



North Carolina Department of Public Safety

Office of Recovery and Resiliency

Roy Cooper, Governor
Eddie M. Buffaloe, Jr., Secretary

Laura H. Hogshead, Director

PUBLIC NOTICE

COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT (FONSI), NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOI-RROF), AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

TOWN OF ST. PAULS FLOOD IMPROVEMENTS SOUTH JOHNSON, EAST CLARK, SOUTH ELIZABETH AND EAST ROSS STREETS, ST. PAULS, ROBESON COUNTY, NC 28384

July 19, 2023

To: All interested Agencies, Groups and Individuals

Name of Responsible Entity and Recipient: North Carolina Office of Recovery and Resiliency (NCORR), P.O. Box 110465, Durham, NC 27709. Contact: Director Laura Hogshead (984) 833-5350.

Pursuant to 24 CFR Section 58.43, this combined Notice of Finding of No Significant Impact (FONSI), Notice of Intent to Request Release of Funds (NOI-RROF), and Final Notice and Public Explanation of a Proposed Activity in a Floodplain and Wetland satisfies three separate procedural requirements for project activities proposed to be undertaken by NCORR.

Project Description: NCORR is responsible for the direct administration of the United States Department of Housing and Urban Development (HUD) Community Development Block Grant – Mitigation (CDBG-MIT) program in North Carolina. NCORR proposes to provide CDBG-MIT funding from the Infrastructure Recovery Program of \$451,500.00 for the Town of St. Pauls Flood Improvements Project (“Proposed Activity”) located at South Johnson Street, East Clark Street, South Elizabeth Street, East Ross Street; and Calvary Cornerstone Holiness Church (Parcel ID 381404009, 0.34 acre); 400 East Ross Street (Parcel ID 38160204101, 1.3 acres); 401 East Clark Street (Parcel ID 38140401401, 0.17 acre); and Town of St. Pauls’ Waste Water Treatment Plant (WWTP) parcel (Parcel ID 212002007, Pin 30890981900, 73.92 acres) in St. Pauls, Robeson County, NC 28384. The Proposed Activity is anticipated to have a total cost of \$801,500.00 and entails upgrades to stormwater conveyance infrastructure that includes the installation of catch basins and varying sizes of reinforced concrete piping (RCP), buried underground in previously-

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disturbed areas, and placed at a depth and slope that will facilitate conveyance of stormwater from the project area served by South Johnson Street, East Clark Street, East Ross Street, and South Elizabeth Street.

The State of North Carolina was adversely impacted by the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). The Proposed Activity is needed to address frequent flooding in an area located between Johnson Street and Elizabeth Street, and north of Clark Street, which is a natural bowl with overland outlets for stormwater. During the Hurricane Matthew storm event, the Town of Saint Pauls experienced widespread flood damage, especially in areas surrounding South Johnson and East Clark Streets, causing residents in these areas to be stranded and in need of assistance by emergency responders. The Town proposes a system of stormwater improvements that will carry future stormwater events south of these residential areas and connect with the Town's stormwater processing infrastructure. The Town has selected the Proposed Activity to assist its residents and community to be protected from future storm damage and flooding.

PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

NCORR has conducted an evaluation as required by Executive Orders (EO) 11988 and 11990, in accordance with HUD regulations at 24 CFR 55 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The Proposed Activity will result in temporary impacts to 0.04 acres and permanent impacts to 0.009 acres of 100-year floodplain (Zone AE). The Proposed Activity will result in temporary impacts to 0.0563 acres and permanent impacts to 0.072 acres of National Wetland Inventory (NWI) mapped and U.S. Army Corps of Engineers (USACE) verified delineated wetlands. These impacts to 100-year floodplain and wetlands include the installation of two 24-inch RCPs in the location of the existing single 24-inch RCP they are replacing to allow for additional flow during storm events under the gravel access road to the St. Pauls' WWTP. The culvert outlets will be armored with 18-inch Class B riprap apron to slow flow velocity and prevent erosion. The proposed permanent wetland impacts total approximately 0.0027 acres resulting from the riprap apron. Additional impacts to wetlands will result from installation of two 36-inch RCPs approximately 244 linear feet in length to be installed within the 20-foot easement leading from East Ross Street into the wetland area. The culvert outlets will be armored with 18-inch Class B riprap apron. The proposed permanent impacts total approximately 0.0686 acres resulting from the rip rap apron and fill within the 20-foot easement. All temporary wetland impacts will result from construction access. The Proposed Activity was designed to allow stormwater discharge to dissipate via sheet flow through the forested wetland before entering Big Marsh Swamp a 177.62-acre Freshwater Forested/ Shrub Wetland (PFO1C). The St. Paul's WWTP parcel is the only proposed location with portions in 100-year floodplain and wetlands, approximately 49.37 acres and 62.2 acres respectively.

NCORR has considered the alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values. This Proposed Activity involves stormwater infrastructure improvements to deficient existing infrastructure, and project designs have been completed in accordance with agency input to minimize impacts to the floodplain, wetlands, environment and community. Alternative designs were explored to avoid floodplain and wetland impacts, but adequate fall was not achievable without the proposed impacts. In order to

ensure that stormwater is adequately drained from the surrounding area, which is prone to flooding, the two proposed 36-inch RCPs must extend into the wetland. The main alternative is the “No Action” Alternative which is not considered feasible since flooding in the area causes property damage to homes, churches and businesses, and roadway flooding blocks transportation accessibility during and after storm events. This Proposed Activity is critically necessary to protect the residents and community from future storm events. The “No Action” Alternative would provide no protection to the residential neighborhoods and greater community from future flood events, as mitigation would be compromised due to lack of financial support. Natural floodplains and wetlands provide flood risk reduction benefits by slowing runoff and storing flood water. In addition, floodplains and wetlands are beneficial by providing diverse wildlife habitat, flood and erosion control, surface water quality maintenance, groundwater recharge, and educational, scientific, cultural, and recreational opportunities. Wetlands have unique natural characteristics that play an integral role in the ecology of the watershed. Floodwater storage and conveyance, groundwater discharge or recharge, erosion control, and water quality maintenance will be positively affected because the Proposed Activity will allow for stormwater flow to be directly discharged into Big Marsh Swamp rather than flooding the surrounding residential area causing erosion and accumulating debris and pollutants to enter the wetland. Currently, stormwater is discharging through a deficient stormwater network into the same outlet point into Big Marsh Swamp. Big Marsh Swamp is heavily vegetated and relatively flat which will prevent upstream erosion and provide an avenue for dissipation and wetland hydrology recharge. Construction will result in approximately 0.07 acres of wooded habitat loss. The Proposed Activity is not anticipated to exceed 1.5 acres of disturbance. No additional indirect floodplain/wetland impacts or negative impacts to floodplain/wetland values are anticipated.

The Proposed Activity will be completed in accordance with all applicable federal, State, and local laws, regulations, and permit requirements and conditions. The following permits will be obtained, as applicable, prior to commencing work: USACE Clean Water Act (CWA) Section 404 Nationwide Permit (NWP) 18 Minor Discharges, NC Division of Water Resources CWA Section 401 Water Quality Certification, sedimentation and erosion control plan approval, and Floodplain Development Permit. Best Management Practices for erosion and sedimentation control will be utilized during construction. Timber mats will be used if conditions within wetlands are saturated to prevent rutting. Silt fence will be installed during construction to prevent runoff from impacting adjacent wetlands onsite. The contractor shall provide adequate pump around or diversion to keep the work area dry. All temporary wetland impacts will be stabilized and allowed to return to natural conditions post-construction. The Class B riprap apron was designed to slow flow velocity and prevent erosion and washout at the culvert outlet. The Proposed Activity and site locations are the most suitable, feasible options selected by the Town after a lengthy process to assist its residents and community to be protected from future storm events; the “No Action” alternative would not effectively address the area’s flooding; and mitigation measures include erosion and sedimentation controls, permit conditions, a project design that minimizes impacts, and native plants used in site restoration.

Since the action will include modification of floodplain and new construction in wetland, EOs 11988 and 11990 require that the Proposed Activity not be supported if there are practicable alternatives to floodplain and wetland impacts. NCORR has reevaluated the alternatives to modification of floodplain and new construction in wetland, and has determined that it has no

practicable alternative. The 8-step process has been further documented in the EO 11988 Floodplain Management and EO 11990 Protection of Wetlands Determination which is available for viewing and copying as described below in Public Review.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and wetlands and those who have an interest in the protection of the natural environment are given an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information and request for public comment about floodplains and wetlands can facilitate and enhance federal efforts to reduce the risks and impacts 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 and wetlands, it must inform those who may be put at greater or continued risk.

FINDING OF NO SIGNIFICANT IMPACT

An Environmental Assessment (EA) for the Proposed Activity has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA) and HUD environmental review regulations at 24 CFR Part 58. The EA is incorporated by reference into this FONSI. Subject to public comments, no further review of the Proposed Activity is anticipated. NCORR has determined that the EA for the project identified herein complies with the requirements of HUD environmental review regulations at 24 CFR Part 58. NCORR has determined that the Proposed Activity will have no significant impact on the human environment and, therefore, does not require the preparation of an environmental impact statement under NEPA.

Public Review: Public viewing of the EA, environmental review record, and EO 11988 Floodplain Management and EO 11990 Protection of Wetlands Determination is available online at <https://www.rebuild.nc.gov/about/plans-policies-reports/environmental-reviews>. Documents may also be viewed in person by appointment only at: NCORR, 200 Park Offices Drive, Durham, NC 27709. Call (984) 833-5350 to make an appointment.

Further information may be requested by writing to the above address, emailing publiccomments@rebuild.nc.gov or calling (984) 833-5350. This combined notice is being sent to individuals and groups known to be interested in these activities, local news media, appropriate local, state and federal agencies, the regional office of the U.S. Environmental Protection Agency having jurisdiction, and the HUD Field Office, and is being published in a newspaper of general circulation in the affected community.

Public Comments on the Proposed Activity within Floodplain and Wetland, FONSI and/or NOIRROF: Any individual, group or agency may submit written comments on the Proposed Activity. The public is hereby advised to specify in their comments which “notice” their comments address. Comments should be submitted via email, in the proper format, on or before August 3, 2023 at publiccomments@rebuild.nc.gov. Written comments may also be submitted by mail, in the proper format, to be received on or before August 3, 2023, and addressed to: Laura Hogshead, Director, NCORR, ATTN: St. Pauls Flood Improvements Project, P.O. Box 110465, Durham, NC 27709. All comments must be received on or before August 3, 2023 or they will not be considered.

If modifications result from public comment, these will be made prior to proceeding with the submission of a request for release of funds.

REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION

On or after August 4, 2023, the NCORR certifying officer will submit a request and certification to HUD for the release of CDBG-MIT funds as authorized by related laws and policies for the purpose of undertaking this project under the North Carolina CDBG-MIT Infrastructure Recovery Program.

NCORR certifies to HUD that Laura Hogshead, in her capacity as Certifying Officer, consents to accept the jurisdiction of the U.S. federal courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows NCORR to use CDBG-MIT program funds.

Objection to Release of Funds: HUD will accept objections to its release of funds and NCORR's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later). Potential objectors should contact HUD or the NCORR Certifying Officer to verify the actual last day of the objection period.

The only permissible grounds for objections claiming a responsible entity's non-compliance with 24 CFR Part 58 are: (a) certification was not executed by NCORR's Certifying Officer; (b) the responsible entity has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before HUD's release of funds and approval of environmental certification; or (d) another federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR 58.76) and shall be addressed to Tennille Smith Parker, Director, Disaster Recovery and Special Issues Division, Office of Block Grant Assistance, U.S. Department of Housing & Urban Development, 451 7th Street SW, Washington, DC 20410, Phone: (202) 402-4649, or emailed to disaster_recovery@hud.gov.

Laura Hogshead
Certifying Officer
July 19, 2023