports are defined as commercial service airports designated in the Federal Aviation Administration (FAA) National Plan of Integrated Airport Systems (NPIAS) (24 CFR 51.301[c]).

Please let us know which of these types of projects may require site-by-site consultation with NC Aviation and which would not. For example, project type 5 would not impact the RPZ/CZ. For project types 1, 2, 3, and 7 listed above, the individual project sites in the program would be within the footprint of the existing residence and would not represent new construction in either adding new people to the RPZ/CZ or adding new structures to the area. Reconstruction under project types 3 and 7 would qualify as new construction. Project type 4 would be limited to those cases where the existing residence is in a location with unsuitable conditions (e.g., in a wetland) and would be relocated within the same parcel if possible.

There were no airports listed in the current NPIAS as commercial service airports for Camden, Greene, Jones, and Wilson Counties. There are 17 airports listed in the current NPIAS as commercial service airports in the following 14 counties:

- Beaufort County: Warren Field in Washington
- Bladen County: Curtis L. Brown Jr Field in Elizabethtown;
- Craven County: Coastal Carolina Regional Airport in New Bern
- Dare County: Billy Mitchell Airport in Hattaras, First Flight Airport in Kill Devil Hills, and Dare County Regional Airport in Manteo;
- Duplin County: Duplin County Airport in Kenansville;

- Hyde County: Hyde County Airport in Engelhard, Ocracoke Island Airport in Ocracoke;
- Johnston County: Johnston Regional Airport in Smithfield;
- Moore County: Moore County Airport in Pinehurst/Southern Pines;
- Nash County: Rocky Mount-Wilson Regional Airport in Rocky Mount;
- New Hanover County: Wilmington International Airport in Wilmington
- Pasquotank County: Elizabeth City CG Air Station/Regional Airport in Elizabeth City;
- Pender County: Henderson Field in Wallace;
- Sampson County: Clinton-Sampson County Airport in Clinton; and
- Washington County: Plymouth Municipal Airport in Plymouth.

Please verify that we have identified all of the commercial service airports in the 18 subject counties.

If you envision situations that might warrant NC Aviation consultation (or coordination), please identify the specific conditions that would trigger the need for such consultation. Also, we would like to obtain the RPZ/CZ and the noise contour data for the airports identified above, if available, from your office. Alternately, please identify the appropriate contacts from which this information can be obtained.

The State of North Carolina is dedicated to providing disaster assistance to people in need of single-family housing as a result of the impacts of Hurricane Matthew in the 18 subject counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter. If you have any questions, please contact John Bock at (510) 302-6249 (john.bock@tetratech.com) or Cliff Jarman at (512) 244-2192 (clifford.jarman@tetratech.com).

Sincerely,

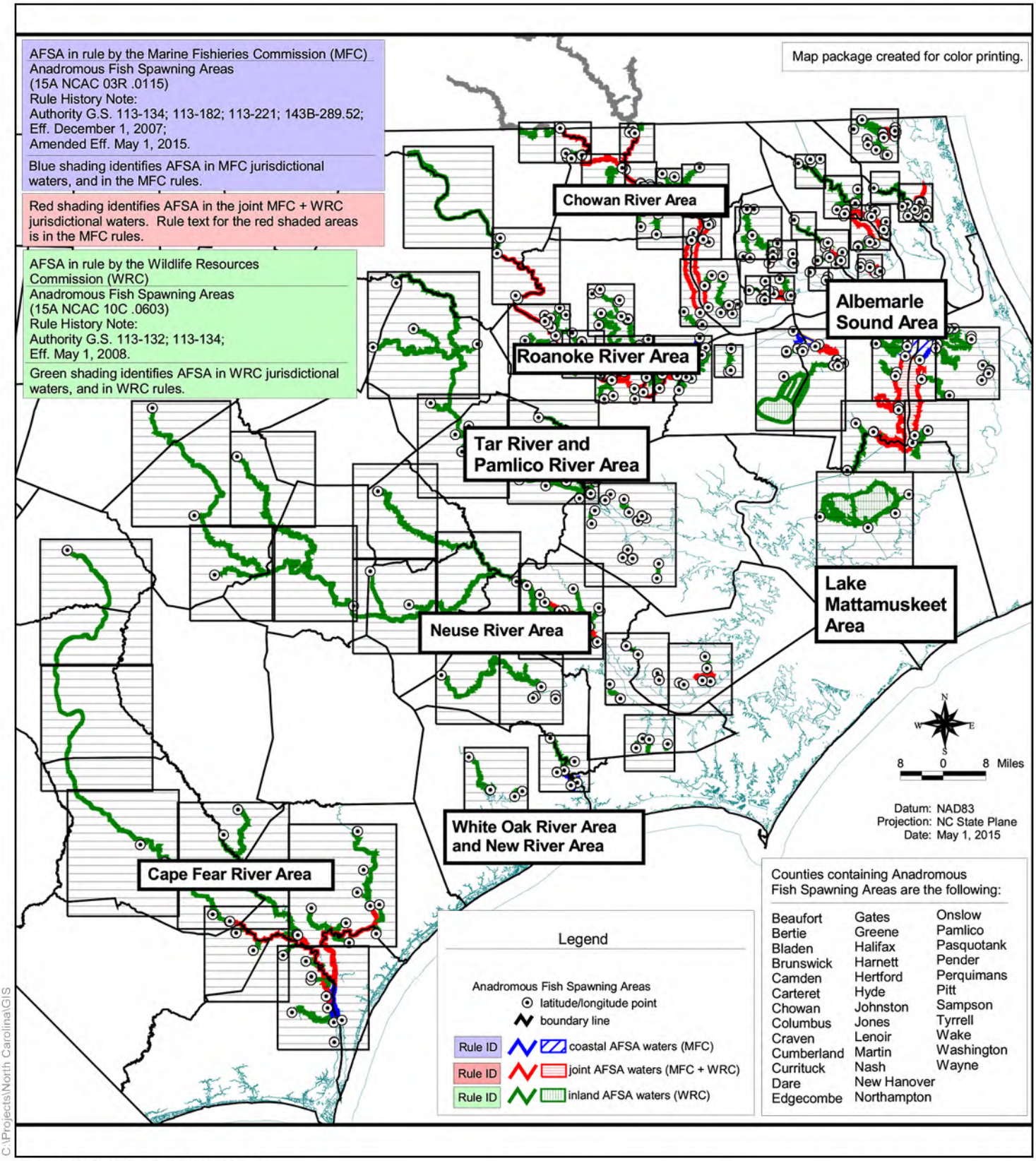
Daniel Herrera
Environmental Manager, CDBG Disaster Recovery
North Carolina Division of Emergency Management

cc: Michael Gagner - NCEM, Deputy Chief of Resilience
Lyn Hardison - NCDEQ, Environmental Assistance and SEPA Coordinator
Michael A. Sprayberry – NCEM, Director/Deputy Homeland Security Advisor

Exhibit 13

Magnuson-Stevens Fishery Conservation and Management Act

Anadromous Fish Spawning Areas map



Source: North Carolina Department of Environmental Quality Division of Marine Fisheries

Anadromous Fish Spawning Areas

TETRA TECH

Exhibit 14
Coastal Barrier Resources Act

Attachment 14-1. Consultation with North Carolina Department of Environmental Quality, Division of Coastal Management

John H. Chafee Coastal Barrier Resources System map

Coastal Barrier Resources map

Attachment 14-1. Consultation with NC Department of Environmental Quality, Division of Coastal Management

Jarman, Clifford

From: Bodnar, Gregg <gregg.bodnar@ncdenr.gov>
Sent: Thursday, August 02, 2018 7:47 AM
To: Bock, John
Cc: Herrera, David (NCEM); Bahlinger, Lauren; Jarman, Clifford; Hart, Kevin; Govoni, Daniel
Subject: RE: [External] RE: Programmatic Consultation for Single-Family Housing Projects (18 Counties)
Attachments: Tiered Environmental Assessment of Single-Family Housing Projects CDBG-DR

Morning Mr. Bock,

Upon consultation with DCM staff I believe we provided a letter on 6/18/18 that can assist with NCDCM consultation as it pertains to the Coastal Area Management Act. I have attached the email above that contains our consultation letter. If there is anything else you need please let me know.

Regards,

Gregg

Gregg Bodnar
Assistant Major Permits Coordinator
Division of Coastal Management
Department of Environmental Quality

252 808 2808 ext 215 office
Gregg.Bodnar@ncdenr.gov

400 Commerce Ave
Morehead City, NC 28557

Nothing Compares

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Bock, John [mailto:John.Bock@tetratech.com]
Sent: Friday, July 27, 2018 4:58 PM
To: Bodnar, Gregg <gregg.bodnar@ncdenr.gov>
Cc: Herrera, David (NCEM) <daniel.herrera@ncdps.gov>; Bahlinger, Lauren <Lauren.Bahlinger@iem.com>; Jarman, Clifford <Clifford.Jarman@tetratech.com>
Subject: [External] RE: Programmatic Consultation for Single-Family Housing Projects (18 Counties)

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to Report Spam.

Mr. Bodnar, we would like to confirm that you received the consultation letter and ask if you have an estimated timeframe for your response. Thank you.

From: Bock, John
Sent: Tuesday, July 17, 2018 7:20 PM
To: 'gregg.bodnar@ncdenr.gov' <gregg.bodnar@ncdenr.gov>
Cc: 'Herrera, Daniel' <Daniel.Herrera@ncdps.gov>; 'Bahlinger, Lauren' <Lauren.Bahlinger@iem.com>
Subject: Programmatic Consultation for Single-Family Housing Projects (18 Counties)

Mr. Bodnar, on behalf of Dan Herrera, please find attached a programmatic consultation letter that addresses single-family housing projects proposed for Community Development Block Grant – Disaster Recovery funding in 18 North Carolina counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson). Thank you.

John R. Bock | **Senior Environmental Scientist**
Main: 510.302.6300 | Fax: 510.433.0830
john.bock@tetratech.com

Tetra Tech | Complex World, Clear Solutions
1999 Harrison Street, Suite 500 | Oakland, CA 94612
www.tetratech.com

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Coastal Management
ENVIRONMENTAL QUALITY

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

June 18, 2018

Mr. Daniel Herrera
Environmental Manager
CDBG Disaster Recovery
North Carolina Department of Public Safety
4218 Mail Service Center
Raleigh, NC 27699

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant- Disaster Recovery Program

Dear Mr. Herrera:

In deciding if an individual consultation is needed for a project we need determine if a project is located within a North Carolina Division of Coastal Management (DCM) Area of Environmental Concern and if it is considered development. Each project has differences which makes each situation unique, but if the project is within 75 feet of Normal Water Level (NWL) adjacent coastal or joint waters as defined by the Marine Fisheries Commission (75 foot AEC) or within 30 feet of NWL of inland waters as defined by the Wildlife Resources Commission (30 foot AEC), the North Carolina Division of Coastal Management (DCM) may have jurisdiction if development is occurring. Development is defined as, "any activity in a duly designated area of environmental concern involving, requiring or consisting of the construction or enlargement of a structure; excavation; dredging; filling; dumping; removal of clay, silt, sand, gravel or minerals; bulkheading; driving of pilings; clearing or alteration of land as an adjunct of construction," as stated in the Coastal Area Management Act. In Bertie County, development (as defined above) within this 75-foot AEC or 30-foot AEC may either be an exemption or require a permit. You have requested information if individual consultation is needed for:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously-undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously completed eligible repair activities.

If the properties are located within 75 feet of NWL the property owner should contact the DCM for situations (as described above) 1, 2, 3, 4, and 7. These situations may require permits or an exemption from DCM. Please also note that DCM defines a project as replacement if, "the cost to do the work exceeds 50 percent of the market value of an existing structure immediately prior to the time of damage or the time of the request," (15A NCAC 07J.0210). If the project meets the above situations, it is recommended that the property owners contact DCM prior to any work. Situations (as described above) 5 and 6 are not considered development and would not require a permit from the DCM.

If you have any further questions or a list of properties you would like for me to review please feel free to contact me a 252-948-3936.

Kevin Hart

Environmental Senior Specialist

North Carolina Department of Public Safety
Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

July 16, 2018

Mr. Gregg Bodnar
Assistant Major Permits Coordinator
Division of Coastal Management
North Carolina Department of Environmental Quality
400 Commerce Avenue
Morehead City, NC 28557

RE: Tiered Environmental Assessment of Single-Family Housing Projects
Hurricane Matthew Community Development Block Grant - Disaster Recovery Program

Dear Mr. Bodnar:

The State of North Carolina has received an allocation through a Community Development Block Grant - Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to help fund Hurricane Matthew recovery efforts. Under the CDBG-DR funding umbrella, the State of North Carolina has established Homeowner Recovery, Small Rental Repair, and Buyout/Acquisition Programs that include actions to address unmet housing needs in areas impacted by Hurricane Matthew. As part of these programs, funding will be allocated for single-family (between 1 and 4 units, including mobile homes) housing-related activities in 18 counties (Beaufort, Bladen, Camden, Craven, Dare, Duplin, Greene, Hyde, Johnston, Jones, Moore, Nash, New Hanover, Pasquotank, Pender, Sampson, Washington, and Wilson) to assist low-to-moderate income homeowners who experienced damage to their homes from Hurricane Matthew and have remaining unmet needs. Program activities will include repair/rehabilitation, elevation, reconstruction, relocation, acquisition for buyout, acquisition for redevelopment, and reimbursement for eligible repairs. Although most of the proposed projects are expected to involve repair/rehabilitation or reconstruction of homes within the previously disturbed footprints, there is the possibility of relocation of homes to previously undisturbed land.

The North Carolina Department of Public Safety, Division of Emergency Management (NCEM) is facilitating the federally required environmental reviews for the CDBG-DR single-family housing programs in these 18 counties in accordance with 24 CFR Part 58. As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the best available data suggest that 833 homes in these counties sustained damage due to Hurricane Matthew and may seek funding through this program.

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OFFICE LOCATION:
4105 Reedy Creek Rd
Raleigh, NC 27607
Telephone: (919) 715-5711
Fax: (919) 715-0408

To expedite environmental assessments while complying with Part 58 and other applicable laws and regulations, NCEM seeks input from the North Carolina Department of Environmental Quality (NCDEQ) Division of Coastal Management (DCM) on the need for individual NCDEQ DCM consultation concerning the following types of single-family housing unit projects:

1. Repair/rehabilitation with no substantial change in footprint on the same parcel;
2. Elevation with no substantial change in footprint on the same parcel;
3. Reconstruction/replacement with no substantial change in footprint on the same parcel;
4. Relocation on previously undisturbed land;
5. Acquisition for buyout;
6. Acquisition for redevelopment as single-family housing; and
7. Reimbursement to homeowners for previously completed eligible repair activities.

Please let us know which of these types of projects may require site-by-site consultation with NCDEQ DCM and which would not. For example, for project types 1, 2, 3, and 7 listed above, site-specific consultation with NCDEQ DCM does not appear to be warranted because the disturbed footprint of the single-family home will not be substantially changed.

We would also appreciate any suggestions on how our environmental review could be conducted in the most efficient manner consistent with protection of the environment. For example, for types of projects that may require NCDEQ DCM consultation, please identify the specific conditions that would trigger the need for consultation with the goal of limiting the number of required consultations to the situations that warrant such consultation.

The State of North Carolina is dedicated to providing disaster assistance to people in need of single-family housing as a result of the impacts of Hurricane Matthew in the 18 subject counties as quickly as possible. Due to the urgency of this matter, we ask that you please respond no later than 30 days from receipt of this letter. If you have any questions, please contact John Bock at (510) 302-6249 (john.bock@tetratech.com) or Cliff Jarman at (512) 244-2192 (clifford.jarman@tetratech.com).

Sincerely,

Daniel Herrera
Environmental Manager, CDBG Disaster Recovery

cc: Michael Gagner - NCEM, Deputy Chief of Resilience
Michael A. Sprayberry – NCEM, Director/Deputy Homeland Security Advisor
Lyn Hardison - NCDEQ, Environmental Assistance and SEPA Coordinator
John A. Nicholson – NCDEQ, Chief Deputy Secretary

C:\Projects\North Carolina\GIS

Source: US Fish and Wildlife Service

John H. Chafee Coastal Barrier Resources System

TETRA TECH

Source: US Fish and Wildlife Service

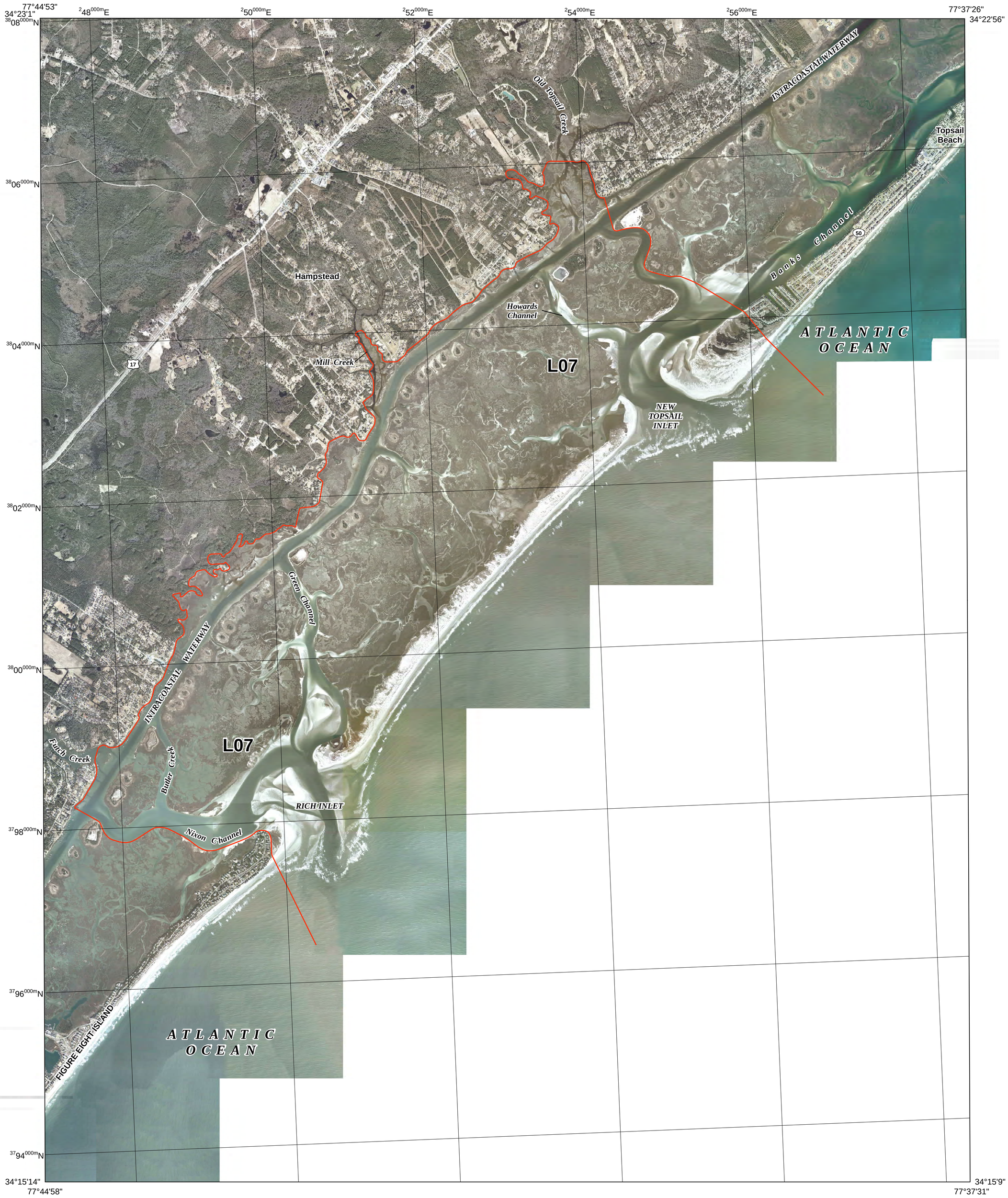
Coastal Barrier Resources

Legend

- Declared Disaster Area Counties
- North Carolina Counties
- Back Bay
- Currituck Banks
- Pine Island Bay
- Nags Head Woods
- Cape Hatteras
- Hatteras Island
- Shackleford Banks
- Fort Macon
- Roosevelt Natural Area
- Hammocks Beach
- Onslow Beach
- Topsail
- Lea Island
- Wrightsville Beach
- Masonboro Island
- Cape Fear
- Waites Island
- Long Pond

TETRA TECH

Path: C:\Projects\North Carolina Environmental Reviews_103\S5896\GIS\North Carolina - Coastal Barrier Resources.mxd



This map was produced by the U.S. Fish and Wildlife Service from a map dated March 12, 2014, and was made effective on December 18, 2014, via Public Law 113-253. The boundaries of the John H. Chafee Coastal Barrier Resources System (CBRS) on this map are identical to the boundaries on the map adopted by Public Law 113-253. This map supersedes all prior maps depicting the CBRS boundaries in this location.

The seaward side of the CBRS unit includes the entire sand-sharing system, including the beach and nearshore area. The sand-sharing system of CBRS units is normally defined by the 30-ft bathymetric contour. In large coastal embayments and the Great Lakes, the sand-sharing system is defined by the 20-ft bathymetric contour or a line approximately one mile seaward of the shoreline, whichever is nearer the coastal barrier.

For additional information about the CBRA or CBRS, please visit www.fws.gov/cbra.

JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM

Lea Island Complex L07

N

1:24,000

0 0.25 0.5 1 1.5 2 Miles

0 1,000 2,000 4,000 6,000 8,000 Feet

0 0.25 0.5 1 1.5 2 Kilometers

System Unit Boundary

Otherwise Protected Area (OPA) Boundary; OPAs are identified on the map by the letter "P" following the unit number

Approximate State Boundary

$^{36}54^{000m}$N 2000- meter Universal Transverse Mercator grid values, Zone 18 North

Imagery Date(s): 2010 and 2012

Imagery Source(s): State of North Carolina and United States Department of Agriculture National Agriculture Imagery Program

Coordinate System: North American Datum 1983 North Carolina State Plane

Map 37-025A **December 18, 2014**

Appendix D

Programmatic Compliance Process

Floodplain Management

(24 CFR 55, Executive Order 11988)

Background

HUD regulation 24 CFR Part 55 implements Executive Order 11988, "Floodplain Management." The purpose of EO 11988 is "to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modifications of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative."

Project sites located within a special flood hazard area (SFHA) are subject to EO 11988 and any actions outside the SFHA that directly or indirectly impact the floodplain are subject to EO 11988. The relevant data source for the SFHA is the latest issued FEMA data or guidance, which includes advisory data (such as Advisory Base Flood Elevations (ABFEs)) or preliminary and final Flood Insurance Rate Maps (FIRMs).

24 CFR Part 55.1 (c)

No HUD financial assistance may be approved for the following:

- Any action, other than a functionally dependent use, located in a floodway;
- Any critical action (refers to hospitals, nursing homes, Emergency Operation Centers, power-generating facilities, etc.) located in a coastal high hazard area (V-zone); or
- Any non-critical action located in a coastal high hazard area, unless the action is designed for location in a coastal high hazard area (V-zone compliant) or is a functionally dependent use.

Any proposed actions within the V zone must comply with the construction standards outlined in HUD Regulations 24 CFR Part 55 (c)(3).

NCEM Approach

In applying EO 11988 and 24 CFR Part 55, the North Carolina Department of Commerce's approach is to avoid adverse impacts to the floodplain as a result of the Proposed Actions to the extent possible.

ABFEs

Property owners who have to rebuild because their property is substantially damaged will have to build to the highest available State or FEMA elevation level. In most cases this will be the HUD standard plus 2 feet ABFE unless local regulations are higher. A structure is considered substantially damaged if the cost of restoration equals or exceeds 50% of the market value of the structure prior to damage.

Staff will use the most recent FIRMs to indicate base flood elevations.

Zone A and Zone V

Both the A zone and the V zone lie within FEMA's 100-year floodplain. Zone V applies only in tidal floodplains and denotes hazards associated with storm-induced waves of at least three feet in

height. Construction standards in the V-zone are more stringent in order to account for the increased risk of damage from storm surges.

In reference to the requirements listed in 24 CFR Part 55.1 (c), none of the residential structures and properties included in the Rebuild NC: Pender County Single Family Housing Recovery Program (1-4 Units) (Rebuild NC) would be considered a functionally dependent use. Compliance with the standard for addressing a V-zone compliant design will be documented through the building permit and/or elevation certificate, which are required eligibility documents under this Housing Assistance program.

Site-Specific Review Determination Process

The proposed approach to document compliance with EO 11988 is:

- Document the source of information on the Site-Specific Checklist.
- Project sites located within the Special Flood Hazard Area (Zones A or V) as identified by FEMA maps have been addressed in the attached Programmatic Compliance Process document, a large-scale 8-Step Process prepared according to 24 CFR Part 55.20.
- The Responsible Entity will review the property locations to identify any within a FEMA- delineated floodway. Any located within a FEMA-delineated floodway are not eligible for the program.
- The Responsible Entity will identify applicable measures to mitigate impacts to the floodplain if the parcel is located within the 100-year floodplain.

Programmatic Compliance Process

Executive Order 11988 – Floodplain Management

Pender County

Effective Date: September 2018

Rebuild NC: Pender County Single Family Housing Recovery Program (1-4 Units)

TABLE OF CONTENTS

(A) Programmatic Compliance Process (8 – Step Process)

Step ONE: Determine if a Proposed Action is in the 100-Year Floodplain Rehabilitation, Reconstruction, Elevation and Mitigation (RREM) Program

Step TWO: Provide Early Public Review

Step THREE: Identify and Evaluate Practicable Alternatives to Locating the Proposed Action in the Base Floodplain

Step FOUR: Identify the Impacts of the Proposed Actions

Step FIVE: Minimize Threats to Life and Property and to Natural and Beneficial Floodplain Values. Restore and Preserve Natural and Beneficial Floodplain Values.

Step SIX: Re-evaluate Alternatives

Step SEVEN: Issue Findings and a Public Explanation

Step EIGHT: Implement the Action

Programmatic COMPLIANCE PROCESS Executive Order 11988 – Floodplain Management, North Carolina Division of Emergency Management

Department of Housing and Urban Development Community Development Block Grant Disaster Recovery

Rebuild NC: Pender County Single Family Housing Recovery Program (1-4 Units)

September 2018

The Rebuild NC Program is in response to severe flooding damage caused by Hurricane Matthew and is addressing the State's need for safe, decent, and affordable housing. The proposed action is to provide funding for homeowners within Pender County, (a disaster-declared county) whose homes were substantially damaged, as determined by North Carolina Division of Emergency Management (NCEM) personnel. The program will fund activities necessary to restore their storm damaged homes, including rehabilitation, reconstruction, elevation and/or other mitigation activities within the disturbed area of the previously developed parcel.

This Programmatic Compliance Process document addresses the requirements of Executive Order 11988, "Floodplain Management" and has been completed in anticipation of numerous unspecified housing properties (1-4 units) participating in the Rebuild NC Program. This document pertains to the applicants who are proposing an activity in the Significant Flood Hazard Area (SFHA) as defined by the Federal Emergency Management Agency (FEMA), or its successors, pursuant to the National Flood Insurance Program (NFIP), or a successor program, whether advisory, preliminary, or final.

This program is funded by Housing and Urban Development (HUD), administered by NCEM, and was established as a grant award to provide financial assistance to homeowners in Pender County whose primary residences were substantially damaged.

Step ONE: Determine if a Proposed Action is in the 100-Year Floodplain Rehabilitation, Reconstruction, Elevation and Mitigation (RREM) Program

NCEM requires all residential property owners in floodplains whose homes are determined to be "substantially damaged" by damage inspectors, must rebuild with the first floor at least 2 feet above the highest available local or FEMA flood elevation. A structure is considered substantially damaged if the cost of restoration equals or exceeds 50% of the market value of the structure prior to damage.

Currently, the exact locations of properties in Pender County that would participate in the homeowner assistance program are unspecified. However, eligible applicants are homeowners whose primary residence was damaged by the storm. Pender County has approximately 201,181 acres of floodplains, so it is likely that some portion of the Pender County applicant's homes are in the floodplain (FEMA Zones A or AE). Once an Applicant applies for the grant award, the NCEM will determine if the Applicant's project parcel is located in the floodplain.

Step TWO: Provide Early Public Review

A 15-day "Notice for Early Public Review of a Proposed Activity in a 100-Year Floodplain" was published on August 2, 2018 in the Pender-Topsail Post & Voice, a Burgaw, NC publication with countywide distribution. The ad targeted local residents, including those in the floodplain. The 15-day period expired on August 20, 2018.

The notice was also sent to the following Federal and State agencies on August 2, 2018: U.S Fish and Wildlife Service; U.S. Environmental Protection Agency; U.S. Army Corps of Engineers; FEMA Region IV, NCEM, North Carolina Department of Environmental Quality (Division of Water Resources, and Department of Environmental Assistance and Customer Service), the State Historic Preservation Office at the Department of Natural and Cultural Resources, the Tribal Historic Preservation Office of the Catawba Nation, and the County Manager of Pender County (See **Exhibits 1** and **2** for the advertisements and email to Federal and State agencies).

NCEM did not receive any public comments on this notice.

Step THREE: Identify and Evaluate Practicable Alternatives to Locating the Proposed Action in the Base Floodplain

The Hurricane Matthew Community Development Block Grant Disaster Recovery (CDBG-DR) Homeowner Recovery and Rental Programs proposes providing funding to repair/rehabilitate, elevate, and reconstruct single-family housing (1 to 4 residential units, including mobile homes) affected by Hurricane Matthew in Pender County. In addition, these programs will reimburse property owners for costs incurred for repair of their homes within 1 year of the storm. The best available data suggest 97 homes in Pender County sustained damage due to Hurricane Matthew and may seek funding through these programs. Some of the potential applications are anticipated to be located within the floodplain.

There were three alternatives to the proposed action considered for this program:

1. No action
2. Relocate the homeowner outside of the floodplain or wetland
3. Infrastructure action or other flood protection measures

Alternative 1. No Action: The "No Action" alternative would not provide financial assistance for needed repairs/rehabilitation, elevation, or reconstruction to residential property owners with homes located in the floodplain substantially damaged (i.e., repair costs exceed 50 percent of the structure's pre-disaster market value) as a result of Hurricane Matthew, and would not implement comprehensive building standards that incorporate flood mitigation measures. Without financial assistance, the cost of these activities will likely be overly burdensome for the majority of property owners, and these property owners may not be able to recover and have safe, disaster resistant, and affordable housing. Without financial assistance to elevate their homes, their homes would be more vulnerable to future storms and floods with continued risk to both life and property, and their property's functionality as a floodplain would not be improved. Furthermore, Pender County would not recover as fully or quickly from the impacts of Hurricane Matthew, and would have less long-term resiliency to minimize impacts from future storms. The "No Action" alternative would not address the county's need for safe, disaster resistant, and affordable housing, and would not contribute to the long-term recovery and economic revitalization of the county.

The "No Action" alternative would not provide reimbursement assistance to property owners who incurred costs to implement emergency and necessary repairs to their homes within 1 year of

Hurricane Matthew. Lack of reimbursement assistance would negatively affect individuals and the local economy. Homeowners in future storm events may be dissuaded and financially incapable of making immediate and necessary repairs to their homes and property, and homes would be allowed to deteriorate. Additionally, these property owners may not have elevated their homes or implemented flood mitigation measures as part of the implemented repairs due to the significant expense of these additional activities. Without financial assistance, these homes would not be adequately protected against the impacts of future storms and flooding, and there would be no improvements to the floodplain. Because of this, the alternative was not considered viable.

Alternative 2. Relocating the Homeowner Outside the Floodplains (Home Buyout):

This alternative would involve the purchase of all properties in the floodplain that were substantially-damaged by Hurricane Matthew. Once acquired for buyout, the single-family homes would be demolished, and the vacant land would revert to its natural state. Sellers would be relocated to newly-constructed homes at new sites outside the floodplain, or sellers would be free to utilize the sale proceeds to purchase pre-existing homes outside the floodplain. This alternative would result in the social and financial ruin of many of the communities in Pender County because there is currently an inadequate supply of safe, decent, and affordable housing in those communities and in the county as a whole to accommodate the vast number of property owners that would be looking for pre-existing homes or new home sites outside the floodplain to which they could relocate. This might result in a large number of residents moving out of Pender County, which would adversely impact the stability of the county's economy.

Additionally, this alternative may turn otherwise eligible property owners away as they would not be willing to sell their homes and/or leave their communities. Their damaged homes would remain unrepaired (often in unsafe conditions) and not elevated or modified to incorporate flood mitigation measures; therefore, the potential for adverse impacts associated with future storms and floods would not be adequately mitigated.

Although this alternative returns the floodplain to its natural state and is most protective to the individual because it results in them being relocated outside the floodplain, these benefits come at additional cost. Savings avoided by not elevating the homes, implementing flood mitigation measures, and paying for flood insurance would be more than offset by costs associated with demolition and debris removal, the purchase price of the old home, possible buyout incentives, gap assistance between the price at which the state acquired the old home and the cost of the new home outside the floodplain, and administrative costs.

The economic feasibility of mass relocations would likely not be practical given funding restrictions. So, this alternative is not the most practicable for all the applicants affected by Hurricane Matthew.

Alternative 3. Evaluate Infrastructure Action or Other Flood Protection Measures:

Historically, infrastructure mitigation actions have been used to protect housing in a floodplain including drainage, flood protection structures, and levees. These mitigation measures have proven variably effective in protecting communities from flooding; however, these actions do not address the housing needs for the homeowners and, in general, are not feasible based on the limited size of most home sites and are far less effective when implemented on individual scattered sites. While community or larger scale levees and flood protection structures are eligible for CDBG-DR

funding, levees and flood control structures are prohibitively expensive on a home-by-home, or small-scale, basis. For these reasons, this alternative is not practicable.

Step FOUR: Identify the Impacts of the Proposed Actions

The Hurricane Matthew CDBG-DR Homeowner Recovery and Rental Programs would provide funding to repair/rehabilitate, elevate, and reconstruct single-family housing (1 to 4 residential units, including mobile homes) affected by Hurricane Matthew in Pender County. In addition, the programs will reimburse property owners for costs incurred for repair of their homes within 1 year of Hurricane Matthew.

The best available data suggest 97 homes in Pender County sustained damage due to Hurricane Matthew and may seek funding through these programs. Some of the potential applications are anticipated to be located within the floodplain. These homes would have to be elevated to 2 feet above ABFE or the local standard, whichever is higher. The only exceptions to this requirement are historic structures that are eligible or potentially eligible for the National Register of Historic Places, and have elevation height requirements considered on a case-by-case basis.

All Applicants would also be required to maintain flood insurance up to the total project cost for their project activity or the maximum coverage limit of the National Flood Insurance Program (NFIP), whichever is less. As this program is grant-funded, the maintenance of flood insurance is required for the economic life of the structure, regardless of ownership. HUD's regulations limit any construction in the floodway.

The Rebuild NC Program would not increase floodplain occupancy, as it would enable people to return to their homes, but would not expand the housing stock relative to conditions prior to Hurricane Matthew. As a result of the proposed activity, there will be no increase in density or change in land use because all work will be conducted within existing building footprints.

Elevations of structures represents no change from current conditions except reducing future damages to the structure from flooding. Changing the structure elevation would have no direct or indirect impacts on the floodplain. Elevation of homes, implementation of flood mitigation measures, and the requirement to maintain flood insurance on the property into perpetuity will minimize the threat to life and property from future storms and flooding, thereby providing resiliency to individuals and Pender County. These actions will provide safe, disaster resistant, and affordable housing for residents impacted by Hurricane Matthew that is crucial to the long-term safety and stability of Pender County.

Step FIVE: Minimize Threats to Life and Property and to Natural and Beneficial Floodplain Values. Restore and Preserve Natural and Beneficial Floodplain Values.

Under the Hurricane Matthew CDBG-DR Homeowner Recovery and Rental Programs, all single-family homes that were substantially damaged by Hurricane Matthew, are located in the floodplain, and receive financial assistance will be elevated and will include flood mitigation measures to avoid future flood damage. Elevation of homes within the floodplain will serve to minimize the threat to life and property, minimize losses from flooding events, benefit floodplain values, and promote long-term resiliency. Fund recipients will be required to maintain flood insurance on the property in accordance with the National Flood Insurance Program into perpetuity to minimize adverse impacts to life and property as a result of future storm events. All

activities will be conducted in compliance with state and local floodplain protection procedures to ensure a minimal adverse impact to the floodplain.

The program will benefit homeowners, whose primary residences sustained "substantial damage" from Hurricane Matthew in Pender County. Many of these homeowners likely will be required to elevate their homes. Without financial support, the added costs of elevating these houses will likely be overly burdensome for many homeowners.

Step SIX: Re-evaluate Alternatives

The NCEM has determined the most practicable alternative on a programmatic level for Pender County is the Proposed Action. This alternative best meets the requirement of the Rebuild NC Program, which include providing safe housing for applicants while allowing them to remain in their communities, and mitigating, to the extent practicable, future hazards from flooding. This alternative also best addresses the State's need for safe, decent, and affordable housing. Furthermore, adverse impacts will be mitigated by elevating substantially damaged structures, in accordance with FR Vol. 82 No. 11 IV.1.c, and requiring maintenance of flood insurance for the life of each assisted structure through placement of a notice and restriction on the deed.

Alternative 1, No Action, was not selected because it would not provide homeowners with financial assistance and, thus, their properties would remain unsafe, unsanitary, and more vulnerable to adverse weather conditions. The "No Action" alternative would not address the county's need for safe, disaster resistant, and affordable housing, and it would not contribute to the long-term recovery and economic revitalization of the county.

Alternative 2 was not selected because it would likely not allow homeowners to remain in their communities, schools and churches, nor meet the objective to rebuild the communities and homes affected by Hurricane Matthew. Furthermore, though it is not currently known how many applications would apply for this program, nor how many fall outside the 100-year floodplain; it is anticipated based upon that most applicants would want to remain on their current parcels and would not apply to a relocation program. Also, the economic feasibility of mass relocations would likely not be practical given funding restrictions. Therefore, this alternative is not the most practicable for the applicants affected by Hurricane Matthew.

Alternative 3, was not selected because previous flood control measures implemented in Pender County have had mixed results, especially as they age. While community or larger scale levees and flood protection structures are eligible for CDBG-DR funding, levees and flood control structures are prohibitively expensive on a home-by-home, or small-scale, basis. As the program focuses on homes on individual scattered sites, this alternative would not be practicable.

Alternatives 2 and 3 are also both costly and would severely limit the number of applicants served and, from an implementation standpoint, would take significant time.

Step SEVEN: Issue Findings and a Public Explanation

It is our determination that there is no practicable alternative to the proposed action to provide financial assistance to the property owner to rebuild in the floodplain. This is due to:

1. The need to provide safe, decent and affordable housing;
2. The desire to not displace residents; and
3. The ability to mitigate and minimize impacts on human health, public property and floodplain values.

A “Notice of Policy Determination” will be published in accordance with 24 CFR 55, for a 7-day comment period. The notice stated the reasons the project must be in the floodplain, a list of alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values.

All comments received will be considered**.**

Step EIGHT: Implement the Action

Step eight is implementation of the proposed action. The NCEM will ensure adherence to all mitigation measures prescribed in the steps above.

Attachment D-1

Exhibit 1

Early Public Review Notice (Step TWO)

Notices for Early Public Review
Of A Proposal to Support Activity in the
100-Year Floodplain
Affidavit of Publication

EARLY NOTICE AND PUBLIC REVIEW
OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN

August 2, 2018

This is to give notice that the State of North Carolina has conducted an evaluation as required by Executive Order 11988, in accordance with U.S. Department of Housing and Urban Development (HUD) regulations at 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its proposed activities in the 100-year floodplain (hereinafter referred to as the floodplain) for Community Development Block Grant - Disaster Recovery (CDBG-DR) Homeowner Recovery and Rental Programs under Title I of the Housing and Community Development Act of 1974 (PL 93-383) will have on the human environment.

As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the State has directed approximately $14,500,000 from its total allocation of funds to the affected counties for Hurricane Matthew recovery efforts. Pender County has been allocated $870,000. The State's priority for this funding is to address single-family housing recovery needs in municipalities in Pender County that were affected by Hurricane Matthew. The best available data suggest that 97 homes in Pender County sustained damage due to Hurricane Matthew and may seek funding through this program.

Proposed activities for single-family housing under the Homeowner Recovery and Rental Programs include repair/rehabilitation, elevation, reconstruction, and reimbursement of repair costs incurred by homeowners within one year of Hurricane Matthew. All homes reconstructed within a floodplain will be constructed on the same footprint and elevated.

While the process of confirming house locations within Pender County is currently in progress, some of the potential applications are anticipated to be located within the floodplain. There are approximately 201,181 acres of Federal Emergency Management Agency (FEMA)-mapped floodplain within Pender County. Flood Insurance Rate Maps (FIRMs) may be viewed at http://fris.nc.gov/fris/. Land areas that are at high risk for flooding in Pender County are called special flood hazard areas (SFHAs), or 100-year floodplains. SFHAs in Pender County are designated on the FIRMs as Zones AE, A, AO, AH, AR, and A99.

Floodplains are areas of land adjacent to rivers, ponds, and lakes that flood periodically at different points in time. Under Executive Order 11988, management of floodplains is encouraged to achieve reduction in the risk of flood loss, minimization of flood impacts on human safety, health and welfare, and restoration and preservation of the natural and beneficial floodplain values.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains 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. Commenters are encouraged to offer alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public education tool. The dissemination of information about floodplains can facilitate

and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

This notice with request for comment has also been mailed to Pender County, FEMA, U.S. Army Corps of Engineers, Wilmington District, the US Environmental Protection Agency, the North Carolina Department of Environmental Quality, the North Carolina State Historic Preservation Office, and the Catawba Indian Nation.

All interested persons, groups, and agencies are invited to submit written comments regarding the proposed use of federal funds to support the proposed activity in a floodplain. Acting on behalf of the North Carolina Department of Commerce (NCDOC), which is the Responsible Entity for the proposed activity, the North Carolina Division of Emergency Management (NCEM) will accept written comments during the hours of 9:00 AM to 5:00 PM delivered to: John Ebbighausen, Assistant Director of Resiliency, NCEM, Attention: Disaster Recovery Comments, 4238 Mail Service Center, Raleigh, NC 27699-4238. Alternatively, comments may be emailed to CDBGDR.Environment@ncdps.gov with "Attention: Disaster Recovery Comments: Pender County" in the subject line. The minimum 15-calendar-day comment period will begin the day after publication and end on the 16th day after publication. All comments must be received on or before August 20, 2018 to receive consideration. Further information can be found at the program website https://rebuild.nc.gov/ or by contacting NCEM at 919-825-2500.

Legal Ad Number 8321

AFFIDAVIT OF PUBLICATION
The Pender-Topsail Post & Voice
P. O. Box 955 • Burgaw, NC 28425
(910) 259-9111

Before the undersigned Notary Public of Pender County, North Carolina, personally appeared James A. Pettigrew, who says that he is authorized to make this affidavit for *The Pender-Topsail Post & Voice*, that the notice or other legal advertisement which is attached hereto, was published in *The Pender-Topsail Post & Voice* on the following dates:

8/2/2018

The newspaper in which notice of legal advertisement was published was, at the time of each and every such publication, a newspaper of general circulation in Pender County meeting all the requirements and qualifications of Chapter I-597 of the General Statutes of North Carolina.

Signature of Affiant

Sworn to and subscribed before me this date, 8 2 ,2018.

Signature of Notary Public

Angela L. Simmons
Notary Public
New Hanover County
North Carolina
My Commission Expires 8-27-2018

SEAL

EARLY NOTICE AND
PUBLIC REVIEW
OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN
August 2, 2018

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#8321 8/2/2018

AVISO ANTICIPADO Y REVISIÓN PÚBLICA DE UNA ACTIVIDAD PROPUESTA EN LA LLANURA DE INUNDACIÓN A 100-AÑOS

Agosto 2, 2018

Mediante éste documento se da aviso de que el Estado de North Carolina ha ejecutado una evaluación requerida bajo la Orden Ejecutiva 11988, de acuerdo con las regulaciones 24 CFR 55.20 sub-parte C, Procedimientos para Tomar Determinaciones en el Gerenciamiento de Llanuras de Inundación, del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos (HUD, por sus siglas en inglés), para determinar la afectación potencial que sus actividades propuestas en la llanura de inundación a 100-años (en lo sucesivo referido como llanura de inundación) para la concesión del bloque de Desarrollo Comunitario – Recuperación de Desastres (CDBG-DR, por sus siglas en inglés), Programas de Renta y Recuperación de Propietarios de Inmuebles bajo el Título I de la Ley de Desarrollo Comunitario y Vivienda de 1974 (PL 93-383), tendría sobre el ambiente humano.

De acuerdo con lo especificado en el Plan de Acción CDBG-DR del Estado de North Carolina como en la Enmienda Sustancial CDBG-DR Número 1 del Estado de North Carolina, el Estado ha dirigido una suma de aproximadamente $14,500,000 de la asignación total de fondos para los esfuerzos de recuperación de los condados afectados por el Huracán Matthew. Condado de Pender ha sido asignado $870,000. La prioridad del Estado para este fondo es dirigir sus esfuerzos para las necesidades de recuperación de viviendas unifamiliares afectadas por el Huracán Matthew dentro de las municipalidades del Condado de Pender. La mejor información disponible sugiere que 97 casas fueron dañadas debido al Huracán Matthew y tienen la posibilidad de buscar fondos a través de este programa.

Las actividades propuestas para viviendas unifamiliares bajo los Programas de Renta y Recuperación de Propietarios de Inmuebles incluyen reparación/rehabilitación, elevación, reconstrucción y reembolso de los costos de reparación incurridos por los propietarios de inmuebles durante el primer año después del paso del Huracán Matthew. Todas las casas reconstruidas dentro de una llanura de inundación serán edificadas en el mismo lugar y serán elevadas.

Mientras que el proceso de confirmación de la ubicación de las casas dentro del Condado de Pender está actualmente en progreso, se anticipa que algunas de las facilidades potenciales estarán localizadas dentro de la llanura de inundación. Dentro del Condado de Pender hay aproximadamente 201,181 hectáreas mapeadas dentro de la llanura de inundación por la Agencia Federal de Gerenciamiento de Emergencias (FEMA, por sus siglas en inglés). Los Mapas de Tasas de Seguro Contra Inundaciones (FIRMs, por sus siglas en inglés), pueden ser vistos en la página web http://fris.nc.gov/fris/. Tierras con alto riesgo de inundación en el Condado de Pender son llamadas áreas especiales de riesgo de inundación (SFHAs, por sus siglas en inglés), o llanuras de inundación a 100-años. SFHAs en el Condado de Pender son designados en los FIRMs como zonas AE, A, AO, AH, AR y A99.

Llanuras de inundación son áreas de tierra adyacentes a los ríos, estanques y lagos que se inundan periódicamente en diferentes épocas de tiempo. Bajo la Orden Ejecutiva 11988, el gerenciamiento

de llanuras de inundación pretende lograr reducir el riesgo de perdidas por inundaciones, minimizar los impactos generados por inundaciones en la seguridad humana, salud y bienestar, y restaurar y preservar los valores naturales y beneficiosos de las llanuras de inundación.

Existen tres propósitos principales en este anuncio. Primero, personas que puedan ser afectadas por las actividades en estas llanuras de inundación y aquellos que tengan algún interés en la protección de ambientes naturales tendrán la oportunidad de expresar sus preocupaciones y proveer información acerca de estas áreas. Aquellos que comenten serán alentados a ofrecer métodos alternativos que sirvan al mismo propósito del proyecto, al igual que métodos para minimizar y mitigar impactos. Segundo, un anuncio público adecuado del programa, puede ser una importante herramienta de educación pública. La diseminación de información acerca de las llanuras de inundación puede facilitar y mejorar esfuerzos federales para reducir los riesgos asociados con la ocupación y modificación de estas áreas especiales. Tercero, como una cuestión de equidad, cuando el gobierno federal determina que éste podrá participar en acciones que se realicen en estas llanuras de inundación, éste deberá informar a aquellos que puedan estar expuestos a continuo o mayor riesgo.

Este aviso con solicitud para comentarios ha sido también enviado al Condado de Pender, FEMA, Cuerpo de Ingenieros de la Armada Estadounidense, Distrito de Wilmington, la Agencia de Protección Ambiental de los Estados Unidos, el Departamento de Calidad Ambiental de North Carolina, La Oficina de Preservación Histórica del Estado de North Carolina y la Nación Indígena Catawba.

Todas las personas, grupos y agencias interesadas están invitadas a enviar comentarios escritos acerca de la propuesta de usar fondos federales para apoyar la actividad propuesta en la llanura de inundación. Actuando en nombre del Departamento de Comercio de North Carolina (NCDOC, por sus siglas en inglés), quien es la entidad responsable de la actividad propuesta, la División de Gerenciamiento de Emergencias de North Carolina (NCEM, por sus siglas en inglés), aceptará comentarios escritos durante las horas de las 9:00 AM hasta las 5:00 PM dirigidas a: John Ebbighausen, Assistant Director of Resiliency, NCEM, Atención: Comentarios para la recuperación de desastres, 4238 Mail Service Center, Raleigh, NC 27699-4238. Alternativamente, los comentarios pueden ser enviados a través del correo electrónico CDBGDR.Environment@ncdps.gov con el encabezado “Disaster Recovery Comments: Pender County”. El mínimo periodo para comentarios, 15 días calendario, comenzará el día después de la publicación y terminará en el día dieciseisavo (16) después de la publicación. Para ser considerados, todos los comentarios deberán ser recibidos antes o hasta el 20 de agosto, 2018. Más información puede ser encontrada en la página web del programa https://rebuild.nc.gov/ o contactando NCEM al número telefónico 919-825-2500.

Legal Ad Number 8322

AFFIDAVIT OF PUBLICATION
The Pender-Topsail Post & Voice
P. O. Box 955 • Burgaw, NC 28425
(910) 259-9111

Before the undersigned Notary Public of Pender County, North Carolina, personally appeared James A. Pettigrew, who says that he is authorized to make this affidavit for *The Pender-Topsail Post & Voice*, that the notice or other legal advertisement which is attached hereto, was published in *The Pender-Topsail Post & Voice* on the following dates:

8/2/2018

The newspaper in which notice of legal advertisement was published was, at the time of each and every such publication, a newspaper of general circulation in Pender County meeting all the requirements and qualifications of Chapter I-597 of the General Statutes of North Carolina.

Signature of Affiant

Sworn to and subscribed before me this date, 8 - 2 ,2018.

Signature of Notary Public

SEAL

Virginia L. Simmons
Notary Public
New Hanover County
North Carolina
My Commission Expires 8.27.2018

AVISO ANTICIPADO Y REVISIÓN PÚBLICA DE UNA ACTIVIDAD PROPUESTA EN LA LLANURA DE INUNDACIÓN A 100-AÑOS
Agosto 2, 2018

Mediante éste documento se da aviso de que el Estado de North Carolina ha ejecutado una evaluación requerida bajo la Orden Ejecutiva 11988, de acuerdo con las regulaciones 24 CFR 55.20 sub-parte C, Procedimientos para Tomar Determinaciones en el Gerenciamiento de Llanuras de Inundación, del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos (HUD, por sus siglas en inglés), para determinar la afectación potencial que sus actividades propuestas en la llanura de inundación a 100-años (en lo sucesivo referido como llanura de inundación) para la concesión del bloque de Desarrollo Comunitario – Recuperación de Desastres (CDBG-DR, por sus siglas en inglés), Programas de Renta y Recuperación de Propietarios de Inmuebles bajo el Título I de la Ley de Desarrollo Comunitario y Vivienda de 1974 (PL 93-383), tendría sobre el ambiente humano.

De acuerdo con lo especificado en el *Plan de Acción CDBG-DR del Estado de North Carolina* como en la *Enmienda Sustancial CDBG-DR Número 1 del Estado de North Carolina*, el Estado ha dirigido una suma de aproximadamente $14,500,000 de la asignación total de fondos para los esfuerzos de recuperación de los condados afectados por el Huracán Matthew. Condado de Pender ha sido asignado $870,000. La prioridad del Estado para este fondo es dirigir sus esfuerzos para las necesidades de recuperación de viviendas unifamiliares afectadas por el Huracán Matthew dentro de las municipalidades del Condado de Pender. La mejor información disponible sugiere que 97 casas fueron dañadas debido al Huracán Matthew y tienen la posibilidad de buscar fondos a través de este programa.

Las actividades propuestas para viviendas unifamiliares bajo los Programas de Renta y Recuperación de Propietarios de Inmuebles incluyen reparación/rehabilitación, elevación, reconstrucción y reembolso de los costos de reparación incurridos por los propietarios de inmuebles durante el primer año después del paso del Huracán Matthew. Todas las casas reconstruidas dentro de una llanura de inundación serán edificadas en el mismo lugar y serán elevadas.

Mientras que el proceso de confirmación de la ubicación de las casas dentro del Condado de Pender está actualmente en progreso, se anticipa que algunas de las facilidades potenciales estarán localizadas dentro de la llanura de inundación. Dentro del Condado de Pender hay aproximadamente 201,181 hectáreas mapeadas dentro de la llanura de inundación por la Agencia Federal de Gerenciamiento de Emergencias (FEMA, por sus siglas en inglés). Los Mapas de Tasas de Seguro Contra Inundaciones (FIRMs, por sus siglas en inglés), pueden ser vistos en la página web http://fris.nc.gov/fris/. Tierras con alto riesgo de inundación en el Condado de Pender son llamadas áreas especiales de riesgo de inundación (SFHAs, por sus siglas en inglés), o llanuras de inundación a 100-años. SFHAs en el Condado de Pender son designados en los FIRMs como zonas AE, A, AO, AH, AR y A99.

Llanuras de inundación son áreas de tierra adyacentes a los ríos, estanques y lagos que se inundan periódicamente en diferentes épocas de tiempo. Bajo la Orden Ejecutiva 11988, el gerenciamiento de llanuras de inundación pretende lograr reducir el riesgo de perdidas por inundaciones, minimizar los impactos generados por inundaciones en la seguridad humana, salud y bienestar, y restaurar y preservar los valores naturales y beneficiosos de las llanuras de inundación.

Existen tres propósitos principales en este anuncio. Primero, personas que puedan ser afectadas por las actividades en estas llanuras de inundación y aquellos que tengan algún interés en la protección de ambientes naturales tendrán la oportunidad de expresar sus preocupaciones y proveer información acerca de estas áreas. Aquellos que comenten serán alentados a ofrecer métodos alternativos que sirvan al mismo propósito del proyecto, al igual que métodos para minimizar y mitigar impactos. Segundo, un anuncio público adecuado del programa, puede ser una importante herramienta de educación pública. La diseminación de información acerca de las llanuras de inundación puede facilitar y mejorar esfuerzos federales para reducir los riesgos asociados con la ocupación y modificación de estas áreas especiales. Tercero, como una cuestión de equidad, cuando el gobierno federal determina que éste podrá participar en acciones que se realicen en estas llanuras de inundación, éste deberá informar a aquellos que puedan estar expuestos a continuo o mayor riesgo.

Este aviso con solicitud para comentarios ha sido también enviado al Condado de Pender, FEMA, Cuerpo de Ingenieros de la Armada Estadounidense, Distrito de Wilmington, la Agencia de Protección Ambiental de los Estados Unidos, el Departamento de Calidad Ambiental de North Carolina, La Oficina de Preservación Histórica del Estado de North Carolina y la Nación Indígena Catawba.

Todas las personas, grupos y agencias interesadas están invitadas a enviar comentarios escritos acerca de la propuesta de usar fondos federales para apoyar la actividad propuesta en la llanura de inundación. Actuando en nombre del Departamento de Comercio de North Carolina (NCDOC, por sus siglas en inglés), quien es la entidad responsable de la actividad propuesta, la División de Gerenciamiento de Emergencias de North Carolina (NCEM, por sus siglas en inglés), aceptará comentarios escritos durante las horas de las 9:00 AM hasta las 5:00 PM dirigidas a: John Ebbighausen, Assistant Director of Resiliency, NCEM, Atención: Comentarios para la recuperación de desastres, 4238 Mail Service Center, Raleigh, NC 27699-4238. Alternativamente, los comentarios pueden ser enviados a través del correo electrónico CDBGDR.Environment@ncdps.gov con el encabezado "Disaster Recovery Comments: Pender County". El mínimo periodo para comentarios, 15 días calendario, comenzará el día después de la publicación y terminará en el día dieciseisavo (16) después de la publicación. Para ser considerados, todos los comentarios deberán ser recibidos antes o hasta el 20 de agosto, 2018. Más información puede ser encontrada en la página web del programa https://rebuild.nc.gov/ o contactando NCEM al número telefónico 919-825-2500.

#8322 8/2/2018

Attachment D-2

Exhibit 2

Sample Letters (Emails) to Interested Parties (Step TWO)

NCDEM Letter (Emails) to Agencies

Letter to Catawba Indian Nations

Jarman, Clifford

From: Monks, Kathy
Sent: Thursday, August 02, 2018 11:37 PM
To: FEMA-R4EHP@fema.dhs.gov; linda.culpepper@ncdenr.gov; Militscher. Chris (Militscher.Chris@epa.gov); Renee.Gledhill-Earley@ncdcr.gov; Scott.C.McLendon@usace.army.mil
Cc: Jarman, Clifford; Bock, John
Subject: RE: North Carolina Environmental Reviews - Early Floodplain Notices, August 2, 2018
Attachments: Early Public Notice_Beaufort.pdf; Early Public Notice_Camden.pdf; Early Public Notice_Craven.pdf; Early Public Notice_Duplin.pdf; Early Public Notice_Hyde.pdf; Early Public Notice_Nash.pdf; Early Public Notice_Pender.pdf; Early Public Notice_Sampson.pdf

Hello,

Please find attached pdfs of the early floodplain notices that were published on August 2 for Beaufort County (in the Washington Daily News), Camden County (in the Daily Advance), Craven County (in the New Bern Sun Journal), Duplin County (in the Duplin Times), Hyde County (in the Washington Daily News), Nash County (in the Rocky Mount Telegram), Pender County (in the Pender-Topsail Post & Voice), and Sampson County (in the Sampson Independent). Please let us know if you have any questions or desire any additional information.

Thank you,

Kathy Monks, MS, MBA, PG | Lead Project Manager | Sr. Hydrogeologist
Direct: 530.470.0498 | Cell: 505.934.0715 | Fax: 530.470.0499
21845 One Fine Pl | Colfax, CA 95713
kathy.monks@tetratech.com

Tetra Tech | Complex World, Clear Solutions | www.tetratech.com

North Carolina Department of Public Safety

Emergency Management

Roy Cooper, Governor
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

EARLY NOTICE AND PUBLIC REVIEW
OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN

August 2, 2018

This is to give notice that the State of North Carolina has conducted an evaluation as required by Executive Order 11988, in accordance with U.S. Department of Housing and Urban Development (HUD) regulations at 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its proposed activities in the 100-year floodplain (hereinafter referred to as the floodplain) for Community Development Block Grant - Disaster Recovery (CDBG-DR) Homeowner Recovery and Rental Programs under Title I of the Housing and Community Development Act of 1974 (PL 93-383) will have on the human environment.

As specified in the *State of North Carolina CDBG-DR Action Plan* as amended by the *State of North Carolina CDBG-DR Action Plan Substantial Amendment 1*, the State has directed approximately $14,500,000 from its total allocation of funds to the affected counties for Hurricane Matthew recovery efforts. Pender County has been allocated $870,000. The State's priority for this funding is to address single-family housing recovery needs in municipalities in Pender County that were affected by Hurricane Matthew. The best available data suggest that 97 homes in Pender County sustained damage due to Hurricane Matthew and may seek funding through this program.

Proposed activities for single-family housing under the Homeowner Recovery and Rental Programs include repair/rehabilitation, elevation, reconstruction, and reimbursement of repair costs incurred by homeowners within one year of Hurricane Matthew. All homes reconstructed within a floodplain will be constructed on the same footprint and elevated.

While the process of confirming house locations within Pender County is currently in progress, some of the potential applications are anticipated to be located within the floodplain. There are approximately 201,181 acres of Federal Emergency Management Agency (FEMA)-mapped floodplain within Pender County. Flood Insurance Rate Maps (FIRMs) may be viewed at http://fris.nc.gov/fris/. Land areas that are at high risk for flooding in Pender County are called special flood hazard areas (SFHAs), or 100-year floodplains. SFHAs in Pender County are designated on the FIRMs as Zones AE, A, AO, AH, AR, and A99.

Floodplains are areas of land adjacent to rivers, ponds, and lakes that flood periodically at different points in time. Under Executive Order 11988, management of floodplains is encouraged

to achieve reduction in the risk of flood loss, minimization of flood impacts on human safety, health and welfare, and restoration and preservation of the natural and beneficial floodplain values.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains 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. Commenters are encouraged to offer alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public education tool. The dissemination of information about floodplains can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

This notice with request for comment has also been mailed to Pender County, FEMA, U.S. Army Corps of Engineers, Wilmington District, the US Environmental Protection Agency, the North Carolina Department of Environmental Quality, the North Carolina State Historic Preservation Office, and the Catawba Indian Nation.

All interested persons, groups, and agencies are invited to submit written comments regarding the proposed use of federal funds to support the proposed activity in a floodplain. Acting on behalf of the North Carolina Department of Commerce (NCDOC), which is the Responsible Entity for the proposed activity, the North Carolina Division of Emergency Management (NCEM) will accept written comments during the hours of 9:00 AM to 5:00 PM delivered to: John Ebbighausen, Assistant Director of Resiliency, NCEM, Attention: Disaster Recovery Comments, 4238 Mail Service Center, Raleigh, NC 27699-4238. Alternatively, comments may be emailed to CDBGDR.Environment@ncdps.gov with “Attention: Disaster Recovery Comments: Pender County” in the subject line. The minimum 15-calendar-day comment period will begin the day after publication and end on the 16th day after publication. All comments must be received on or before August 20, 2018 to receive consideration. Further information can be found at the program website https://rebuild.nc.gov/ or by contacting NCEM at 919-825-2500.

Attachment D-3. Comments and Responses Related to Early Floodplain Notice
Exhibit 3

Note: No comments were received regarding the Early Floodplain Notice

Attachment D-4. Comments and Responses Related to Findings and Final Public Notice for Step Seven

Exhibit 4

Note: Notice of Final Public Review is being published in combination with the Draft Finding of No Significant Impact (Appendix E)

Appendix E

Official Forms and Public Comments

Attachment E-1 - Combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds

Attachment E-2 - Comments and Objections to the Finding of No Significant Impact and Notice of Intent to Request for Release of Funds

Attachment E-3 - Request for Release of Funds

Attachment E-4 - Authority to Use Grant Funds

Attachment E-1. Combined Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds

Attachment E-2. Comments and Responses Related to Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds

Attachment E-3. Request for Release of Funds

Attachment E-4. Authority to Use Grant Funds

Appendix F

Programmatic Agreement for Section 106 Review (appended by reference)

Appendix G
Sample Tier II Environmental Review Record

Attachment 1 – Figures
Attachment 2 – Site Inspection Form
Attachment 3 – Consultation, as required

Tier II Environmental Review Record
Community Development Block Grant – Disaster Recovery
Rebuild NC: Pender County Single Family Housing Recovery Program (1-4 Units)

Project Information

Submittal date:	**Application ID:**
Property address:	
GPS coordinates:	**Census tract:**
Lot:	**Tax ID:**
Date of field inspection:	**Date of review:**
Inspector name:	**QA/QC name:**

Project Description: A Tier I Environmental Assessment (EA) was completed for the Rebuild NC: Single Family Housing Recovery Program (1-4 Units) (Rebuild NC).

A map showing the location of the property is attached.

Environmental Review Determination:
Property Address:

1. Is project in compliance with applicable laws and regulations? ☐ Yes ☐ No
2. Is an Environmental Impact Statement required? ☐ Yes ☐ No
3. Finding of No Significant Impact (FONSI) can be made. Project will not significantly affect the quality of the environment. ☐ Yes ☐ No

Are mitigation measures required for this project? ☐ Yes ☐ No

If "Yes," provide the mitigation measures on the form following checklists.

Signatory Information and Approval

PREPARER

Prepared By:

Title:

Signature and Date:_____

CERTIFYING OFFICER

Approved By:

Title:

Signature and Date:_____

Project Information

HUD Grant Number 17-R-3004

Project Description:

Note: Throughout this annotated form, explanatory language is in blue font and should be deleted upon completion of the form.

(Delete all that do not apply)

- **For rehabilitation:**

The proposed activity is rehabilitation of the (insert number)-unit residential structure at the address listed above. The structure was damaged because of Hurricane Matthew. The structure was constructed in (insert year). Renovations will include addressing storm-related damage and repairing the property to current minimum property standards and compliance with applicable Americans with Disabilities Act requirements. All activities will be limited to the disturbed area of the previously developed lot. Pre-award and pre-application activities will be limited to work completed in the same footprint of the damaged structure. A map showing the location of the property is attached.

- **For elevation of an existing building:**

The proposed activity is elevation of the (insert number)-unit residential structure at the address listed above. The structure was damaged because of Hurricane Matthew. The structure was constructed in (insert year). The lowest habitable floor of the structure would be elevated at least 2 feet above the advisory base flood elevation (ABFE), in accordance with federal requirements or local code, whichever is higher. All activities will be limited to the disturbed area of the previously developed lot or activities will largely be limited to the disturbed area of the previously developed residential site but would disturb the ground surface to install pier and beam foundation and accommodate required utilities. Pre-award and pre-application activities will be limited to work completed in the same footprint of the damaged structure. A map showing the location of the property is attached.

The federal or local code, whichever is higher, would determine the elevation requirements. Based upon that code, "1 foot" should be changed to "X feet" based upon the code.

- **For reconstruction on an existing lot:**

The proposed activity involves possible demolition of an existing structure built in (insert year) and reconstruction on an existing property of same residential density with the above-listed address, where the structure received damage from Hurricane Matthew to the extent that rehabilitation was not possible. Proposed activities would include reconstruction activities in accordance with minimum property standards and site-specific EA mitigation measures (insert to protect wetlands, U.S. waters, threatened and endangered species, and to minimize the hazards future flood events, and invasive species). If the home site is in the floodplain, compliance with the local floodplain ordinance will be required and include elevation of the home to 2 feet above the advisory base flood elevation (ABFE), in accordance with the effective Flood Insurance Rate Map or Preliminary Flood Insurance Rate Map published by FEMA. Activities will be limited to the disturbed area of the previously developed lot or activities will largely be limited to the disturbed area of the previously developed residential site but would disturb the ground surface to install pier and beam foundation and accommodate required utilities. A map showing the location of the property is attached.

The federal or local code, whichever is higher, would determine the elevation requirements. The sentence regarding elevation above the ABFE should be removed from the description if the new structure would be entirely outside the 100-year floodplain.

- **For reimbursement**

The proposed activity is reimbursement of the rehabilitation repairs of the residential unit at the address listed above. The structure was damaged due to Hurricane Matthew. The structure was constructed in (insert year). All reimbursement activities are limited to work completed within the existing footprint of the damaged structure. A map showing the location of the property is attached.

- **For new construction or relocation on a previously undisturbed lot:**

The proposed activity is new construction of a (insert number)-unit residential structure at the address listed above. The project activity is the result of the need to build a new structure, as the homeowner's old structure was damaged extensively due to Hurricane Matthew. Proposed activities would include construction activities in accordance with minimum property standards and site-specific EA mitigation measures (insert to protect wetlands, U.S. waters, threatened and endangered species, and to minimize the hazards future flood events, of toxic and radioactive materials, explosive and flammable hazards, and invasive species). Activities will be limited to the disturbed area of the previously developed lot or activities will largely be limited to the disturbed area of the previously developed residential site but would disturb the ground surface to install pier and beam foundation and accommodate required utilities. New construction is not allowed in a 100-year floodplain. A map showing the location of the property is attached.

Finding of Tier II Review	**Choose one of the following:** ☐ The proposed activity conditionally complies with environmental requirements for funding. ☐ The proposed activity does not comply with environmental requirements for funding because (provide reason such as permanent impact to a wetland or within a floodway). ☐ A finding cannot be made without additional information or documentation (attached)

Site Specific Findings

1. Historic Preservation

(36 CFR Part 800)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

A. SHPO/Tribal Review or Notification Required

The historic preservation review must be concluded for both above ground resources and archaeological resources

Project activity is for a building built after 1968 that is not within a historic district, and the project activity will not involve reconstruction or elevation. Meets PA Allowance and Historian with Secretary of the Interior Standards approves. ***Submit information to SHPO detailing findings for Round 1 SHPO review.***

☐ SHPO findings indicate no further consultation needed, proceed to Item 2, Floodplain Management and Flood Insurance. **(Review Concluded)**

☐ SHPO findings indicate further consultation required. Continue to next step for Historic Preservation.

B. National Historic Landmark (NHL)

☐ Activity meeting Programmatic Allowances involves a National Historic Landmark.

☐ SHPO and National Park Service NHL Program Manager notified and provided appropriate project documentation

☐ **No Adverse Effect Determination.**

Are project conditions required?

☐ No **(Review Concluded)**

☐ Yes. Attach conditions. **(Review Concluded)**

☐ **Adverse Effect Determination**

(HPO concurrence on file)

☐ Mitigation not possible. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

☐ Resolution of Adverse Effect completed

☐ MOA on file

Are project stipulations required?

☐ No **(Review Concluded)**

☐ Yes. Attach conditions. **(Review Concluded)**

C. Standard Project Review: SHPO/Tribal Consultation Required

☐ Proposed activity does not involve a NHL and does not meet the above programmatic allowances for both above ground and archaeological considerations and requires Section 106 review of the entire undertaking.

☐ List any tribes or other consulting parties who were notified or consulted for this undertaking:

_____

(Proceed to boxes *in both columns* below *until the review of both resource types is concluded*)

- ☐ No above ground Section 106-defined historic properties in Area of Potential Effects. **No Historic Properties Affected Determination.** SHPO concurrence on file. **(Above Ground Review Concluded)**
- ☐ Individual historic properties or historic districts are located in the Area of Potential Effects.
  - ☐ **No Historic Properties Adversely Affected Determination** (SHPO concurrence on file)

    Are project conditions required?
    - ☐ No **(Above Ground Review Concluded)**
    - ☐ Yes. Attach conditions. **(Above Ground Review Concluded)**
  - ☐ **Adverse Effect Determination** (SHPO concurrence on file)
    - ☐ Mitigation not possible. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**
    - ☐ Resolution of Adverse Effect completed
      - ☐ Standard Treatment Measure(s) listed in PA applied (SHPO concurrence on file)
      - ☐ Separate MOA on file

      Are project stipulations required?
      - ☐ No **(Above Ground Review Concluded)**
      - ☐ Yes. Attach stipulations. **(Above Ground Review Concluded)**

- ☐ Consultation conducted with SHPO and project area assessed as not having potential for eligible archaeological resources.
  - ☐ Project area assessed as having low potential for archaeological resources
    - ☐ **No Historic Properties Affected Determination** (SHPO concurrence or consultation on file). **(Archaeological Review Concluded)**
  - ☐ Project area has been field assessed for presence of archeological resources
    - ☐ No archaeological materials identified in Area of Potential Effects.
      - ☐ **No Historic Properties Affected Determination** (SHPO concurrence or consultation on file). **(Archaeological Review Concluded)**
  - ☐ Archaeological materials identified in Area of Potential Effects through consultation or fieldwork.
    - ☐ **No Historic Properties Adversely Affected Determination** (SHPO concurrence on file)

      Are project conditions required?
      - ☐ No **(Archaeological Review Concluded)**
      - ☐ Yes. Attach conditions. **(Archaeological Review Concluded)**
- ☐ **Adverse Effect Determination** (SHPO concurrence on file)
  - ☐ Mitigation not possible. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**
  - ☐ Resolution of Adverse Effect completed
    - ☐ Standard Treatment Measure(s) listed in PA applied, (SHPO concurrence on file.)
    - ☐ Separate MOA on file

    Are project stipulations required?
    - ☐ No **(Archaeological Review Concluded)**
    - ☐ Yes. Attach stipulations. **(Archaeological Review Concluded)**

2. Floodplain Management and Flood Insurance

(EO 11988, 24 CFR Part 55, and 24 CFR 58.6)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

The proposed site is (check only one of the following):

☐ Not in a 100-year floodplain (A zone). Attach appropriate floodplain map showing site location. (Complies with EO 11988, 24 CFR Part 55, and 24 CFR 58.6.) (**Review Concluded**)

☐ In a 100-year floodplain (A zone) and not in a National Flood Insurance Program (NFIP) participating community. Attach appropriate floodplain map showing site location. **Does not comply** with EO 11988, 24 CFR Part 55, and 24 CFR 58.6 because required flood insurance is not obtainable. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

☐ In a 100-year floodplain (A zone) and in an NFIP-participating community. Are the existing structure and the proposed activity in a designated floodway area?

- ☐ Yes. Is the project activity property acquisition, buyout assistance, or relocation outside of floodway?
  - ☐ Yes. Project may continue. **(Review Concluded)**
  - ☐ No. Attach appropriate floodplain map showing site location. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**
- ☐ No. Proceed to the following question.

Is the project activity new construction in or relocation of a structure to the floodplain?

- ☐ Yes. Activity does not meet Programmatic Compliance eight-step process. An individual eight-step must be completed for the property and permitted, if required. **Perform individual decision-making process for this site.**
- ☐ No. If the structure is substantially damaged (damage equal to or more than 50 percent of the pre-Hurricane Matthew value of the structure), the structure may require elevation, and other mitigation, including flood insurance. A decision-making process would be required. If the structure is not substantially damaged, the structure does not require elevation but would require flood insurance. **(Review Concluded)**

3.1 Wetlands

(EO 11990 and Clean Water Act, especially Section 404)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

Are there coastal or freshwater wetlands on or adjacent to the site?

☐ No. There are no wetlands on the project site. (**Review Concluded**)

☐ Yes. Would (Did) the activity affect a wetland? Attach appropriate wetlands map.

Work in wetlands, including operation of equipment in wetlands, would affect the wetlands. A freshwater wetland greater than 12.4 acres and the 100-foot "adjacent area"' (measured horizontally) surrounding the wetland is granted protection under the Freshwater Wetland Act of 1975. Work in state or federally protected wetlands and/or their adjacent areas constitute a direct impact to the wetland. Best management practices should prevent impact to adjacent wetlands.

- ☐ No. Project involves disturbance in existing disturbed area only. There is no potential to impact wetlands. **Compliance met**. (**Review Concluded**)
- ☐ Yes. Possible adverse effect in wetlands.
  - ☐ Eight-step process done?

☐ No. The 8-step decision-making process was not completed. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

☐ Yes. The 8-step decision-making process was completed.

☐ **Activity in compliance** with EO 11990 and the Clean Water Act. Explain basis for conclusion and describe the permitting process and mitigation measures. Attach supporting documentation. (**Review Concluded**)

☐ **Activity not in compliance** with EO 11990 and the Clean Water Act. Explain basis for conclusion. Attach supporting documentation. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

3.2 Clean Water Act

(EO 11990 and Clean Water Act, especially Section 404)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

Are there any Waters of the United States in or within proximity of the applicant site?

☐ No. There are no Waters of the United States that can be affected by the project. (**Review Concluded)**

☐ Yes.

Is the project work within the same footprint of the existing structure?

☐ Yes. Construction best practices are required to prevent any construction impact. However, construction work can continue. **(Review Concluded)**

☐ No. CWA-trained professional has reviewed the property conditions and conducted a site visit of the Applicant's site.

☐ Based on that site visit, the professional concluded that the proposed action site does not contain Waters of the United States or that the proposed action will not adversely impact the Waters of the United States. **(Review Concluded)**

☐ Based on the site visit of the applicant's site and review of the information, at least a portion of the site contains Waters of the United States that could be adversely impacted. **(Mitigation requires coordination with the US Army Corps of Engineers and possible 401/404 permitting. Inform Certifying Officer)**

4. Coastal Zone Management Act

(Coastal Zone Management Act, Sections 307(c) and (d))

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

The proposed site is (check only one of the following):

☐ Not in a coastal zone. Attach appropriate Coastal Zone Management Act map showing site location. (**Review Concluded**)

☐ In a coastal zone and project work is more than 75 feet from the Normal Water Level (NWL). Attach appropriate Coastal Zone Management Act map showing site location. (**Review Concluded**)

☐ In a coastal zone and project work would be within 75 feet of an NWL. Property owner must contact the North Carolina Department of Environmental Quality, Division of Coastal Management, to determine if a permit or exemption is required. (**Review Concluded**)

5. Sole Source Aquifers

(40 CFR Part 149)

Not applicable. Compliance determined in Tier I Environmental Assessment.

6. Endangered Species Act

(16 USC 1531 et seq., 50 CFR Part 402

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks below results in a "Review Concluded")

☐ All proposed activities are occurring in the pre-existing disturbed area associated with the structure. There is no native tree removal in the scope of work and no potential to affect Federally or State-listed species and/or designated critical habitat, based on the limited scope of action. **(Review Concluded)**

☐ Proposed activities involve new construction or construction outside of the pre-existing disturbed area.

Are any of the Federally or State-listed species or critical habitats present or potentially present on the project site or potentially subject to disturbance from the project activities?

☐ No. Trained personnel have reviewed site conditions and concluded that no Federally or State-listed threatened and endangered species or designated critical habitat are present in areas affected directly by the proposed action. **(Review Concluded)**

☐ Yes. Consultation with USFWS is required and resulted in a determination that (check only one of the following):

☐ The proposed activity, including appropriate measures to avoid adverse impacts, would not adversely affect threatened and endangered species. Attach supporting documentation. Activity complies. (**Review Concluded**) **Explain how this conclusion was reached. Describe required mitigation measures.**

☐ The proposed activity would adversely affect threatened and endangered species. Attach supporting documentation. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer. Explain how this conclusion was reached.** Attach supporting documentation.

7. Wild & Scenic Rivers Act

(Sections 7(b), (c))

Not applicable. Compliance determined in Tier I Environmental Assessment.

Is the proposed site within 100 feet of a Federally or State-designated Wild and Scenic River?

☐ No. Attach map. **(Review Concluded)**

☐ Yes. Contractor must use best management practices to control soil and sediment movement (assuming the work is of such nature as to impact the surrounding surface area) off the work-site during rainfall events, reduce the impact to streams and manage rainwater runoff both during construction and after completion of the work. Examples of construction best management practices are silt fences, hay bales in ditches, constructed detention basins, and other basins to hold silt-laden water on site. Document mitigation requirements. **(Review Concluded)**

8. Air Quality

(Clean Air Act, Sections 176 (c) & (d), & 40 CFR Part 6, 51, & 93)

Not applicable. Compliance determined in Tier I Environmental Assessment.

9. Farmland Protection Policy Act

(7 CFR Part 658)

☐ REVIEW CONCLUDED (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Is the proposed activity new construction or relocation on a previously undisturbed parcel?

☐ No. This activity is not subject to Farmland Protection Policy Act (FPPA). Previously, Natural Resources Conservation Service (NRCS) has specified that parcels previously converted [from farmland to nonagricultural uses], regardless of location, are not subject to FPPA because the parcels were converted when the original dwelling was constructed on the parcel. The subject activities involve no alteration of undisturbed land and repair/reconstruction of structure in-place and in the previously disturbed area. **(Review Concluded)**

☐ Yes. Continue. Check one of the following.

☐ Area subject to disturbance is less than 3 acres. **(Review Concluded)**

☐ Site located as farmland already in urban development in accordance with 7 CFR 658.2 - not subject to FPPA. **(Review Concluded)**

☐ Site located in an area that includes a density of 30 structures per 40 acres. **(Review Concluded)**

☐ New construction activities and parcel is located outside urban development area; subject to additional review. Continue.

☐ Information obtained documenting that the parcel was previously residentially developed land. The NRCS specified that parcels that had previously been converted [from farmland to nonagricultural uses] when the original dwelling was constructed on the parcel, regardless of location, are not subject to FPPA. **(Review Concluded)**

☐ Coordination with NRCS is required.

☐ Farmland Conversion Impact Rating, Form AD-1006, or other NRCS-approved documentation has been completed and submitted on Date:

☐ NRCS has replied on Date: (attach documentation)

Are conditions required? ☐ No. ☐ Yes. Document conditions. **(Review Concluded)**

☐ NRCS has not replied within 30 days; no response is considered to be concurrence with finding of no significant adverse effect. **(Review Concluded)**

10. Environmental Justice

(EO 12898)

Not applicable. Compliance determined in Tier I Environmental Assessment.

11. Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances

(24 CFR Part 58.5(i)(2))

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Note: This review is not intended to satisfy the requirements of a Phase I Environmental Site Assessment (ESA) or other Environmental Due Diligence Process as defined by the American Society of Testing and Materials (ASTM), or any of the requirements necessary to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability. However, in the event of acquisition of property, a Phase I assessment may be required. That assessment will be done as an additional study to this Tier II.

FINDINGS FROM SITE INSPECTION

Are there any recognized environmental conditions (RECs), such as obvious signs of hazardous, toxic, or radioactive materials or substances as observed during the site visit?

☐ No. Attach site observation report.

☐ Yes. Describe and attach site observation report.

REC explanation: Site conditions indicate that the subject property is contaminated or likely contaminated via the release of on-site or off-site hazardous substances or petroleum products.

During the site reconnaissance, the subject property and adjoining properties are visually inspected for RECs, such as:

- **UST vent or fill pipes**
- **Corroded ASTs, drums or containers**
- **Pits, ponds, lagoons, pools of hazardous substances or petroleum products**
- **Mounds of rubble, garbage, or solid waste**
- **Distressed vegetation**
- **Surface staining**
- **Faulty septic systems**
- **Groundwater monitoring or injection wells**
- **Structure(s): present and former uses, such as any industrial or commercial structure that potentially used, stored or handled hazardous materials.**

Note any obstacles to identification of RECs (Examples: soil piles, household debris, no access to backyard)

FINDINGS FROM REVIEW OF REGULATORY DATABASES AND OTHER INFORMATION SOURCES

Is the site within 3,000 feet of a listed solid or hazardous material facility, landfill, or contaminated area? Attach figure of site location with findings indicated.

☐ No. Based on the limited site observations made in support of this review and review of the listed sources of information, the project site does not appear to be impacted by hazardous, toxic, or radioactive materials or substances where the specified hazard could affect the health and safety of occupants or conflict with the intended utilization of the site. **(Review Concluded)**

☐ Yes.

☐ The project site is listed as a known or suspected contaminated (hazardous, toxic, or radioactive materials or substances) site.

☐ More information is required, such as documentation of cleanup or remediation or "No Further Action" letter from the governing agency.

Specify additional information obtained from the governing agency:

☐ Based on the review, it does not appear that the identified hazard affects the health and safety of occupants or conflicts with the intended utilization of the project site. Note that this review does not constitute a risk assessment or definitive determination of the hazard and its potential effect on health and safety of occupants or the environmental condition of the project site. **(Review Concluded)**

☐ Based on the review, it does appear that the identified hazard affects the health and safety of occupants or conflicts with the intended utilization of the project site. The project site and/or proposed action DOES NOT clear the site-specific review process. **STOP – SITE IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

☐ Based on review of regulatory databases and other information sources, the project site does not appear to be located proximate (within 500 feet) to a site of environmental concern (toxic site or solid waste landfill site), and no known studies indicate an environmental concern for the location. **(Review Concluded)**

☐ Based on review of information sources, the project site does appear to be located proximate (within 500 feet) to a site of environmental concern that could have adversely impacted the project site, and/or is known or suspected to be contaminated by toxic substances or radioactive materials.

Specify additional information obtained from the governing agency.

Based on topography or distance of the project site relative to the site of environmental concern:

☐ It does not appear that the project site is likely to have been impacted by the site of environmental concern to a degree where the hazard could affect the health and safety of occupants or conflict with the intended utilization of the project site. **(Review Concluded)**

☐ It does appear that the project site is likely to have been impacted by the site of environmental concern to a degree where the hazard could affect the health and safety of occupants or conflict with the intended utilization of the project site. Additional regulatory file review to be done.

☐ Regulatory agency file review done for site of environmental concern. The review indicates that the project site is not suspected or known to be contaminated by the site (attach regulatory file review documentation). **(Review Concluded)**

☐ Regulatory agency file review done for site of environmental concern. Results of regulatory agency file review indicate that the project site is known to be contaminated by the site of environmental concern. The project site and/or proposed action does not clear the site-specific environmental review process. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING**. **Inform Certifying Officer**.

☐ Regulatory agency file review done for site of environmental concern. Results of regulatory agency file review indicate that the project site is suspected to be contaminated by the site of environmental concern. Request additional information from the Applicant. Information provided by Applicant documents that the project site is not contaminated. (Attach documentation) **(Review Concluded)**

☐ Regulatory agency file review done for site of environmental concern. Results of regulatory agency file review indicate that the project site is suspected to be contaminated by the site of environmental concern. Request additional information from the Applicant. Applicant does not have documentation related to the potential for contamination of the project site. Applicant must request a letter or finding from the State stating that the project site is not contaminated or has been remediated. Information provided by Applicant documents that the project site is not contaminated. (Attach documentation) **(Review Concluded)**

☐ Regulatory agency file review done for site of environmental concern. Results of regulatory agency file review indicate that the project site is suspected to be contaminated by the site of environmental concern. Request additional information from the Applicant. Applicant does not have documentation related to the potential for contamination of the project site. Applicant must request a letter or finding from the State stating that the project site is not contaminated or has been remediated. Applicant does not provide adequate documentation. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

Are any of the following documented or suspected of being present at the project site? Check all that apply.

☐ Lead-based paint
☐ Asbestos
☐ Mold

If any of the above is checked, document site-specific hazards and mitigation requirements. If determination is unknown, document and include mitigation requirements.

12. Siting of HUD-Assisted Projects Near Hazardous Operations

(24 CFR Part 51, Subpart C)

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Would (Did) the proposed activity increase the number of dwelling units of the housing structure that existed on the project site prior to Hurricane Matthew or change the location of that structure?

☐ No. **In compliance.** Identify source of information. **(Review Concluded)**

The source of information will be the grant application.

☐ Yes.

Would the structure be (are the structures) less than the acceptable separation distance (ASD) from a stationary aboveground storage tank (AST) that is within 1 mile of the subject property and holds an explosive or combustible substance? Note: ASTs of 100 gallons or less that hold "common liquid fuels" such as fuel oil, kerosene, and gasoline or tanks that are ancillary to the structure are exempt from the ASD requirements and cannot cause the answer to this question to be Yes. However, this exemption does not apply to compressed fuel gases such as propane, so it is possible that a stationary compressed fuel gas tank of 100 gallons or less not ancillary to the structure could cause the answer to this question to be Yes.

Additional explanation of ASD analysis is provided below.

☐ No. **In compliance**. Explain finding. **(Review Concluded)**

☐ Yes. Describe the information used in calculating the ASD and attach a map showing the location of the tank relative to the subject property. Describe any feasible mitigation measures per 24 CFR 51.205, or other verifiable information that is pertinent to compliance with the ASD standard. If no mitigation measures are feasible, the activity is **not in compliance** with the applicable HUD environmental standard, 24 CFR Part 51C. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

Requires use of Google Earth or like tool for desktop search for large ASTs within 1 mile plus a field reconnaissance of project site and surrounding properties.

Common liquid fuels include fuel oil, gasoline, diesel fuel, and kerosene. Other flammable or explosive substances include propane and other fuel gases. If the type of substance in a tank cannot be determined, it must be assumed to contain a flammable or explosive substance that is not a common liquid fuel.

The ASD is determined using HUD's Acceptable Separation Distance Electronic Assessment Tool, http://www.hud.gov/offices/cpd/environment/asdcalculator.cfm. The information required to use the tool depends on the type of tank involved. For diked tanks, it is not necessary to know the volume of the tank, but the dimensions of the diked area must be estimated. This can be done using Google Earth.

For tanks holding ordinary fuel gases such as propane, which are always pressurized, only the volume of the tank must be determined. Information at the following link can be used to determine the volume of a tank if at least one of its dimensions is known: http://www.missiongas.com/lpgastankdimensions.htm.

A tank holding a cryogenic liquid such as liquid natural gas may or may not be diked. If it is, the dimensions of the diked area must be estimated. If it is not diked, the volume of the tank must be estimated.

The ASD Electronic Assessment Tool calculates three ASDs for pressurized tanks containing ordinary fuel gas: blast overpressure, thermal radiation for people, and thermal radiation for buildings. The blast overpressure ASD is not calculated for unpressurized tanks because they are not subject to explosion. The activity must comply with all applicable ASDs.

The ASD for thermal radiation for people is the longest. Blast overpressure can be mitigated with a blast wall, but this approach is generally not feasible for thermal radiation because the maximum thermal radiation comes from a fireball well above the tank.

13. Coastal Barrier Resources Act/Coastal Barrier Improvement Act

(24 CFR 58.6(c))

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Is the project located in a designated unit of the Coastal Barrier Resource System?

☐ No. Attach appropriate map showing site location. **(Review Concluded)**

☐ Yes. Attach appropriate map showing site location. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

14. Airport Clear Zones and Accident Potential Zones

(24 CFR Part 51, Subpart D)

Not applicable. Compliance determined in Tier I Environmental Assessment.

Is the project located within 2,500 feet of a civil airport or within 15,000 feet of a military airfield?

☐ No. **In compliance.** Attach appropriate map. **(Review Concluded)**

☐ Yes. Is the project located within a civil airport runway protection zone or a clear zone or accident potential zone associated with a military airfield?

- ☐ No. **In compliance.** Attach appropriate map. **(Review Concluded)**
- ☐ Yes.
  - ☐ Under 24 CFR 51.302 and 24 CFR 51.303(b), activities of the type proposed are fundable. Provide explanation and documentation. **(Review Concluded)**
  - ☐ Under 24 CFR 51.302 and 24 CFR 51.303(b), activities of the type proposed are not fundable. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

15. Fish and Wildlife Coordination Act

(16 USC 661-666c)

Not applicable. Compliance determined in Tier I Environmental Assessment.

16. Magnuson-Stevens Fishery Conservation and Management Act

(16 USC 1801 et seq.)

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Would (Did) the proposed activity occur in an Anadromous Fish Spawning Area?

☐ No. **In compliance.** Identify source of information. **(Review Concluded)**

☐ Yes. Is the project compliant with the required conditions/mitigations to ensure that the project does not adversely affect the fish spawning area?

- ☐ Yes. **In compliance.** Identify source of information. **(Review Concluded)**
- ☐ No. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**

17. Noise Abatement and Control

(24 CFR Part 51, Subpart B)

☐ REVIEW CONCLUDED. (check this box only when completion of the subtasks listed below result in a "Review Concluded")

Would (Did) the proposed activity change the facility substantially from its condition that existed prior to Hurricane Matthew, such as increasing the number of dwelling units or changing the location of the housing structure? ☐ No. **In compliance.** Identify source of information. **(Review Concluded)** **The source of information will be the grant application.** Is the building within 1,000 feet of a major roadway, 3,000 feet of a railroad, or 15 miles of a military airfield or Federal Aviation Administration-regulated civil airfield? ☐ No. **In compliance.** Identify source of information. **(Review Concluded)** Is the building within an area with a calculated noise level that is Acceptable (at or below 65 DNL)? ☐ Yes. **In compliance.** Identify source of information. **(Review Concluded)** Is the building within an area with a calculated noise level that is Normally Unacceptable (66-75 DNL)? ☐ Yes. Identify noise attenuation requirements that will bring the interior noise level to 45 DNL or exterior noise level to 65 DNL. **(Review Concluded)** Is the building within an area with a calculated noise level that is Unacceptable (above 75 DNL)? ☐ Yes. **STOP – APPLICATION IS NOT ELIGIBLE FOR FUNDING. Inform Certifying Officer.**
Environment Assessment Factors **[Environmental Review Guide HUD CPD 782, 24 CFR 58.4, 40 CFR 1508.8 and 1508.27]** *For the Rebuild NC program, all Environmental Assessment Factors have been considered in the Tier I Environmental Review Record and have all been found to not have any significant adverse impacts on the environment. No Tier II site-specific review of these factors is required.*

Conditions for Approval

The following mitigation measures are required as conditions for approval of the project, as applicable:

General

1. Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.
2. Contractors will be required to prepare and implement health and safety plans and conduct monitoring during construction to protect the health and safety of site workers and the public.
3. Contractors must use best management practices to control soil and sediment movement (assuming the work is of such nature as to impact the surrounding surface area) off the work-site during rainfall events, reduce the impact to streams and manage rainwater runoff both during construction and after completion of the work. Examples of construction best management practices are silt fences, hay bales in ditches, constructed detention basins, and other basins to hold silt-laden water on site.

4. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for re-evaluation under the National Environmental Policy Act.

Historic Preservation

5. All activities must comply with Section 106 of the National Historic Preservation Act (NHPA) per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through the procedures set forth in the Programmatic Agreement between the North Carolina Department of Commerce, North Carolina Department of Public Safety, and State Historic Preservation Officer (SHPO), as signed onto by the North Carolina Department of Commerce.
6. If archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted, and the applicant shall stop all work immediately near the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant will inform the State of North Carolina (the State) immediately and consult with SHPO. Work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project complies with the NHPA.

Floodplain Management and Flood Insurance

7. All proposed reconstruction, repair, elevation and mitigation of substantially damaged structures in the 100-year floodplain will adhere to the most recent elevation requirements in accordance with local codes and Base Flood Elevation requirements where they exceed the federal standards.
8. All structures funded by the Rebuild NC: Single Family Housing Recovery Program (1-4 Units) (Rebuild NC), if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, will be covered by flood insurance and the flood insurance must be maintained for the economic life of the structure [24 CFR 58.6(a)(1)].
9. No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance but failed to obtain and maintain the insurance [24 CFR 58.6(b)].
10. Duration of Flood Insurance Coverage. The statutory period for flood insurance coverage may extend beyond project completion. For loans, loan insurance or guaranty, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of assistance, coverage must be continued for the life of the property, regardless of transfer of ownership of such property. Section 582(c) of the Community Development and Regulatory Improvement Act of 1994 mandates that “The requirement of maintaining flood insurance shall apply during the life of the property, regardless of transfer of ownership of such property.” (42 USC 4012a). Such anticipated economic or useful life of the property may vary with the nature of the assisted activity. For example,

construction of a new or substantially improved building requires flood insurance coverage for the life of the building, while for minor rehabilitation such as repairing, weatherizing, or roofing of a building, the grantee may require flood insurance coverage ranging from 5 to 15 years as deemed feasible. HUD will accept any period within that range that appears reasonable.

11. Dollar Amount of Flood Insurance Coverage. For loans, loan insurance or guaranty, the amount of flood insurance coverage need not exceed the outstanding principal balance of the loan. For grants and other forms of financial assistance, the amount of flood insurance coverage must be at least equal to the development or project cost (less estimated land cost) or to the maximum limit of coverage made available by the Act with respect to the particular type of building involved (SF-Single Family, OR-Other Residential, NR-Non-Residential, or SB-Small Business), whichever is less. The development or project cost is the total cost for acquiring, constructing, reconstructing, repairing or improving the building. This cost covers both the federally assisted and the non-Federally assisted portion of the cost, including any machinery, equipment, fixtures, and furnishings. If the Federal assistance includes any portion of the cost of any machinery, equipment, fixtures or furnishings, the total cost of such items must also be covered by flood insurance.
12. Proof of Purchase. The standard documentation for compliance with Section102 (a) is the Policy Declarations form issued by the NFIP or issued by any property insurance company offering coverage under the NFIP. The insured has its insurer automatically forward to the grantee in the same manner as to the insured, information copies of the Policy Declarations form for verification of compliance with the Act. Any financially assisted Special Flood Hazard Area (SFHA) building lacking a current Policy Declarations form is in Noncompliance.
13. Grantee's Evidence of Compliance under the Certification. The grantee must maintain a complete and up-to-date listing of its on-file and current Policy Declarations for all financially assisted SFHA buildings. As a part of the listing, the grantee should identify any such assisted building for which a current Policy Declarations form is lacking and attach a copy of the written request made by the grantee to the owner to obtain a current Policy Declarations form.

Wetlands Protection and Water Quality

14. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in on-site and off-site wetlands and waters and to prevent erosion in on-site and off-site wetlands and waters.
15. Minimize soil compaction by minimizing activities in vegetated areas, including lawns.

Noise

16. Outfit all equipment with operating mufflers.
17. Comply with applicable local noise ordinances.

Air Quality

18. Use water or chemical dust suppressant in exposed areas to control dust.
19. Cover the load compartments of trucks hauling dust-generating materials.
20. Wash heavy trucks and construction vehicles before they leave the site.
21. Employ air pollution control measures on all vehicles and equipment, as required.

Hazardous Materials

22. All activities must comply with applicable federal, state and local laws and regulations regarding environmental protection and asbestos, including but not limited to the following:
    - North Carolina Environmental Policy Act and Rules at 01 NCAC (North Carolina Administrative Code) 25
    - National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145 and 150
    - North Carolina Asbestos Hazard Management Program, NC General Statutes (GS) Section 130A-444 through 452 – Asbestos Hazard Management
23. Applicant or contractor must comply with all laws and regulations concerning the proper handling, removal and disposal of hazardous materials (e.g., asbestos, lead-based paint) or household waste (e.g., construction and demolition debris, pesticides/herbicides, white goods).
24. All activities must comply with applicable federal, state and local laws and regulations regarding lead-based paint including, but not limited to, HUD's lead-based paint regulations in 24 CFR Part 35.
25. All residential structures must be treated for mold attributable to Hurricane Matthew in accordance with federal, state or local guidelines.

Wild and Scenic Rivers

26. Comply with any conditions specified by the National Park Service (NPS) for protection of federally designated Wild and Scenic Rivers, Study Rivers, and Nationwide Rivers Inventory segments. The NPS identified that "best practices" would be used, specifically *"All construction activities occurring on or adjacent to a federally designated Wild and Scenic River or on a river listed on the Nationwide Rivers Inventory should take care to avoid any unnecessary clearing of native riparian vegetation such that local scenery remains intact. Further, for all projects where construction derived runoff has the potential to enter the waterway, appropriate sediment control measures should be required. Sediment control measures can include, but are not limited to, the use of straw bales and silt fences."* The North Carolina Division of Parks and Recreation recommended the use of erosion and sedimentation controls during construction and after completion of the work at project sites where vegetation removal and/or land disturbance is planned within 100 feet of the bank for the protected section of the Lumber River,

which is the only state-protected river in the North Carolina declared disaster area counties.

Project-Specific Conditions

1. Text