CDBG-I EID Agency Scoping Checklist

Disclaimer: Content may not be removed from this document.

# NC Division of Water Infrastructure CDBG-I Environmental Review Agency Scoping Check List

This list is intended to be a guide to help ensure that all environmental cross-cutting agency review has been completed. It is NOT intended to be an exhaustive list of environmental requirements. A supplement is attached to the end of the checklist with additional information including county lists and contact information. Every effort will be made to keep the contact information up to date; however, information should always be verified when making contact for project scoping.

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| **Historic Preservation** |
| 1. For all projects receiving assistance, a letter must be obtained from the State Historic Preservation Officer (SHPO) with the NC Dept. of Natural and Cultural Resources. Provide details of correspondence with SHPO below and include any findings, impacts, mitigative measures, and recommendations in the ERR. |
| Date of Correspondence: |  | Finding: | No historic properties affected No adverse effectAdverse effect |
| 2. For all projects involving ground disturbance, a letter must be obtained from the Catawba Indian Nation Tribal Historic Preservation Officer (THPO). Provide details ofcorrespondence with the Catawba THPO below and include any findings, impacts, mitigative measures, and recommendations in the ERR. |
| Date of Correspondence: |  | Finding: | No historic properties affected No adverse effectAdverse effect |
| 1. For projects located in the counties listed in the attachment and involving disturbance of soil not classified as Urban Soil (as defined in the attachment), a letter must be obtained from the Eastern Band of Cherokee Indians (EBCI) THPO.
	* Is the project located in an EBCI county? Yes No
	* Does the project disturb soil not classified as Urban Soil? Yes No
	* If “Yes” to both, then provide details of correspondence from the EBCI THPO.
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| **Historic Preservation – Continued** |
| Date of Correspondence: |  | Finding: | No historic properties affected No adverse effectAdverse effect |
| 1. For projects located in the counties listed in the attachment and involving ground disturbance, the Tuscarora Nation of New York must be contacted.
	* Is the project located in a Tuscarora county? Yes No
	* Does the project include ground disturbance? Yes No
	* If “Yes” to both, then provide details of correspondence from the Tuscarora Nation.
 |
| Date of Correspondence: |  | Result: | No responseNo Interest in the project Interest in the project |
| 1. For projects located in the counties listed in the attachment and involving ground disturbance, the Muscogee (Creek) Indian Nation must be contacted.
	* Is the project located in a Muscogee county? Yes No
	* Does the project include ground disturbance? Yes No
	* If “Yes” to both, then provide details of correspondence from the Tuscarora Nation.
 |
| Date of Correspondence: |  | Result: | No responseNo Interest in the project Interest in the project |
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| **Federal Flood Risk Management Standard (FFRMS)** **Floodplain Management (24 FR 55.7)** |
| 1. Determine if the project is a critical or non-critical action (§55.16)
2. Identify the FFRMS Floodplain.
3. Determine if there is a HUD-approved CISA available. If yes - Rely on CISA where maps are available. If not - Has FEMA mapped the 0.2% annual change of flood? If there is no FEMA mapped 0.2% annual change of flood, rely on FVA (BFE+3).
	* Does the project require the 8-step process for floodplains as outlined in the ER/EID guidance?
 |
| Yes | Then send a copy of each notice prepared as part of the process to FEMA. Obtain any required floodplain development permits. |
| No | FEMA does not need to be notified. Maintain maps as part of the ERR. |
| Date of Correspondence: |  | Result: | No response  No Interest in the project Interest in the project |

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| **Wetland Protection** |
| 1. Determine if critical or non-critical action (§55.16).
2. Determine whether the action involves new construction that is located in or impacts a wetland.
3. Shall verify whether the project area is located in proximity to wetlands identified on the National Wetland Inventory (NWI) and assess the site for visual indication of the presence of wetlands such as hydrology (water), hydric soils, or wetland vegetation.
4. Where the primary screening is inconclusive, potential wetlands should be further evaluated using one or more of the methods listed in §55.9.
5. If proposed project includes new construction activities (including grading, clearing, draining, filling, diking, impounding, and related activities for any structure or facilities) that will may have a direct or indirectly impact to onsite wetland, contact the local U.S. Army Corps of Engineers (USACE) and N.C. Division of Coastal Management office for assistance as needed.
6. If any construction will impact a wetland (§55.10), the 8 step process must be completed and documented in the ERR. This requirement applies regardless of whether the USACE or the N.C. Division of Coastal management requires or has issued a Section 404 permit.
	* Will construction result in the loss of any wetlands?
 |
| Yes | Contact the USACE and Division of Coastal Management to determine whether authorization is required. Provide details of the correspondence below. |
| **Wetland Protection - Continued** |
| No | Correspondence data is not required. |
| Date of Correspondence with ACE: |  | Finding: |  |
| Date of Correspondence with NCDCM: |  | Finding: |  |
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| **Coastal Zone Management** |
| 1. Certain projects may require a Consistency Determination from the Division of Coastal Management (DCM).
	* Is the project located in a CAMA county? Yes No
	* Does the project involve new construction, conversion of land use, major rehabilitation, or acquisition of undeveloped land?

Yes No* + If “Yes” to both, then a Consistency Determination must be submitted the State Environmental Review Clearinghouse for distribution to the DCM. Contact DCM for information regarding preparing the submission and the Clearinghouse for information on submitting documents to them. Include all documentation in the ERR and provide

date below. |
| Date Sent to Clearinghouse: |  | Finding: |  |

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| **Threatened & Endangered Species** |
| 10. Does the project include ground disturbance, vegetation removal, filling of ponds, streams, or other waters, or generation of a typical noise levels? |
| Yes | Then proceed with biological survey steps below |
| No | No further action is required. |
| 1. Consult county list of species from US FWS here: <https://www.fws.gov/> for North Carolina and County project is located in.
2. Are listed species present in the county where the project will take place?
 |
| Yes | Then continue with biological survey steps. |
| No | Document finding of “No Impact” in ERR and no further action is required |
| 1. Prepare a biological survey following instructions from the US FWS here: <https://www.fws.gov/rivers/service/esa-section-7-consultation>
	* Can a finding of “no effect” be made based on the instructions for the biological evaluation? NOTE: “No Effect” means no positive or negative effect.
 |
| Yes | Include the biological survey in the ERR and no further action is required. |
| No | Then Fish and Wildlife Service or National Marine Fisheries Service must be contacted for concurrence with a determination of “not likely toadversely affect” or for formal consultation for “likely to adversely affect” |
| 13. Provide details of correspondence with USFWS or NMFS below, and include any findings, impacts, mitigative measures, and recommendations in the ERR. |
| Date of Correspondence: |  | Finding: | Not likely to adversely affectLikely to adversely affect |
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| **Wild and Scenic Rivers** |
| 1. Certain projects may require consultation with the National Park Service or USFWS regarding wild and scenic rivers.
	* Is the project located in a county that contains a designated Wild and Scenic River or in a river basin that contains a listed river?

Yes No* + Will a listed river potentially be affected or within ¼ mile of the project?
 |
| Yes | Contact the USFWS or National Park Service and provide details of correspondence below. |
| No | Correspondence data is not required. |
| Date of Correspondence: |  | Finding: |  |
| **Air Quality** |
| 1. Projects that include emergency generators may require a permit from the NC Division of Air Quality (NCDAQ). Does the project include any of the following generators:
	* Natural gas-fired generator with capacity greater than 310 kw or 460 hp?
	* Liquefied petroleum generator with capacity greater than 830 kw or 1,150 hp
	* Diesel or kerosene fired generator with capacity greater than 370 kw or 410 hp
	* Gasoline-fired generator with capacity greater than 21 kw or 31 hp?
 |
| Yes | Contact the NCDAQ about permitting requirements and provide details below |
| No | Correspondence data is not required. |
| Date of Correspondence: |  | Finding: |  |
| **Farmland Protection** |
| 16. Does the project involve construction on vacant land that is not urban? |
| Yes | Contact the Natural Resource Conservation Service (NRCS) to determine if the project will remove important farmlands from agricultural production and provide details below. |
| No | Correspondence data is not required. |
| Date of Correspondence: |  | Finding: |  |

# Supplemental Information for completion of the Agency scoping list

**State Historic Preservation Office:**

Environmental Review Coordinator State Historic Preservation Office 4617 Mail Service Center

Raleigh, NC 27699-4617

(Physical Address: 109 E. Jones St. Raleigh, NC 27601) (919) 807-6570

Environmental.Review@ncdcr.gov <https://www.hpo.nc.gov/environmental-review>

# Catawba Indian Nation THPO:

Catawba Indian Nation

THPO Archaeology Department 1536 Tom Steven Road

Rock Hill, SC 29730 (803) 328-2427 ex. 226

No email - Must submit consultation requests via letter

# Tuscarora Nation of New York:

Tuscarora Nation of New York Tuscarora Reservation

2006 Mt. Hope Road Lewiston, NY 14092

(716) 297-1148

No email - Must submit consultation requests via letter

# Eastern Band of Cherokee Indians THPO:

Tribal Historic Preservation Officer Eastern Band of Cherokee Indians Qualla Boundary Reservation

P.O. Box 455

Cherokee, NC 28719

(828) 359-6852

syerka@nc-cherokee.com

# Muscogee (Creek) Nation THPO:

Tribal Historic Preservation Officer Cultural Preservation Department Muscogee (Creek) Nation

P.O. Box 580

Okmulgee, OK 74447

(918) 732-7835

section106@mcn-nsn.gov

# FEMA:

Department of Homeland Security FEMA Deputy Environmental Office 3003 Chamblee Tucker Road Atlanta, GA 30341-4112 stephanie.madson@fema.dhs.gov

**US Army Corps of Engineers:** <http://www.saw.usace.army.mil/Missions/RegulatoryPermitProgram/Contact.aspx> ASHEVILLE REGULATORY FIELD OFFICE

US Army Corps of Engineers 151 Patton Avenue, Room 208

Asheville, North Carolina 28801-5006 General Number: (828) 271-7980

Fax Number: (828) 281-8120

RALEIGH REGULATORY FIELD OFFICE

US Army Corps of Engineers

3331 Heritage Trade Drive, Suite 105 Wake Forest, North Carolina 27587 General Number: (919) 554-4884

Fax Number: (919) 562-0421

WASHINGTON REGULATORY FIELD OFFICE

US Army Corps of Engineers

2407 West Fifth Street Washington, NC 27889 General Number: (910) 251-4610

Fax Number: (252) 975-1399

WILMINGTON REGULATORY FIELD OFFICE

US Army Corps of Engineers 69 Darlington Avenue

Wilmington, NC 28403

General Number: 910-251-4633

Fax Number: (910) 251-4025

# Division of Coastal Management:

Federal Consistency Coordinator

NC Division of Coastal Management 400 Commerce Avenue

Morehead City, NC 28557-3421

(252) 808-2808 ext. 233

# U.S. Fish & Wildlife Service:

See map to determine appropriate field office: <https://www.fws.gov/office/eastern-north-carolina-ecological-services>

Raleigh Field Office

P.O. Box 33726

Raleigh, NC 27636

(919) 856-4520 ex. 26

Asheville Field Office 160 Zillcoa Street

Asheville, NC 28801

(828) 258-3939

**US EPA Region 4**

Chief, NEPA Program Office

U.S. EPA Region 4 61 Forsyth Street SW

Atlanta, GA 30303-8960

(404) 562-9512

Militscher.chris@epa.gov

# Division of Air Quality:

Contact the air quality staff at the appropriate DEQ regional office: <http://deq.nc.gov/contact/regional-offices>

**Natural Resource Conservation Service:** Contact the appropriate local NRCS office: <http://offices.sc.egov.usda.gov/locator/app>

**Eastern Band of Cherokee Indian Counties**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Alleghany | Caldwell | Gaston | Lincoln | Polk | Wilkes |
| Ashe | Catawba | Graham | Macon | Rutherford | Yancey |
| Avery | Cherokee | Haywood | Madison | Swain |  |
| Buncombe | Clay | Henderson | McDowell | Transylvania |  |
| Burke | Cleveland | Jackson | Mitchell | Watauga |  |

**Tuscarora Nation of New York Counties**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Beaufort | Edgecombe | Johnston | Nash | Wayne |
| Bertie | Greene | Jones | Northampton | Wilson |
| Craven | Halifax | Lenoir | Pitt |  |

**Muscogee (Creek) Indian Nation Counties**

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| --- | --- | --- | --- | --- |
| Ashe | Clay | Jackson | Mitchell | Transylvania |
| Avery | Graham | Macon | Polk | Watauga |
| Buncombe | Haywood | Madison | Rutherford | Yancey |
| Cherokee | Henderson | McDowell | Swain |  |

**CAMA Counties**

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

**Wild & Scenic Rivers in North Carolina**

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| --- | --- | --- | --- |
| **River** | **Drainage Basin** | **Designated Reach** | **River Counties** |
| Chattooga River | Savannah | The segment from 0.8 miles below Cashiers Lake in North Carolina to the Tugaloo Reservoir. The WestFork from its confluence with the main stem upstream 7.3 miles | Jackson |
| Horsepasture River | Savannah | From Bohaynee Road (N.C. 281) downstream to Lake Jocassee. | Jackson |
| New River | New | The South Fork from its confluence with Dog Creek downstream 22 miles to the confluence with the North Fork. The main stem from the confluence of the North and South Forks with Dog Creek downstream approximately 4.5 miles to the Virginia state line | Ashe and Alleghany |
| Lumber River | Lumber | From State Route 1412/1203 (river mile 0) to the Scotland/Robeson County lines at the end of the Maxton Airport Swamp (river mile 22) and fromBack Swamp (river mile 56) to the North/South Carolina border (river mile 115). | Hoke, Scotland, Robesonand Columbus |
| Wilson Creek | Catawba | From the headwaters below Calloway Peak to the confluence with Johns River. | Avery and Caldwell |