



North Carolina Department of Public Safety

Office of Recovery and Resiliency

Roy Cooper, Governor
Eddie Buffaloe, Jr., Secretary

Laura H. Hogshead, Director

PUBLIC NOTIFICATION TO ENTER INTO A MEMORANDUM OF AGREEMENT FOR THE RESOLUTION OF ADVERSE EFFECT TO HISTORIC PROPERTIES IN WILMINGTON, NEW HANOVER COUNTY, NORTH CAROLINA

This is to give notice that the North Carolina Office of Recovery and Resiliency ("NCORR") proposes to enter into a Memorandum of Agreement ("Agreement") for the resolution of Adverse Effect to Historic Properties in Wilmington, North Carolina. NCORR serves as the responsible entity for U.S. Department of Housing and Urban Development ("HUD")-funded programs under statutes that authorize HUD to delegate its environmental compliance responsibilities promulgated under 24 C.F.R. Part 58 to state, local, and tribal governments, including obligations under Section 106 of the National Historic Preservation Act ("NHPA") (54 U.S.C. § 306108) and codified in its implementing regulations, "Protection of Historic Properties," 36 C.F.R. Part 800. NCORR makes assistance, including HUD Community Development Block Grant Disaster Recovery ("CDBG-DR") funds for Homeowner Recovery, Small Rental, Supportive Housing and Services, Public Housing Restoration, Small Business Recovery, Economic Development, Infrastructure, Resiliency, Public Facilities, Community Recovery, Strategic Buyout, and Resilient Affordable Housing Development, available to the Counties, its citizens, federally recognized tribes and other entities in accordance with the State's Approved Action Plan and Updates for Hurricane Matthew and for Hurricane Florence.

NCORR, under its Section 106 obligations, has determined that the "Undertaking" consists of the demolition and reconstruction of a contributing resource within the Wilmington Historic District (NH0003), which is listed the National Register of Historic Places. NCORR determined that the Undertaking will have an adverse effect on the Historic District and has consulted with the North Carolina State Historic Preservation Officer ("SHPO") pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108). In accordance with 36 CFR § 800.6(a)(1), NCORR has notified the Advisory Council on Historic Preservation ("ACHP") of its adverse effect determination with specified documentation and the ACHP has been sent the Electronic Section 106 Documentation Submittal System (e106) Form to review pursuant to 36 CFR § 800.6(a)(1)(iii). NCORR has also consulted and/or invited other interested parties such as the Catawba Indian Nation, Wilmington Historic Preservation Commission and Historic Wilmington Foundation.

NCORR and SHPO, pursuant to 36 CFR § 800.14, have consulted in the development of this Agreement, and to mitigate the adverse effects associated with the Undertaking, NCORR shall carry out a recordation plan to ensure there is a permanent record of the property as it now exists.

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NORTH CAROLINA OFFICE OF RECOVERY AND RESILIENCY

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NCORR and SHPO are each a “Signatory” to this Agreement. The Historic Wilmington Foundation has also agreed to be a “Concurring Party” to this Agreement. The ACHP has notified NCORR of its intent not to participate in this Agreement, unless participation is requested from the SHPO, Tribal Historic Preservation Office, affected Indian tribe, a consulting party, or other party, where they may reconsider their decision.

All interested persons, groups, and agencies are invited to submit written comments regarding the intent to enter into an Agreement for the resolution of Adverse Effect to Historic Properties in Wilmington, North Carolina. NCORR will accept written comments during the hours of 9:00 AM to 5:00 PM delivered to: Jeffrey Royal, Director of Production and Mitigation, NCORR, Attention: APP-05079 MOA Comments; P.O. Box 110465, Durham, NC 27709. Alternatively, comments may be emailed to NCORR-Environmental@ncdps.gov with “Attention: APP-05079 MOA Comments” in the subject line. The minimum 14-calendar-day comment period will begin the day after publication and end on the 14th day after publication. All comments must be received on or before Sept. 2, 2024, to receive consideration.

Date: August 19, 2024