

**DARLINGTON COUNTY  
TIERED ENVIRONMENTAL  
BROAD REVIEW  
for the  
HURRICANE FLORENCE  
SINGLE-FAMILY HOUSING  
PROGRAM**

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**March 2021**

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**SOUTH CAROLINA DISASTER RECOVERY OFFICE  
a division of the OFFICE OF RESILIENCE**



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## NEPA Compliance Document

An environmental review is the process of reviewing a project and its potential environmental impacts to determine whether it complies with the National Environmental Policy Act (NEPA) and related laws and authorities. All HUD-assisted projects are required to undergo an environmental review to evaluate environmental impacts. The analysis includes both how the project can affect the environment and how the environment can affect the project, site, and end users.

Under HUD regulation 24 CFR 58.4, the South Carolina Disaster Recovery Office (SCDRO) has assumed HUD's environmental review responsibilities. The environmental review procedures for entities assuming HUD's environmental responsibilities implementing regulations are contained in 24 CFR 58. This Tiered Environmental Broad Review contains a Broad Review, written strategy, and site-specific review which will be used to determine environmental conditions at each project site. All relevant parts of the Environmental Review Record (ERR) will be completed before committing funds to any one project site (24 CFR 58.22).

For any questions or concerns related to this project  
or the environmental review, please contact:

**Eric Fosmire, Legal Director  
South Carolina Disaster Recovery Office  
632 Rosewood Drive, Columbia, SC 29201  
or by email at [eric.fosmire@admin.sc.gov](mailto:eric.fosmire@admin.sc.gov)**

***“one team, one mission”***

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## Change Log for Re-Evaluation of Tiered Environmental Review

Date	Tier I Section	Summary
2/22/2021	Request for Release of Funds	Inserted signed RROF Certification package as submitted to HUD on 2/12/2021.
3/23/2021	Project Location	County overview map inserted.
3/23/2021	Record of Comments and Responses	Added early floodplain comments and responses.
3/23/2021	List of Sources, Agencies and Persons Consulted	Added the list of agencies and persons consulted.
3/23/2021	Mitigation Measures and Conditions	Added a historic preservation condition regarding the finding of archaeological materials during construction.
3/23/2021	Site Specific Environmental Review Strategy	Updated regulatory agencies consulted.
3/23/2021	Tier II Site Specific Environmental Review Checklist	Inserted updated Tier II checklist.
3/23/2021	Authorization to Use Grant Funds	Inserted signed cover letter and AUGF from HUD dated 3/22/2021.

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## Delegation of Authority



HENRY McMASTER  
GOVERNOR

To: All Interested U.S. Dept. of Housing and Urban Development (HUD) Parties:

From: Governor Henry Dargan McMaster

Re: Delegation of Environmental Certifying Officer Authority for HUD Community Development Block Grant – Disaster Recovery (CDBG-DR), HUD Community Development Block Grant - Mitigation (CDBG-MIT), and other HUD Disaster Recovery Environmental Documents

Date: 7 January 2021

Benjamin I Duncan, II, Program Management Director of the South Carolina Disaster Recovery Office (SCDRO) of the South Carolina Office of Resilience, is designated as the Environmental Certifying Officer for South Carolina's CDBG-DR, CDBG-MIT, and any other HUD disaster recovery program. In addition, due to the volume of the environmental documents that require a signature by the Certifying Officer for the State of South Carolina's CDBG-DR, CDBG-MIT, or other HUD disaster recovery programs, I also designate Eric G. Fosmire, SCDRO Legal Director, as a second certifying officer. Director Duncan and Mr. Fosmire may sign any environmental review record associated with HUD CDBG-DR grant numbers B-16-DH-45-0001, B-16-DL-45-0001, B-19-DV-45-001, B-19-DV-45-002, and HUD CDBG-MIT grant number B-18-DP-06-0002. Director Duncan and Mr. Fosmire may also serve as Certifying Officers for environmental review records for any future HUD CDBG-DR, CDBG-MIT, or other HUD disaster recovery grants the State of South Carolina may receive. Mr. Fosmire will represent the responsible entity and will be subject to the jurisdiction of the Federal courts as specified in 24 C.F.R Part 58, Section 58.13.

**Responsible Entity, Representative's Information/Certification:**

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

Hon. Henry Dargan McMaster, Governor, South Carolina

*Henry S. McMaster*  
Signature

*January 7, 2021*  
Date

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# Re-Evaluation of Tiered Environmental Review

## Letter of Re-Evaluation of Environmental Finding

Date: February 10, 2021

To: SCDRO Hurricane Florence Single-Family Housing Program – Environmental Review Record

RE: Re-Evaluation of the Tier I Broad Environmental Review Record (ERR)  
Community Development Block Grant - Disaster Recovery (CDBG-DR) Program  
B-16-DH-45-0001 – 2015 Severe Storms and Flooding  
B-16-DL-45-0001 – Hurricane Matthew (2016)  
B-19-DV-45-0001 / B-19-DV-45-0002 – Hurricane Florence (2018)

This letter serves to notify the Community Development Block Grant - Disaster Recovery (CDBG-DR) Program that the South Carolina Office of Resilience, Disaster Recovery Office (SCDRO) has re-evaluated the Tier I Broad Environmental Review for the current CDBG-DR Single Family Rehabilitation and Reconstruction Program for Darlington County, South Carolina. In accordance with 24 CFR 58.47, re-evaluation of environmental findings to determine if the original findings are still valid, is required when:

1. The recipient proposes substantial changes in the nature, magnitude or extent of the project, including adding new activities not anticipated in the original scope of the project;
2. There are new circumstances and environmental conditions which may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project or activity which is proposed to be continued; or
3. The recipient proposes the selection of an alternative not in the original finding.

The Tier I Broad Environmental Review for the current CDBG-DR Single Family Rehabilitation and Reconstruction Program for Darlington County, South Carolina was evaluated due to the following:

- On October 5, 2018, Public Law 115-254 was signed by the President of the United States, which provides \$1.68 billion in CDBG-DR funding for “disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared in 2018.” These funds are to be used in order to satisfy a portion of unmet need that remains after other federal assistance has been allocated. The Department of Housing and Urban Development (HUD) uses the “best available” data to identify and calculate unmet needs for disaster relief, long-term recovery, restoration of infrastructure, and housing and economic revitalization. Based on this assessment, HUD notified the State of South Carolina that it will receive an allocation of \$72,075,000 in disaster recovery funds to assist in recovery from the 2018 Hurricane Florence weather event. Section IV.B.4. of the Federal Register Notice (85 FR 4681) states, “The 2019 Appropriations Act provides that grantees that received CDBG-DR grants under Public Laws

114–223, 114–254, and 115–31 in response to Hurricane Matthew, may use those funds [...] interchangeably and without limitation for the same activities that can be funded by CDBG–DR grants in the most impacted and distressed areas related to Hurricane Florence. Additionally, all CDBG–DR grants under the 2018 and 2019 Appropriations Acts in response to Hurricane Florence may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Matthew.” Thereby changing the scope and extent of the Hurricane Matthew Housing Program beyond what was originally contemplated.

- After the Tier I publication, SCDRO performed additional consultation and correspondence with agencies and contractors to refine and improve efficiency of the Tier II environmental review procedures for certain NEPA compliance factors which prompted subsequent changes to the site-specific checklist.
- The tiered environmental reviews for housing activities in Florence, Georgetown, Horry, Darlington, and Marion counties were initially completed in November and December of 2016 pertaining to the 2015 Severe Flood and Storm and were subsequently amended to include identical housing recovery activities associated with Hurricane Matthew in July and August of 2017. As a best practice for tiered environmental reviews performed for multi-year housing programs, the original environmental review is due for a re-evaluation based upon length of time that has elapsed since the original review. Although the tiered environmental review for Housing Program Activities in Darlington County was previously completed, the re-evaluation will address the items listed above and support a consistent approach to environmental compliance at the site-specific level for all housing recovery activities. The South Carolina Disaster Recovery Office (SCDRO) was designated as the responsible entity for administering the CDBG-DR funds allocated to the State. The purpose of the CDBG-DR funded Hurricane Florence Single-Family Housing Program (the Program) is to provide urgently needed safe and sanitary housing to residents impacted by Hurricane Florence, a Presidentially Declared Disaster. As outlined in State’s HUD approved, Hurricane Florence Disaster Recovery Action Plan, financial assistance will be provided for the rehabilitation, replacement, reconstruction, elevation, demolition, and buyout of homes.

To update the Tiered Environmental Broad Review for this re-evaluation, this March 2021 version presents text revisions to incorporate property acquisition/buyout as a new activity, the consideration and integration of new alternatives into the project descriptions, updated guidance and regulatory compliance requirements and a condensed project area for environmental analysis and public comment. This document contains: a detailed re-evaluation of the Tiered Environmental Broad Review; a detailed written strategy for conducting site-specific environmental reviews post re-evaluation; the Request for Release of Funds Certification to HUD and the Authorization to Use Grant Funds; and the previous version of the Tiered Environmental Broad Review.

As each property to be served by the Hurricane Florence Single-Family Housing Program must undergo a Tier II Site-Specific Environmental Review, this re-evaluation of activities concludes that the original Finding of No Significant Impact (FONSI) as published in the Hartsville Messenger on November 30, 2016 and presented in the Tier I: Broad Environmental Review Record (ERR) dated November 17, 2016, remains valid. A Combined

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FONSI, NOI-RROF Notice for the incorporation of the property acquisition/buyout activity and the relocation services into the Program was published in the Morning News on February 15, 2021 to affirm this conclusion and support the drawdown of additional grant funding under the 2018 and 2019 Appropriations Acts in response to Hurricane Florence. The Notice will be adopted into program documents. This letter will be retained in SCDRO's Tiered Environmental Broad Review Record for the Hurricane Florence Single-Family Housing Program.

Sincerely,



Eric Fosmire  
Legal Director, South Carolina Disaster Recovery Office  
The South Carolina Office of Resilience  
632 Rosewood Drive, Columbia, SC 29201

CC: Benjamin I. Duncan II, SCDRO

## Environmental Review Record Classification and Tiering Plan

SCDRO 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 the completion of environmental compliance reviews of each individual proposed project in accordance with HUD regulations and guidance.

In consultation with HUD, SCDRO has classified the Hurricane Florence Single-Family Housing Program’s activities as requiring an Environmental Assessment (24 CFR 58.36(e)) subject to laws and authorities at 24 CFR 58.5, 24 CFR 58.6, and NEPA analysis. This Environmental Review Record (ERR) is tiered in accordance with HUD regulations at 24 CFR 58.15. The tiered approach allows environmental review and analysis to be streamlined by evaluating impacts of functionally and geographically aggregated activities for the proposed action area at a broad, or County-wide, level. In general, the Environmental Broad Review defines a Program’s action area, describes the proposed activities, and helps identify potential environmental effects of these activities as defined by NEPA compliance factors, Executive Orders, HUD environmental standards, and to identify County-wide issues of concern.

In accordance with required regulatory compliance factors, this Broad Review outlines key characteristics relative to the proposed single family home repair / rehabilitation of stick-built and manufactured housing units, reconstruction of stick-built homes, replacement of manufactured homes, and strategic buyout activities proposed in the Housing Program. It also identifies and eliminates the unnecessary and repetitive evaluation of compliance factors that will not occur at the site-specific project level due to their absence County-wide, or because the program parameters include systematic general conditions that adequately address them.

Since individual project locations have not yet been identified at this level of review, all potential environmental effects at the site-specific level cannot be evaluated. Nonetheless, the broad analysis can generally describe the environmental conditions and factors that must be considered during execution of a Program. Where compliance cannot be determined, the broad-level review must define a protocol for how compliance will be achieved at the site-specific level. This protocol should not merely state that the factor will be addressed in the site-specific review; rather, the Broad Review must define a strategy including procedures to be followed to determine compliance, mitigate impacts where possible, and dismiss sites that cannot be made compliant.

When the exact location of an individual project is identified, a site-specific review will be completed prior to committing HUD CDBG-DR funds to the project. The site-specific review will concentrate on the issues that were not resolved in the broad-level review as described in the HUD Tiered Environmental Review guidance. Using the protocols established at the broad level review, the site-specific review will determine and document the project’s adherence to all established protocols and remaining requirements and dismiss projects that cannot be made compliant. Site-specific reviews may also include direct field observation and coordination with resource agencies as necessary to determine compliance. If there are no impacts or impacts will be effectively mitigated through site-specific project conditions, then that project will proceed without further notice to the public.

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## Re-Evaluation Tier I: EA Determinations and Compliance Findings

### Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

#### Project Information

**Project Name:** Hurricane Florence Single-Family Housing Program

**Responsible Entity:** The South Carolina Office of Resilience, Disaster Recover Office (SCDRO)

**Grant Recipient** (if different than Responsible Entity): State of South Carolina

**State/Local Identifier:** B-19-DV-45-0001, B-19-DV-45-0002

**Preparer:** Karyn Desselle, HORNE, LLP

**Certifying Officer Name and Title:** Eric Fosmire, Legal Director, SCDRO

**Consultant** (if applicable): HORNE, LLP

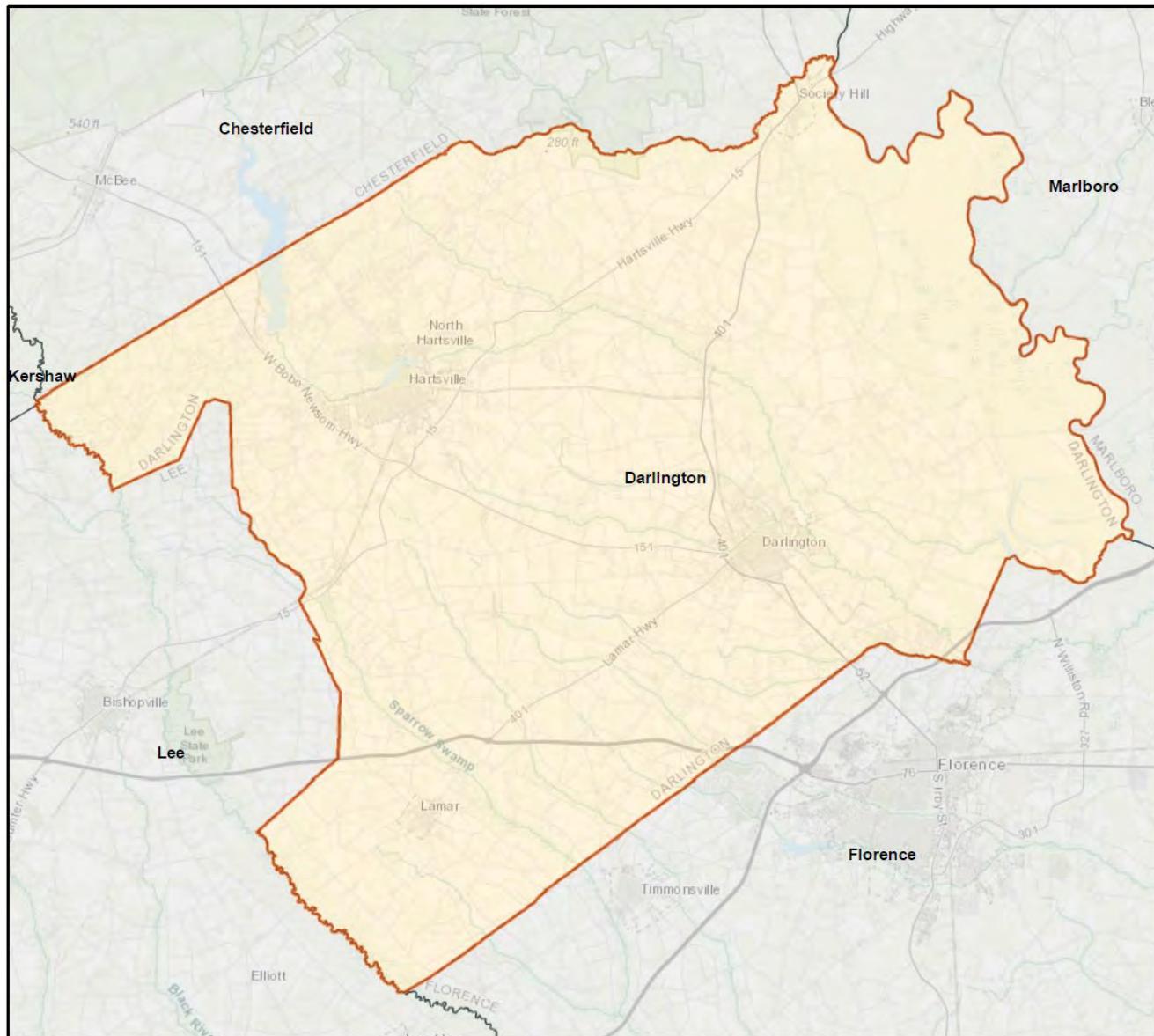
Direct Comments to: Eric Fosmire, Legal Director  
632 Rosewood Drive  
Columbia, SC 29201  
[Eric.Fosmire@admin.sc.gov](mailto:Eric.Fosmire@admin.sc.gov)

#### Project Location

The geographic scope for the Hurricane Florence Single-Family Housing activities described herein, is the jurisdictional area of Darlington County, South Carolina. Located in northeastern South Carolina, Darlington County is bordered by Chesterfield and Marlboro Counties to the north, Kershaw and Lee Counties to the west, Florence County to the south, and Marlboro County to the east. According to United States Census Bureau, American Community Survey (ACS) 2013-2017, Darlington County is home to an estimated 67,572 residents. Darlington County has a total area of 566.81 square miles (1,468 km<sup>2</sup>), of which 561.15 square miles (1,453 km<sup>2</sup>) is land and 5.66 square miles (14.7 km<sup>2</sup>) (1%) is water.

# County Overview - Darlington County

## Hurricane Florence Single-Family Housing Program



 HORNE



0 4 8 Miles

 County Boundary

Sources: County boundaries obtained from  
US Census Bureau. ESRI Imagery  
Basemap service.

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## Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]

The Program will assist owners of single-family properties in the eight (8) disaster declared counties: Chesterfield, Darlington, Dillon, Florence, Georgetown, Horry, Marlboro and Marion. While the program strives to fund as many eligible projects as funding will allow, current estimates indicate that the program will fund approximately 500 single-family repair / replacement / reconstruction projects, 15 rental repair projects and 50 homeowner buyouts across all eight (8) counties.

The State's Action Plan has outlined the following as eligible housing program activities:

1. Repair/Rehabilitation of existing single-family housing (stick-built or manufactured)
2. Replacement of damaged Manufactured Housing Units (MHUs) deemed unrepairable
3. Reconstruction of stick-built single-family homes deemed unrepairable
4. Limited Relocation Assistance (to be considered on a case-by-case basis)
5. Repair of stick-built single-family (1-4 unit) rental properties
6. Acquisition/Buyout and conversion to green space

During the execution of these activities, as needed and appropriate, identification of opportunities for mitigation enhancement measures, improvement of resilience, ancillary improvements such as elevation and access ramps, and assistance to applicants in completing program applications.

For the purposes of performing the required CDBG-DR environmental review, each single-family project (program activities) will be categorized as one of the following Proposed Actions:

**Proposed Action 1: 'Rehabilitation'** – Repair / rehabilitation of an existing stick-built, single-family structure (rental or owner-occupied) on a previously disturbed parcel. All activities will be limited to the existing footprint of the extant structure and associated utilities.

**Proposed Action 2: 'Rehabilitation and Elevation'** – Repair / rehabilitation and elevation of an existing stick-built, single-family structure on a previously disturbed parcel, as required by NFIP and program guidelines.

**Proposed Action 3: 'MHU Replacement'** – Replacement of an existing manufactured home on a previously disturbed parcel. MHU will be demolished/removed and a new MHU installed in the same location, within the disturbed area associated with the damaged structure.

**Proposed Action 4: 'MHU Replacement and Elevation'** – Replacement and elevation/structural reinforcement of an existing manufactured home on a previously disturbed parcel. MHU will be demolished/removed and a new MHU installed in the same location, within the disturbed area associated with the damaged structure. The new MHU will be elevated and/or installed with appropriate structural reinforcement, as required by NFIP and program guidelines.

**Proposed Action 5: 'Stick-Built Reconstruction'** – Reconstruction of an existing stick-built, single-family structure on a previously disturbed parcel. The damaged structure will be demolished, and a new structure will be constructed in the same location, within the disturbed area of the parcel associated with the damaged structure.

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**Proposed Action 6: ‘Stick-Built Reconstruction and Elevation’** – Reconstruction and elevation of an existing stick-built, single-family structure on a previously disturbed parcel. As required by NFIP or program guidelines, the new structure may be elevated. The damaged structure will be demolished, and a new elevated structure will be constructed in the same location, within the disturbed area of the parcel associated with the damaged structure. The structure will be elevated in accordance with NFIP and program guidelines.

**Proposed Action 7: ‘Acquisition/Buyout’** – Acquisition/Buyout of damaged single-family properties within the 100-year floodplain. Once acquired and once all utilities have been secured, damaged structure(s) will be demolished, and the site will be cleared of all debris. Properties will then be converted to green space in perpetuity. This activity will be limited to properties located in the most impacted and distressed counties: Dillon, Horry, and Marion.

South Carolina will implement construction methods that emphasize quality, durability, energy efficiency, sustainability, and mold resistance. All rehabilitation, reconstruction, and replacement will be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future disasters.

Where feasible, the State will follow best practices such as those provided by the U.S. Department of Energy's Guidelines for Home Energy Professionals. For all new construction or for substantially rehabilitated structures, the State will require construction to meet ENERGY STAR certification standards.

To the most practical extent feasible, the State will follow the HUD CPD Green Building Retrofit Checklist guidelines and apply them to rehabilitation work undertaken to include the use of mold resistant products when replacing surfaces such as drywall. When older or obsolete products are replaced as part of rehabilitation work, the State will use products and appliances with ENERGY STAR labels, Water Sense labels or Federal Energy Management Program (FEMP) designations.

South Carolina will also monitor construction results to ensure the safety of residents and the quality of homes assisted through the program. All single family, rental and mobile homes repaired must comply with the current HUD Housing Quality Standards (HQS). In addition, SCDRO has coordinated with DHEC to ensure applicants are aware of the risks associated with mold and take steps to limit the impact of any mold issues that may arise.

Furthermore, SCDRO will implement resilient practices to ensure the viability, durability, and accessibility of replacement mobile homes.

- Although some local building codes allow installation of Wind Zone I rated mobile homes, SCDRO will only utilize mobile homes with a minimum wind rating of HUD Wind Zone II or higher (able to withstand winds up to 100 MPH).
- SCDRO will adopt the 5'7" rule, prohibiting the installation of mobile homes elevated 5'7" above grade without appropriate structural reinforcement.

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## **Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]**

In September 2018, South Carolina was impacted by hurricane storm surge, high winds, tornados, and flash flooding from Hurricane Florence as it made landfall near Wrightsville Beach, North Carolina Sept. 14, 2018 as a Category 1 hurricane. After landfall, Florence stalled briefly and then began a slow southwestward track over South Carolina as it weakened to a tropical storm, bringing tropical storm force wind gusts and heavy rains to eastern parts of the state. Nearly half of the state of South Carolina experienced prolonged power outages, flooding and other obstacles in the days and weeks that followed Hurricane Florence; however, the storm's impacts were most acutely felt east of Interstate 95 and north of Interstate 26, where significant flooding, hurricane force winds, tornadoes and coastal storm surges claimed four lives and caused extensive damage to infrastructure, homes, and businesses; resulting in eight (8) counties being eligible for Individual Assistance under the Presidential disaster declaration FEMA DR-4394 issued September 16, 2018. The State of South Carolina received a Community Development Block Grant Disaster Recovery (CDBG-DR) allocation from Housing and Urban Development (HUD), under the 2018 and 2019 Supplemental Appropriations for Disaster Relief Acts in response to Hurricane Florence. To assist the most vulnerable populations in their recovery efforts, the State has developed a housing program to meet the housing needs as identified through the unmet needs assessment and is proposing to use CDBG-DR funds to implement the Hurricane Florence Single-Family Housing Program.

The Housing Program's goal is to provide housing that is safe, sanitary, and secure. SCDRO will accomplish this goal through the housing program, focusing on single family home repair / rehabilitation of stick-built and manufactured housing units, reconstruction of stick-built homes, replacement of manufactured homes, and strategic buyouts (further described below). SCDRO will prioritize assistance based on social vulnerability factors as outline in the South Carolina Hurricane Florence Action Plan.

## **Existing Conditions and Trends [24 CFR 58.40(a)]**

The impacts to housing from Hurricane Florence and subsequent flooding were widespread. Single-family homeowners in stick-built homes, single family homeowners in mobile homes, and renters in various types of housing stock were affected. More than 16,000 applicants filed for FEMA (IA) Individual Assistance statewide as a result of Hurricane Florence. Of those who specified housing unit type, about 76% are homeowners, including single family homes, duplex units, mobile homes and other housing types. The remaining 24% are renters, including renters of single-family homes, mobile homes, apartment units and other housing types (Hurricane Florence Action Plan). Of the 385,402 housing units in the entire impacted area (most of which are owner-occupied units), more than 75% of all housing units and an estimated 84% of rental units, were built before 1999. With much of the housing stock in the 30-year range, key systems such as electrical, roofing, water heaters and furnaces may have already cycled through a replacement lifespan in many homes. Mobile homes also contribute significantly to the housing fabric of South Carolina. Of the FEMA IA applicants in the state-assessed areas, approximately 3,847 of them reside in mobile home units. However, wind, rain, and flooding damage to mobile homes is often difficult to repair, due to the integrated nature of the building components. The unmet needs assessment also identified that mobile homes and damage to these vulnerable

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structures was concentrated in rural, non-urban areas. Mobile homes damaged in Horry, Dillon and Marion Counties combine to account for nearly 65% of the total mobile homes damaged across the state.

Furthermore, when looking at the FEMA IA applicant population, many of the applicants either reside in high vulnerability areas, as defined by High social vulnerability scores, or Medium-High social vulnerability areas. Of these residents, there are subsets of populations over the age of 65, and additionally, who are over 65 and have access and functional needs (AFN). These applicants, and those who are low-income, often have the fewest means of assistance available to them. Considering these factors, it is not surprising that many of the property owners do not have sufficient means to repair the damages caused by Hurricane Florence. Addressing the housing needs of these impacted residents is a priority to ensure housing stock is maintained and housing quality is improved. This will in turn create the foundation for livable, resilient communities.

## Funding Information

Grant Number	HUD Program	Funding Amount
B-19-DV-45-0001, B-19-DV-45-0002	Community Development Block Grant – Disaster Recovery (CDBG-DR)	\$72,075,000 (across entire 8 county program area)

Estimated Total HUD Funded Amount: \$2,883,000 (Darlington County)

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$2,883,000 (Darlington County)

## Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

In the table below, a “Yes” response below indicates that further steps are needed at the Tier II site-specific environmental review level. A “No” response indicates that the project is in compliance at the Tier I level.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	<b>Are formal compliance steps or mitigation required?</b>	<b>Compliance Determinations</b>
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b> 24 CFR Part 51 Subpart D	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>Compliance achieved at the Tier I Broad Review level, as described below.</p> <p>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). The term Civil Airport means “an existing commercial service airport as designated in the National Plan of Integrated Airport Systems prepared by the Federal Aviation Administration in accordance with section 504 of the Airport and Airway Improvement Act of 1982.” ‘Commercial service airports’ are publicly owned airports with at least 2,500 annual enplanements (passenger boardings) and scheduled air carrier service (§47102(7)). 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).</p> <p>There are six (6) civil airports, and five (5) military airfields in South Carolina, one of which is joint use (civil and military). Additionally, there are 3 civil airports and 1 military airfield in neighboring areas of North Carolina. None of the civil airports are within 2,500 feet of, nor are the military airfields within 15,000 feet of, any area of Darlington County. Therefore, for</p>

		projects located within Darlington County will not require site-specific review.
<b>Coastal Barrier Resources</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>Compliance achieved at the Tier I Broad Review level, as described below.</p> <p>The John H. Chaffee 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 project activities proposed in the CBRS. The Coastal Barrier Resources Act (CBRA) prohibits new federal expenditures or financial assistance within System units of the CBRS. No HUD funding will be used in a Coastal Barrier Resources Area.</p> <p>South Carolina's coastline includes twenty-three CBRS Units (16 System Units and 7 Otherwise Protected Areas); however, there are no Coastal Barrier Resource Units or Otherwise Protected Areas within Darlington County (see attached Coastal Barrier Resources map); therefore, projects located within Darlington County will have no effect on any Coastal Barrier Resources.</p>
<b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>Compliance will be achieved during the site-specific review, as described below.</p> <p>Within Darlington County, approximately 53,594 acres of land (14.8% of the county's land area) are within the 100-year floodplain. Although specific project sites have not yet been identified, it is anticipated that, once identified, some of the proposed project sites may be located in the 100-year floodplain.</p> <p>All proposed projects located in the 100-year floodplain are required to comply with the Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994. Applicants will be screened prior to environmental review to determine if the property previously received federal flood disaster assistance conditioned upon obtaining and maintaining insurance and will only be allowed to proceed after providing proof of having met this requirement.</p> <p>Additionally, the Program require all assisted properties to obtain and maintain flood insurance in perpetuity; therefore, SCDRO will only provide assistance to properties in the 100-year</p>

		floodplain, where the community is participating in the National Flood Program and in good standing. At the time of this assessment, there are not any communities in Darlington County listed as not participating or not in good standing with the National Flood Program.
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## STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<p><b>Clean Air</b>            Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>Compliance achieved at the Tier I Broad Review Level, as described below.</p> <p>Section 176(c) of the Clean Air Act (CAA) requires a federal agency that funds any activity in a nonattainment or maintenance area to conform to the State Implementation Plan (SIP). There are currently two areas of the state, Cherokee County and the York County portion of the Charlotte-Gastonia-Rock Hill NC-SC nonattainment area, that are designated as 'maintenance'. The proposed project area does not include Cherokee County or York County. Therefore, conformance with the SIP is not required.</p> <p>The Bureau of Air Quality, Division of Air Assessment, Innovations, &amp; Regulation was contacted on May 8, 2018 regarding project compliance. In a response dated May 18, 2018, the Bureau indicated there were two criteria pollutants of concern in South Carolina (Ozone and Particulate Matter 2.5) and offered suggestions for reducing emissions from diesel equipment, as a way to help the state stay in compliance with NAAQS. These suggestions were incorporated into the Mitigation Measures section to be applied to all project activities.</p> <p>EPA's federal General Conformity regulation (40 CFR Part 90) implements the CAA. The General Conformity Rule requires that the direct and indirect air emissions from an action be below the de minimis levels. Proposed project activities include rehabilitation, reconstruction, and replacement of single family (1-4 unit) properties at scattered sites throughout the project area. Emissions associated with the proposed actions are limited to the 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, and therefore, in compliance with the Clean Air Act.</p>
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		<p>Radon gas has been identified by the EPA as an indoor and outdoor air quality issue. The entire 8-county program area, including Darlington County, is designated as a Zone 3, EPA's lowest potential rating, and is therefore not anticipated to pose an indoor air quality issue.</p>
<p><b>Coastal Zone Management</b> Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Compliance achieved at the Tier I Broad Review Level, as described below.</p> <p>The South Carolina Coastal Management Program was established under the guidelines of the national Coastal Zone Management Act (1972) as a state-federal partnership to comprehensively manage coastal resources. The South Carolina Coastal Zone Management Act was authorized in 1977 under SC's Coastal Tidelands and Wetlands Act (CTWA) with the goal of achieving a balance between the appropriate use, development, and conservation of coastal resources in the best interest of all citizens of the state. DHEC's Office of Ocean and Coastal Resource Management is the designated state coastal management agency and is responsible for the implementation of the state's Coastal Management Program. On January 26, 2021, the Coastal Zone Consistency Section was contacted regarding project compliance for activities related to Hurricane Florence and provided a copy of the Early Floodplain Notice. On March 2, 2021, the resource agency was provided with the combined Final Floodplain Notice, and Finding of No Significant Impact and Intent to Request Release of Funds. In a response received March 3, 2021, the Section Manager stated that no review by their program would be required because project activities are located outside of the coastal zone for South Carolina.</p> <p>The South Carolina Coastal Zone is defined in Section 3(B) of the South Carolina Coastal Management Act of 1977 as: All coastal waters and submerged lands seaward to the State's jurisdictional limits and all lands and waters in the counties of the State which contain any one or more of the critical areas. These counties are Beaufort, Berkley, Charleston, Colleton, Dorchester, Horry, Jasper, and Georgetown. The critical areas are defined in Section 3(J) as: coastal waters, tide-lands, beaches and primary ocean-front sand dunes.</p>

		Darlington County is not within the South Carolina Coastal Zone; therefore, it is not subject to the Coastal Zone Plan.
<b>Contamination and Toxic Substances</b> 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>Compliance will be achieved during the site-specific review, as described below.</p> <p>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.</p> <p>Once individual project locations are identified, a site investigation by a trained / qualified environmental professional (or professionals) using current techniques to assess for contamination is required pursuant to 24 CFR §58.5(i)(2)(iv) to assess the site for hazards and potential contamination. The EPA Envirofacts database will be queried to identify facilities near the proposed project location that have hazardous materials, contamination, toxic chemicals, gases, and radioactive substances as specified in 24 CFR 58.5(i), and all identified facilities will be reviewed for determine if the hazard poses a threat to the health or safety of the occupants or restricts property usage.</p> <p><b>Asbestos, Lead-Based Paint, and Mold</b></p> <p>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 may include lead-based paint and materials containing asbestos. These are hazardous materials that could affect the health of residents.</p> <p>All activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to:</p> <ul style="list-style-type: none"> <li>• National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145</li> <li>• National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150</li> </ul>

		<ul style="list-style-type: none"> <li>• SC Regulation 61-86.1 - Standards of Performance for Asbestos Projects</li> </ul> <p>All rehabilitation activities on housing constructed prior to January 1, 1978, must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to:</p> <ul style="list-style-type: none"> <li>• EPA's Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80(e))</li> <li>• HUD's lead-based paint regulations in 24 CFR 35(a)(b)(h)(j)(r)</li> <li>• HUD's "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing"</li> </ul> <p>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 mitigate and eliminate mold during the rehabilitation. All residential structures undergoing rehabilitation must be remediated for mold attributable to the disaster event in accordance with EPA requirements.</p>
<p><b>Endangered Species</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Compliance achieved at the Tier I Broad Review Level, as described below.</p> <p>The Endangered Species Act (ESA) and its implementing regulations provide Federal agencies with a mandate to conserve State- and Federally listed, threatened and endangered (T&amp;E) species and ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species in the wild, or destroy or adversely modify its critical habitat. The Ecological Services Program of the U.S. Fish and Wildlife Service works collaboratively with other federal agencies, industries, and other stakeholders to achieve infrastructure development goals in ways that are sustainable and compatible with the conservation of fish, wildlife, and their habitats.</p> <p>The Service's South Carolina Ecological Services Field Office (SCESFO) developed blanket authorizations for activities that routinely have minimal or no effect upon trust resources, including certain projects undertaken by the Department of</p>

Housing and Urban Development (HUD). The “U.S. Fish and Wildlife Service Clearance to Proceed with U.S. Department of Commerce, U.S. Department of Housing and Urban Development, and U.S. Department of Agriculture Projects” blanket authorization letter updated May 30, 2019, states “If the project description falls in one of the categories and the Federal agency, or their designee, determines there is no effect or impact to federally protected species or designated critical habitat, no further action is required under Section 7 of the ESA.” The ‘Description of DOC, HUD, and USDA Projects Covered’ under the blanket authorization letter includes:

*3. Construct, expand, maintain, remove, replace, or rehabilitate structures on developed or otherwise disturbed areas. Examples of developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, agricultural fields, and pasturelands. Undeveloped areas are those sites where natural vegetation dominates.*

The letter also provides guidance on the nationwide programmatic biological opinion (PBO) and the final 4(d) rule for the northern long-eared bat (*Myotis septentrionalis*, NLEB). Under the PBO and 4(d) rule, all incidental take of the NLEB is exempted from the ESA's take prohibitions under certain conditions. However, incidental take is prohibited within one quarter mile from known hibernacula and winter roost, or within 150 feet from a known maternity roost tree during the months of June and July. There are two (2) known hibernacula and one (1) known maternity roost in South Carolina; however, all of them are more than 0.25 miles outside of the project area.

The proposed project activities fall under category 3 of the blanket authorization letter. Additionally, regarding NLEB considerations, the three known hibernacula and maternity roost locations are more than 0.25 miles outside of the project area. Therefore, SCDRO has determined that the proposed project activities will have no effect or impact to federally protected species or designated critical habitat. As stated in the letter, these projects have been evaluated by the Service in accordance with ESA and NEPA, and no further action is required under section 7 of the ESA. In a separate letter dated January 28, 2021, the SCESFO concurred that the use of the blanket letter is appropriate for the intended program provided

		<p>all requirements of the blanket letter are followed. Any deviation from the requirements may require additional consultation with their office.</p>
<b>Explosive and Flammable Hazards</b> 24 CFR Part 51 Subpart C	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>Compliance will be achieved during the site-specific review, as described below.</p> <p>Hud's regulations at 24 CFR Part 51 Subpart C, require "HUD-assisted projects" to be separated from these facilities by a distance that is based on the contents and volume of the aboveground storage tank, or to implement mitigation measures. 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, activities to reconstruct, rehabilitate, or replace housing that existed prior to the disaster, where the number of dwelling units is not increased, and the activities are limited to the general area of the pre-existing footprint, are not required to apply the acceptable separation distance (ASD) standards in 24 CFR Part 51C. An ASD analysis is required if the number of dwelling units increases and / 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.</p> <p>As verified by NFPA Code Finder, with the exception of a single reference by IFGC in the City of Columbia (which is not in the project area) to NFPA (2014), the entire State of South Carolina, including the project area, has adopted and is in compliance with NFPA 58 (2017).</p> <p>Projects involving reconstruction, rehabilitation, or replacement of housing that existed prior to the disaster, where the number of dwelling units is not increased and the activities are limited to the general area of the pre-existing footprint, will not require further review for above ground storage tanks. However, projects involving a relocation of an MHU to a new location on the same property or to a different previously developed property will require further review and analysis of all ASTs identified within 1 mile of the project site.</p>

<b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>Compliance achieved at the Tier I Broad Review Level, as described below.</p> <p>Pursuant to 7 CFR § 658.3(c) the Farmland Protection Policy Act (FPPA) does not apply to the purchase, maintenance, renovation or replacement of existing structures and sites converted prior to application for HUD funding, including actions related to the construction of minor new ancillary structures, such as garages or sheds.</p> <p>Hence, the regulations to protect Farmlands do not apply to projects involving rehabilitation, reconstruction, acquisition/buyout (demolition of an existing structure), replacement of existing homes, and relocation of replacement MHUs onto previously developed lots where all existing utility connections and systems are in place, as these properties were previously converted to non-agricultural use when the initial development occurred.</p> <p>Additionally, the SC NRCS was contacted on May 8, 2018 regarding Hurricane Matthew housing program activities. A response was received on June 1, 2018 stating that, “The project [...] is in an area already in urban development or is in existing right-of-ways. There is no significant impact on Prime or Statewide Important Farmlands.”. The SC NRCS was contacted for comment regarding project compliance for activities related to Hurricane Florence in a letter dated January 26, 2021. In a response dated February 11, 2021, NRCS stated, “The proposed site may involve areas of Prime Farmland; however, we consider the location to be ‘land committed to urban development’ due to its previous development as residential areas. Due to this reason, this project is exempt from provisions of FPPA and no further consideration from protection is required. However, the Natural Resource Conservation Service (NRCS) strongly encourages the use of acceptable erosion control methods during the construction of this project.” Erosion control measures have been incorporated into the mitigation measures applicable to all project types and no significant impacts to Prime, Unique or Statewide Important Farmlands are anticipated.</p>
<b>Floodplain Management</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>Compliance will be achieved during the site-specific review, as described below.</p>

<p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Executive Order 11988: Floodplain Management requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. HUD's regulations in 24 CFR Part 55 outline HUD's procedures for complying with EO 11988. Part 55 applies to all HUD actions that could be harmed or cause harm if located in a floodplain, including but not limited to proposed acquisition, construction, demolition, improvement, disposition, and financing actions under any HUD program.</p> <p>In Darlington, approximately 53,594 acres of land (14.8% of the county's land area) are within the 100-year floodplain. Although specific project sites have not yet been identified, the Program will repair, reconstruct, or replace single-family housing, some of which, may be located in the 100-year floodplain. Additionally, under limited circumstances, the Program will acquire damaged single-family residential properties in the 100-year floodplain in accordance with program guidelines, which will then be demolished and converted to greenspace in perpetuity.</p> <p>For activities that occur outside of the 100-year floodplain (i.e., in Zone X or Shaded X), no further compliance with this part is required. Additionally, acquisition / buyout activities are exempt under 24 CFR §55.12(c)(3) "financial assistance restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, but only if: (i) The property is cleared of all existing structures and related improvements; (ii) The property is dedicated for permanent use for flood control, wetland protection, park land, or open space; and (iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetland from future development."</p> <p>HUD financial assistance is prohibited in floodways unless an exception in section 55.12(c) applies or the project is a functionally dependent use (e.g. dams, marinas, and port facilities) or a floodplain function restoration activity. Therefore, proposed project sites located in Floodways are only eligible for acquisition / buyout assistance, through which the property will be converted to greenspace in perpetuity.</p>
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		<p>In accordance with 24 CFR 55.20, the 8-Step Decision Making Process for Darlington County was completed in March 2021, in consideration of housing program activities related to Hurricanes Matthew and Florence, specifically, rehabilitation, reconstruction, replacement, relocation, and acquisition / buyout of homes located in the 100-year floodplain. The Early and Final Floodplain Notices were published in the Morning News on January 27, 2021 and February 15, 2021, respectively, and provided to FEMA and other interested agencies and stakeholders. Once the required public comment periods have been met, all substantive comments will be responded to and documented herein prior to the request or obligation of funds for any construction activities.</p> <p>All projects located within Flood Zones A and V, will be required to comply with Federal, state, and local floodplain management regulations including elevation and mandatory flood insurance in these zones. Projects involving new construction (reconstruction or replacement), repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least two feet above the 1-percent annual floodplain elevation utilizing the advisory base flood elevation. All participants in the program whose property is in the 100-year floodplain shown on the effective Flood Insurance Rate Map (FIRM) or Preliminary FIRM as Best Available Data must carry flood insurance on the subject structure in perpetuity; and in the case of "Coastal High Hazard" areas ("V" zones on the latest (most recent) FEMA-issued maps), that the applicant adhered to construction standards, methods and techniques as required by HUD Regulation 24 CFR Part 55.1 (c)(3). When followed, these regulations will reduce the threat of flood damage to the homes located in the floodplain. The new elevation levels, which applicants are required to adhere to when considering reconstruction or rehabilitation of their substantially damaged properties, represent the best available data and are assumed to advance floodplain management efforts in the impacted counties.</p>
<b>Historic Preservation</b> National Historic Preservation Act of 1966,	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Compliance will be achieved during the site-specific review, as described below.

<p>particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, requires the lead federal agency with jurisdiction over a federally funded or federally licensed activity to consider impacts to historic properties before approving a project. The HUD Addendum to the South Carolina Programmatic Agreement (PA) among the Federal Emergency Management Agency, The South Carolina State Historic Preservation Officer, The South Carolina Emergency Management Division, and Tribes Participating as Invited Signatories to include the South Carolina Disaster Recovery Office and Participating South Carolina Units of General Local Government, was executed on November 16, 2016. The PA guides the review and consultation process for compliance with Section 106 of the NHPA.</p> <p>In an email correspondence dated October 18, 2016 regarding the preceding housing program, South Carolina Department of Archives and History provided the following clarifications and guidance, “Rehabilitation and Reconstruction of Single-Family Homes: Rehabs of buildings less than 45 years old would be excluded per I.B.1 of the FEMA PA. Otherwise, other specific rehab activities can be excluded primarily under II.’s Tier Two Allowances, regardless of building age. Demolition and/or Reconstruction to buildings less than 45 years old would be excluded per II.B.11. If a building is well over 45 years old and its activities (rehab, demolition and/or reconstruction) are not excluded from review per the Allowances then standard Section 106 consultation is recommended.”</p> <p>“Replacement of MHU’s: These would also be addressed by the above citations. However, while the FEMA PA does not specifically address MHU’s (i.e. mobile homes), our office has no concerns with repairs to, or demolition or replacement of any MHU, regardless of age. Consultation with our office for MHU projects is not necessary.”</p> <p>All properties will be reviewed under Section 106 of the National Historic Preservation Act on a site-specific basis. If the proposed project activities do not meet one of the above exceptions or fall within any of the first- or second-tier allowances in the PA, consultation with the SHPO will be required.</p>
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<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Compliance achieved at the Tier I Broad Review Level, as described below.</p> <p>HUD's noise standards may be found in 24 CFR Part 51, Subpart B. Consideration of noise applies to the acquisition of undeveloped land and existing development as well. For proposed new construction in high noise areas, the project must incorporate noise mitigation features.</p> <p>Acquisition / buyout (Proposed Action 7) involves demolition and conversion to greenspace in perpetuity, which will not result in a noise sensitive land use.</p> <p>Construction activities may cause temporary noise level increases. These will be mitigated by complying with local noise ordinances. HUD has determined that noise abatement and control is not applicable to a disaster recovery program which meets the definition under 24 CFR 51.101(a)(3): "The policy does not apply to...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." Rehabilitation, reconstruction, and replacement (Proposed Actions 1 – 6) fit this definition and will not require further review.</p> <p>Although a relocated replacement MHU may be in a 'new' location, per program requirements, the home must be placed on an existing residentially developed MHU lot –thus the 'new' location is actually a previously existing noise-sensitive (residential) land use, and also fits the definition above.</p>
<p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Compliance achieved at the Tier I Broad Review Level, as described below.</p> <p>Compliance is met. There are no Sole Source Aquifers or aquifer recharge zones in the State of South Carolina. The nearest aquifers are the Volusia-Floridan Aquifer in Florida and the Columbia and Yorktown-Eastover Multi-Aquifer System in the northeast. Therefore, project activities will have no impact on these resources and no further review is required.</p>

<p><b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Compliance will be achieved during the site-specific review, as described below.</p> <p>Executive Order 11990: Protection of Wetlands requires Federal activities to avoid adverse impacts to wetlands where practicable. Based on a review of the National Wetlands Inventory data, there are wetlands throughout the program area and it is assumed that at least some of the proposed project sites will intersect with NWI-mapped wetlands. All projects that involve new construction (as defined in Executive Order 11990), expansion of a building's footprint, or ground disturbance will be evaluated to determine if the project site is located in or adjacent to a wetland (per NWI and verified by site reconnaissance and the presence of wetland indicators) are required to obtain any necessary permits as required by the Corps and are subject to processing under 24 CFR 55.20 (unless an exemption applies). If approved by the USACE, the project will proceed and will be required to comply with permit and mitigation requirements.</p> <p>Based on a review of the National Wetlands Inventory data, there are wetlands throughout the program area and it is assumed that at least some of the proposed project sites will intersect with NWI-mapped wetlands. Projects that involve new construction (as defined in Executive Order 11990), expansion of a building's footprint, or ground disturbance in a wetland (per NWI and verified by site reconnaissance and the presence of wetland indicators) are required to obtain any necessary permits as required by the Corps and are subject to processing under 24 CFR 55.20 (unless an exemption applies).</p>
<p><b>Wild and Scenic Rivers</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Compliance achieved at the Tier I Broad Review Level, as described below.</p> <p>The Wild and Scenic Rivers Act created the National Wild and Scenic Rivers System (NWSRS) 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 NWSRS includes, designated Wild and Scenic Rivers, Study Rivers and the National Rivers Inventory. 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.</p>

		<p>Boundaries for protected rivers generally extend one-quarter mile from either bank in the lower 48 states.</p> <p>South Carolina has approximately 29,898 miles of river, of which 41.9 miles are designated as wild &amp; scenic. The Chattooga River is the only river in South Carolina that is designated as wild and scenic. The Nationwide Rivers Inventory (NRI) is a listing of more than 3,400 free-flowing rivers or river segments in the US that are 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 mitigate actions that would adversely affect one or more of the NRI segments. There are ten (10) NRI segments located within the program project area.</p> <p>A request for comment was submitted to the National Park Service on May 8, 2018 in regard to Hurricane Matthew housing activities. No response was received.</p> <p>Based on the distance and the general location of the project sites within the project area, the Program will not impact a designated Wild and Scenic River or Study River. Project activities will not include any water resources projects that require Section 404 permits (dams, water diversion projects, bridges, roadway construction or reconstruction, boat ramps, etc.). Additionally, the proposed project activities are limited to reconstruction, rehabilitation, or replacement of existing housing, and any ground disturbance would be limited to the disturbed area of the previously developed lot and therefore, are not likely to have an adverse effect on the natural, cultural, and/or recreational values of an NRI segment.</p>
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## ENVIRONMENTAL JUSTICE

<b>Environmental Justice</b> Executive Order 12898	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>Compliance will be achieved during the site-specific review, as described below.</p> <p>Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations" (2/94) requires certain federal agencies, including HUD, to consider how federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and low-income populations.</p>
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The proposed activities would encourage people in the areas most affected by Hurricane Matthew and Florence 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, 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. As required by HUD per the federal register notice, low- to moderate-income households will receive at least 70% of the proposed Program funding, many of which are also minorities.

While the program's intent is to beneficially impact these populations, any adverse environmental impacts that may be identified during the site-specific environmental review, could result in an unintended disproportionate, adverse impact. Therefore, Environmental Justice will be analyzed at the site-specific level once all sections of the Tier II Site-Specific Environmental Checklist are completed to determine if the project may adversely impact a low-income or minority population.

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## Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	<p>The project would rehabilitate, reconstruct, replace, elevate existing homes (including slum or blight) to homes meeting current local plans and zoning ordinances. This will restore habitable housing to neighborhoods impacted by Hurricanes Matthew and Florence. Housing will remain in existing residential-use areas. Acquisition / buyout will be limited to properties where floodplains and floodways have resulted in repetitive flood loss, such that the land is no longer considered to be compatible with the existing residential development and the conversion to greenspace aligns with land use plans. The programs would not increase the number of homes existing from before the storm, therefore it would not have an urbanizing effect on rural zones. Contractors will obtain appropriate permits and will comply with City and County zoning ordinances as applicable.</p> <p>Project activities will involve existing residential structures and will conform to local zoning bylaws, ensuring compatibility in setbacks and scale with adjacent buildings. All rehabilitation and reconstruction of structures located in, or contributing to, existing or eligible historic districts, or which are deemed individually eligible, will be designed and constructed in a manner that maintains the historic integrity of the</p>

		structure or district, including obtaining a Certificate of Appropriateness, when required.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p><b>Soil Suitability:</b> Any problems involving unsuitable soils on the proposed work sites were dealt with when the homes, to be renovated or rebuilt, were originally constructed. Therefore, unsuitable soils are not expected to cause problems for the proposed project. If unsuitable soils have caused structural problems for any of the existing or previous homes on the project sites, this would generally be addressed during the local permitting process. Soils will be adequately prepared for construction activity.</p> <p><b>Slope:</b> The proposed project activities are not anticipated to have significantly alter the slope of any project site. Minor adjustment to soil slope may result for properties requiring soil amendment or preparation for stilts and associated footings. However, impacts to slope within a localized area on a property would be considered negligible.</p> <p><b>Erosion:</b> The proposed activities will occur in substantially within the same footprint or on previously developed lots, would not involve placement of significant amounts of fill or creation of significant expanses of bare soil, and therefore, would have little potential to cause significant erosion. For project sites located in close proximity to wetlands, best management practices will be implemented to protect the wetlands from sedimentation caused by erosion. Proximity of wetlands would be determined on a site-specific basis.</p> <p><b>Drainage / Storm Water Runoff:</b> Reconstruction, replacement and rehabilitation of existing single-family residential structures will not significantly alter the structure's footprint and should have no significant impact on the direction or volume of storm water runoff or storm water collection systems. All sites will be evaluated for the need to comply with storm water permitting requirements, general permitting requirements, or local Municipal Separate Storm Sewer Systems (MS4) permits. If multiple adjacent sites are worked on, the sites will be aggregated for the purposes of construction storm water compliance.</p>
Hazards and Nuisances including Site Safety and Noise	1	Construction activities may result in temporary sidewalk closures, fugitive dust and noise, which would be addressed under existing regulations governing construction activities in South Carolina, Darlington County, and local municipalities. Each site will be assessed during the site-specific review to determine if the site is impacted by hazards, nuisances or threats to the safety of future residents of the property. If a site is determined to be impacted by nuisances, site safety

		<p>issues or hazardous materials; these items are required to be sufficiently mitigated prior to the project being implemented in order to minimize the risks residents, construction workers and the public.</p> <p>Contractors will be required to comply with the applicable local/county noise ordinances. Construction noise impacts will be mitigated by restricting construction activities to daylight hours.</p>
Energy Consumption	1	<p>Energy consumption would occur via the use of construction equipment and the shipment of materials required for the proposed projects. Current municipal and county energy networks are sufficient to accommodate the demand, which is intended to restore residential levels to those existing prior to the disaster. However, the program would not expand the housing stock relative to conditions prior to Hurricanes Matthew &amp; Florence, potentially resulting in an increase in long-term energy consumption, and may even reduce long-term energy consumption as rehabilitated and reconstructed homes would be more energy efficient as a result of the program due to incorporation of energy efficient building materials and practices.</p>
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	1	<p>The proposed project would support positive employment and income patterns. In the short term, program construction activities will add temporary construction jobs to the local economy. In the long-term employment and income patterns are expected to return to pre-disaster levels as residents that are currently displaced, are able to return to their communities, restoring their ability to work at their previous employment.</p>
Demographic Character Changes, Displacement	2	<p>The proposed project activities will not alter the demographic character of the area. The occupants of disaster damaged properties will be the same occupants that resided in the area prior to disaster. While relocation of replacement MHUs to new locations has the potential to alter demographics, the impacts are anticipated to be negligible as relocations would occur within the same community. No significant impacts would occur to the demographic character of the affected counties.</p>
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	<p>The proposed project activities would not result in adverse effects on the public schools or cultural facilities in South Carolina. In many cases, the families displaced by Hurricanes Matthew and Florence, would be able to return to their homes and also to their local school and cultural</p>

		facilities, as a result of program activities, resulting in a return to pre-disaster norms.
Commercial Facilities	1	The proposed project activities would not result in a significant direct impact on existing commercial establishments; however, returning residents would frequent commercial establishments in the neighborhood. This would be an economic benefit to all local businesses that experienced a loss in revenue since the disaster event.
Health Care and Social Services	2	The proposed project activities would not result in a significant increase in demands on social services or the health care system. The health care system load will be similar to pre-storm conditions as new residences are not being added, only existing structures are being repaired. No additional demand for health care or social services will be created by restoring housing that was previously existing in the community.
Solid Waste Disposal / Recycling	3	In the short term, project activities will generate increased quantities of solid waste from residential demolition, construction, and repair. Program contractors will be required to properly segregate and remove hazardous materials (e.g., lead-based paint and asbestos containing materials) from the property, to have dumpsters on site, and to dispose of all waste material in permitted landfill facilities, in accordance with all city, county, state and federal codes.
Wastewater / Sanitary Sewers	2	Wastewater should not be generated as a result of project activities. The reconstruction, replacement or rehabilitation of single-family residential properties would not result in increased demand on wastewater disposal/treatment services. No significant impact would occur as a result of reconstructing the residences, as the housing stock would not be increased beyond pre disaster conditions.
Water Supply	1	The proposed project will not expand the housing stock from that existing before Hurricanes Matthew and Florence. Therefore, there will not be an increased demand on potable drinking water supplies in the served communities. In rural environments individual applicants may have the option to connect to a municipal water source or to a private well on their property, but SCDRO anticipates that most program applicants will utilize the same water supply available to them before the storm. Reconstructed and rehabilitated homes may be fitted with water conserving fixtures and will likely consume less water than they consumed prior to the disaster.
Public Safety - Police, Fire and Emergency Medical	1	The proposed activities will help displaced residents return to their neighborhoods, stabilizing those neighborhoods and helping restore

		public safety. The proposed projects will serve to will rehabilitate, replace and mitigate damaged homes. Unrepaired and abandoned buildings pose increased safety and fire risks, and the program would assist in removing these potential hazards. The program would not expand the housing stock relative to conditions prior to Hurricanes Matthew and Florence and therefore would not increase demand for public safety services. Upon returning home, residents living at these properties will be within the same effective distance from emergency response as they were before the disaster.
Parks, Open Space and Recreation	2	Proposed project activities will repair, reconstruct or replace storm damaged residential structures that existed prior to the disaster, allowing displaced residents to return home and continue accessing existing open community spaces, parks and recreational facilities, potentially returning the use of these facilities to pre-storm levels. The project will not create an increased demand on these resources.
Transportation and Accessibility	2	The proposed project activities will not significantly impact traffic patterns or place a significant demand on transportation systems in the area. Population density is not expected to increase from pre-disaster levels, since proposed activities will not expand the housing stock that existed before Hurricanes Matthew and Florence and traffic volume and patterns are expected to revert to pre-storm levels. There will be a short-term increase in traffic activity due to construction-related activities, but these will be scattered throughout affected communities and are not expected to be significant. Accessibility at individual homes will be achieved through site and building improvements to comply with documented resident needs per the Americans with Disabilities Act.
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	HUD defines unique natural features as "primarily geological features which are unique in the sense that their occurrence is infrequent, or they are of special social, cultural, economic, educational, aesthetic or scientific value. Development on or near those features may render them inaccessible to investigators or visitors, or otherwise limit potential future use and appreciation of these resources. Examples of unique natural features include: sand dunes, waterfalls, unique rock outcroppings, caves, canyons, and petrified forests." The proposed project activities involve restoring privately owned, single-family housing of similar size and setback as the pre-disaster buildings; therefore, no negative impacts to unique natural features are expected.

		The project activities involve the rehabilitation, elevation or replacement of residential buildings and pose very low risk to ground water or other water resources. Through site-specific reviews, each project's potential to affect water resources will be identified, assessed and mitigated where warranted. Grant conditions will require the applicant and the contractors to meet all identified mitigation actions and applicable regulations for Clean Water Act, Wetlands Protection, Coastal Zone Management, and Floodplain Management. BMPs will be implemented at construction sites to control runoff and erosion and prevent potential ground or surface water pollution. Grant conditions will also require the applicant and the contractors to meet all City, state and federal construction regulations to control possible pollution runoff and erosion.
Vegetation, Wildlife	1	Most proposed project activities will involve rehabilitation, replacement, or reconstruction in the same location as the previous storm-damaged residence; therefore, no effect to vegetation or wildlife from these projects is anticipated. Where appropriate, the program may also acquire and convert storm-damaged properties in the 100-year floodplain, to greenspace in perpetuity. The return of the properties to natural space would have beneficial impacts to vegetation and wildlife, in addition to providing increased floodplain capacity.
Other Factors	N/A	None.

**Additional Studies Performed:** No additional studies were performed as part of this Tier I Re-evaluation of the Findings of Environmental Impacts.

**Field Inspection (Date and completed by):** Field inspections will be conducted at the site-specific level as individual project locations are identified and documented within the Tier II Site-Specific Environmental Review.

**List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:**

1. Federal Aviation Administration. National Plan of Integrated Airport Systems. Internet Website: [http://www.faa.gov/airports/planning\\_capacity/npias/](http://www.faa.gov/airports/planning_capacity/npias/)
2. Federal Aviation Administration. Report to Congress - National Plan of Integrated Airport Systems. [http://www.faa.gov/airports/planning\\_capacity/npias/reports/media/2013/npias2013Narrative.pdf](http://www.faa.gov/airports/planning_capacity/npias/reports/media/2013/npias2013Narrative.pdf)
3. United States Census Bureau. American Fact Finder. Internet Website: <http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

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4. United States Department of Agriculture. Natural Resources Conservation Service. Internet Website: <http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>
5. United States Department of Housing and Urban Development. Community Development Block Grant Program – CDBG. Internet Website: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/communitydevelopment/programs](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/programs)
6. United States Department of Housing and Urban Development. Noise Abatement and Control. Internet Website: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/environment/review/noise](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/noise)
7. United States Environmental Protection Agency. Designations for fine particulates. Internet Website: <http://www.epa.gov/pmdesignations/2006standards/final/region2.htm>
8. United States Environmental Protection Agency. Nonattainment Areas. Internet Website: <http://www.epa.gov/oaqps001/greenbk/ancl.html>
9. United States Fish and Wildlife Service. National Wetlands Inventory. Internet Website: <http://www.fws.gov/wetlands/Wetlands-Mapper.html>  
<https://www.fws.gov/ecologicaleservices/habitat-conservation/cbra/Maps/index.html>
10. United States Environmental Protection Agency. Designations for Sole Source Aquifers <https://archive.epa.gov/pesticides/region4/water/groundwater/web/html/r4ssa.html>
11. South Carolina Department of Natural Resources Flood Mitigation Program Internet Website: <http://www.dnr.sc.gov>
12. South Carolina List of At-Risk, Candidate, Endangered, and Threatened Species Internet Website: <https://www.dnr.sc.gov/species/index.html>.
13. South Carolina Ecological Services Field Office Department of the Interior - U.S. Fish and Wildlife Service. Internet Website: [https://www.fws.gov/charleston/EndangeredSpecies\\_County.html](https://www.fws.gov/charleston/EndangeredSpecies_County.html)  
[www.fws.gov/charleston/](http://www.fws.gov/charleston/) EPA Region IV Sole Source, Internet Website: <http://epa.gov/pesticides/region4/water/groundwater/web/html/r4ssa.htm>
14. South Carolina Department of Health and Environmental Control Internet Website: <http://www.scdhec.gov>  
<http://www.scdhec.gov/Agency/RegulationsAndUpdates/LawsAndRegulations/Air/>

## Agencies / Persons Consulted

The following agencies received a coordination letter with the Early Floodplain Notices as published on January 27, 2021.

Resource TOPIC	CONTACT INFO
<b>AIR QUALITY</b>	Michael Shroup, Director Division of Compliance Management Bureau of Air Quality, DHEC 2600 Bull Street Columbia, SC 29201 <a href="mailto:shroupmd@dhec.sc.gov">shroupmd@dhec.sc.gov</a>
<b>AIRPORT HAZARDS</b>	Steven Hicks, Division Manager FAA Southern Region, Airports Division – Suite 540 1701 Columbia Avenue College Park, GA 30337 <a href="mailto:steven.hicks@faa.gov">steven.hicks@faa.gov</a>
<b>COASTAL BARRIERS</b>	Katie Niemi, Coastal Barriers Coordinator U.S. Fish and Wildlife Service Division of Habitat and Resource Conservation 4401 N. Fairfax Drive, Room 860 Arlington, VA 22203 <a href="mailto:katie_niemi@fws.gov">katie_niemi@fws.gov</a>
<b>COASTAL ZONE</b>	Chris Stout, Manager Coastal Zone Consistency Section Ocean & Coastal Resource Management, DHEC 1362 McMillan Avenue, Suite 400 Charleston, SC 29405 <a href="mailto:stoutcm@dhec.sc.gov">stoutcm@dhec.sc.gov</a>
<b>ENDANGERED SPECIES</b>	Mark A. Caldwell, Deputy Field Supervisor U.S. Fish and Wildlife Service South Carolina Ecological Services Field Office Department of the Interior - U.S. Fish and Wildlife Service 176 Croghan Spur Road, Suite 200 Charleston, SC 29407 <a href="mailto:charleston_regulatory@fws.gov">charleston_regulatory@fws.gov</a> ; <a href="mailto:mark_caldwell@fws.gov">mark_caldwell@fws.gov</a>
<b>ENVIRONMENTAL JUSTICE</b>	Tami Thomas-Burton U.S. Environmental Protection Agency, Region IV 61 Forsyth Street Atlanta, GA 30303 <a href="mailto:thomas-burton.tami@epa.gov">thomas-burton.tami@epa.gov</a>

<b>FARMLAND</b>	Ann English, State Conservationist United States Department of Agriculture Strom Thurmond Federal Building 1835 Assembly Street, Room 950 Columbia, SC 29201 <a href="mailto:ann.english@sc.usda.gov">ann.english@sc.usda.gov</a>
<b>FLOODPLAIN MANAGEMENT &amp; INSURANCE (STATE)</b>	Maria Cox, State Floodplain Coordinator SC Department of Natural Resources 1000 Assembly Street Columbia, SC 29201 <a href="mailto:CoxM@dnr.sc.gov">CoxM@dnr.sc.gov</a>
<b>FLOODPLAIN MANAGEMENT &amp; INSURANCE (FEDERAL)</b>	Stephanie Everfield, Regional Environmental Officer Department of Homeland Security FEMA Regional Environmental Office 3003 Chamblee Tucker Road – Hollins Building Atlanta, GA 30341-4112 <a href="mailto:stephanie.everfield@dhs.gov">stephanie.everfield@dhs.gov</a>
<b>FLOODPLAIN MANAGEMENT &amp; INSURANCE (MARLBORO CO)</b>	Donald Hamilton, Floodplain Administrator Marlboro County Building Code/Permit Department P.O. Box 419 Bennettsville, SC 29512 <a href="mailto:dhamilton@marlborocounty.sc.gov">dhamilton@marlborocounty.sc.gov</a>
<b>FLOODPLAIN MANAGEMENT &amp; INSURANCE (CHESTERFIELD CO)</b>	Derrick Outen, Director/ Floodplain Administrator Chesterfield County Administration Building 178 Mill Street Chesterfield, SC 29709 <a href="mailto:inspouten@chesterfieldcountysc.com">inspouten@chesterfieldcountysc.com</a>
<b>FLOODPLAIN MANAGEMENT &amp; INSURANCE (DARLINGTON CO)</b>	Julie Ritz, Floodplain Administrator Darlington County Planning Department 1 Public Square, Room 303 Darlington, South Carolina 29532 <a href="mailto:planning@darcosc.net">planning@darcosc.net</a>
<b>HISTORIC PRESERVATION</b>	Dr. W. Eric Emerson, Ph.D., State Historic Preservation Officer South Carolina Department of Archives and History 8301 Parklane Road Columbia, South Carolina 29233 <a href="mailto:EEmerson@scdah.sc.gov">EEmerson@scdah.sc.gov</a> <a href="mailto:JSylvest@scdah.sc.gov">JSylvest@scdah.sc.gov</a> Dr. Wenonah G. Haire, Ph.D., Tribal Historic Preservation Officer Catawba Indian Nation 1536 Tom Steven Road Rock Hill, SC 29730 <a href="mailto:wenonah.haire@catawba.com">wenonah.haire@catawba.com</a> <a href="mailto:bill.harris@catawbaindian.net">bill.harris@catawbaindian.net</a>

<b>HAZARDOUS FACILITIES, CONTAMINATED SITES, UST</b>	VAN KEISLER, P.G., DIRECTOR DIVISION OF COMPLIANCE & ENFORCEMENT BUREAU OF LAND AND WASTE MANAGEMENT, DHEC 2600 BULL STREET COLUMBIA, SC 29201 <a href="mailto:KEISLECV@DHEC.SC.GOV">KEISLECV@DHEC.SC.GOV</a>
<b>WATER QUALITY</b>	Heather Preston, Director Fwd: Kristy Ellenberg, Public Participation Coordinator Division of Water Quality Bureau of Water, DHEC 2600 Bull Street Columbia, SC 29201 <a href="mailto:prestohs@dhec.sc.gov">prestohs@dhec.sc.gov</a>
<b>WETLANDS</b>	CHARLESTON DISTRICT OFFICE U.S. Army Corps of Engineers 69 Haloed Avenue Charleston, SC 29403 <a href="mailto:Cesac-rd-mail@usace.army.mil">Cesac-rd-mail@usace.army.mil</a>
<b>HUD FIELD OFFICE</b>	Bradley S. Evatt, Director Community Planning and Development Disaster Recovery and Special Issues Division Strom Thurmond Federal Building 1835 Assembly Street – 13th Floor Columbia, SC 29201-2480 Via <a href="mailto:Aaron.B.Gagne@hud.gov">Aaron.B.Gagne@hud.gov</a>
<b>WETLANDS</b>	Tom McCoy, Field Supervisor Charleston Ecological Services Field Office 176 Croghan Spur Road, Suite 200 Charleston, SC 29407 <a href="mailto:thomas_mccoy@fws.gov">thomas_mccoy@fws.gov</a> ; <a href="mailto:Cesac-rd-mail@usace.army.mil">Cesac-rd-mail@usace.army.mil</a>
<b>WILD AND SCENIC RIVERS</b>	Jeffery R. Duncan, Ph.D., Southeast Regional Fishery Ecologist Wild and Scenic Rivers Coordinator National Park Service 535 Chestnut Street, Suite 207 Chattanooga, TN 37402 <a href="mailto:Jeff_Duncan@nps.gov">Jeff_Duncan@nps.gov</a>

## Record of Comments and Responses

The following comments were received in response to the agency coordination letters sent on January 26, 2021, and the Early Floodplain Notice published on January 27, 2021.

COMMENTOR	DATE / TIME	COMMENT	RESPONSE
WINSOME A. LENFERT OFFICE OF AIRPORTS FEDERAL AVIATION ADMINISTRATION	1/26/2021 7:27 PM	“Hello Fosmire I have changed positions. All coordination on matters with South Carolina should be directed to Steve Hicks, Director Airports Division Southern Region. Thank you”	Acknowledged request, provided notification letter to Mr. Hicks on 1/26/2021 7:38 PM and updated contact to Steven Hicks for future correspondence.
STEVEN E. HICKS DIRECTOR OFFICE OF AIRPORTS SOUTHERN REGION	1/26/2021 7:57 PM	“Thanks for the email. I'll take a look at it and let you know if I have any comments.”	Acknowledged.
TOM MCCOY, FIELD SUPERVISOR CHARLESTON ECOLOGICAL SERVICES, FWS	1/28/2021 11:45 AM	“Hello. Attached is the Service's letter for the above project. If you have any questions, please let us know.” Attachment: 20210201_Itr_SCFO_SCDRO_Hous ing_Program_Various.pdf	Acknowledged and incorporated concurrence letter into broad review.
JOHN D. SYLVEST PROJECT REVIEW COORDINATOR STATE HISTORIC PRESERVATION OFFICE (SHPO)	2/8/2021 9:18 AM	“Good morning, Thank you for providing your review notification for the Hurricane Florence Single-Family Housing Program. Our office concurs with the consultation approach outlined in your January 26, 2021 letter. We look forward to the continuance of our positive consultation together. Regards,”	Acknowledged.
HEATHER PRESTON WATER QUALITY DIVISION DIRECTOR S.C. DEPT. OF HEALTH & ENVIRONMENTAL CONTROL	1/27/2021 7:50 AM	“Good Morning! I have forwarded you request to Kristy Ellenberg who is copied on this response. She currently handles these requests for the agency. Thanks!”	Acknowledged and updated contact to Kristy Ellenberg for future correspondence.

JEFFREY R. DUNCAN, 1/27/2021 "I concur with the statements of Acknowledged.  
PHD. 7:34 AM your attached letter. Please feel  
REGIONAL AQUATIC free to contact me if you need  
ECOLOGIST additional assistance. Thank you for  
NATIONAL PARK consulting with the National Park  
SERVICE Service."

### **List of Permits Obtained:**

All necessary permits will be obtained at the site-specific level.

## **Public Outreach [24 CFR 50.23 & 58.43]:**

## Agency Correspondence Letters, Sent October 11, 2016

Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain, published on January 27, 2021  
Final Notice and Public Explanation of a Proposed Activity in a 100-year Floodplain, published on February 15, 2021.

Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds, published on February 15, 2021.

## **Cumulative Impact Analysis [24 CFR 58.32]:**

The federal Council on Environmental Quality's (CEQ) regulations implementing the procedural provisions of the National Environmental Policy Act (NEPA), set forth at 40 CFR Part 1508.7, require federal agencies to consider the environmental consequences of their actions, including not only direct and indirect effects, but also cumulative effects. Cumulative impacts result from the incremental consequences of an action (the Proposed Action) when added to other past, present, and reasonably foreseeable future actions (40 CFR 1508.7).

The cumulative effects of an action may be undetectable when viewed in the individual context of direct and even indirect impacts, but nevertheless can eventually lead to a measurable environmental change. Based upon the completion of this re-evaluation of the previous environmental assessment, environmental review of the proposed project confirms that there will be no significant changes to the existing environmental conditions across the resource categories reviewed by. The proposed project is to repair/replace homes on existing residential lots. The proposed project would have no impacts on air quality, endangered species, community noise levels, coastal barriers, sole source aquifers, wild & scenic rivers, slope, soil suitability, energy consumption, community facilities and services, transportation, and unique natural features.

The project would result in beneficial impacts to Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design; Hazards and Nuisances including Site Safety and Noise; Energy Consumption; Employment and Income Patterns; Commercial Facilities; Water Supply; Public Safety - Police, Fire and Emergency Medical; Vegetation, Wildlife.

**Alternatives** [24 CFR 58.40(e); 40 CFR 1508.9]

The following practicable alternatives to the proposed project, were identified and evaluated by SCDRO:

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I. Not implementing the proposed action in the 100-year floodplain.

Not implementing the proposed action within the 100-year floodplain would significantly inhibit the program's rehabilitation and reconstruction activities given that structures in the 100-year floodplain are significantly more likely to experience flood damage, in addition to preventing the program from addressing the housing needs of the most vulnerable and disproportionately impacted residents of South Carolina, particularly low - to moderate - income households still suffering from hurricane - related losses. Most of these residents would continue to live in the SFHA, in damaged, unsafe, and unsanitary housing. These residents would be at greater risk during future flood events, particularly if the homes do not meet current elevation requirements. Not implementing the proposed action would also prevent the program from expanding natural floodplain areas and reducing flood risks to these communities through the acquisition of damaged properties for the purpose of converting them to greenspace in perpetuity.

II. Commissioning infrastructure projects to achieve community-wide flood protection

The SCDRO also considered the alternative of commissioning flood control infrastructure projects to achieve community-wide flood protection. While these types of projects are still being considered, the SCDRO recognizes that it may take many years to study, design and implementation such projects which does not accomplish the Program's goal, and federal register directive, to primarily consider and meet the unmet housing recovery needs of these communities. Additionally, infrastructure projects can be cost-prohibitive, and typically offer only limited flood protection to a finite area and number of structures, making this an ineffective approach to flood protection given the number of projects and locations on scattered sites across an eight-county area.

III. Exclusively implement acquisition of damaged structures in the 100-year floodplain for demolition and conversion to greenspace.

In circumstances such as repetitive flood properties and structures in the floodway, acquiring damaged structures in the 100-year floodplain for the purpose of demolishing and converting the property to greenspace in perpetuity, is a highly desirable outcome from a perspective of flood risk reduction, by moving people and structures out of harm's way. Additionally, when multiple contiguous properties are converted to green space, there are several beneficial impacts including: restoring the natural value and storage capacity of the floodplain. However, to only acquire properties for greenspace conversion to the exclusion of repair, reconstruction and replacement would further reduce the availability and affordability of housing stock for the most vulnerable populations within the community. Additionally, most of these residents would continue to live in the SFHA, in damaged, unsafe, and unsanitary housing. These residents would be at greater risk during future flood events, particularly if the homes do not meet current elevation requirements. The program has opted to include this alternative within its project activities, as a means of offering assistance for properties that might otherwise not be eligible for assistance while simultaneously reducing future flood risk.

IV. Relocating all projects outside of the 100-year floodplain.

Relocating projects outside of the 100-year floodplain is another highly desirable outcome from a perspective of flood risk reduction, by moving people and structures out of harm's way. However, acquiring land for the purpose of development and relocating housing outside of the 100-year floodplain, is exorbitantly expensive

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and would vastly increase the cost of each individual housing project, thereby drastically reducing the number of projects the program could potentially fund. Additionally, SCDRO has implemented multiple disaster recovery housing programs in recent years, and repeatedly witnessed the preference of most residents to repair or rebuild their home in its current location. For these residents, relocating outside of the floodplain would negatively affect their proximity to their current employment and social network, including schools, churches, local services, neighbors, and family/relatives. SCDRO does acknowledge however, that less commonly, due to circumstances beyond the applicant's control, an applicant may be unable to receive a replacement manufactured home in the same location as their damage home. Therefore, SCDRO has opted to allow the implementation of this alternative in very limited circumstances, to be considered on a case-by-case basis.

V. Implementing the proposed action in the 100-year floodplain with hazard mitigation requirements.

The SCDRO Single-Family Housing Program is proposing to repair, reconstruct, or replace single-family housing, some of which may be located in the 100-year floodplain. Under limited circumstances, the Program will acquire damaged single-family residential properties in the 100-year floodplain in accordance with program guidelines, which will then be demolished and converted to greenspace in perpetuity or allow replacement manufactured homes to be replaced outside of the 100-year floodplain. In addition to requiring all rehabilitation projects to comply with the current HUD Housing Quality Standards (HQS), South Carolina will implement construction methods that emphasize quality, durability, energy efficiency, sustainability, and mold resistance. All rehabilitation, reconstruction, and new construction will be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future disasters. The following hazard mitigation measures will be incorporated to all projects, as applicable:

- South Carolina will implement resilient home construction standards. South Carolina will follow HUD guidance to ensure all structures, defined at 44 CFR 59.1, designed principally for residential use and located in the 1-percent annual (or 100-year) floodplain that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least two feet above the 1-percent annual floodplain elevation. Residential structures with no dwelling units and no residents below two feet above the 1-percent annual floodplain, must be elevated or flood proofed, in accordance with FEMA flood proofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above the 1-percent annual floodplain.
- The owners of all properties in the 100-year floodplain, will be required to obtain and maintain flood insurance and informed of the requirement to notify prospective future owners of the requirement to maintain flood insurance regardless of the transfer of ownership. This requirement is mandated to protect safety of residents and their property and the investment of federal dollars.

Additionally, SCDRO will implement resilient practices to ensure the viability, durability and accessibility of replacement mobile homes.

- Although some local building codes allow installation of Wind Zone I rated mobile homes, SCDRO will only utilize mobile homes with a minimum wind rating of HUD Wind Zone II or higher (able to withstand winds up to 100 MPH).

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- SCDRO will adopt the 5'7" rule, prohibiting the installation of mobile homes elevated 5'7" above grade without appropriate structural reinforcement.

**No Action Alternative [24 CFR 58.40(e)]:**

Not implementing the proposed action within the 100-year floodplain would significantly inhibit the program's rehabilitation and reconstruction activities given that structures in the 100-year floodplain are significantly more likely to experience flood damage, in addition to preventing the program from addressing the housing needs of the most vulnerable and disproportionately impacted residents of South Carolina, particularly low- to moderate-income households still suffering from hurricane-related losses. Most of these residents would continue to live in the SFHA, in damaged, unsafe, and unsanitary housing. These residents would be at greater risk during future flood events, particularly if the homes do not meet current elevation requirements. Not implementing the proposed action would also prevent the program from expanding natural floodplain areas and reducing flood risks to these communities through the acquisition of damaged properties for the purpose of converting them to greenspace in perpetuity.

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### **Summary of Findings and Conclusions:**

Under this re-evaluation of the environmental assessment of the SCDRO Single-Family Housing Program, no significant changes to existing environmental conditions will result in relation to the following impact categories implemented by HUD in response to the National Environmental Policy Act (NEPA) of 1969:

- Airports Hazards
- Coastal Barrier Resources
- Clean Air
- Coastal Zone Management
- Endangered Species
- Farmlands Protection
- Noise Abatement and Control
- Sole Source Aquifers
- Wild and Scenic Rivers

The following subject areas require Site-Specific analysis before the environmental review can be concluded as causing no significant impacts to the environment:

- Flood Insurance
- Contamination and Toxic Substances
- Explosive and Flammable Hazards
- Floodplain Management
- Historic Preservation
- Wetlands Protection
- Environmental Justice

The Tier 2 Site-Specific Review Checklist must be completed prior to any construction activities occurring on a particular site.

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## **Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

### **GENERAL ENVIRONMENTAL GRANT CONDITIONS**

All changes to the scope of work of a proposed activity, must be revised and resubmitted for reevaluation under NEPA (24 CFR 58.47).

Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.

### **HISTORIC PRESERVATION**

Ensure that the work does not diminish the historic integrity of any local historic district or historic property.

Contractor must stop work and contact SCDRO if any archaeological materials are discovered during construction.

### **FLOODPLAIN MANAGEMENT AND FLOOD INSURANCE**

All proposed reconstruction, manufactured housing replacement, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the minimum standard of Base Flood Elevation plus 2 feet or the local floodplain requirements, whichever is more restrictive.

All residences in, or partially in, the 100-year floodplain shown on the current effective FEMA Flood Insurance Rate Map must be covered by flood insurance and the flood insurance must be maintained per program guidelines.

Applications approved to build within the “Coastal High Hazard” areas (“V” or “VE” Zones shown on the current effective FEMA Flood Insurance Rate Map) must adhere to construction standards, methods, and techniques requiring a registered professional engineer to either develop, review, or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 CFR 60.3(e) as required by HUD Regulation 24 CFR 55.1(c)(3).

### **WETLANDS / WATER QUALITY**

Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters. This includes buffering and filtering runoff water and using BMPs to control nonpoint source runoff.

Soil compaction will be minimized by controlling project activities in vegetated areas, including lawns.

Protect existing drain inlets from debris, soil and sedimentation.

Protect stream, wetlands, woods and other natural areas from any unnecessary construction activities or disturbance.

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## NOISE

Outfit all heavy equipment with operating mufflers.

Comply with the applicable local noise ordinance.

## AIR QUALITY

Utilize alternatively fueled equipment when possible

Utilize emission controls applicable to the equipment

Reduce idling time on construction equipment

Minimize dust emissions through good operating practices

Retrofit, repower, or replace older and more polluting diesel construction equipment in order to satisfy clean air construction requirements, as necessary.

Use of energy-efficient doors, water heaters and HVAC units, as well as the incorporation of weatherization measures to the extent practicable.

Require an asbestos survey and project license as may be required prior to any demolition activities such as deconstruction of a building or removal of structures in the right-of-way of a road project.

## HAZARDOUS MATERIALS

Except where exempted, all activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:

- Regulation 61-86.1, Standards of Performance for Asbestos Projects,
- Occupational Safety and Health Administration (OSHA) Asbestos Standard,
- 1926.1101 and National Emissions Standards for Hazardous Air Pollutants (NESHAPS) – Asbestos.
- Applicant 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).

All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to:

- EPA's Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80(e));
- HUD's lead-based paint regulations in 24 CFR 35(a)(b)(h)(j)(r);
- HUD's "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing".
- Lead-based paint contractors must have certified personnel to supervise the proper handling of lead-based paint and proper protective equipment (respirator masks or other ventilation system) for the workers working directly with the lead-based paint.
- Post-renovation lead-specific cleaning and clearance testing are required.

Project rehabilitation and new construction shall apply appropriate materials and construction techniques to prevent radon gas contamination (<https://www.epa.gov/radon/radon-resources-builders-and-contractors>).

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Upon completion all rehabilitated residential dwellings must be free of mold attributable to the disaster event.

Comply with all laws, regulations, and industry standards applicable to aboveground and underground storage tanks.

Storage tanks installed below the base flood elevation must be watertight and must be anchored to resist floatation and lateral movement during a storm surge or other flood.

### **COASTAL ZONE**

Septic tank repair or replacement in a coastal zone will be situated as safe distance from the shoreline to ensure proper drainage and filtering of tank effluents before they reach the water's edge with special attention given in identified erosion areas.

### **NATIONAL WILD AND SCENIC RIVERS**

Contractors are required to "take care to avoid or mitigate adverse effects on the rivers identified in the Nationwide Inventory" when present in the vicinity of construction activities.

## Re-Evaluation Determination:

**Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

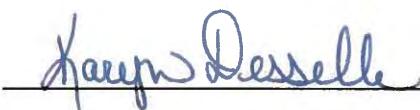
The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

### Environmental Review Preparer:

Preparer Signature:



Date: 2/10/2021

Karyn Desselle, Environmental Manager, HORNE LLP

### Responsible Entity's Certifying Officer:

Certifying Officer Signature:



Date: 2/11/2021

Eric Fosmire, Legal Director, South Carolina Office of Resilience, Disaster Recovery Office

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

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## Request for Release of Funds

### **Erich Ortlieb**

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**Subject:** FW: South Carolina CDBG-DR, B-19-DV-45-0001/B-19-DV-45-0002, Hurricane Florence, RROF  
Darlington County  
**Attachments:** HF2018.RROF.Darlington.4Mar2021.signed.pdf

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**From:** Fosmire, Eric <[Eric.Fosmire@scor.sc.gov](mailto:Eric.Fosmire@scor.sc.gov)>  
**Sent:** Thursday, March 4, 2021 4:04 PM  
**To:** Brad Evatt ([bradley.s.evatt@hud.gov](mailto:bradley.s.evatt@hud.gov)) <[bradley.s.evatt@hud.gov](mailto:bradley.s.evatt@hud.gov)>; Gagne, Aaron B <[Aaron.B.Gagne@hud.gov](mailto:Aaron.B.Gagne@hud.gov)>  
**Cc:** Duncan, Ben <[Ben.Duncan@scor.sc.gov](mailto:Ben.Duncan@scor.sc.gov)>; Karyn Desselle <[Karyn.Desselle@hornellp.com](mailto:Karyn.Desselle@hornellp.com)>; Daniel Paul <[Daniel.Paul@hornellp.com](mailto:Daniel.Paul@hornellp.com)>  
**Subject:** South Carolina CDBG-DR, B-19-DV-45-0001/B-19-DV-45-0002, Hurricane Florence, RROF Darlington County

Brad and Aaron,  
Thank you for the 03/01/2021 AUGFs for Dillon, Florence, Georgetown, Horry, and Marion counties in the above referenced grants. Today, I am submitting the RROF for Darlington county. The comment period has expired and the one comment and one request were acknowledged and require no further action.

We anticipate submitting the RROFs for Chesterfield and Marlboro counties in the near future. The required notices are out for those counties and we are in the comment period. Once the RROFs for Chesterfield and Marlboro are submitted and AUGFs later issued, we will be clear to undertake activities in all Hurricane Florence declared counties.

Please advise should you have any questions regarding the attached Darlington RROF.

Best Regards, Eric

Eric G. Fosmire  
Legal Director | Disaster Recovery Office  
**The South Carolina Office of Resilience**  
632 Rosewood Drive, Columbia, SC 29201  
803-822-9580



**South Carolina Disaster Recovery Office**  
*Office of Resilience*  
Benjamin I. Duncan II, Program Director  
632 Rosewood Drive  
Columbia, South Carolina 29201  
803.896.4068  
803.771.2887 Fax

Date: March 4, 2021

To: Mr. Bradley S. Evatt, Director  
Community Planning and Development  
Disaster Recovery and Special Issues Division  
Strom Thurmond Federal Building  
1835 Assembly Street – 13th Floor  
Columbia, SC 29201-2480

Re: Request for Release of Funds to the South Carolina Office of Resilience, Disaster Recovery  
Office (SCDRO) for Darlington County under HUD CDBG-DR Grants B-19-DV-45-0001 / B-  
19-DV-45-0002

Dear Mr. Evatt:

Enclosed please find the Requests for Release of Funds (RROF) for Darlington County in support of Hurricane Florence Single-Family Housing Program activities to be funded under HUD CDBG-DR Grants B-19-DV-45-0001 / B-19-DV-45-0002. I believe that you will find the supporting documentation to be in order. Please let me know if you have any questions or require additional information. With best regards,

Sincerely,

Eric Fosmire  
Legal Director, South Carolina Disaster Recovery Office  
The South Carolina Office of Resilience  
632 Rosewood Drive, Columbia, SC 29201

CC: Benjamin I. Duncan II, SCDRO

Enclosure:  
Darlington County RROF Certification Package

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## *Darlington County*

RROF form 7015.15

Delegation of Environmental Certifying Officer Authority

FONSI, NOI/RROF Notice Legal Affidavit (English & Spanish)

FONSI, NOI/RROF Notice Text (English)

FONSI, NOI/RROF Notice Text (Spanish)

Agency Distribution List & Record of Comments

## Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development

OMB No. 2506-0087  
(exp. 08/31/2023)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

### Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)  Community Development Block Grant-Disaster Recovery	2. HUD/State Identification Number  B-19-DV-45-0001 / B-19-DV-45-0002	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)  14.228	5. Name and address of responsible entity  Eric Fosmire, Legal Director, SCDRO 632 Rosswood Drive, Columbia, SC 29201 Eric.Fosmire@admin.sc.gov (803)822-9580	
6. For information about this request, contact (name & phone number)  Eric Fosmire (803)822-9580	7. Name and address of recipient (if different than responsible entity)	
8. HUD or State Agency and office unit to receive request  Bradley S. Evatt, Director Community Planning and Development Disaster Recovery and Special Issues Division Strom Thurmond Federal Building 1835 Assembly Street - 13th Floor Columbia, SC 29201-2480		

**The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following**

9. Program Activity(ies)/Project Name(s)  Hurricane Florence Single-Family Housing Program, Darlington County	10. Location (Street address, city, county, State)  Scattered Locations throughout Darlington County, South Carolina
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### 11. Program Activity/Project Description

Hurricane Florence resulted in substantial damages throughout Darlington County, South Carolina. Disaster Recovery Office (SCDRO) proposes to use Community Development Block Grant-Disaster Recovery (CDBG-DR) to implement the Hurricane Florence Single-Family Housing Program in Darlington County. Proposed project activities include single-family repair/rehabilitation, replacement, reconstruction, MHU relocation & acquisition/buyout on scattered sites throughout the county. Rehabilitation will involve repairing an existing stick-built, single-family structure (rental or owner-occupied) on a previously disturbed parcel, to HQS and current code and standards. All activities will be limited to the existing footprint of an extant structure and associated utilities, as well as elevation if and as required by NFIP and program guidelines. Replacement will involve demolishing/removing an existing MHU and placing a new MHU in the same location, within the disturbed area associated with the damaged structure. The new MHU will be elevated and/or installed with appropriate structural reinforcement, as required by NFIP and program guidelines. Reconstruction will involve demolition and reconstruction of an existing stick-built, single-family structure in the same location, within the disturbed area of the parcel associated with the damaged structure. The new structure will be elevated if and as required by NFIP and program guidelines. Acquisition/Buyout will involve damaged single-family properties within the 100-year floodplain. Once acquired and all utilities have been secured, the damaged structure(s) will be demolished, and the site will be cleared of all debris. Properties will then be converted to greenspace in perpetuity. A restrictive covenant will be placed on the property.

SCDRO, as the Responsible Entity, has performed an Environmental Assessment and is implementing a tiered review approach in accordance with HUD Tiering regulations at 24 CFR Part 58.15, as project locations are not known at this time. A site-specific environmental review will be completed prior to the start of construction activities occurring on a particular site. Based on the Tier I Environmental Assessment, SCDRO has determined that the project will not result in significant changes to the existing environmental conditions across the impact categories implemented by HUD in response to the National Environmental Policy Act of 1969. The proposed project will provide urgently needed safe and sanitary housing to residents impacted by Hurricane Florence, a Presidential Declared Disaster. Therefore, as in accordance with 24 CFR 58.43(a), SCDRO published a combined Final Floodplain Notice, Notice of Finding of No Significant Impact (FONSI), and Notice of Intent to Request Release of Funds (NOI/RROF) in the Morning News on February 15, 2021. The comment period ended on March 2, 2021. The comments received have been fully incorporated into the environmental review. Should the scope of work change on this project, a re-evaluation of environmental findings will be completed per 24 CFR 58.47. The publication affidavits and agency distribution list are attached.

The estimated CDBG-DR funding for the proposed project in Darlington County is \$2,883,000.

Previous editions are obsolete

Form HUD-7015.15 (1/99)

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**Part 2. Environmental Certification (to be completed by responsible entity)**

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did  did not  require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity	Title of Certifying Officer
	Eric Fosmire, Legal Director, South Carolina Disaster Recovery Office
	Date signed
	03/04/2021

Address of Certifying Officer
Eric Fosmire, Legal Director, SCDRO 632 Rosewood Drive, Columbia, SC 29201 Eric.Fosmire@admin.sc.gov (803)822-9580

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**Part 3. To be completed when the Recipient is not the Responsible Entity**

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient	Title of Authorized Officer
	
	Date signed

**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

**Darlington County: Delegation of Environmental Certifying Officer Authority**



**HENRY McMASTER**  
GOVERNOR

To: All Interested U.S. Dept. of Housing and Urban Development (HUD) Parties:  
From: Governor Henry Dargan McMaster  
Re: Delegation of Environmental Certifying Officer Authority for HUD Community Development Block Grant – Disaster Recovery (CDBG-DR), HUD Community Development Block Grant - Mitigation (CDBG-MIT), and other HUD Disaster Recovery Environmental Documents  
Date: 7 January 2021

Benjamin I Duncan, II, Program Management Director of the South Carolina Disaster Recovery Office (SCDRO) of the South Carolina Office of Resilience, is designated as the Environmental Certifying Officer for South Carolina's CDBG-DR, CDBG-MIT, and any other HUD disaster recovery program. In addition, due to the volume of the environmental documents that require a signature by the Certifying Officer for the State of South Carolina's CDBG-DR, CDBG-MIT, or other HUD disaster recovery programs, I also designate Eric G. Fosmire, SCDRO Legal Director, as a second certifying officer. Director Duncan and Mr. Fosmire may sign any environmental review record associated with HUD CDBG-DR grant numbers B-16-DH-45-0001, B-16-DL-45-0001, B-19-DV-45-001, B-19-DV-45-002, and HUD CDBG-MIT grant number B-18-DP-06-0002. Director Duncan and Mr. Fosmire may also serve as Certifying Officers for environmental review records for any future HUD CDBG-DR, CDBG-MIT, or other HUD disaster recovery grants the State of South Carolina may receive. Mr. Fosmire will represent the responsible entity and will be subject to the jurisdiction of the Federal courts as specified in 24 C.F.R Part 58, Section 58.13.

**Responsible Entity, Representative's Information/Certification:**  
Responsible Entity, representative's name, title, and organization (printed or typed):  
Hon. Henry Dargan McMaster, Governor, South Carolina

Henry D. McMaster  
Signature

January 7, 2021  
Date

STATE HOUSE • 1100 GERVAIS STREET • COLUMBIA, SOUTH CAROLINA 29201 • TELEPHONE: 803-734-2100

**Darlington County: FFP, FONSI, NOI/RROF Notice Legal Affidavits (English & Spanish)**

**Morning News**

Carolina Publishing Group

**AFFIDAVIT OF INSERTION**

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

Personally appeared before me Carrie Lynch

The legal clerk for the Morning News, a daily newspaper published in the City of Florence, County of Florence, and the State of South Carolina said that the attached advertisement was published on Carrie Lynch & 2/15/21 as shown by the files as said company.

Sworn and subscribed before me this 1 day of March, 2021

Vanessa Munn NS  
Notary Public South Carolina

Commissions expire: \_\_\_\_\_

VANESSA MUNN  
Notary Public-State of South Carolina  
My Commission Expires  
March 12, 2029

310 S. Dargan St. Florence, SC 29506 WWW.SCNOW.COM

## ***Darlington County: FFP, FONSI, NOI/RROF Notice Legal Affidavits (English & Spanish)***



**Darlington County: FFP, FONSI, NOI/RROF Notice Legal Affidavits (English & Spanish)**

**Morning News**

Carolina Publishing Group

**AFFIDAVIT OF INSERTION**

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

Personally appeared before me Carrie Lynch

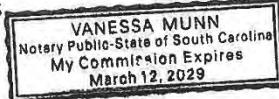
The legal clerk for the Morning News, a daily newspaper published in the City of Florence, County of Florence, and the State of South Carolina said that the attached advertisement was published on

Carrie Lynch & 2/15/21 as shown by the files as said company.

Sworn and subscribed before me this 1 day of March 2021

Vanessa Munn  
Notary Public South Carolina

Commissions expire: \_\_\_\_\_



310 S. Dargan St. Florence, SC 29506 WWW.5CNOW.COM



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**Darlington County: FFP, FONSI, NOI/RROF Notice Text (English)**

**Combined Final Notice and Public Explanation of a Proposed Activity  
in a 100-Year Floodplain and Finding of No Significant Impact and  
Notice of Intent to Request Release of Funds  
Darlington County**

February 15, 2021

South Carolina Office of Resilience, Disaster Recovery Office (SCDRO)  
632 Rosewood Drive  
Columbia, South Carolina 29201

These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by the South Carolina Office of Resilience, Disaster Recovery Office (SCDRO). The proposed activities will assist Darlington County residents affected by Hurricane Florence, a Presidentially Declared Disaster.

**REQUEST FOR RELEASE OF FUNDS**

On or about February 15, 2021, the SCDRO will submit a request to the Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant Disaster Recovery (CDBG-DR) funds under Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), as amended, and appropriated by the Supplemental Appropriations for Disaster Relief Act, 2018 (Pub. L. 115-254) and the Additional Supplemental Appropriations for Disaster Relief Act, 2019 (Pub. L. 116-20), to undertake a project known as Hurricane Florence Single-Family Housing Program (HUD CDBG-DR Grants B-19-DV-45-0001 / B-19-DV-45-0002) for the purpose of repair / rehabilitation, reconstruction, replacement and acquisition/buyout of single-family housing. SCDRO has allocated an estimated \$72,075,000 in funding for the Hurricane Florence Single-Family Housing Program across an eight (8) county area. In accordance with the requirement to expend 80% (\$57,660,000) of funds within the most impacted and distressed counties (Marion, Horry and Dillon), SCDRO estimates \$2,883,000 in CDBG-DR funding will be expended on program activities in Darlington County.

**FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN**

This is to give notice that the SCDRO has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. The activity is funded under the Hurricane Florence Single-Family Housing Program under HUD grants B-19-DV-45-0001 and B-19-DV-45-0002. The proposed project(s) are located at scattered sites that have not yet been identified in Darlington County. The project will assist the most vulnerable families in their recovery efforts, by meeting their housing needs through the repair / rehabilitation of existing single-family (1-4 unit) housing; replacement of damaged Manufactured Housing Units (MHUs); reconstruction of disaster-damaged stick-built single-family (1-4 unit) homes; limited relocation assistance on a case-by-case basis; single-family (1-4 unit) rental repair; and acquisition / buyout. While the program strives to fund as many eligible projects as funding will allow, current estimates indicate that the program will fund approximately 500 single-family repair / replacement / reconstruction projects, 15 rental repair projects and 50 homeowner buyouts across an eight (8) county area, including Darlington County.

Although developed residential properties in the 100-year floodplain typically do not contribute significantly to the function and value of natural floodplains, due to the extensive development of floodplains, it is not uncommon for areas of natural floodplains to be in close proximity, or even adjacent to, developed areas. Natural

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### **Darlington County: FFP, FONSI, NOI/RROF Notice Text (English)**

floodplains provide flood risk reduction benefits by slowing runoff and storing and conveying flood water. They also provide other benefits of considerable economic, social, and environmental value such as fish and wildlife habitat protection, natural flood and erosion control, surface water quality maintenance, groundwater discharge or recharge, biological productivity, and higher quality recreational opportunities (fishing, bird watching, boating, etc.). According to the FEMA National Flood Hazard data, approximately 53,594 acres (14.8%) of land in Darlington County, South Carolina lies within the 100-Year Floodplain also known as the Special Flood Hazard Area (SFHA). The proposed project activities will be limited to the previously disturbed area of the property and will occur on previously developed, scattered residential sites throughout Darlington County, South Carolina.

SCDRO has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:

1. Not implementing the proposed action in the 100-year floodplain. Doing so would significantly inhibit the program's rehabilitation and reconstruction activities given that structures in the 100-year floodplain are significantly more likely to experience flood damage, in addition to preventing the program from addressing the housing needs of the most vulnerable and disproportionately impacted residents of South Carolina.
2. Commissioning infrastructure projects to achieve community-wide flood protection. It may take many years to study, design and implement such projects which does not accomplish the Program's goal to primarily consider and meet the unmet housing recovery needs of these communities. Such projects can be cost-prohibitive and typically offer only limited flood protection to a finite area and number of structures.
3. Exclusively implement acquisition of damaged structures in the 100-year floodplain for demolition and conversion to green space to the exclusion of repair, reconstruction and replacement. This would further reduce the availability and affordability of housing stock for the most vulnerable populations within the community. Most of these residents would continue to live in the SFHA, in damaged, unsafe, and unsanitary housing. The program has opted to include this alternative within its project activities, as a means of offering assistance for properties that might otherwise not be eligible for assistance while simultaneously reducing future flood risk.
4. Relocating all projects outside of the 100-year floodplain. This is exorbitantly expensive and would vastly increase the cost of each individual housing project, thereby drastically reducing the number of projects the program could potentially fund. SCDRO has opted to allow this alternative in very limited circumstances, to be considered on a case-by-case basis when an applicant may be unable to receive a replacement MHU.
5. The most practicable alternative for most applicants is to implement the proposed action (repair, reconstruct, or replace single-family housing) in the 100-year floodplain with hazard mitigation requirements. This will be in compliance with state and local floodplain protection procedures. All rehabilitation projects will comply with the current HUD Housing Quality Standards (HQS). Construction methods that emphasize quality, durability, energy efficiency, sustainability, and mold resistance will be implemented. All rehabilitation, reconstruction, and new construction will be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future disasters, with the implementation of home construction standards. All residential structures located in the 100-year floodplain that receive assistance for new construction, repair of substantial damage, or substantial improvement, must be elevated with the lowest floor, including the basement, at least two feet above the 1-percent annual floodplain elevation. Residential structures with no dwelling units and no residents below

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## ***Darlington County: FFP, FONSI, NOI/RROF Notice Text (English)***

two feet above the 1-percent annual floodplain, must be elevated or flood proofed up to at least two feet above the 1-percent annual floodplain. The owners of all properties in the 100-year floodplain, will be required to obtain and maintain flood insurance and are required to notify prospective future owners of the requirement to maintain flood insurance regardless of the transfer of ownership. Additionally, SCDRO will implement resilient practices to ensure the viability, durability and accessibility of replacement mobile homes.

SCDRO has reevaluated the alternatives to building in the floodplain and has determined that while alternative five is the most practicable alternative, when feasible, alternatives 3 and 4 will be offered. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this final floodplain 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. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains 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, it must inform those who may be put at greater or continued risk.

### **FINDING OF NO SIGNIFICANT IMPACT**

The SCDRO has determined that the project will have no significant impact on the human or natural environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the South Carolina Disaster Recovery Office, located at 632 Rosewood Drive, Columbia, SC 29201 or online at <https://admin.sc.gov/SCDRO/HUDdocs> and may be examined or copied weekdays between 9:00 A.M. and 5:00 P.M.

### **PUBLIC COMMENTS**

The proposed project will provide urgently needed safe and sanitary housing to residents impacted by Hurricane Florence, a Presidentially Declared Disaster. Therefore, as provided by federal regulations at 24 CFR 58.33(b), SCDRO is publishing the combined Finding of No Significant Impact and Notice of Intent to Request Release of Funds prior to the submission of the RROF to HUD. Any individual, group, or agency may submit written comments on these notices or the ERR to the South Carolina Office of Resilience, Disaster Recovery Office (SCDRO). Comments may be submitted to the attention of Eric Fosmire, Legal Director at SCDRO, 632 Rosewood Drive, Columbia, SC 29201, or by email at [eric.fosmire@admin.sc.gov](mailto:eric.fosmire@admin.sc.gov). All comments received by March 2, 2021 will be considered by the SCDRO prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

### **ENVIRONMENTAL CERTIFICATION**

The South Carolina Office of Resilience, Disaster Recovery Office (SCDRO) certifies to HUD that Eric Fosmire, in his capacity as Legal Director at SCDRO, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities

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### **Darlington County: FFP, FONSI, NOI/RROF Notice Text (English)**

have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the South Carolina Office of Resilience, Disaster Recovery Office (SCDRO) to use Program funds.

#### **OBJECTIONS TO RELEASE OF FUNDS**

The proposed project will provide urgently needed safe and sanitary housing to residents impacted by Hurricane Florence, a Presidentially Declared Disaster. Therefore, as provided by federal regulations at 24 CFR 58.33(b), SCDRO is publishing the combined Finding of No Significant Impact and Notice of Intent to Request Release of Funds prior to the submission of the RROF to HUD. HUD will accept objections to its release of funds and the SCDRO's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the SCDRO; (b) the SCDRO 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 approval of a release of funds by HUD; 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 Part 58, Sec. 58.76) and shall be addressed to Aaron B. Gagné, Disaster Recovery and Special Issues Division, CPD, HUD; 1835 Assembly Street, 13th Floor, Columbia, SC 29201-2460 or via email to [Aaron.B.Gagne@hud.gov](mailto:Aaron.B.Gagne@hud.gov). Potential objectors should contact HUD to verify the actual last day of the objection period.

Certifying Officer: Eric Fosmire, Legal Director, South Carolina Office of Resilience, Disaster Recovery Office

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**Darlington County: FFP, FONSI, NOI/RROF Notice Text (Spanish)**

**Aviso Final Combinado y Explicación Pública de Actividades Propuestas para Proyectos Ubicados en Zonas de Inundación de 100 Años Junto con el Hallazgo de Ningún Impacto Significativo y Aviso de Intención de Solicitar la Liberación de Fondos Condado de Darlington**

Febrero 15, 2021

Oficina de resiliencia de Carolina del Sur, Oficina de recuperación ante desastres Naturales (SCDRO)  
632 Rosewood Drive  
Columbia, Carolina del Sur, 29201

Estos avisos deberán satisfacer tres requisitos de procedimientos separados pero relacionados para las actividades que realizará la Oficina de resiliencia de Carolina del Sur, Oficina de recuperación ante desastres naturales (SCDRO). Las actividades propuestas ayudarán a los residentes del condado de Darlington afectados por el Huracán Florence, un desastre declarado presidencialmente.

**SOLICITUD DE LIBERACIÓN DE FONDOS**

En o alrededor de publication date, el SCDRO enviará una solicitud al Departamento de Vivienda y Desarrollo Urbano (HUD, por sus siglas en inglés) para la liberación de fondos de la Subvención de Desarrollo Comunitario para la recuperación en casos de desastre (CDBG-DR, por sus siglas en inglés) bajo el Título I de la Ley de Vivienda y Desarrollo Comunitario de 1974 (42 USC 5301 et seq.), Según enmendada y aprobada por la Ley de Apropiaciones Suplementarias para Alivio de Desastres, 2018 (Pub. L. 115-254) y la Ley de Apropiaciones Adicionales para Alivio de Desastres, 2019 (Pub. L. 116-20), para emprender un proyecto conocido como Programa de Vivienda Unifamiliar del Huracán Florence (Subvenciones HUD CDBG-DR B-19-DV-45-0001 / B-19-DV-45-0002) con el propósito de reparación / rehabilitación, reconstrucción, reemplazo y adquisición / compra de vivienda unifamiliar. SCDRO ha asignado un estimado de \$ 72,075,000 en fondos para el Programa de Vivienda Unifamiliar del Huracán Florence en un área de ocho (8) condados. De acuerdo con el requisito de gastar el 80% (\$ 57.660.000) de los fondos en los condados más afectados y en dificultades (Marion, Horry y Dillon), SCDRO estima que se gastarán \$ 2,883,000 en fondos CDBG-DR en actividades del programa en el condado de Darlington.

**AVISO FINAL Y EXPLICACIÓN PÚBLICA DE UNA ACTIVIDAD PROPUESTA EN ZONAS DE INUNDACIÓN DE 100 AÑOS**

Esto es para notificar que la SCDRO ha realizado una evaluación según lo requiere la orden ejecutiva 11988, de acuerdo con las regulaciones de HUD en CFR 55.20 Subparte C Procedimientos para tomar determinaciones sobre el manejo de zonas de inundación.

La actividad está financiada por el Programa de Vivienda Unifamiliar del Huracán Florence bajo las subvenciones B-19-DV-45-0001 y B-19-DV-45-0002 del HUD. Los proyectos propuestos están ubicados en sitios dispersos que aún no se han identificado en el condado de Darlington. El proyecto ayudará a las familias más vulnerables en sus esfuerzos de recuperación, satisfaciendo sus necesidades de vivienda mediante la reparación / rehabilitación de viviendas unifamiliares existentes (1-4 unidades); reemplazo de Unidades de Vivienda Prefabricadas (MHU) dañadas; reconstrucción de viviendas unifamiliares (de 1 a 4 unidades) construidas en una infraestructura en madera y dañadas por el desastre; asistencia limitada para la reubicación caso por caso; reparación de alquiler de viviendas unifamiliares (1-4 unidades); y adquisición / compra. Si el programa se esfuerza por financiar tantos

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## **Darlington County: FFP, FONSI, NOI/RROF Notice Text (Spanish)**

proyectos elegibles como lo permitan los fondos, las estimaciones actuales indican que el programa financiará aproximadamente 500 proyectos de reparación / reemplazo / reconstrucción de viviendas unifamiliares, 15 proyectos de reparación de alquiler y 50 adquisiciones de propietarios de viviendas en ocho (8) condados área, incluido el condado de Darlington.

Aunque las propiedades residenciales que han sido desarrolladas y están ubicadas en la zona de inundación de 100 años generalmente no contribuyen significativamente a la función y el valor de las zonas de inundación naturales, debido al extenso desarrollo de las zonas de inundación, no es raro que haya zonas de inundación naturales en las proximidades, o incluso adyacentes a áreas desarrolladas. Las zonas de inundación naturales brindan beneficios reduciendo el riesgo a inundaciones al disminuir la escorrentía pluvial y almacenar y transportar el agua de la inundación. Las zonas de inundación naturales también brindan otros beneficios de considerable valor económico, social y ambiental, como la protección del hábitat de los peces y la vida silvestre, el control natural de las inundaciones y la erosión, el mantenimiento de la calidad del agua superficial, la descarga o recarga del agua subterránea, la productividad biológica y oportunidades recreativas de mayor calidad (pescas, observación de aves, paseos en bote, etc.). Según los datos de peligro de inundación nacional de FEMA, aproximadamente 53,594 acres (14.8%) de tierra en el condado de Darlington, Carolina del Sur, se encuentra dentro de la zona de inundación de 100 años también conocida como el área de peligro de inundación especial (SFHA). Las actividades del proyecto propuesto se limitarán a áreas previamente perturbadas en propiedades y ocurrirán en sitios residenciales desiertos previamente desarrollados en todo el condado de Darlington, Carolina de Sur.

La SCDRO ha considerado las siguientes alternativas y medidas de mitigación que se deben tomar para minimizar los impactos adversos y restaurar y preservar los valores naturales:

1. No implementar las acciones propuestas en zonas de inundación de 100 años. Hacerlo inhibiría significativamente las actividades de rehabilitación y reconstrucción del programa, dado que las estructuras en las zonas de inundación de 100 años tienen muchas más probabilidades de sufrir daños por inundaciones, además de evitar que el programa aborde las necesidades de vivienda de los residentes más vulnerables y afectados de manera desproporcionada de Carolina del Sur.
2. Proponer proyectos de infraestructura para lograr protección contra inundaciones en toda la comunidad. Puede que tome muchos el estudiar, diseñar e implementar tales proyectos y no lograrían la meta del programa que es considerar y satisfacer principalmente las necesidades de recuperación de viviendas insatisfechas de estas comunidades. Dichos proyectos pueden tener un costo prohibitivo y, por lo general, solo ofrecen una protección limitada contra inundaciones en un área finita y en un número de estructuras.
3. Implementar exclusivamente la adquisición de estructuras dañadas por las zonas de inundación de 100 años para su demolición y conversión a espacios verdes con exclusión de reparación, reconstrucción y reemplazo. Esto reduciría aún más la disponibilidad y asequibilidad del parque de viviendas para las poblaciones más vulnerables dentro de la comunidad. La mayoría de estos residentes seguirían viviendo en la SFHA, en viviendas dañadas, inseguras e insalubres. El programa ha optado por incluir esta alternativa dentro de las actividades de su proyecto, como un medio de ofrecer asistencia para propiedades que de otro modo no serían elegibles para recibir asistencia y al mismo tiempo reducir el riesgo de inundaciones futuras.
4. Reubicar todos los proyectos fuera de la zona de inundación de 100 años. Esto es exorbitantemente caro y aumentaría enormemente el costo de cada proyecto de vivienda individual, reduciendo así drásticamente la cantidad de proyectos que el programa podría financiar. La SCDRO ha optado por permitir que esta alternativa en circunstancias muy limitadas se considere caso por caso cuando un solicitante no pueda recibir una MHU de reemplazo.

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### ***Darlington County: FFP, FONSI, NOI/RROF Notice Text (Spanish)***

5. La alternativa más practicable para la mayoría de los solicitantes es implementar la acción propuesta (reparar, reconstruir o reemplazar viviendas unifamiliares) en la zona de inundación de 100 años con requisitos de mitigación de peligros. Esto cumplirá con los procedimientos de protección de llanuras de inundación estatales y locales. Todos los proyectos de rehabilitación cumplirán con los Estándares de Calidad de Vivienda (HQ5, por sus siglas en inglés) actuales de HUD. Se implementarán métodos de construcción que enfatizan la calidad, durabilidad, eficiencia energética, sustentabilidad y resistencia al moho. Toda la rehabilitación, reconstrucción y nueva construcción se diseñará para incorporar principios de sostenibilidad, incluida la eficiencia del agua y la energía, la resiliencia y la mitigación contra el impacto de desastres futuros, con la implementación de estándares de construcción de viviendas. Todas las estructuras residenciales ubicadas en la llanura aluvial de 100 años que reciben asistencia para nuevas construcciones, reparación de daños sustanciales o mejoras sustanciales, deben elevarse con el piso más bajo, incluido el sótano, al menos dos pies por encima de la elevación anual de la llanura aluvial del 1 por ciento. Las estructuras residenciales sin unidades de vivienda y sin residentes por debajo de dos pies por encima de la llanura de inundación anual del 1 por ciento, deben estar elevadas o protegidas contra inundaciones hasta al menos dos pies por encima de la llanura de inundación anual del 1 por ciento. Los propietarios de todas las propiedades en la llanura aluvial de 100 años deberán obtener y mantener un seguro contra inundaciones y deben notificar a los futuros propietarios sobre el requisito de mantener un seguro contra inundaciones independientemente de la transferencia de propiedad. Además, SCDRO implementará prácticas resilientes para garantizar la viabilidad, durabilidad y accesibilidad de las casas móviles de reemplazo.

SCDRO ha reevaluado las alternativas a la construcción en las zonas de inundación y ha determinado que si bien la alternativa cinco es la alternativa más practicable, cuando sea factible, se ofrecerán las alternativas 3 y 4. Los archivos ambientales que documentan el cumplimiento de los pasos 3 a 6 de la Orden Ejecutiva 11988, están disponibles para inspección pública, revisión y copia a solicitud en los horarios y lugares delineados en el último párrafo de este aviso para recibir comentarios.

Hay tres propósitos principales para este aviso final. En primer lugar, las personas que puedan verse afectadas por las actividades en las zonas de inundación y aquellas que tengan interés en la protección del medio ambiente natural tendrán la oportunidad de expresar sus preocupaciones y proporcionar información sobre estas áreas. Se anima a que personas ofrezcan sitios alternativos fuera de la zona de inundación, métodos alternativos para cumplir el mismo propósito del proyecto propuesto y métodos para minimizar y mitigar los impactos. En segundo lugar, un programa de notificación pública adecuado puede ser una herramienta educativa pública importante. La difusión de información y la solicitud de comentarios del público sobre las zonas de inundación pueden facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y modificación de estas áreas especiales. En tercer lugar, como cuestión de justicia, cuando el gobierno federal determina que participará en las acciones que se llevarán a cabo en zonas de inundación, deberán informar a quienes puedan correr un riesgo mayor o continuo.

#### **AUSENCIA DE IMPACTO SIGNIFICATIVO**

La SCDRO ha determinado que el proyecto no tendrá un impacto significativo a el medio ambiente humano o natural. Por lo tanto, no se requiere una Declaración de Impacto Ambiental bajo la Ley de Política Ambiental Nacional de 1969 (NEPA). Información adicional del proyecto se encuentra en el Registro de Revisión Ambiental (ERR, por sus siglas en inglés) archivado en la Oficina de Recuperación por Desastre de Carolina del Sur, ubicada en 632 Rosewood Drive, Columbia, SC 29201 o en línea en <https://admin.sc.gov/SCDRO/HUDdocs> y puede ser examinado o copiado entre semana entre las 9:00 a.m. y 5:00 P.M.

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## **Darlington County: FFP, FONSI, NOI/RROF Notice Text (Spanish)**

### **COMENTARIOS PÚBLICOS**

El proyecto propuesto proporcionará viviendas seguras e higiénicas que se necesitan con urgencia a los residentes afectados por el huracán Florence, un desastre declarado presidencialmente. Por lo tanto, según lo dispuesto por las regulaciones federales en 24 CFR 58.33 (b), el SCDRO está publicando el Hallazgo de Impacto No Significativo combinado con el Aviso de Intención de Solicitar Liberación de Fondos (RROF, por sus siglas en inglés), simultáneamente con la presentación del RROF al HUD. Cualquier individuo, grupo o agencia puede enviar comentarios por escrito sobre estos avisos o el ERR a la Oficina de Resiliencia de Carolina del Sur, Oficina de recuperación ante desastres Naturales (SCDRO). Los comentarios pueden enviarse a la atención de Eric Fosmire, Director Legal de SCDRO, 632 Rosewood Drive, Columbia, SC 29201, o por correo electrónico a [eric.fosmire@admin.sc.gov](mailto:eric.fosmire@admin.sc.gov). Todos los comentarios recibidos antes de Marzo 2, 2021 serán considerados por el SCDRO antes de autorizar la presentación de una solicitud de liberación de fondos. Los comentarios deben especificar a qué Aviso se dirigen.

### **CERTIFICACIÓN AMBIENTAL**

La Oficina de Resiliencia de Carolina del Sur, Oficina de recuperación ante desastres Naturales (SCDRO) certifica a HUD que Eric Fosmire, en su calidad de Director Legal de SCDRO, consiente en aceptar la jurisdicción de los Tribunales Federales si se inicia una acción para hacer cumplir las responsabilidades en relación con el proceso de revisión ambiental y que se hayan cumplido estas responsabilidades. La aprobación de la certificación por parte de HUD satisface sus responsabilidades según la NEPA y las leyes y autoridades relacionadas y permite que la Oficina de Resiliencia de Carolina del Sur, Oficina de recuperación ante desastres Naturales (SCDRO) utilice los fondos del Programa.

### **OBJECCIONES A LA LIBERACIÓN DE FONDOS**

El proyecto propuesto proporcionará viviendas seguras e higiénicas que se necesitan con urgencia a los residentes afectados por el huracán Florence, un desastre declarado presidencialmente. Por lo tanto, según lo dispuesto por las regulaciones federales en 24 CFR 58.33 (b), el SCDRO está publicando el Hallazgo de Impacto No Significativo combinado y el Aviso de Intención de Solicitar Liberación de Fondos simultáneamente con la presentación del RROF al HUD. HUD aceptará objeciones a su liberación de fondos y la certificación del SCDRO por un período de quince días después de la fecha de presentación anticipada o su recepción real de la solicitud (lo que sea posterior) solo si se basan en una de las siguientes bases: (a) la certificación no fue ejecutada por el Oficial Certificador del SCDRO; (b) el SCDRO ha omitido un paso o no ha tomado una decisión o hallazgo requerido por las regulaciones de HUD en 24 CFR parte 58; (c) el beneficiario de la subvención u otros participantes en el proceso de desarrollo han comprometido fondos, incurrido en costos o realizado actividades no autorizadas por 24 CFR Parte 58 antes de la aprobación de una liberación de fondos por parte de HUD; o (d) otra agencia federal que actúa en conformidad con el 40 CFR Parte 1504 ha presentado una conclusión por escrito de que el proyecto no es satisfactorio desde el punto de vista de la calidad ambiental. Las objeciones deben prepararse y presentarse de acuerdo con los procedimientos requeridos (24 CFR Parte 58, Sec. 58.76) y deben dirigirse a Aaron B. Gagné, División de Recuperación de Desastres y Asuntos Especiales, CPD, HUD; 1835 Assembly Street, 13th Floor, Columbia, SC 29201-2460 o por correo electrónico a [Aaron.B.Gagne@hud.gov](mailto:Aaron.B.Gagne@hud.gov). Los posibles objetores deben comunicarse con HUD para verificar el último día real del período de objeción.

Oficial de certificación: Eric Fosmire, Director legal, Oficina de resiliencia de Carolina del Sur, Oficina de recuperación ante desastres Naturales.

**Darlington County:** Agency Distribution List & Record of Comments

**Agency Distribution List**

The following agencies received a letter with a combined Final Floodplain, FONSI, NOI-RROF Notice for Darlington County as published on February 15, 2021.

RESOURCE TOPIC	CONTACT INFO
AIR QUALITY	Michael Shroup, Director Division of Compliance Management Bureau of Air Quality, DHEC 2600 Bull Street Columbia, SC 29201 <a href="mailto:shroupmd@dhec.sc.gov">shroupmd@dhec.sc.gov</a>
AIRPORT HAZARDS	Steven Hicks, Division Manager FAA Southern Region, Airports Division – Suite 540 1701 Columbia Avenue College Park, GA 30337 <a href="mailto:steven.hicks@faa.gov">steven.hicks@faa.gov</a>
COASTAL BARRIERS	Katie Niemi, Coastal Barriers Coordinator U.S. Fish and Wildlife Service Division of Habitat and Resource Conservation 4401 N. Fairfax Drive, Room 860 Arlington, VA 22203 <a href="mailto:katie_niemi@fws.gov">katie_niemi@fws.gov</a>
COASTAL ZONE	Chris Stout, Manager Coastal Zone Consistency Section Ocean & Coastal Resource Management, DHEC 1362 McMillan Avenue, Suite 400 Charleston, SC 29405 <a href="mailto:stoutcm@dhec.sc.gov">stoutcm@dhec.sc.gov</a>
ENDANGERED SPECIES	Mark A. Caldwell, Deputy Field Supervisor U.S. Fish and Wildlife Service South Carolina Ecological Services Field Office Department of the Interior - U.S. Fish and Wildlife Service 176 Croghan Spur Road, Suite 200 Charleston, SC 29407 <a href="mailto:charleston_regulatory@fws.gov">charleston_regulatory@fws.gov</a> ; <a href="mailto:mark_caldwell@fws.gov">mark_caldwell@fws.gov</a>
EPA / ENVIRONMENTAL JUSTICE	Tami Thomas-Burton U.S. Environmental Protection Agency, Region IV 61 Forsyth Street Atlanta, GA 30303 <a href="mailto:thomas-burton.tami@epa.gov">thomas-burton.tami@epa.gov</a>

**Darlington County:** Agency Distribution List & Record of Comments

<b>FARMLAND</b>	Ann English, State Conservationist United States Department of Agriculture Strom Thurmond Federal Building 1835 Assembly Street, Room 950 Columbia, SC 29201 <a href="mailto:ann.english@sc.usda.gov">ann.english@sc.usda.gov</a>
<b>FLOODPLAIN MANAGEMENT &amp; INSURANCE (STATE)</b>	Maria Cox, State Floodplain Coordinator SC Department of Natural Resources 1000 Assembly Street Columbia, SC 29201 <a href="mailto:CoxM@dnr.sc.gov">CoxM@dnr.sc.gov</a>
<b>FLOODPLAIN MANAGEMENT &amp; INSURANCE (FEDERAL)</b>	Stephanie Everfield, Regional Environmental Officer Department of Homeland Security FEMA Regional Environmental Office 3003 Chamblee Tucker Road – Hollins Building Atlanta, GA 30341-4112 <a href="mailto:stephanie.everfield@dhs.gov">stephanie.everfield@dhs.gov</a>
<b>FLOODPLAIN MANAGEMENT &amp; INSURANCE (DARLINGTON CO)</b>	Julie Ritz, Floodplain Administrator Darlington County Planning Department 1 Public Square, Room 303 Darlington, South Carolina 29532 <a href="mailto:planning@darcosc.net">planning@darcosc.net</a>
<b>HISTORIC PRESERVATION</b>	Dr. W. Eric Emerson, Ph.D., State Historic Preservation Officer South Carolina Department of Archives and History 8301 Parklane Road Columbia, South Carolina 29233 <a href="mailto:EEmerson@scdah.sc.gov">EEmerson@scdah.sc.gov</a> ; <a href="mailto:JSylvest@scdah.sc.gov">JSylvest@scdah.sc.gov</a> Dr. Wenonah G. Haire, Ph.D., Tribal Historic Preservation Officer Catawba Indian Nation 1536 Tom Steven Road Rock Hill, SC 29730 <a href="mailto:wenonah.haire@catawba.com">wenonah.haire@catawba.com</a> ; <a href="mailto:bill.harris@catawbaindian.net">bill.harris@catawbaindian.net</a>
<b>HAZARDOUS FACILITIES, CONTAMINATED SITES, UST</b>	Van Keisler, P.G., Director Division of Compliance & Enforcement Bureau of Land and Waste Management, DHEC 2600 Bull Street Columbia, SC 29201 <a href="mailto:keislevc@dhec.sc.gov">keislevc@dhec.sc.gov</a>
<b>HUD FIELD OFFICE</b>	Bradley S. Evatt, Director Community Planning and Development Disaster Recovery and Special Issues Division Strom Thurmond Federal Building 1835 Assembly Street – 13th Floor Columbia, SC 29201-2480 Via <a href="mailto:Aaron.B.Gagne@hud.gov">Aaron.B.Gagne@hud.gov</a>

***Darlington County:*** Agency Distribution List & Record of Comments

<b>WATER QUALITY</b>	Kristy Ellenberg, Public Participation Coordinator Division of Water Quality Bureau of Water, DHEC 2600 Bull Street Columbia, SC 29201 <a href="mailto:ellenbke@dhec.sc.gov">ellenbke@dhec.sc.gov</a>
<b>WETLANDS</b>	CHARLESTON DISTRICT OFFICE U.S. Army Corps of Engineers 69 Haloed Avenue Charleston, SC 29403 <a href="mailto:Cesac-rd-mail@usace.army.mil">Cesac-rd-mail@usace.army.mil</a>
<b>WETLANDS</b>	Tom McCoy, Field Supervisor Charleston Ecological Services Field Office 176 Croghan Spur Road, Suite 200 Charleston, SC 29407 <a href="mailto:thomas_mccoy@fws.gov; Cesac-rd-mail@usace.army.mil">thomas_mccoy@fws.gov; Cesac-rd-mail@usace.army.mil</a>
<b>WILD AND SCENIC RIVERS</b>	Jeffery R. Duncan, Ph.D., Southeast Regional Fishery Ecologist Wild and Scenic Rivers Coordinator National Park Service 535 Chestnut Street, Suite 207 Chattanooga, TN 37402 <a href="mailto:Jeff_Duncan@nps.gov">Jeff_Duncan@nps.gov</a>

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**Darlington County:** Agency Distribution List & Record of Comments

**Record of Comments and Responses**

The following comments were received in response to the Final Floodplain, FONSI, NOI-RROF Notice for Darlington County as published on February 15, 2021.

COMMENTOR	DATE / TIME	COMMENT	RESPONSE
Dr. Wenonah G. Haire, Ph.D., Tribal Historic Preservation Officer, Catawba Indian Nation	2/12/2021 7:09 PM	"Please send hard copy in care of Caitlin Rogers at 1536 Tom Steven Road, Rock Hill, SC. 29730."	"Thank you for your response. We will mail the notice out as requested." Hardcopy mailed USPS Priority on 2/13/2021.
Christopher M. Stout Manager, Coastal Zone Consistency Section, SC DHEC	3/3/2021 7:16 AM	"Thank you for providing the notice of the proposed activities associated with federal funding assistance as the result of impacts from Hurricane Florence. Because the activities are located outside of the coastal zone for South Carolina, a review by our program would not be required and we do not have any comments at this time. If you have any questions, please feel free to contact me. Regards"	Acknowledged.

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***Darlington County: Agency Distribution List & Record of Comments***

**Karyn Desselle**

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**From:** Fosmire, Eric <Eric.Fosmire@scor.sc.gov>  
**Sent:** Thursday, March 4, 2021 11:38 AM  
**To:** Karyn Desselle  
**Cc:** Daniel Paul; Shane Lucky; Lauren Poche; Erich Ortlieb  
**Subject:** RE: [External] FONSI, NOI-RROF Comments - Darlington

Confirming there were no additional comments.

Eric G. Fosmire  
Legal Director | Disaster Recovery Office  
**The South Carolina Office of Resilience**  
632 Rosewood Drive, Columbia, SC 29201  
803-822-9580

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**From:** Karyn Desselle <Karyn.Desselle@hornellp.com>  
**Sent:** Wednesday, March 3, 2021 10:39 AM  
**To:** Fosmire, Eric <Eric.Fosmire@scor.sc.gov>  
**Cc:** Daniel Paul <Daniel.Paul@hornellp.com>; Shane Lucky <Shane.Lucky@hornellp.com>; Lauren Poche <Lauren.Poche@hornellp.com>; Erich Ortlieb <Erich.Ortlieb@hornellp.com>  
**Subject:** [External] FONSI, NOI-RROF Comments - Darlington

Good morning Eric,

Attached please find a record of responses to the combined notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds for Darlington County, received via email through 3/2/2021 as well as the response received this morning. If you would, please forward any additional comments or responses you may have received so that we may incorporate those as well, or confirm that there were none.

Best Regards,

Karyn Desselle  
Manager, Government Services | HORNE  
O: 225.755.9798 D: 225.341.6169 M: 225.931.7052  
10000 Perkins Rowe, Suite 610 Bldg G, Baton Rouge, LA 70810  
hornellp.com [\[gcc02.safelinks.protection.outlook.com\]](https://gcc02.safelinks.protection.outlook.com/) LinkedIn [\[gcc02.safelinks.protection.outlook.com\]](https://gcc02.safelinks.protection.outlook.com/) Twitter [\[gcc02.safelinks.protection.outlook.com\]](https://gcc02.safelinks.protection.outlook.com/) Blog [\[gcc02.safelinks.protection.outlook.com\]](https://gcc02.safelinks.protection.outlook.com/)

## Authorization to Use Grant Funds:



U. S. Department of Housing and Urban Development

Columbia Field Office  
Strom Thurmond Federal Building  
1835 Assembly Street  
Columbia, South Carolina 29201-2480  
[www.hud.gov](http://www.hud.gov)

March 22, 2021

Eric Fosmire, Legal Director  
South Carolina Disaster Recovery Office  
632 Rosewood Drive  
Columbia, South Carolina 29201

Mr. Fosmire:

**SUBJECT:** Removal of Environmental Grant Condition and Authority to Use Grant Funds

On March 4, 2021, our Office received your updated Request for Release of Funds (RROF) with the Affidavit and Certification indicating the environmental review for the following project has been completed:

**PROJECT:** The project will use CDBG-DR funding for single-family repair/rehabilitation, replacement, reconstruction, MHU relocation & acquisition/buyout on scattered sites throughout the state. Rehabilitation will involve repairing an existing stick-built, single-family structure (rental or owner-occupied) on a previously disturbed parcel, to HQS and current code and standards. All activities will be limited to the existing footprint of an extant structure, as well as elevation if and as required by NFIP and program guidelines. This is in response to the 2018 Hurricane Florence flood event and will be conducted in scattered sites throughout South Carolina in Darlington County.

**PROJECT AMOUNT:** \$ 2,883,000

**GRANT NUMBER:** B-19-DV-45-0001 / B-19-DV-45-0002

In accordance with HUD regulations at 24 CFR Part 58, the RROF has been held for 15 days as required to allow the public to comment or object to the use of HUD funds in this project. No valid objections were received by HUD during this time frame. Based upon the review, this project is considered environmentally cleared and the grant condition requiring that this project be environmentally cleared before committing CDBG funds was removed on March 22, 2021. No further conditions are attached.

This letter and the enclosed Authority to Use Grant Funds (HUD-7015.16 form) should be placed in the Environmental Review Record (ERR) for each activity undertaken to show that the prescribed environmental review has been completed and the conditions satisfied. This clearance will remain in effect as long as the related environmental review is valid, and the scope of the activities remains unchanged. If you have any questions or need additional information, please contact Aaron Gagne at 803-765-5564 or [aaron.b.gagne@hud.gov](mailto:aaron.b.gagne@hud.gov).

Sincerely,

A handwritten signature in blue ink that reads "Bradley S. Evatt". The signature is cursive and appears to be a formal name.

Bradley S. Evatt, Director  
Community Planning and Development

Enclosure

## Authority to Use Grant Funds

**U.S. Department of Housing  
and Urban Development**  
Office of Community Planning  
and Development

**To:** (name & address of Grant Recipient & name & title of Chief Executive Officer)

Eric Fosmire, Legal Director  
South Carolina Disaster Recovery Office  
632 Rosewood Drive  
Columbia, South Carolina 29201  
803-822-9580

**Copy To:** (name & address of SubRecipient)

We received your Request for Release of Funds and Certification, form HUD-7015.15 on

3/4/2021

Your Request was for HUD/State Identification Number

B-19-DV-45-0001/B-19-DV-45-0002

All objections, if received, have been considered. And the minimum waiting period has transpired.  
You are hereby authorized to use funds provided to you under the above HUD/State Identification Number.  
File this form for proper record keeping, audit, and inspection purposes.

The environmental release date is March 22, 2021. The project will use CDBG-DR funding for single-family repair/rehabilitation, replacement, reconstruction, MUH relocation & acquisition/buyout on scattered sites throughout the state. Rehabilitation will involve repairing an existing stick-built, single-family structure (rental or owner-occupied) on a previously disturbed parcel, to HQS and current code and standards. All activities will be limited to the existing footprint of an extant structure, as well as elevation if and as required by NFIP and program guidelines. This is in response to the 2018 Hurricane Florence flood event and will be conducted in scattered sites throughout South Carolina in Darlington County. The amount is \$ 2,883,000.

Typed Name of Authorizing Officer Bradley S. Evatt Title of Authorizing Officer Director, Community Planning and Development	Signature of Authorizing Officer 	Date (mm/dd/yyyy) 3/22/2021
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Previous editions are obsolete.

form HUD-7015.16 (2/94)  
ref. Handbook 6513.01

# Site Specific Environmental Review Strategy

For the purposes of performing the required CDBG-DR environmental review, each single-family project (program activity) will be categorized as one of the following Proposed Actions:

**Proposed Action 1: ‘Rehabilitation’** – Repair / rehabilitation of an existing stick-built, single-family structure (rental or owner-occupied) on a previously disturbed parcel. All activities will be limited to the existing footprint of the extant structure and associated utilities.

**Proposed Action 2: ‘Rehabilitation and Elevation’** – Repair / rehabilitation and elevation of an existing stick-built, single-family structure on a previously disturbed parcel, as required by NFIP and program guidelines.

**Proposed Action 3: ‘MHU Replacement’** – Replacement of an existing manufactured home on a previously disturbed parcel. MHU will be demolished/removed and a new MHU installed in the same location, within the disturbed area associated with the damaged structure.

**Proposed Action 4: ‘MHU Replacement and Elevation’** – Replacement and elevation/structural reinforcement of an existing manufactured home on a previously disturbed parcel. MHU will be demolished/removed and a new MHU installed in the same location, within the disturbed area associated with the damaged structure. The new MHU will be elevated and/or installed with appropriate structural reinforcement, as required by NFIP and program guidelines.

**Proposed Action 5: ‘Stick-Built Reconstruction’** – Reconstruction of an existing stick-built, single-family structure on a previously disturbed parcel. The damaged structure will be demolished, and a new structure will be constructed in the same location, within the disturbed area of the parcel associated with the damaged structure.

**Proposed Action 6: ‘Stick-Built Reconstruction and Elevation’** – Reconstruction and elevation of an existing stick-built, single-family structure on a previously disturbed parcel. As required by NFIP or program guidelines, the new structure may be elevated. The damaged structure will be demolished, and a new elevated structure will be constructed in the same location, within the disturbed area of the parcel associated with the damaged structure. The structure will be elevated in accordance with NFIP and program guidelines.

**Proposed Action 7: ‘Acquisition/Buyout’** – Acquisition/Buyout of damaged single-family properties within the 100-year floodplain. Once acquired and once all utilities have been secured, damaged structure(s) will be demolished, and the site will be cleared of all debris. Properties will then be converted to green space in perpetuity. This activity will be limited to properties located in the most impacted and distressed counties: Dillon, Horry, and Marion.

The following sections detail the steps to be performed when assessing each required review topic. The findings are recorded in the Site-Specific Review Checklist form. The Tier II Site-Specific Review Checklist and all supporting documentation is an integral part of the project’s ERR and must be maintained in the file.

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## Airport Hazards

### **Siting of HUD – Assisted Projects in Runway Clear Zones at Civil Airports and Clear Zones and Accident Potential Zones at Military Airfields (24 CFR 51(d) and 24 CFR 58.6(d))**

#### **Regulatory Agencies Consulted**

Federal Aviation Authority, Southern Region, Airports Division, Director

#### **Regulatory Background and Broad Review Determination**

Pursuant to 24 CFR 51.301 (c) [Title 24 Housing and Urban Development; Subtitle A Office of the Secretary, Department of Housing and Urban Development; Part 51 Environmental Criteria and Standards; Subpart D Siting of HUD Assisted Projects in Runway Clear Zones at Civil Airports and Clear Zones and Accident Potential Zones at Military Airfields, the term Civil Airport means “an existing commercial service airport as designated in the National Plan of Integrated Airport Systems prepared by the Federal Aviation Administration in accordance with section 504 of the Airport and Airway Improvement Act of 1982.” ‘Commercial service airports’ are publicly owned airports with at least 2,500 annual enplanements and scheduled air carrier service (§47102(7)). Primary airports are a commercial service airport with more than 10,000 annual enplanements (§47102(16)). General Aviation Airports are public-use airports that do not have scheduled service or have less than 2,500 annual passenger boardings (49 USC 47102(8)). Reliever Airports are airports designated by the FAA to relieve congestion at Commercial Service Airports and to provide improved general aviation access to the overall community and may be publicly or privately-owned. Military airports include all active, military-owned and operated airport and airfields.

HUD policies prevent incompatible development around civil airports and military airfields. Federal Aviation Administration studies have determined that potential aircraft accident problems pose a significant hazard to projects located near airports and in the immediate area of the landing and approach zones where airplane crashes are most frequent or most likely to occur. On January 6, 1984, HUD published 24 CFR 51(d) entitled, “Siting of HUD Assisted Projects in Runway Clear Zones at Civil Airports and Clear Zones and Accident Potential Zones at Military Airfields” which provides guidance on the issue. Under these regulations, HUD assistance may not be used for projects involving new construction, substantial rehabilitation, acquisition of undeveloped land, or activities that would significantly prolong the physical or economic life of existing facilities that will be frequently used or occupied by people.

Based on a review of National Plan of Integrated Airport Systems (2021-2025) and Federal Aviation Authority data on airports, there are six (6) civil airports, and five (5) military airfields in South Carolina, one of which is joint use (civil and military). Several of the counties within the program area abut the State of North Carolina; thus, the civil and military airports in neighboring North Carolina were evaluated as well. It has been determined that there are no civil or military airports in Darlington County nor are there any civil airports within 2,500 feet, or military airfields within 15,000 feet of any area of Darlington County; therefore, the review of airport hazards is concluded at the Tier I Broad Review level.

### Civil and Military Airports in South Carolina

COUNTY	AIRPORT	TYPE
LEXINGTON	Columbia Metropolitan	Civil
FLORENCE	Florence Regional	Civil
GREENVILLE & SPARTANBURG	Greenville Spartanburg International	Civil
BEAUFORT	Hilton Head	Civil
HORRY	Myrtle Beach International	Civil
CHARLESTON	Charleston AFB/International	Joint Use
RICHLAND	McEntire Joint National Guard Base	Military
BEAUFORT	MCAS Beaufort	Military
ORANGEBURG	North Air Force Auxillary field	Military
SUMTER	Shaw Air Force Base	Military

### Civil and Military Airports in neighboring areas of North Carolina

COUNTY	AIRPORT	TYPE
MECKLENBURG	Charlotte/Douglas International	Civil
FAYETTEVILLE	Fayetteville Regional	Civil
HANOVER	Wilmington International	Civil
SCOTLAND	Mackall Army Airfield	Military

### Site-Specific Review Process

There are no civil or military airports in Darlington County nor are there any civil airports within 2,500 feet, or military airfields within 15,000 feet of any area of Darlington County, therefore, for projects located within Darlington County, the site-specific review checklist will document that the review was concluded at the Tier I level.

Where airports do exist, each housing project will be reviewed to determine whether it is located within 2,500 feet of a civil airport or 15,000 feet of a military airfield.

- If no portion of the project parcel lies within 2,500 feet of a civil airport or within 15,000 feet of a military airfield then this finding will be documented on the site-specific review checklist, supported by a map showing the project location relative to the airport, as necessary.
- If any portion of the project parcel lies within 2,500 feet of a civil airport or within 15,000 feet of a military airfield but through calculations, maps or written confirmation from the airport operator, the proposed action site is demonstrated to be outside all Runway Clear Zones and Accident Potential Zones, then the project may proceed by documenting the finding on the site-specific review checklist with supporting maps and/or documentation, as appropriate.
- For homes located within the RPZ/CZ or APZ, HUD assistance may not be used if the project involves new construction, substantial rehabilitation, acquisition of undeveloped land, or activities that would

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significantly prolong the physical or economic life of the existing facility if frequently used or occupied by people.

- If the project is acquisition of developed property for conversion to greenspace, written documentation is to be obtained from the airport operator assuring the project site will not be acquired or purchased in the future as part of a clear zone acquisition program. This will be documented on the site-specific review checklist with supporting documentation, as appropriate.
- If a project is minor rehabilitation in an RPZ/CZ, a written notice will be provided to owners/prospective buyers informing them of the potential hazards from airplane accidents as well as the potential for the property to be purchased as part of an airport expansion project. This will be documented on the site-specific review checklist with supporting documentation, as appropriate.
- If the project is minor rehabilitation in an APZ, the project will be reviewed for consistency with Department of Defense (DOD) Land Use Compatibility Guidelines. Proposed projects must be a compatible land use to proceed. This determination will be documented on the site-specific review checklist with supporting documentation, as appropriate.

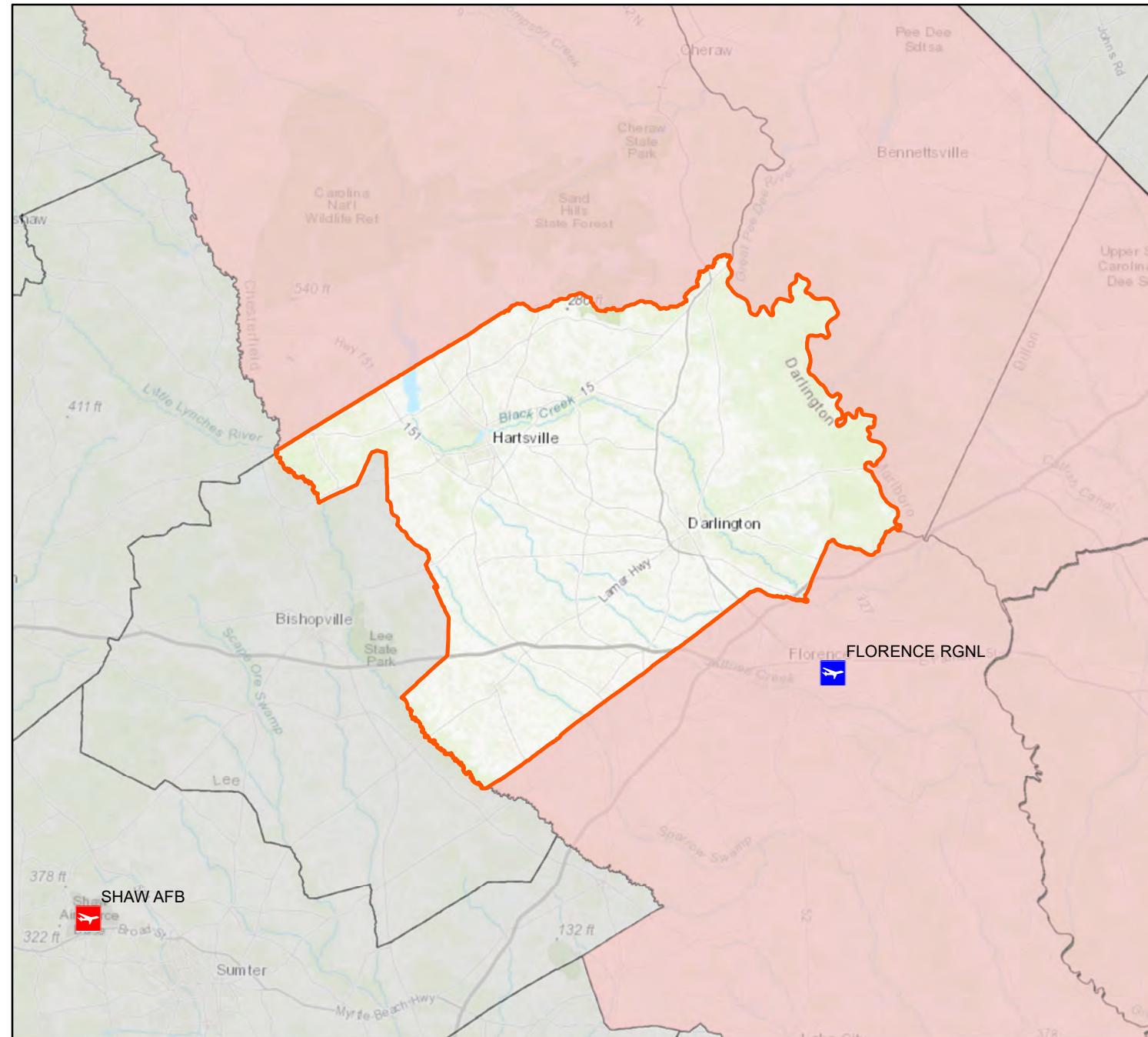
Projects that do not meet these criteria will not be eligible for assistance unless the airport operator indicates that there is no concern with the project proceeding and the Certifying Officer provides an exception per 24 CFR 51.304(a)(1). If this occurs, it will be entered into the project file and documented on the site-specific review checklist.

## Airports - Darlington County

# Hurricane Florence Single-Family Housing Program



 HORNE



Nearest Civilian Airport:  
Florence Regional

Distance from County Boundary:  
23063.22 ft.

Nearest Military Airport:  
Shaw Air Force Base

Distance from County Boundary:  
116022.34 ft.

## Coastal Barrier Resources

**Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]**

### **Regulatory Agencies Consulted**

U.S. Fish and Wildlife Service, Division of Habitat and Resource Conservation

### **Regulatory Background and Broad Review Determination**

The John H. Chafee Coastal Barrier Resources System (CBRS) was established in 1982 and is administered by the U.S. Fish and Wildlife Service. The CBRS consists of relatively undeveloped coastal barriers and other areas located the Atlantic, Gulf of Mexico, Great Lakes, U.S. Virgin Islands, and Puerto Rico coasts. The CBRS currently includes 585 System Units, which comprise nearly 1.4 million acres of land and associated aquatic habitat. There are also 277 "Otherwise Protected Areas," a category of coastal barriers that are mostly already held for conservation and/or recreation purposes that include an additional 2.1 million acres of land and associated aquatic habitat. The CBRS units are identified and depicted on a series of maps entitled "John H. Chafee Coastal Barrier Resources System." In accordance with 24 CFR 58.6(c), HUD assistance may not be used for project activities located within a Coastal Barrier Resource Area.

South Carolina's coastline includes twenty-three CBRS Units (16 System Units and 7 Otherwise Protected Areas); however, there are no Coastal Barrier Resource Units or Otherwise Protected Areas within Darlington County (see attached Coastal Barrier Resources map); therefore, projects located within Darlington County will have no effect on any Coastal Barrier Resources. The review of Coastal Barrier Resources is concluded at the Tier I Broad Review level.

#### **South Carolina Coastal Barrier Resource System**

Number of CBRS Units	23
<i>Number of System Units</i>	16
<i>Number of Otherwise Protected Areas</i>	7
Total Acres	220,124
<i>Upland Acres</i>	14,467
<i>Associated Aquatic Acres</i>	205,657
Shoreline Miles	120

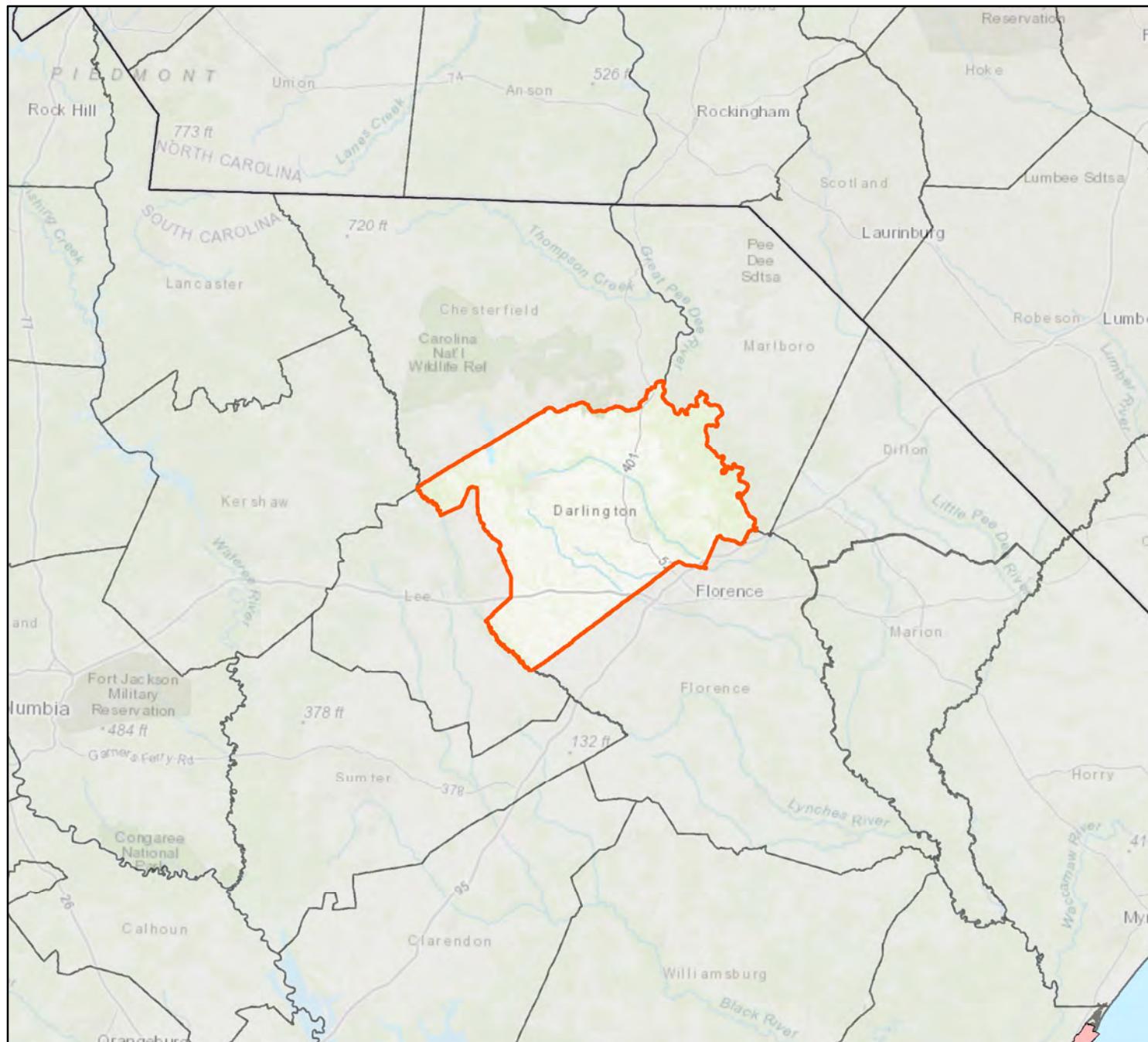
### **Site Specific Review Process**

There are no Coastal Barrier Resources in Darlington County; therefore, for projects located within Darlington County, the site-specific review checklist will document that the review was concluded at the Tier I level.

# Coastal Barrier Resources - Darlington County Hurricane Florence Single-Family Housing Program



**HORNE**



**CBRS Units**

- Otherwise Protected Area
- System Unit



0 10 20 Miles

Sources: Coastal Barrier Resources data obtained from the US Fish and Wildlife Service. ESRI Imagery Basemap service.

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## Floodplain Management and Flood Insurance

(24 CFR 55, Executive Order 11988)

Flood Disaster Protection & Flood Insurance (24 CFR 58.6 (a) & (b))

### Regulatory Agencies Consulted

FEMA Region IV, Regional Environmental Officer

South Carolina Dept of Natural Resources, State Floodplain Coordinator

Darlington County Floodplain Administrator

### Regulatory Background and Broad Review Determination

Executive Order 11988: Floodplain Management requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. The Federal Emergency Management Agency (FEMA) designates floodplains as geographic zones subject to varying levels of flood risk. Each zone reflects the severity or type of potential flooding in the area (flood zone definitions). The FEMA Map Service Center provides this information in the form of Flood Insurance Rate Maps (FIRM) or Flood Hazard Maps. HUD's regulations in 24 CFR Part 55 outline HUD's procedures for complying with EO 11988. Part 55 applies to all HUD actions that could be harmed or cause harm if located in a floodplain, including but not limited to proposed acquisition, construction, demolition, improvement, disposition, and financing actions under any HUD program. The purpose of Part 55 is not, in most cases, to prohibit actions in a floodplain, but to provide the method for HUD projects to comply with EO 11988 and avoid unnecessary impacts.

Under section 582 of the National Flood Insurance Reform Act of 1994 (42 U.S.C. 5154a), HUD disaster assistance that is made available in a special flood hazard area may not be used [...] for repair, replacement, or restoration of damage to any personal, residential, or commercial property if the person had previously received Federal flood disaster assistance conditioned on obtaining and maintaining flood insurance; and the person failed to obtain and maintain the flood insurance. All program applicants with properties located in the 100-year floodplain will be screened prior to environmental review to determine if they had previously received federal flood disaster assistance and will only be allowed to proceed after providing proof of having obtained and maintained flood insurance as required.

In Darlington County, approximately 53,594 acres of land (14.8% of the county's land area) are within the 100-year floodplain. Although specific project sites have not yet been identified, the Program will repair, reconstruct, or replace single-family housing, some of which, may be located in the 100-year floodplain. Additionally, under limited circumstances, the Program will acquire damaged single-family residential properties in the 100-year floodplain in accordance with program guidelines, which will then be demolished and converted to greenspace in perpetuity.

The 8-Step Decision Making Process applies to Program activities involving residential structures within the 100-year floodplain, unless exempt under 24 CFR §55.12 (b) or (c). For activities that occur outside of the 100-year floodplain (i.e., in Zone X or Shaded X), no further compliance with this part is required.

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The 8-Step Decision Making Process for Darlington County was completed in March 2021, in consideration of housing program activities related to Hurricanes Matthew and Florence. In the wake of Hurricane Florence, the Program realized that the residents in the most impacted and distressed counties faced new challenges in the efforts to recover and become more resilient as a community. In response to these changing needs and new challenges, the Program made the decision to incorporate new project alternatives that had previously been seen as infeasible or undesirable due to potential environmental and socioeconomic impacts. Under the Hurricane Florence Single-Family Housing Program, SCDRO will implement the acquisition/buyout and relocation alternatives in scenarios where doing so would minimize the threat to lives and property by removing people and structures from harm's way thereby minimizing potential adverse impacts. Additionally, the acquisition/buyout alternative would restore and preserve the natural and beneficial values of floodplains in those areas further reducing future flood risk within the community. As outlined in the previously completed 8-Step, SCDRO will continue to require the elevation of all substantially damaged (as defined at 24 CFR 55.2(b)(10)), and reconstructed structures in the floodplain to a minimum of two feet above the base flood elevation. All participants in the program whose property is in the 100-year floodplain shown on the effective Flood Insurance Rate Map (FIRM) or Preliminary FIRM as Best Available Data must carry flood insurance on the subject structure in perpetuity; and in the case of "Coastal High Hazard" areas ("V" zones on the latest (most recent) FEMA-issued maps), that the applicant adhered to construction standards, methods and techniques as required by HUD Regulation 24 CFR Part 55.1 (c)(3). When followed, these regulations will reduce the threat of flood damage to the homes located in the floodplain. The new elevation levels, which applicants are required to adhere to when considering reconstruction or rehabilitation of their substantially damaged properties, represent the best available data and are assumed to advance floodplain management efforts in the impacted counties.

Although the 8-Step Decision Making Process did not specifically take these alternatives into consideration, 24 CFR §55.12 "Inapplicability of 24 CFR Part 55 to certain categories of proposed actions" states that this part shall not apply to:

1. "The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, but only if: (i) The property is cleared of all existing structures and related improvements; (ii) The property is dedicated for permanent use for flood control, wetland protection, park land, or open space; and (iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetland from future development." (24 CFR §55.12(c)(3))
2. "A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland;" (24 CFR §55.12(c)(6))

The Program criteria for acquisition/buyout mandate that acquired, damaged single-family residential properties in the 100-year floodplain be demolished and cleared, these properties will then be converted to greenspace in perpetuity through a restrictive covenant placed on the property to prevent future redevelopment of the property. The relocation alternative is considered a minor amendment to the previously approved actions. Under the Program's criteria, relocation will be limited to mobile home units (MHU) in the 100-year floodplain that have been damaged beyond repair but are not eligible for replacement in their current location. These replacement MHUs must be relocated to existing developed lots in the same

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community and outside of the 100-year floodplain, where an existing ‘pad’ and all utility connections are in place and ready to receive the home. Therefore, it has been determined that further analysis under the 8-Step Decision Making Process is not required.

### **Site Specific Review Process**

Each project site will be reviewed using the best available data to determine if the project is located within the 100-year floodplain (1-percent annual chance floodplain). The 1-percent annual chance floodplain includes both A and V Flood Hazard Zones. Zone V is comprised of the area subject to high velocity wave action from the 1-percent annual chance flood. Zone V is subject to more stringent building requirements than other zones because these areas are exposed to a higher level of risk. Zone A is comprised of the area subject to inundation by 1-percent annual chance flood. These areas are not subject to high velocity wave action but are still considered high risk flooding areas.

For projects located outside of the 100-year floodplain (i.e., in Zone X or Shaded X), no further compliance with this part is required.

HUD financial assistance is prohibited in floodways unless an exception in section 55.12(c) applies or the project is a functionally dependent use (e.g. dams, marinas, and port facilities) or a floodplain function restoration activity. Therefore, proposed project sites located in Floodways are only eligible for acquisition / buyout assistance, through which the property will be converted to greenspace in perpetuity.

Additionally, if a property is located in the 100-year floodplain and in a community that is not participating in the National Flood Program or is not in good standing per the NFIP Community Status Book, federal assistance cannot be provided due to the lack of availability of flood insurance. At the time of this assessment, there are not any communities in Darlington County listed as not participating in, or not in good standing with, the National Flood Program.

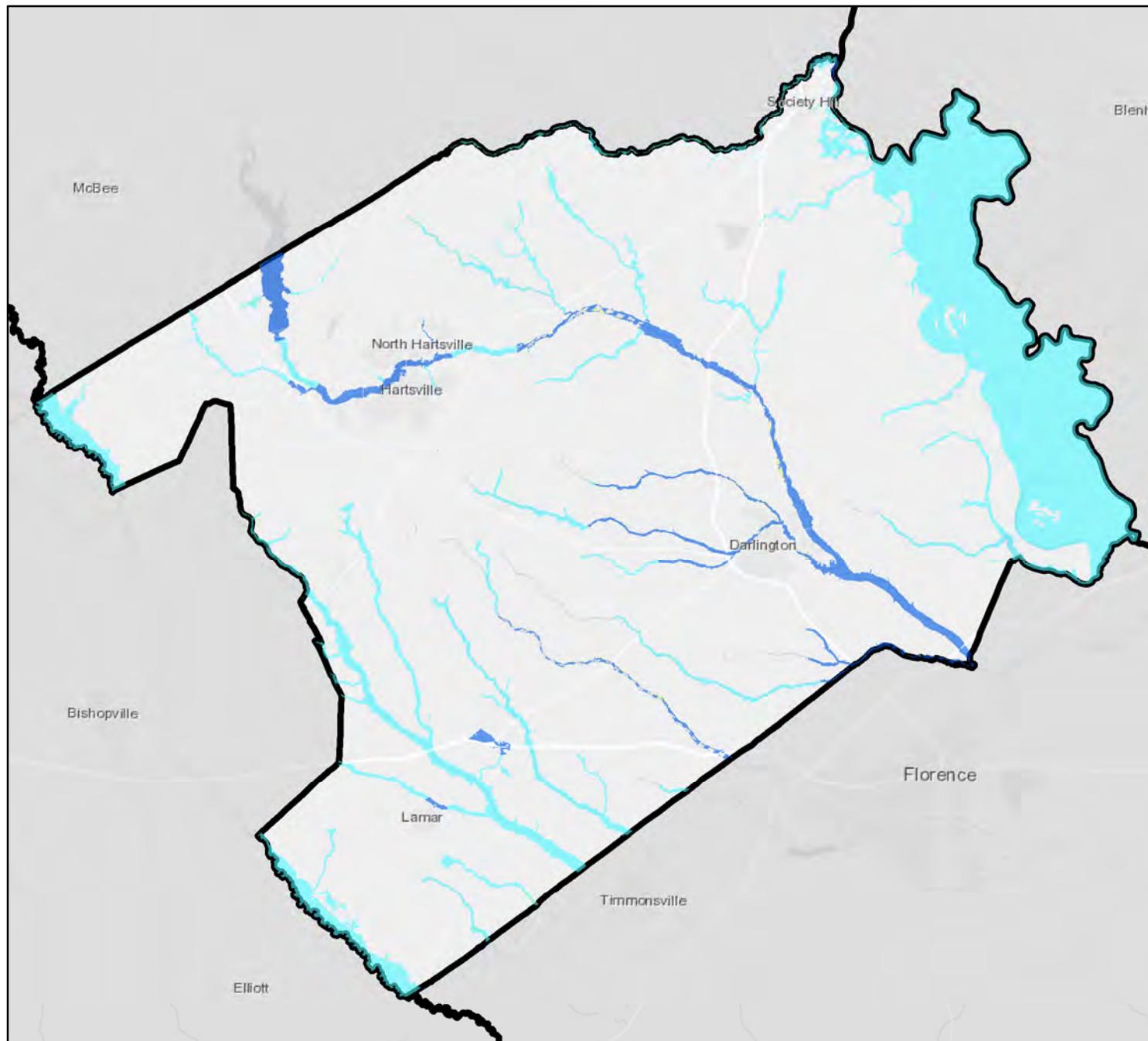
All projects located within Flood Zones A and V, will be required to comply with Federal, state, and local floodplain management regulations including elevation and mandatory flood insurance in these zones. Projects involving new construction (reconstruction or replacement), repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least two feet above the 1-percent annual floodplain elevation utilizing the advisory base flood elevation. Additionally, property owners assisted through the Program will be required to acquire and maintain flood insurance if their properties are in a 100-year floodplain; therefore, SCDRO will only provide assistance to properties in the 100-year floodplain, where the community is participating in the National Flood Program and in good standing. At the time of this assessment, there are not any communities in Darlington County listed as not participating or not in good standing with the National Flood Program.

# FEMA Flood Zone Coverage - Darlington County

## Hurricane Florence Single-Family Housing Program



**HORNE**  
Zones



Flood Zone	Acreage
Floodway	655.44
A	46411.00
AE	6527.27
Shaded X	318.77
X	308902.91

Sources: Effective Flood Zone Data imported from FEMA National Flood Hazard Layer; ESRI Imagery Basemap service.

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## The 8-Step Floodplain Decision Making Process

### 8-Step Decision Making Process for Floodplains 24 CFR 55.20 Darlington County

Executive Order 11988: Floodplain Management requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. The Federal Emergency Management Agency (FEMA) designates floodplains as geographic zones subject to varying levels of flood risk. Each zone reflects the severity or type of potential flooding in the area ([flood zone definitions](#)). The [FEMA Map Service Center](#) provides this information in the form of Flood Insurance Rate Maps (FIRM) or Flood Hazard Maps.

HUD's regulations in [24 CFR Part 55](#) outline HUD's procedures for complying with EO 11988. Part 55 applies to all HUD actions that could be harmed or cause harm if located in a floodplain, including but not limited to proposed acquisition, construction, demolition, improvement, disposition, and financing actions under any HUD program. The purpose of Part 55 is not, in most cases, to prohibit actions in a floodplain, but to provide the method for HUD projects to comply with EO 11988 and avoid unnecessary impacts.

The South Carolina Office of Resilience, Disaster Recovery (SCDRO) has reviewed the proposed actions to be undertaken by the Hurricane Florence Single-Family Housing Program (the 'Program') and determined that the 8-Step Decision Making Process is required.

**Step 1. Determine whether the proposed action is in a designated 100-year floodplain (or 500-year Floodplain for Critical Actions).**

In Darlington County, approximately 53,594 acres of land (14.8% of the county's land area) are within the 100-year floodplain. Although specific project sites have not yet been identified, the Program will repair, reconstruct, or replace single-family housing, some of which, may be located in the 100-year floodplain. Additionally, under limited circumstances, the Program will acquire damaged single-family residential properties in the 100-year floodplain in accordance with program guidelines, which will then be demolished and converted to greenspace in perpetuity. While the Program strives to fund as many eligible projects as funding will allow, current estimates indicate that the program will fund approximately 500 single-family repair / replacement / reconstruction projects, 15 rental repair projects and 50 homeowner buyouts across an eight (8) county area that includes Darlington County. No critical actions (as defined in 24 CFR 55.2(b)(2)(i)) will be undertaken by the Program; therefore, critical actions within the 100-year or 500-year floodplain, will not be addressed herein. This 8-Step Decision Making Process applies to Program activities involving residential structures within the 100-year floodplain. For activities that occur outside of the 100-year floodplain (i.e., in Zone X or Shaded X), no further compliance with this part is required.

Upon identification of eligible single-family applicants, each project site will be reviewed using the best available data to determine if the project is located within the 100-year floodplain (1-percent annual chance floodplain). The 1-percent annual chance floodplain includes both A and V Flood Hazard Zones. Zone V is comprised of the area subject to high velocity wave action from the 1-percent annual chance flood. Zone V is

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subject to more stringent building requirements than other zones because these areas are exposed to a higher level of risk. Zone A is comprised of the area subject to inundation by 1-percent annual chance flood. These areas are not subject to high velocity wave action but are still considered high risk flooding areas.

As these areas present significant risk of flooding and potential loss of life and property, all projects proposed for funding under the Hurricane Florence Single-Family Housing Program which are located within Flood Zones A and V, will be required to comply with Federal, state, and local floodplain management regulations including elevation and mandatory flood insurance in these zones.

South Carolina will implement resilient home construction standards based on sound, sustainable long-term recovery planning. South Carolina will follow HUD guidance to ensure all structures, defined at 44 CFR 59.1, designed principally for residential use and located in the 1-percent annual chance (100-year) floodplain that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least two feet above the 1-percent annual floodplain elevation utilizing the advisory base flood elevation. Additionally, property owners assisted through the Program will be required to acquire and maintain flood insurance if their properties are in a 100-year floodplain; therefore, SCDRO will only provide assistance to properties in the 100-year floodplain, where the community is participating in the National Flood Program and in good standing per the [FEMA Community Status Book](#). This requirement is mandated to protect safety of residents and their property and the investment of federal dollars.

**Step 2. Notify the public of the opportunity for early review of the proposal and involve the potentially affected and interested public in the decision-making process.**

Public notices required in the 8-Step process may be combined with other project notices wherever appropriate. Notices required under this part must be published in relevant languages, if the affected public is largely non-English speaking. In addition, all notices must be published in an appropriate local printed news medium. A minimum of 15 calendar days shall be allowed for comment on the public notice.

An “Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain” describing the program action was published for Darlington County in the Morning News January 27, 2021 (English and Spanish). This notice complies with the requirements of 24 CFR 55.20(b)(2), including the 15-day minimum requirement for public comment which ended on February 11, 2021. The notice served to inform and update interested agencies, groups, and individuals of the proposed activities that may occur in floodplain, thus engaging the public in the decision-making process. No comments were received by SCDRO from this publication.

**Step 3. Identify and evaluate practicable alternatives to implementing the proposed action in the 100-year floodplain.**

The following practicable alternatives to the proposed project, were identified and evaluated by SCDRO:

I. Not implementing the proposed action in the 100-year floodplain.

Not implementing the proposed action within the 100-year floodplain would significantly inhibit the program’s rehabilitation and reconstruction activities given that structures in the 100-year floodplain are significantly more likely to experience flood damage, in addition to preventing the program from addressing the housing needs of the most vulnerable and disproportionately impacted residents of South Carolina, particularly low- to moderate-income households still suffering from hurricane-related losses. Most of these residents would

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continue to live in the SFHA, in damaged, unsafe, and unsanitary housing. These residents would be at greater risk during future flood events, particularly if the homes do not meet current elevation requirements. Not implementing the proposed action would also prevent the program from expanding natural floodplain areas and reducing flood risks to these communities through the acquisition of damaged properties for the purpose of converting them to greenspace in perpetuity.

## II. Commissioning infrastructure projects to achieve community-wide flood protection.

The SCDRO also considered the alternative of commissioning flood control infrastructure projects to achieve community-wide flood protection. While these types of projects are still being considered, the SCDRO recognizes that it may take many years to study, design and implementation such projects which does not accomplish the Program's goal, and federal register directive, to primarily consider and meet the unmet housing recovery needs of these communities. Additionally, infrastructure projects can be cost-prohibitive, and typically offer only limited flood protection to a finite area and number of structures, making this an ineffective approach to flood protection given the number of projects and locations on scattered sites across an eight-county area.

## III. Exclusively implement acquisition of damaged structures in the 100-year floodplain for demolition and conversion to green space.

In circumstances such as repetitive flood properties and structures in the floodway, acquiring damaged structures in the 100-year floodplain for the purpose of demolishing and converting the property to greenspace in perpetuity, is a highly desirable outcome from a perspective of flood risk reduction, by moving people and structures out of harm's way. Additionally, when multiple contiguous properties are converted to green space, there are several beneficial impacts including: restoring the natural value and storage capacity of the floodplain. However, to only acquire properties for greenspace conversion to the exclusion of repair, reconstruction and replacement would further reduce the availability and affordability of housing stock for the most vulnerable populations within the community. Additionally, most of these residents would continue to live in the SFHA, in damaged, unsafe, and unsanitary housing. These residents would be at greater risk during future flood events, particularly if the homes do not meet current elevation requirements. The program has opted to include this alternative within its project activities, as a means of offering assistance for properties that might otherwise not be eligible for assistance while simultaneously reducing future flood risk.

## IV. Relocating all projects outside of the 100-year floodplain.

Relocating projects outside of the 100-year floodplain is another highly desirable outcome from a perspective of flood risk reduction, by moving people and structures out of harm's way. However, acquiring land for the purpose of development and relocating housing outside of the 100-year floodplain, is exorbitantly expensive and would vastly increase the cost of each individual housing project, thereby drastically reducing the number of projects the program could potentially fund. Additionally, SCDRO has implemented multiple disaster recovery housing programs in recent years, and repeatedly witnessed the preference of most residents to repair or rebuild their home in its current location. For these residents, relocating outside of the floodplain would negatively affect their proximity to their current employment and social network, including schools, churches, local services, neighbors, and family/relatives. SCDRO does acknowledge however, that less commonly, due to circumstances beyond the applicant's control, an applicant may be unable to receive a replacement manufactured home in the same location as their damage home. Therefore, SCDRO has opted to allow the implementation of this alternative in very limited circumstances, to be considered on a case-by-case basis.

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## V. Implementing the proposed action in the 100-year floodplain with hazard mitigation requirements.

The SCDRO Single-Family Housing Program is proposing to repair, reconstruct, or replace single-family housing, some of which may be located in the 100-year floodplain. Under limited circumstances, the Program will acquire damaged single-family residential properties in the 100-year floodplain in accordance with program guidelines, which will then be demolished and converted to greenspace in perpetuity or allow replacement manufactured homes to be replaced outside of the 100-year floodplain. In addition to requiring all rehabilitation projects to comply with the current HUD Housing Quality Standards (HQS), South Carolina will implement construction methods that emphasize quality, durability, energy efficiency, sustainability, and mold resistance. All rehabilitation, reconstruction, and new construction will be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future disasters. The following hazard mitigation measures will be incorporated to all projects, as applicable:

- South Carolina will implement resilient home construction standards. South Carolina will follow HUD guidance to ensure all structures, defined at 44 CFR 59.1, designed principally for residential use and located in the 1-percent annual (or 100-year) floodplain that receive assistance for new construction, repair of substantial damage, or substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least two feet above the 1-percent annual floodplain elevation. Residential structures with no dwelling units and no residents below two feet above the 1-percent annual floodplain, must be elevated or flood proofed, in accordance with FEMA flood proofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above the 1-percent annual floodplain.
- The owners of all properties in the 100-year floodplain, will be required to obtain and maintain flood insurance and informed of the requirement to notify prospective future owners of the requirement to maintain flood insurance regardless of the transfer of ownership. This requirement is mandated to protect safety of residents and their property and the investment of federal dollars.

Additionally, SCDRO will implement resilient practices to ensure the viability, durability and accessibility of replacement mobile homes.

- Although some local building codes allow installation of Wind Zone I rated mobile homes, SCDRO will only utilize mobile homes with a minimum wind rating of HUD Wind Zone II or higher (able to withstand winds up to 100 MPH).
- SCDRO will adopt the 5'7" rule, prohibiting the installation of mobile homes elevated 5'7" above grade without appropriate structural reinforcement.

### **Step 4. Identify and describe potential direct and indirect impacts associated with proposed action.**

#### **Potential Direct Impacts:**

- Repairing or rehabilitating a structure in a floodplain represents no substantial change from previous conditions except that substantially damaged structures would now be elevated at least two feet above the BFE or ABFE based on the best available (most recent) floodplain mapping, thereby reducing future damages from flooding.
- Elevating, replacing, or reconstructing a residential dwelling in a SFHA could potentially disturb or alter the ecological significance and water-holding capabilities, either through construction or the fill material used. This scenario is not anticipated considering that all direct project construction will be conducted on single-family, residentially zoned parcels, on scattered sites throughout the county, and will involve existing residential structures being substantially repaired or reconstructed and elevated, within the disturbed area of the parcel associated with the damaged structure.

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#### Potential Indirect Impacts:

- Any construction activity (i.e., demolition, site preparation, rehabilitation, replacement, or reconstruction) in a floodplain has the potential to indirectly disturb or alter water quality by impacting stormwater runoff. Stormwater flow across a construction site has the potential to transport debris, lead-based paint, asbestos containing material, sediment, and chemicals/residues into surface and groundwater. The program will minimize these impacts by requiring applicant contractors to use appropriate BMPs (including proper site management and soil stabilization) during construction activities.

**Step 5.** *Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the natural and beneficial values of the floodplain.*

As discussed in Step 3, SCDRO will implement the acquisition/buyout and relocation alternatives in scenarios where doing so would minimize the threat to lives and property by removing people and structures from harm's way thereby minimizing potential adverse impacts. Additionally, the acquisition/buyout alternative would restore and preserve the natural and beneficial values of floodplains in those areas further reducing future flood risk within the community.

SCDRO also requires the elevation of all substantially damaged and reconstructed structures in the floodplain a minimum of two feet above the base flood elevation. When followed, these regulations will reduce the threat of flood damage to the homes located in the floodplain. The new elevation levels, which applicants are required to adhere to when considering reconstruction or rehabilitation of their substantially damaged properties, represent the best available data and are assumed to advance floodplain management efforts in the impacted counties.

Additionally, property owners participating in the SCDRO Single-Family Housing Program would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high-wind events, and benefit floodplain values:

1. All proposed reconstruction and repair of substantially damaged structures in the floodplain must adhere to the latest (most recent) elevation.
2. All participants in the program whose property is in the 100-year floodplain shown on the effective Flood Insurance Rate Map (FIRM) or Preliminary FIRM as Best Available Data must carry flood insurance on the subject structure in perpetuity; and
3. In the case of "Coastal High Hazard" areas ("V" zones on the latest (most recent) FEMA-issued maps), that the applicant adhered to construction standards, methods and techniques as required by HUD Regulation 24 CFR Part 55.1 (c)(3).

It has been determined that through the implementation of the alternatives and requirements outlined above, SCDRO's Housing Program will minimize adverse impacts to lives and property, will have minimal or no adverse impacts within the floodplain, and in certain circumstances may even help to restore the natural and beneficial values of the floodplain.

#### **Step 6. Reevaluate the Alternatives:**

Based on the information provided in Steps 3 and 4, and the mitigation measures discussed in Step 5 (designed to further minimize adverse impacts and restore the natural and beneficial values of the floodplain when

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feasible), the proposed Program action is still determined to be the most practicable and when combined with the review procedures enacted at the site-specific level is not anticipated to aggravate current flood hazards or disrupt floodplain values. Alternatives I through IV, as identified in Step 3 are impracticable as sole alternatives to the proposed action, as they do not meet the Program's goal of meeting unmet housing needs by providing safe and sanitary housing to disaster-impacted property owners.

***Step 7. Determination of No Practicable Alternative:***

It is SCDRO's determination that alternatives have been incorporated to the proposed project to the extent feasible and there is no practicable alternative to locating the proposed project in the floodplain. This is due to 1) the need to restore safe, sanitary and affordable housing within the disaster-impacted community; 2) the desire to not unduly displace residents, disconnecting them from their economic and social networks; 3) the need to enact economically viable and fiscally responsible programs within federal CDBG-DR allocation limits; and 4) the limited scope and impact of the proposed project combined with the program's ability to mitigate and minimize impacts on human health, public property and floodplain values. The SCDRO has determined that the proposed project would not result in significant adverse impacts to flood levels, flood risk, or the flow of floodwaters on the project site or surrounding areas, and in some circumstances may even reduce flood levels, flood risk, and increase the storage capacity of the floodplain within the project area. Therefore, the proposed project complies with the National Flood Insurance Program (NFIP), HUD's regulations on Floodplain Management and Protection of Wetlands (24 CFR Part 55) and Final Rule (78 FR 68719), and Executive Order 11988: Floodplain Management.

A final notice was published for Darlington County in the Morning News (English and Spanish) on February 15, 2021 allowing a minimum of 15 calendar days additional public comment. The notice explains the reasons why the program project must be in the floodplain, provides the list of alternatives considered in Steps 3 and 6, and describes all mitigation measures (listed under Step 5) that were incorporated to minimize adverse impacts and preserve and restore natural and beneficial floodplain values. The comment period ended on March 2, 2021. An electronic copy of the notice is included. No concerns were expressed by the public in response to this notice.

***Step 8. Implement the Proposed Action.***

The SCDRO recognizes that there is a continuing responsibility to ensure that the practicable alternatives and mitigation measures identified above are fully integrated into program policies and construction best management practices. SCDRO has established policies and procedures to support and verify the implementation of these requirements as well as any additional design modifications or mitigation requirements that may result from the environmental review process and/or local and state permits.

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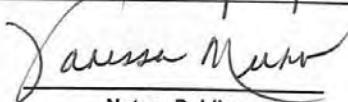
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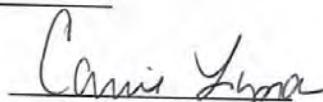
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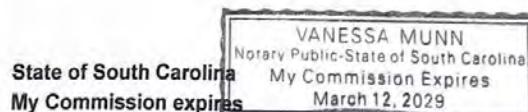
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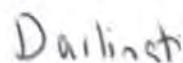
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## Legals

## Legals

## Legals

## Legals

## LEGAL NOTICES

## LEGAL NOTICES

## LEGAL NOTICES

## LEGAL NOTICES

Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain  
Darlington County

To: All Interested Agencies, Groups and Individuals

This is to give notice that South Carolina Office of Resilience, Disaster Recovery Office (SCDRO) has determined that the following proposed action under the Hurricane Florence Single-Family Housing Program (HUD CDBG-DR Grants B-19-DV-45-0001 / B-19-DV-45-0002), may include project sites located in the 100-year floodplain, and SCDRO will be identifying and evaluating practicable alternatives to locating the action in the floodplain and the potential impacts on the floodplain from the proposed action, as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. To assist the most vulnerable families in their recovery efforts, the State has developed a housing program to meet the housing needs as identified through the unmet needs assessment to include: repair / rehabilitation of existing single-family (1-4 unit) stick-built housing or Manufactured Housing Units (MHUs); replacement of damaged MHUs; reconstruction of disaster-damaged stick-built single-family (1-4 unit) homes; limited relocation assistance on a case-by-case basis; single-family (1-4 unit) rental repair of stick-built properties; and acquisition / buyout. Repair / rehabilitation activities may include, but are not limited to, repair or replacement of structural elements such as roofs, foundation work, framing, windows, doors, trim, insulation, sheetrock, flooring, plumbing and electrical fixtures, wiring and mechanical systems, and remediation asbestos, lead-based paint, and mold. Reconstruction activities will include demolition of the original storm-damaged unit, site preparation, elevation as required, and reconstruction of a single-family dwelling. MHU replacement will include demolishing the original MHU on site, hauling debris away and installing a new MHU with site preparation and elevation as required. Additionally, during the execution of these activities (as deemed necessary and appropriate), the State will implement mitigation and resilience measures, such as elevation, wind resilient structures and access ramps. The Hurricane Florence Single-Family Housing Program is a multi-year project anticipated to operate from January 2021 through December 2027, or for a period of six years from the date HUD funds are obligated. While the program strives to fund as many eligible projects as funding will allow, current estimates indicate that the program will fund approximately 500 single-family repair / replacement / reconstruction projects, 15 rental repair projects and 50 homeowner buyouts across an eight (8) county area. Buyout assistance is limited to properties in the most impacted and distressed counties - Dillon, Horry, and Marion.

Although developed residential properties in the 100-year floodplain typically do not contribute significantly to the function and value of natural floodplains, due to the extensive development of floodplains, it is not uncommon for areas of natural floodplains to be present in close proximity, or even adjacent to, developed areas. Natural floodplains provide flood risk reduction benefits by slowing runoff and storing and conveying flood water. They also provide other benefits of considerable economic, social, and environmental value such as fish and wildlife habitat protection, natural flood and erosion control, surface water quality maintenance, groundwater discharge or recharge, biological productivity, and higher quality recreational opportunities (fishing, bird watching, boating, etc.). According to the FEMA National Flood Hazard data, approximately 53,594 acres (14.8%) of land in Darlington County, South Carolina lies within the 100-Year Floodplain also known as the Special Flood Hazard Area (SFHA). The proposed project activities will be limited to the previously disturbed area of the property and will occur on previously developed, scattered residential sites throughout Darlington County, South Carolina.

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 sites outside of the floodplain, 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 educational tool. The dissemination of information and request for public comment about floodplains 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, it must inform those who may be put at greater or continued risk.

Written comments must be received by SCDRO at the following address on or before February 11, 2021: South Carolina Office of Resilience (SCDRO), 632 Rosewood Drive, Columbia, SC 29201. Attention: Eric Fosmire, Legal Director. A full description of the project may also be reviewed weekdays between 9:00 A.M. and 5:00 P.M. at the South Carolina Office of Resilience, 632 Rosewood Drive, Columbia, SC 29201. Comments may also be submitted via email to eric.fosmire@admin.sc.gov.

Published: January 27, 2021

Pre-Aviso con Revisión Pública de Actividades Propuestas para Proyectos Ubicados en Zonas de Inundaciones de 100 Años  
Condado de Darlington

Para: Todas las agencias, grupos e individuos interesados

La presente es para notificar que la oficina de Resiliencia para desastres naturales de Carolina del Sur (SCDRO) ha determinado que la siguiente acción propuesta bajo el programa de Vivienda Unifamiliar del Huracán Florence (HUD CDBG-DR Grants B-19-DV-45-0001 / B-19-DV-45-0002), podrá incluir sitios donde el proyecto esté ubicado en zonas de inundación de 100 años. SCDRO identificará y evaluará prácticas alternativas para ubicar la acción en la zona de inundación de la acción propuesta, según lo requiere la orden ejecutiva 11988, de acuerdo con las regulaciones de HUD (Departamento de Vivienda y Desarrollo Urbano) en 24 CFR 55.20 Subparte C-Procedimientos para tomar determinaciones sobre el manejo de las zonas de inundación. Para ayudar a las familias más vulnerables en sus esfuerzos de recuperación, el estado ha desarrollado un programa de vivienda para satisfacer las necesidades de vivienda identificadas a través de la evaluación de necesidades insatisfechas que incluyen: Reparación/ rehabilitación de viviendas unifamiliares existentes (1-4 unidades) viviendas o unidades de vivienda prefabricadas (MHU) reemplazo de MHU dañadas; reconstrucción de viviendas unifamiliares (de 1 a 4 unidades) con infraestructura en madera y dañadas por el desastre; asistencia limitada para reubicaciones caso por caso; reparación de viviendas unifamiliares en alquiler con infraestructura en madera (1-4 unidades); y adquisición/ compra. Las actividades de reparación/ rehabilitación incluyen, pero no están limitadas a la reparación o reemplazo de elementos estructurales como techos, cimientos, marcos, ventanas, puertas, molduras, aislamiento, placas de yeso, pisos, plomería, accesorios eléctricos, cableado y sistemas mecánicos, y remoción de asbesto, pintura a base de plomo y moho. Las actividades de reconstrucción incluirán la demolición de la unidad original dañada por la tormenta, la elevación según sea necesario y la preparación y reconstrucción de una vivienda unifamiliar. El reemplazo de una MHU incluirá demoler la MHU original en el sitio, retirar los escombros e instalar una nueva MHU con la preparación y elevación del sitio según sea necesario. Adicionalmente, durante la ejecución de estas actividades (según se considere necesario y apropiado), el Estado implementará medidas de mitigación y resiliencia, tales como elevación, estructuras resistentes al viento y rampas de acceso. El Programa de Vivienda Unifamiliar del Huracán Florence es un proyecto de varios años que se prevé que operará desde enero de 2021 hasta diciembre de 2027, o por un período de seis años a partir de la fecha en que los fondos sean asignados por HUD. A pesar de que el programa se esforzará en financiar tantos proyectos elegibles como lo permitan los fondos, las estimaciones actuales indican que el programa financiará aproximadamente 500 proyectos de reparación/ reemplazo/ reconstrucción de viviendas unifamiliares, 15 proyectos de reparación de alquiler y 50 adquisiciones de propietarios de viviendas en ocho (8) condados. La asistencia de compra se limita a propiedades en los condados más afectados y en dificultades: Dillon, Horry Y Marion.

Aunque las propiedades residenciales que han sido desarrolladas y están ubicadas en la zona de inundación de 100 años generalmente no contribuyen significativamente a la función y el valor de las zonas de inundación naturales, debido al extenso desarrollo de las zonas de inundación, no es raro que haya zonas de inundación naturales en las proximidades, o incluso adyacentes a áreas desarrolladas. Las zonas de inundación naturales brindan beneficios reduciendo el riesgo a inundaciones al disminuir la escorrentía pluvial y almacenar y transportar el agua de la inundación. Las zonas de inundación naturales también brindan otros beneficios de considerable valor económico, social y ambiental, como la protección del hábitat de los peces y la vida silvestre, el control natural de las inundaciones y la erosión, el mantenimiento de la calidad del agua superficial, la descarga o recarga del agua subterránea, la productividad biológica y oportunidades recreativas de mayor calidad (pesca, observación de aves, paseos en bote, etc.). Según los datos de peligro de inundación nacional de FEMA, aproximadamente 53,594 acres (14.8%) de tierra en el condado de Darlington, Carolina del Sur, se encuentra dentro de la zona de inundación de 100 años también conocida como el área de peligro de inundación especial (SFHA). Las actividades del proyecto propuesto se limitarán a áreas previamente perturbadas en propiedades y ocurrirán en sitios residenciales desiertos previamente desarrollados en todo el condado de Darlington, Carolina del Sur.

Hay tres propósitos principales para este aviso. En primer lugar, las personas que puedan verse afectadas por las actividades en las zonas de inundación y aquellas que tengan interés en la protección del medio ambiente natural tendrán la oportunidad de expresar sus preocupaciones y proporcionar información sobre estas áreas. Se anima a que personas ofrecan sitios alternativos fuera de la zona de inundación, métodos alternativos para cumplir el mismo propósito del proyecto propuesto y métodos para minimizar y mitigar los impactos. En segundo lugar, un programa de notificación pública adecuado puede ser una herramienta educativa pública importante. La difusión de información y la solicitud de comentarios del público sobre las zonas de inundación pueden facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y modificación de estas áreas especiales. En tercer lugar, como cuestión de justicia, cuando el gobierno federal determina que participará en las acciones que se llevarán a cabo en zonas de inundación, deberán informar a quienes puedan correr un riesgo mayor o continuo.

Comentarios escritos deben ser recibidos por SCDRO a la siguiente dirección el 11 de febrero de 2021 o antes: Oficina de Resiliencia de Carolina del Sur (SCDRO), 632 Rosewood Drive, Columbia, SC 29201. Atención: Eric Fosmire, Director Legal. También se puede revisar una descripción completa del proyecto los días de la semana entre las 9:00 a.m. y 5:00 p.m. en la oficina de Resiliencia de Carolina del Sur, 632 Rosewood Drive, Columbia, SC 29201. Los comentarios también se pueden enviar por correo electrónico a eric.fosmire@admin.sc.gov.

Published: 27 de enero de 2021

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**Early Notice and Public Review of a  
Proposed Activity in a 100-Year Floodplain  
Darlington County**

To: All interested Agencies, Groups and Individuals

This is to give notice that South Carolina Office of Resilience, Disaster Recovery Office (SCDRO) has determined that the following proposed action under the Hurricane Florence Single-Family Housing Program (HUD CDBG-DR Grants B-19-DV-45-0001 / B-19-DV-45-0002), may include project sites located in the 100-year floodplain, and SCDRO will be identifying and evaluating practicable alternatives to locating the action in the floodplain and the potential impacts on the floodplain from the proposed action, as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. To assist the most vulnerable families in their recovery efforts, the State has developed a housing program to meet the housing needs as identified through the unmet needs assessment to include: repair / rehabilitation of existing single-family (1-4 unit) stick-built housing or Manufactured Housing Units (MHUs); replacement of damaged MHUs; reconstruction of disaster-damaged stick-built single-family (1-4 unit) homes; limited relocation assistance on a case-by-case basis; single-family (1-4 unit) rental repair of stick-built properties; and acquisition / buyout. Repair / rehabilitation activities may include, but are not limited to, repair or replacement of structural elements such as roofs, foundation work, framing, windows, doors, trim, insulation, sheetrock, flooring, plumbing and electrical fixtures, wiring and mechanical systems, and remediation asbestos, lead-based paint, and mold. Reconstruction activities will include demolition of the original storm-damaged unit, site preparation, elevation as required, and reconstruction of a single-family dwelling. MHU replacement will include demolishing the original MHU on site, hauling debris away and installing a new MHU with site preparation and elevation as required. Additionally, during the execution of these activities (as deemed necessary and appropriate), the State will implement mitigation and resilience measures, such as elevation, wind resilient structures and access ramps. The Hurricane Florence Single-Family Housing Program is a multi-year project anticipated to operate from January 2021 through December 2027, or for a period of six years from the date HUD funds are obligated. While the program strives to fund as many eligible projects as funding will allow, current estimates indicate that the program will fund approximately 500 single-family repair / replacement / reconstruction projects, 15 rental repair projects and 50 homeowner buyouts across an eight (8) county area. Buyout assistance is limited to properties in the most impacted and distressed counties – Dillon, Horry, and Marion.

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Published: January 27, 2021

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**Pre-Avisó con Revisión Pública de Actividades Propuestas para  
Proyectos Ubicados en Zonas de Inundaciones de 100 Años  
Condado de Darlington**

Para: Todas las agencias, grupos e individuos interesados

La presente es para notificar que la oficina de Resiliencia para desastres naturales de Carolina del Sur (SCDRO) ha determinado que la siguiente acción propuesta bajo el programa de Vivienda Unifamiliar del Huracán Florence (HUD CDBG-DR Grants B-19-DV-45-0001/ B-19-DV-45-0002), podrá incluir sitios donde el proyecto este ubicado en zonas de inundación de 100 años. SCDRO identificará y evaluará prácticas alternativas para ubicar la acción en la zona de inundación de la acción propuesta, según lo requiere la orden ejecutiva 11988, de acuerdo con las regulaciones de HUD (Departamento de Vivienda y Desarrollo Urbano) en 24 CFR 55.20 Subparte C-Procedimientos para tomar determinaciones sobre el manejo de las zonas de inundación. Para ayudar a las familias mas vulnerables en sus esfuerzos de recuperación, el estado ha desarrollado un programa de vivienda para satisfacer las necesidades de vivienda identificadas a través de la evaluación de necesidades insatisfechas que incluye: Reparación/ rehabilitación de viviendas unifamiliares existentes (1-4 unidades) viviendas o unidades de vivienda prefabricadas (MHU) reemplazo de MHU dañados; reconstrucción de viviendas unifamiliares (de 1 a 4 unidades) con infraestructura en madera y dañadas por el desastre; asistencia limitada para reubicaciones caso por caso; reparación de viviendas unifamiliares en alquiler con infraestructura en madera (1-4 unidades); y adquisición/ compra. Las actividades de reparación/ rehabilitación incluyen, pero no están limitadas a la reparación o remplazo de elementos estructurales como techos, cimientos, marcos, ventanas, puertas, molduras, aislamiento, placas de yeso, pisos, plomería, accesorios electrónicos, cableado y sistemas mecánicos, y remoción de asbestos, pintura a base de plomo y moho. Las actividades de reconstrucción incluirán la demolición de la unidad original dañada por la tormenta, la elevación según sea necesario y la preparación y reconstrucción de una vivienda unifamiliar. El remplazo de una MHU incluirá demoler la MHU original en el sitio, retirar los escombros e instalar una nueva MHU con la preparación y elevación del sitio según sea necesario. Adicionalmente, durante la ejecución de estas actividades (según se considere necesario y apropiado), el Estado implementara medidas de mitigación y resiliencia, tales como elevación, estructuras resistentes al viento y rampas de acceso. El Programa de Vivienda Unifamiliar del Huracán Florence es un proyecto de varios años que se prevé que operará dese enero de 2021 hasta diciembre de 2027, o por un periodo de seis años a partir de la fecha en que los fondos sean asignados por HUD. A pesar de que el programa se esforzará en financiar tantos proyectos elegibles como lo permitan los fondos, las estimaciones actuales indican que el programa financiará aproximadamente 500 proyectos de reparación/ reemplazo/ reconstrucción de viviendas unifamiliares, 15 proyectos de reparación de alquiler y 50 adquisiciones de propietarios de viviendas en ocho (8) condados. La asistencia de compra se limita a propiedades en los condados mas afectados y en dificultades: Dillion, Horry Y Marion.

Aunque las propiedades residenciales que han sido desarrolladas y están ubicadas en la zona de inundación de 100 años generalmente no contribuyen significativamente a la función y el valor de las zonas de inundación naturales, debido al extenso desarrollo de las zonas de inundación, no es raro que haya zonas de inundación naturales en las proximidades, o incluso adyacentes a áreas desarrolladas. Las zonas de inundación naturales brindan beneficios reduciendo el riesgo a inundaciones al disminuir la escorrentía pluvial y almacenar y transportar el agua de la inundación. Las zonas de inundación naturales también brindan otros beneficios de considerable valor económico, social y ambiental, como la protección del hábitat de los peces y la vida silvestre, el control natural de las inundaciones y la erosión, el mantenimiento de la calidad del agua superficial, la descarga o recarga del agua subterránea, la productividad biológica y oportunidades recreativas de mayor calidad (pescas, observación de aves, paseos en bote, etc.). Según los datos de peligro de inundación nacional de FEMA, aproximadamente 53,594 acres (14.8%) de tierra en el condado de Darlington, Carolina del Sur, se encuentra dentro de la zona de inundación de 100 años también conocida como el área de peligro de inundación especial (SFHA). Las actividades del proyecto propuesto se limitarán a áreas previamente perturbadas en propiedades y ocurrirán en sitios residenciales despiertos previamente desarrollados en todo el condado de Darlington, Carolina de Sur.

Hay tres propósitos principales para este aviso. En primer lugar, las personas que puedan verse afectadas por las actividades en las zonas de inundación y aquellas que tengan interés en la protección del medio ambiente natural tendrán la oportunidad de expresar sus preocupaciones y proporcionar información sobre estas áreas. Se anima a que personas ofrezcan sitios alternativos fuera de la zona de inundación, métodos alternativos para cumplir el mismo propósito del proyecto propuesto y métodos para minimizar y mitigar los impactos. En segundo lugar, un programa de notificación pública adecuado puede ser una herramienta educativa pública importante. La difusión de información y la solicitud de comentarios del público sobre las zonas de inundación pueden facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y modificación de estas áreas especiales. En tercer lugar, como cuestión de justicia, cuando el gobierno federal determina que participará en las acciones que se llevarán a cabo en zonas de inundación, deberán informar a quienes puedan correr un riesgo mayor o continuo.

Comentarios escritos deben ser recibidos por SCDRO a la siguiente dirección el 11 de febrero de 2021 o antes: Oficina de Resiliencia de Carolina del Sur (SCDRO), 632 Rosewood Drive, Columbia, SC 29201, Atención: Eric Fosmire, Director Legal. También se puede revisar una descripción completa del proyecto los días de la semana entre las 9:00 a.m. y 5:00 P.M. en la oficina de Resiliencia de Carolina del Sur, 632 Rosewood Drive, Columbia, SC 29201. Los comentarios también se pueden enviar por correo electrónico a [eric.fosmire@admin.sc.gov](mailto:eric.fosmire@admin.sc.gov).

Publicado: 27 de enero de 2021

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## Clean Air

Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR 6, 51, 93

### **Regulatory Agencies Consulted**

SC DHEC Bureau of Air Quality, Air Initiatives and Mobile Sources Section  
SC DHEC Bureau of Air Quality, Division of Compliance Management

### **Regulatory Background and Broad Review Determination**

South Carolina's SIP includes the initial SIP, which was submitted to the U.S. Environmental Protection Agency (EPA) in 1972, and the accumulated record of its amendments. These amendments, going back to 1973, along with the original SIP, constitute South Carolina's SIP. Several individual elements can make up the state's complete "SIP." There are many different components of the SIP, including: Infrastructure SIP elements, Nonattainment SIP elements, Attainment Demonstrations, Maintenance Plans, Section 111(d)/129 Plans.

A nonattainment plan is the specific SIP plan element designed to address a particular area in the state that has been designated as nonattainment for a standard. Once nonattainment designations take effect, the state has three years to develop a nonattainment SIP revision outlining how a particular area will attain and maintain the standards by reducing air pollutant emissions in that area. The only nonattainment plans in South Carolina are for the York County part of the Charlotte-Gastonia-Rock Hill NC-SC nonattainment area for the 2008 Ozone NAAQS.

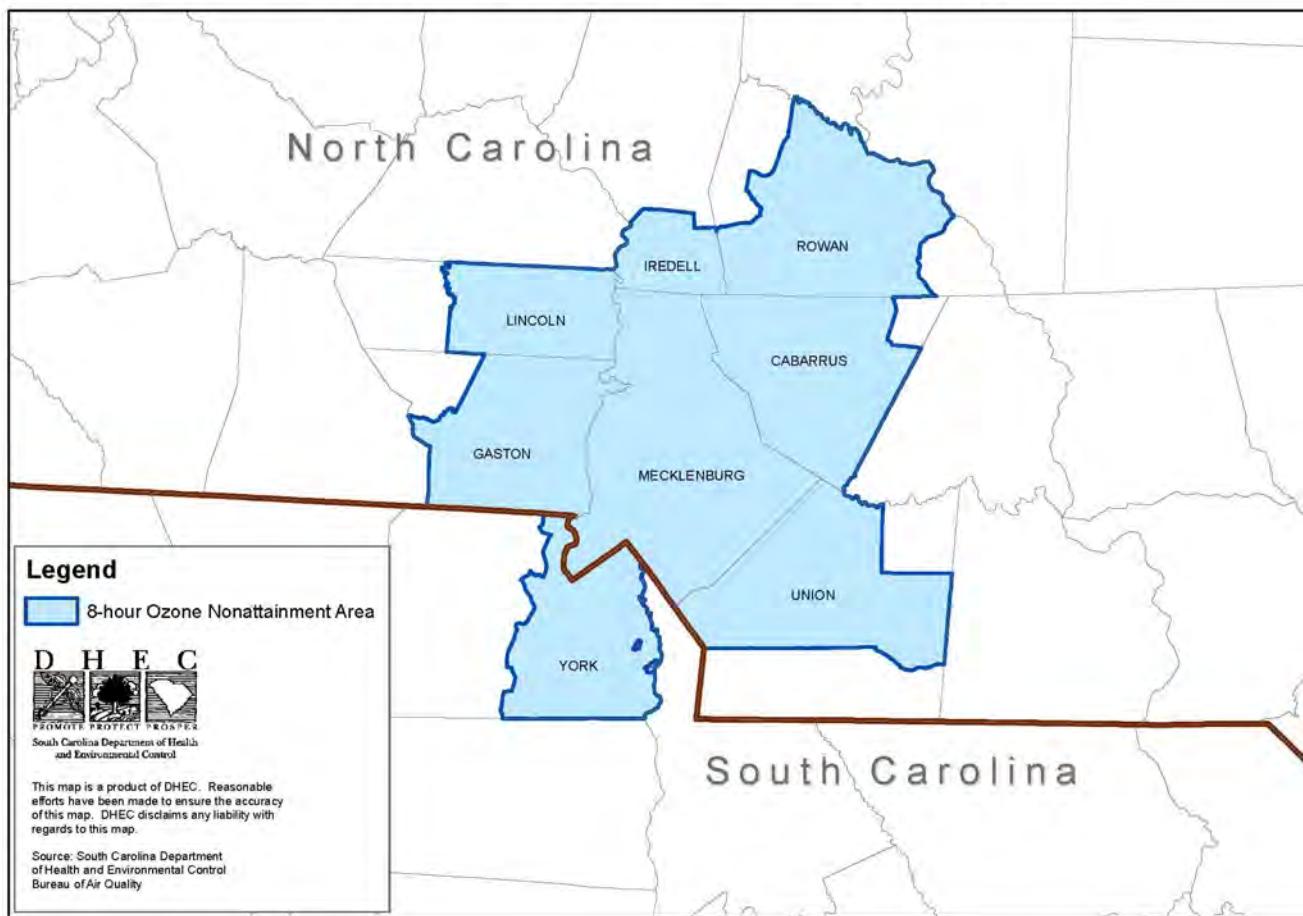
On August 22, 2014, the Department submitted a [Marginal Nonattainment Area SIP](#) to meet the requirements for the York County portion of the Charlotte-Rock Hill NC-SC 8-hour Ozone Nonattainment Area, for the 2008 NAAQS ozone standards. This SIP certifies that each Clean Air Act 182(a) marginal area requirement has been met, to include an emissions inventory. On April 17, 2015, DHEC submitted a SIP Package request to redesignate the York nonattainment area to attainment. A Notice of Final Amendment to the Air Quality SIP was published in the State Register on April 24, 2015. This action is due to the latest ozone monitoring data that show all monitors in and near the nonattainment area to have 2014 design values lower than the 2008 NAAQS (0.075 ppm.) A public hearing was held March 30, 2015. No comments, written or oral, were received from the public. On December 11, 2015 the EPA approved DHEC's request (80 FR 76865) and the redesignation to attainment became effective on January 11, 2016.

An area that was once designated as nonattainment, but has been redesignated as attainment, must submit a maintenance plan, as required by section 175A of the Clean Air Act. South Carolina has submitted maintenance plans for two areas of the state, Cherokee County and the York County portion of the Charlotte-Gastonia-Rock Hill NC-SC nonattainment area.

Section 176(c) of the Clean Air Act (CAA) requires a federal agency that funds any activity in a nonattainment or maintenance area to conform to the State Implementation Plan (SIP). The proposed project area does not include Cherokee County or York County, the only two maintenance areas in South Carolina. Therefore, conformance with the SIP is not required.

The Bureau of Air Quality, Division of Air Assessment, Innovations, & Regulation was contacted on May 8, 2018 regarding project compliance for housing program activities related to Hurricane Matthew. In a response dated May 18, 2018, the Bureau indicated there were two criteria pollutants of concern in South Carolina (Ozone and Particulate Matter 2.5) and offered suggestions for reducing emissions from diesel equipment, as a way to help the state stay in compliance with NAAQS. These suggestions were incorporated into the Mitigation Measures section to be applied to all project activities.

#### North Carolina/South Carolina 8-hr Ozone Nonattainment Area (2008 Standard)



#### General Conformity Clean Air Act Requirements

EPA's federal General Conformity regulation (40 CFR Part 90) implements the CAA. The General Conformity Rule requires that the direct and indirect air emissions from proposed actions in nonattainment areas, are identified and compared to the de minimis levels in the regulation to determine compliance. If the emissions from the action are below the de minimis levels, the action complies with the CAA. Federal projects must conform to Clean Air Act requirements if they may constitute a significant new source of air pollution. For projects that do not involve new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units, it can be assumed that emissions are below de minimis levels and the project is in compliance with the Act.

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Proposed project activities include rehabilitation, reconstruction, and replacement of single family (1-4 unit) properties at scattered sites throughout the project area. Emissions associated with the proposed actions are limited to the 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, and therefore, in compliance with the Clean Air Act.

### **Radon**

Radon is a cancer causing, radioactive gas that you cannot see, smell, or taste. The U.S. EPA states that radon is the second leading cause of lung cancer in the U.S. and the number one cause among non-smokers. Radon comes from the natural breakdown of uranium in soil, rock, and water and finds its way into homes through cracks and holes in the foundation, construction joints, and plumbing fixtures. As a result, radon gas has been identified by the EPA as an indoor and outdoor air quality issue.

The EPA developed a map of Radon Zones in 1993, using data on indoor radon measurements, geology, aerial radioactivity, soil parameters, and foundation types, in an effort to identify areas of the U.S. with the potential for elevated indoor radon levels. The Zones indicated on the map are not actual radon levels for an area, they are 'indicators' intended to help governments and other organizations target risk reduction activities and resources. The entire 8-county program area, including Darlington County, is designated as a Zone 3, EPA's lowest potential rating, and is therefore not anticipated to pose an indoor air quality issue.

The review for the Clean Air Act and Air Quality is concluded at the Tier I Broad Review level.

*\*Lead and asbestos removal are not covered under Section 176; see Contamination and Toxic Substances.*

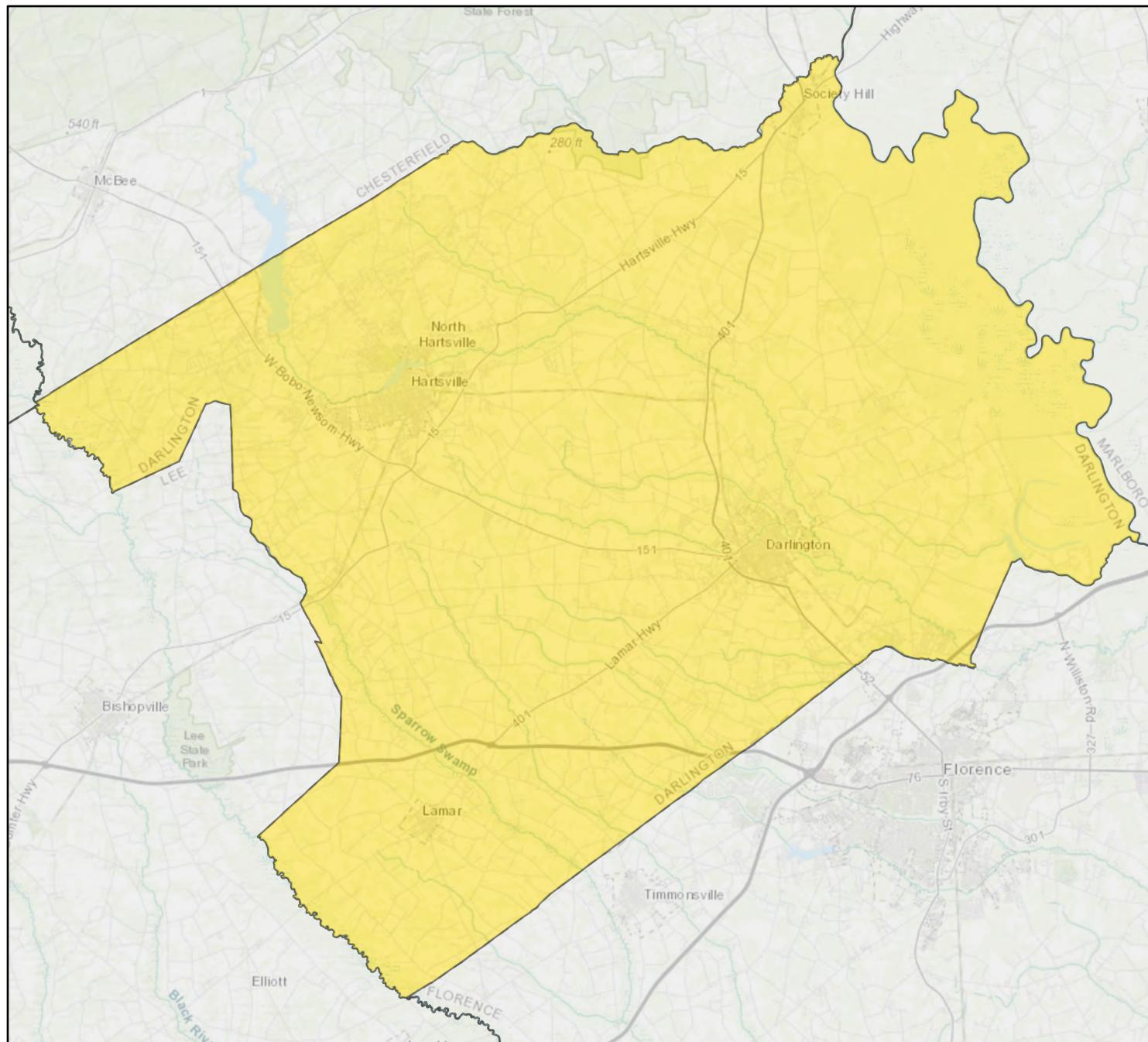
### **Site Specific Review Process**

There are no Clean Air Act compliance requirements or Air Quality issues in Darlington County which would require review at the site-specific level; therefore, the site-specific review checklist will document that the review was concluded at the Tier I level.

# EPA Radon Zones - Darlington County Hurricane Florence Single-Family Housing Program



**HORNE**



Sources: Radon data obtained from the Environmental Protection Agency GIS Portal; ESRI Imagery Basemap service.

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## Coastal Zone Management

### Coastal Zone Management Act, Sections 307(c) &(d)

#### **Regulatory Agencies Consulted**

SC DHEC Office of Ocean and Coastal Resource Management, Coastal Zone Consistency Section

#### **Regulatory Background and Broad Review Determination**

The South Carolina Coastal Management Program was established under the guidelines of the national Coastal Zone Management Act (1972) as a state-federal partnership to comprehensively manage coastal resources. The South Carolina Coastal Zone Management Act was authorized in 1977 under SC's Coastal Tidelands and Wetlands Act (CTWA) with the goal of achieving a balance between the appropriate use, development, and conservation of coastal resources in the best interest of all citizens of the state. DHEC's Office of Ocean and Coastal Resource Management is the designated state coastal management agency and is responsible for the implementation of the state's Coastal Management Program. Implementation includes the direct regulation of impacts to coastal resources within the critical areas of the state including coastal waters, tidelands, beaches, and beach dune systems; and indirect certification authority over federal actions and state permit decisions within the eight coastal counties.

The South Carolina Coastal Zone is defined in Section 3(B) of the South Carolina Coastal Management Act of 1977 as: All coastal waters and submerged lands seaward to the State's jurisdictional limits and all lands and waters in the counties of the State which contain any one or more of the critical areas. These counties are Beaufort, Berkley, Charleston, Colleton, Dorchester, Horry, Jasper, and Georgetown. The critical areas are defined in Section 3(J) as: coastal waters, tide-lands, beaches and primary ocean-front sand dunes.

On June 26, 2018, the SC Department of Health and Environmental Control, Coastal Zone Consistency Section of Ocean & Coastal Resource Management, responded to an email regarding housing program activities related to Hurricane Matthew. The response indicated that while the project activities described were not likely to affect coastal resources, a Coastal Zone Consistency Determination pursuant to 15 CFR 930, Subpart F – Consistency for Federal Assistance to State and Local Governments, would be needed for projects subject to regulation under the SC Coastal Zone Management Program. On January 26, 2021, the Coastal Zone consistency Section was contacted regarding project compliance for activities related to Hurricane Florence and provided a copy of the Early Floodplain Notice. On March 2, 2021, the resource agency was provided with the combined Final Floodplain Notice, and Finding of No Significant Impact and Intent to Request Release of Funds. In a response received March 3, 2021, the Section Manager stated that no review by their program would be required because project activities are located outside of the coastal zone for South Carolina.

The project area is not within the South Carolina Coastal Zone and is therefore, not subject to the Coastal Zone Plan. The review of Coastal Zone Management is concluded.

#### **Site Specific Review Process**

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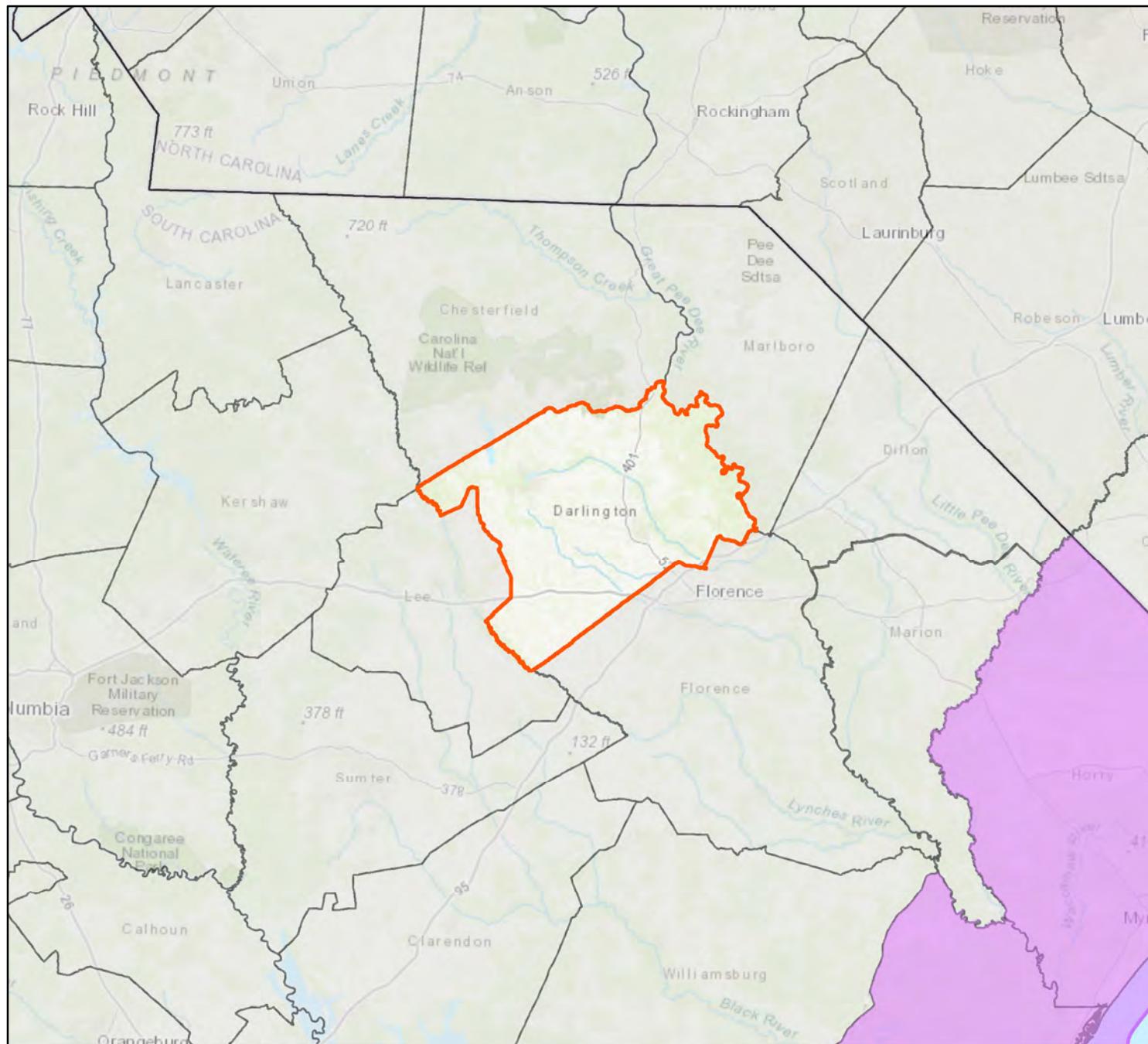
Darlington County is not within the South Carolina Coastal Zone; therefore, review at the site-specific level is not required. The site-specific review checklist will document that the review was concluded at the Tier I level.

# Coastal Zone Management - Darlington County

## Hurricane Florence Single-Family Housing Program



**HORNE**



Sources: Coastal Zone Management data obtained from the NOAA Data Catalog; ESRI Imagery Basemap service.

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## Karyn Desselle

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**From:** Stout, Christopher <stoutcm@dhec.sc.gov>  
**Sent:** Wednesday, March 3, 2021 7:16 AM  
**To:** Karyn Desselle  
**Cc:** Eric.Fosmire@admin.sc.gov; Ben.Duncan@admin.sc.gov; Daniel Paul; Lauren Poche  
**Subject:** RE: SCDRO - Notice of Final Floodplain, FONSI, NOI-RROF - Hurricane Florence Single-Family Housing Program - Darlington County

Karyn

Thank you for providing the notice of the proposed activities associated with federal funding assistance as the result of impacts from Hurricane Florence. Because the activities are located outside of the coastal zone for South Carolina, a review by our program would not be required and we do not have any comments at this time.

If you have any questions, please feel free to contact me.

Regards

Chris

Christopher M. Stout

Manager, Coastal Zone Consistency Section  
S.C. Dept. of Health & Environmental Control  
Office: (843) 953-0691  
Mobile: (843) 340-3112

Connect: [www.scdhec.gov](http://www.scdhec.gov) | [scdhec.gov](http://scdhec.gov) | [Facebook](http://facebook.com) | [Twitter](http://twitter.com) | [twitter.com](http://twitter.com)



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**From:** Karyn Desselle <Karyn.Desselle@hornellp.com>  
**Sent:** Friday, February 12, 2021 6:50 PM  
**To:** Stout, Christopher <stoutcm@dhec.sc.gov>  
**Cc:** Eric.Fosmire@admin.sc.gov; Ben.Duncan@admin.sc.gov; Daniel Paul <Daniel.Paul@hornellp.com>; Lauren Poche <Lauren.Poche@hornellp.com>  
**Subject:** SCDRO - Notice of Final Floodplain, FONSI, NOI-RROF - Hurricane Florence Single-Family Housing Program - Darlington County

\*\*\* Caution: This is an EXTERNAL email, DO NOT open attachments or click links from unknown senders or unexpected email.  
\*\*\*

Good afternoon,

Attached please find a letter summarizing the enclosed combined Final Floodplain, Finding of No Significant Impact and Notice of Intent to Request Release of Funds, which will publish on Monday, February 15, 2021 in the Morning News. Please submit any responses or comments as per the process outlined within the notice.

Karyn Desselle on behalf of,

Eric G. Fosmire

Legal Director | Disaster Recovery Office  
[The South Carolina Office of Resilience](http://TheSouthCarolinaOfficeOfResilience)

## Contamination and Toxic Substances

### Hazardous, Toxic or Radioactive Materials & Substances (24 CFR 58.5 (i)(2)(i))

#### Regulatory Agencies Consulted

DHEC Bureau of Land and Waste Management's Division of Compliance and Enforcement

#### Regulatory Background and Broad Review Determination

Pursuant to 24 CFR § 58.5(i)(2)(i) project sites must be free of hazardous materials that could affect occupant health and safety or restrict property usage. For projects involving single-family (housing with one to four units) documentation must be provided to show that the project site: is NOT listed on the Environmental Protection Agency Superfund National Priorities List, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) List, or an equivalent state list; is NOT located within the recommended search radius of a toxic or solid waste landfill site or Superfund site or Brownfield; does NOT have a non-residential underground storage tank; and is NOT known or suspected to be contaminated by toxic chemicals or radioactive materials. Envirofacts, the EPA's environmental database, provides access to multiple environmental databases for facility information, including toxic chemical releases, water discharge permit compliance, hazardous waste handling processes, Superfund status, and air emission estimates. The EPA dataset\* will be used to determine if there are any sites of concern with the potential to affect the future occupants of the property or restrict property usage.

#### EPA Source Databases:

System	Retrieved	Posted	Update Frequency
Assessment, Cleanup and Redevelopment Exchange System (ACRES)	09/01/2020	09/10/2020	Updated Monthly
Biennial Reporting (BR)	10/05/2020	10/07/2020	Updated Monthly
Facility Registry System (FRS)	01/09/2021	01/09/2021	Updated Weekly
Greenhouse Gas Reporting Program (GHGRP)	11/09/2020	12/01/2020	2019 data is now available
Integrated Compliance Information System (ICIS)	08/30/2020	09/02/2020	Updated Monthly
Information Collection Rule (ICR)		05/17/2000	Final Data Update Complete.
Integrated Grants Management System (IGMS)	08/12/2020	08/12/2020	Updated Monthly
Locational Information	Weekly	Weekly	Updated Weekly
National Emissions Inventory (NEI)	05/14/2020	05/20/2020	N/A
Permit Compliance System (PCS)	11/11/2012	11/12/2012	Final Data Update Complete. *

Resource Conservation and Recovery Act Information (RCRAInfo)	10/05/2020	10/07/2020	Updated Monthly
RadNet, formerly Environmental Radiation Ambient Monitoring System	12/11/2020	12/15/2020	N/A
Safe Drinking Water Information System (SDWIS)	07/16/2020	07/29/2020	Updated Quarterly
Superfund Enterprise Management System (SEMS)	11/25/2019	12/04/2019	Updated Quarterly
TRI Explorer	10/14/2020	10/27/2020	2019 data is now available
Toxics Release Inventory (TRI)	10/14/2020	10/27/2020	TRI 2019 data is now available

*\*SCDRO intends to utilize the most comprehensive and accurate data available. Therefore, in the event a State-wide dataset for any of the specified categories of hazardous sites, is identified in the future, that dataset will supersede the EPA data for the purposes of site-specific environmental review.*

#### Standard Environmental Record Sources and Recommended Minimum Search Distance

<i>Hazardous Site Category</i>	<i>Source</i>
<b><i>3,000 feet</i></b>	
<input type="checkbox"/> Municipal Solid Waste Landfills	EPA Envirofacts
<input type="checkbox"/> Closed Municipal Landfills	EPA Envirofacts
<input type="checkbox"/> Radioactive Site	EPA Envirofacts
<input type="checkbox"/> Superfund Site (NPL, Delisted NPL, CERCLIS, CERCLIS NFRAP)	EPA Envirofacts
<b><i>2,640 feet (0.5 miles)</i></b>	
<input type="checkbox"/> Industrial and Hazardous Waste Corrective Action (IHWCA)	EPA Envirofacts
<input type="checkbox"/> Resource Conservation and Recovery Act CORRACTS	EPA Envirofacts
<b><i>500 feet</i></b>	
<input type="checkbox"/> Brownfield sites	EPA Envirofacts
<input type="checkbox"/> Resource Conservation and Recovery Act (RCRA) facilities (not generators)	EPA Envirofacts
<input type="checkbox"/> Leaking Petroleum Storage Tanks (LPST)	EPA Envirofacts
<input type="checkbox"/> Voluntary Cleanup Program (VCP)	EPA Envirofacts
<input type="checkbox"/> Municipal Setting Designation (MSD)	EPA Envirofacts
<input type="checkbox"/> Toxic Substances Control Act Site (TSCA)	EPA Envirofacts
<input type="checkbox"/> Toxic Release Inventory (TRI)	EPA Envirofacts
<input type="checkbox"/> Dry Cleaner Remediation Program (DCRP)	EPA Envirofacts
<input type="checkbox"/> Innocent Owner/Operator Program (IOP)	EPA Envirofacts
<b><i>Property/Adjoining Properties</i></b>	
<input type="checkbox"/> RCRA Generators (LQG, CELQG, SQG, CESQG)	EPA Envirofacts
<input type="checkbox"/> Registered Petroleum Storage Tanks (PSTs)	EPA Envirofacts

Pursuant to 24 CFR § 50.3(i)(4) or 58.5(i)(2)(iv) a site investigation will be conducted by a trained / qualified environmental professional (or professionals) using current techniques to assess for contamination.

## **Lead/Asbestos/Mold**

In South Carolina, the USEPA administers the Renovation, Repair and Painting program, which establishes the requirements for projects involving residential buildings (owner-occupied and rental). All program activities must comply with applicable federal, state, and local laws and regulations regarding lead - based paint, including but not limited to: EPA's Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80(e)); HUD's lead-based paint regulations in 24 CFR 35(a)(b)(h)(j)(r); HUD's "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing". Lead paint is a concern for all structures built prior to 1978.

South Carolina regulates the safe handling and treatment of asbestos containing building materials (ACBM) through compliance with [Regulation 61-86.1, Standards of Performance for Asbestos Projects](#), Occupational Safety and Health Administration (OSHA) Asbestos Standard, 1926.1101 and National Emissions Standards for Hazardous Air Pollutants (NESHAPs) – Asbestos.

Contractors will provide notice to SC DHEC and secure proper permitting, if required to do so. Asbestos projects occurring at a private residential structure of four units or fewer may be exempt from the requirements of this regulation UNLESS the work is performed by a person or persons holding an asbestos abatement license. If the work is performed by an asbestos abatement licensed contractor/individual, all project activities are subject to the regulation. An owner/operator may contact the [DHEC Asbestos Section](#) to request that the Department determine whether a project is an asbestos project subject to the requirements of this regulation.

The EPA's National Emissions Standards for Hazardous Air Pollutants (including asbestos-containing materials) does not apply to residential buildings that have four or fewer dwelling units. However, program contractors will be required to meet all applicable OSHA guidelines when conducting CDBG-DR work, including the standard for demolition and renovation (40 CFR 61.145) and the standard for waste disposal for manufacturing, fabricating, demolition, renovation, and spraying operations (40 CFR 61.150).

Mold can also have an adverse effect on human health and is a problem commonly found in flooded houses, both visible on surface drywall and into the interior framework. Any storm-damaged structure that is rehabilitated can have mold present if steps are not taken to eliminate it during the repair.

### **Site Specific Review Process**

A site investigation will be conducted by a qualified environmental professional (or professionals) using current techniques to assess for contamination and other potentially hazardous site conditions. See site-specific process for Lead-Based Paint, Asbestos, and Mold below.

A desktop review will be conducted to evaluate each site for the presence of environmental hazards on the subject property, or within the specified review distances as identified in a GIS query of Envirofacts or other pertinent dataset.

If potential toxics or hazards are identified, further assessment including completion of additional records reviews, contacting the regulatory agency for a letter of "No Further Action" (NFA) or other documentation of the status and extent of hazardous conditions. If toxics and hazards are not likely to be present at harmful

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levels, documentation demonstrating that the contaminants do not pose a threat to the health or safety of the site occupants or restrict property usage, will be added to the environmental review record.

If toxics and hazards are present (or likely present) at harmful levels, then the project may be rejected, the contaminants removed (remediated), or, institutional/engineering controls, when allowed by the program, implemented to prevent site users from coming into contact with the contaminants. Projects will only be allowed to proceed when adverse environmental impacts can be effectively mitigated to prevent the hazard from affecting the health and safety or project occupants. Appropriate documentation will be added to the environmental review record.

### **Lead-Based Paint**

Reconstruction, replacement, and acquisition / buyout projects are exempt from lead-based paint testing or mitigation requirements. All rehabilitation projects involving houses built before 1978 will have a lead-based paint risk assessment performed by a certified risk assessor prior to any construction work commencing. The property owner will receive a Notice of Evaluation and Hazard Reduction Activities within 15 days of the issuance of the Risk Assessment Report in accordance with 24 CFR 35.125. If lead-based paint is identified, the safe work practice standards found at 24 CFR 35.1350; 40 CFR 745.85 will be incorporated into the builder's lead-hazard reduction, rehabilitation and renovation activity scope of work, which protects residents and the environment from exposure to, or contamination from lead-based paint, lead-based paint hazards and any waste generated from these activities (24 CFR 35.1345). A clearance testing report by a certified lead-based paint professional showing the hazard no longer exists must be provided upon completing the rehabilitation work. The contractor shall provide a Notice of Hazard Reduction Activity (Lead Based Paint Clearance Exam) not more than 15 calendar days after the hazard reduction activities (including paint stabilization) have been complete.

### **Asbestos**

All renovation and reconstruction projects will be required to comply with applicable state and federal requirements. If asbestos containing materials are identified, all project activities must comply with OSHA's Asbestos Standard for Construction (29 CFR 1926.1101) and SC DHEC Regulation 61-86.1 (as applicable) for renovation and demolition/disposal involving such materials. All required permits will be obtained prior to the start of any construction activities. Following construction, all documentation pertaining to testing, abatement, removal, disposal and clearance must be provided to the program and added to the environmental compliance file.

### **Mold**

Except for taking appropriate personal safety measures during hand-demolition, mold will not be a concern in houses that are demolished, reconstructed, or replaced. However, mold can present a significant health issue if steps are not taken to eliminate it during the repair. Mold will be assumed present in any rehabilitation project and identified in the site-specific checklist. Contractors must follow the EPA suggested guidelines (<https://www.epa.gov/indoor-air-quality-iaq/resources-flood-cleanup-and-indoor-air-quality>), to ensure that upon completion of rehabilitation activities, residential structures are free of mold attributable to the disaster event.

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The Tier II Site Specific Environmental Checklist will document the identification and assessment of: hazardous sites of concern within the specified recommended review distances; on-site environmental hazards; potential lead, asbestos and mold hazards. All pertinent project conditions, remediation/abatement requirements, mitigation measures and best management practices, necessary to protect the health and safety of the occupants, will be noted in the Tier II Site-Specific Environmental Review for each project.

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## Endangered Species

**Endangered Species Act of 1973, 50 CFR 402; Migratory Bird Treaty Act of 1918 [16 USC 703–712];  
Bald and Golden Eagle Act of 1940 [16 USC 668 – 668c]**

### **Regulatory Agencies Consulted**

U.S. Fish and Wildlife Service, South Carolina Ecological Services Field Office

### **Regulatory Background and Broad Review Determination**

The Endangered Species Act (ESA) and its implementing regulations provide Federal agencies with a mandate to conserve State- and Federally listed, threatened and endangered (T&E) species and ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species in the wild, or destroy or adversely modify its critical habitat. The U.S. Fish and Wildlife Service maintains the database of Federally listed species and critical habitat; and the South Carolina Natural Heritage Program, under the Department of Natural Resources, maintains the State's inventory of rare, threatened and endangered species. The Ecological Services Program of the U.S. Fish and Wildlife Service works collaboratively with other federal agencies, industries, and other stakeholders to achieve infrastructure development goals in ways that are sustainable and compatible with the conservation of fish, wildlife, and their habitats.

In response to receiving a significant volume of projects for review, that are considered routine and represent an insignificant impact to resources entrusted to the Service for conservation (minor construction, renovation or maintenance of property or equipment, change of use, funding or other activities that may have no discernable immediate or long-term effect upon protected species). The Service's South Carolina Ecological Services Field Office (SCESFO) developed blanket authorizations for activities that routinely have minimal or no effect upon trust resources, including certain projects undertaken by the Department of Housing and Urban Development (HUD). Under this guidance, if the proposed project meets the specifications or suggestions within the blanket authorization letter, the letter may be downloaded and used to satisfy appropriate requirements of the ESA. However, is it important to note that these letters do not represent formal biological opinions, and they do not provide incidental take authorization, nor do they allow for adverse modification of critical habitat.

The “[U.S. Fish and Wildlife Service Clearance to Proceed with U.S. Department of Commerce, U.S. Department of Housing and Urban Development, and U.S. Department of Agriculture Projects](#)” blanket authorization letter updated May 30, 2019, states “If the project description falls in one of the categories and the Federal agency, or their designee, determines there is no effect or impact to federally protected species or designated critical habitat, no further action is required under Section 7 of the ESA.” The ‘Description of DOC, HUD, and USDA Projects Covered’ under the blanket authorization letter includes:

3. *Construct, expand, maintain, remove, replace, or rehabilitate structures on developed or otherwise disturbed areas. Examples of developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, agricultural fields, and pasturelands. Undeveloped areas are those sites where natural vegetation dominates.*

The letter also provides guidance on the nationwide programmatic biological opinion (PBO) for the northern long-eared bat (*Myotis septentrionalis*, NLEB) issued January 5, 2016 and the final 4(d) rule published on January 14, 2016. Under the PBO and 4(d) rule, all incidental take of the NLEB is exempted from the ESA's take prohibitions under certain conditions. However, incidental take is prohibited within one quarter mile from known hibernacula and winter roost, or within 150 feet from a known maternity roost tree during the months of June and July.

Northern long-eared bats use their maternity roost trees and hibernacula repeatedly for many years. Unless a survey or other information indicates otherwise, if the habitat around a roost is intact and the tree is suitable, we would conclude that the tree is likely an occupied maternity roost during the pup season (June 1 - July 31). Similarly, we would assume that a hibernaculum remains occupied unless a survey or other information indicates otherwise. Therefore, if you have a northern long-eared bat roost tree or hibernacula documented on or near your project area, any incidental take of bats will be exempted by the 4(d) rule if you follow these conservation measures:

- Do not conduct any activities within  $\frac{1}{4}$  mile of known, occupied hibernacula;
- Do not cut or destroy a known, occupied roost tree from June 1 to July 31 (the pup season);
- Do not clear-cut (and similar harvest methods that cut most or essentially all trees from an area, e.g., seed tree, shelterwood, and coppice) within a  $\frac{1}{4}$  mile of known, occupied roost trees from June 1 to July 31.

There are two (2) known hibernacula and one (1) known maternity roost in South Carolina, all of which are more than 0.25 miles outside of the project area.

#### ***Northern Long-Eared Bats – Known Locations***

<i>Hibernacula</i>	Table Rock State Park	35.043748, -82.709153	Pickens County
<i>Hibernacula</i>	Stumphouse Tunnel	34.811032, -83.123822	Oconee County
<i>Maternity Roost</i>	Wooded Area	33.10744, -79.65790	Berkley County

To comply with section 7 of the ESA, the federal agency must analyze the proposed project for potential impacts to federally protected species and/or proposed or designated critical habitat. Using this analysis, the federal agency (or its designated non-federal representative), must make a determination of effect for federally protected species and/or proposed or designated critical habitat. For federally protected species, the federal agency must make one of the following determinations for the proposed project:

“No effect” is the appropriate conclusion if the proposed action will not affect listed species. With a “no effect” determination, the federal agency is not obligated to contact the Service for concurrence.

“May affect, not likely to adversely affect” is not likely to adversely affect is the appropriate conclusion when effects on listed species are expected to be discountable, insignificant, or completely beneficial. If a “may affect, not likely to adversely affect” determination is made, the federal agency must contact the Service for written concurrence.

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“May affect, likely to adversely affect” is the appropriate conclusion if any adverse effect to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions. If a determination of “may affect, likely to adversely affect” is made, the federal agency must initiate formal consultation with the Service as outlined in 50 CFR 402.

Projects that ‘May affect’ endangered or threatened species or critical habitats require consultation with the Service, in compliance with the procedure of Section 7 of the ESA.

The proposed project activities fall under category 3 of the blanket authorization letter. Additionally, regarding NLEB considerations, the three known hibernacula and maternity roost locations are more than 0.25 miles outside of the project area. Therefore, SCDRO has determined that the proposed project activities will have no effect or impact to federally protected species or designated critical habitat. As stated in the letter, these projects have been evaluated by the Service in accordance with ESA and NEPA, and no further action is required under section 7 of the ESA. The review for Endangered Species is concluded at the Tier I Broad Environmental Review level.

In a separate letter dated January 28, 2021, the SCESFO concurred that the use of the blanket letter is appropriate for the intended program provided all requirements of the blanket letter are followed. Any deviation from the requirements may require additional consultation with their office.

Note: Obligations under the ESA must be reconsidered if: (1) new information reveals impacts of this identified action may affect any listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner which was not considered in this assessment; or (3) a new species is listed or critical habitat is designated that may be affected by the identified action.

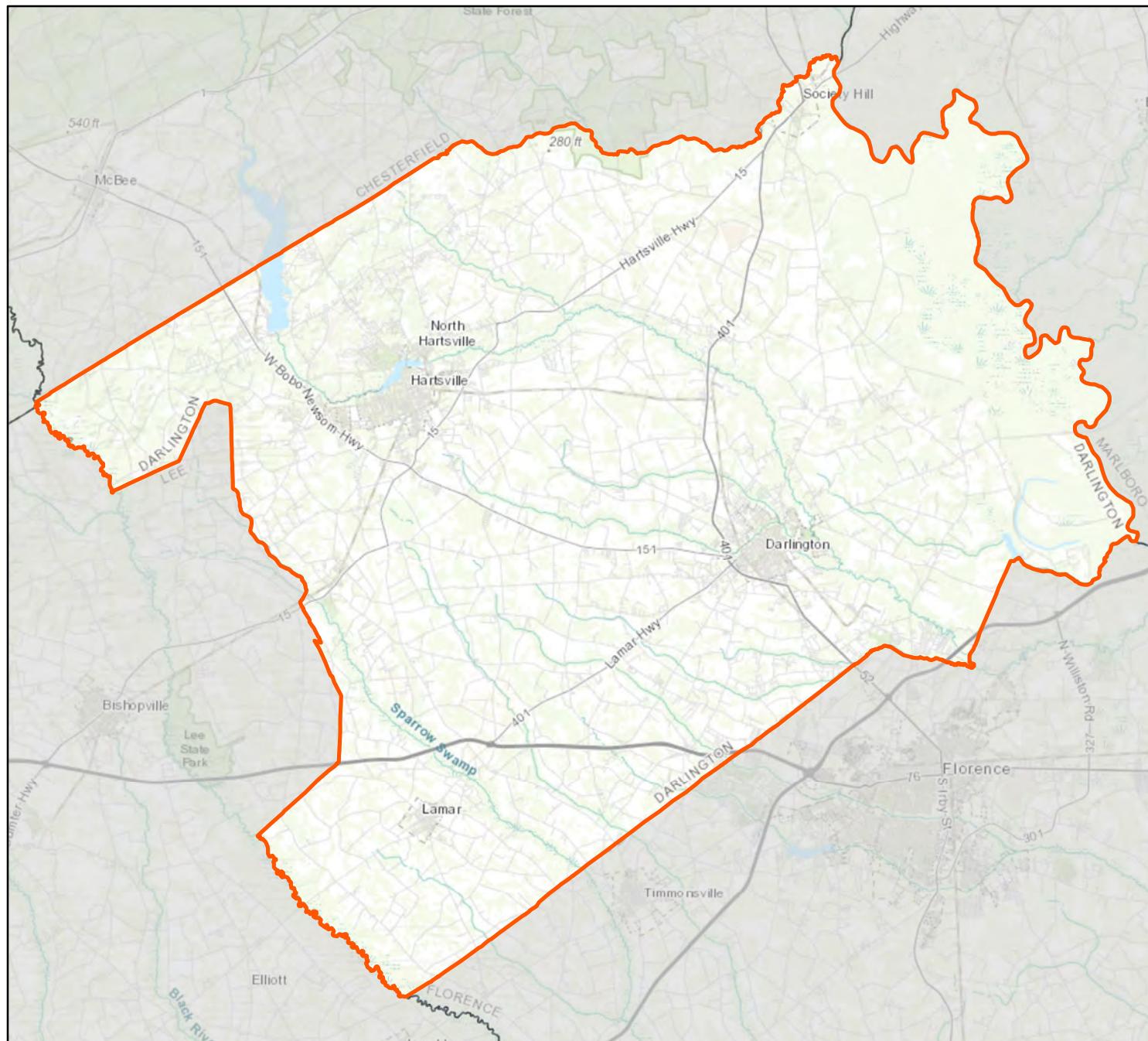
### **Site Specific Review Process**

SCDRO has determined that the proposed project activities will have no effect or impact to federally protected species or designated critical habitat. No further action is required under section 7 of the ESA. The site-specific review checklist will document that the review was concluded at the Tier I level.

# Critical Habitat - Darlington County Hurricane Florence Single-Family Housing Program



**HORNE**

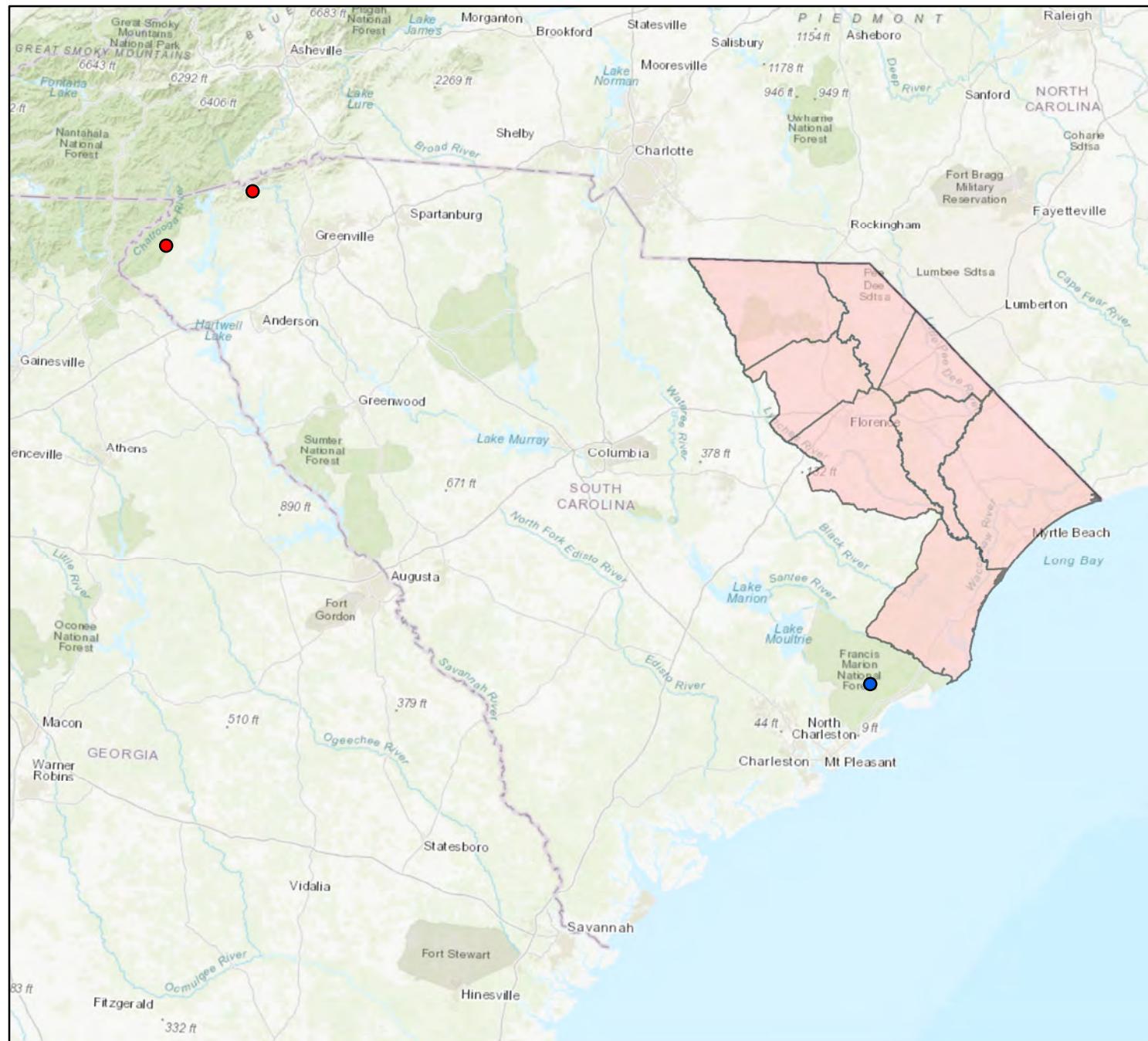


Sources: Critical Habitat data obtained from the US Fish and Wildlife Service; ESRI Imagery Basemap service.

# Map G-2. Northern Long Eared Bat Critical Habitat Hurricane Florence Single-Family Housing Program



**HORNE**



**Study Area**

**Northern Long Eared Bat Critical Habitat**

● Hibernacula

● Maternity Roost



0 25 50 Miles

Sources: Northern Long Eared Bat Habitat Data obtained from the US Fish and Wildlife Service; ESRI Imagery Basemap service.



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

176 Croghan Spur Road, Suite 200

Charleston, South Carolina 29407

May 30, 2019



### **U.S. Fish and Wildlife Service Clearance to Proceed with U.S. Department of Commerce, U.S. Department of Housing and Urban Development, and U.S. Department of Agriculture Projects**

The U.S. Fish and Wildlife Service (Service) is one of two lead Federal Agencies mandated with the protection and conservation of Federal trust resources, including threatened and endangered species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*) (ESA). The U.S. Department of Commerce (DOC), U.S. Department of Housing and Urban Development (HUD), as well as the U.S. Department of Agriculture (USDA) allocate grant funds for rural development projects. Accordingly, obligations under the ESA and the National Environmental Policy Act (NEPA) require HUD and USDA to perform an environmental impact review prior to a project's approval. Primarily, these projects involve repair, maintenance, or reconstruction of existing facilities on previously developed land.

Many of the DOC, HUD, and USDA projects result in no adverse impacts to federally protected species. In determining if your project will have an effect on federally protected species or designated critical habitat under the jurisdiction of the Service, we provide this guidance, relative to the criteria listed below, applicable to many DOC, HUD, and USDA project requests. If the project description falls in one of the categories and the Federal agency, or their designee, determines there is no effect or impact to federally protected species or designated critical habitat, no further action is required under section 7 of the ESA. Please note this guidance applies only to projects in South Carolina.

#### **Description of DOC, HUD, and USDA Projects Covered**

The following types of projects have been evaluated by the Service in accordance with ESA and NEPA:

1. Purchase machinery, equipment, and supplies for use in existing structures and buildings.
2. Finance or refinance existing structures or properties. Transfer of loans where the original lending or mortgage institutions for existing projects are no longer holding the loans and the properties transfer via back loans.
3. Construct, expand, maintain, remove, replace, or rehabilitate structures on developed or otherwise disturbed areas. Examples of developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, agricultural fields, and pasturelands. Undeveloped areas are those sites where natural vegetation dominates.
4. New, refurbished, or expanded parking lots and amenities associated with existing or proposed private, commercial, or industrial developments that do not expand into previously undeveloped areas.
5. Implement streetscape beautification projects. Examples of these projects include the removal and replacement of existing sidewalks, curbing, or gutters; demolishing and

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disposing of existing curbing; installing irrigation systems for plants; installing or replacing streetlights, benches, or trashcans; and installing handicap sidewalk ramps or new sidewalks within city limits in right of ways.

6. Repair, replace, or renovate existing wastewater treatment facilities, water supply facilities, and storm water facilities (such as drainage ditches and ponds) without expansion of the existing site boundary.
7. Install or replace pipelines or transmission lines using trenchless technology (directional drilling) techniques. Trenchless technology eliminates the need to disturb the environment caused by excavating and backfilling trenches.
8. Install or replace pipelines by trench and back fill within previously disturbed lands such as, but not limited to, maintained easements and transportation right of ways provided a protected species survey is performed and no protected species are found on the site.

The Service recommends that project proponents indicate which of the criteria are applicable to the project when submitting to the appropriate permitting agency.

#### **Northern Long-eared Bat Consideration**

The Service issued a nationwide programmatic biological opinion (PBO) for the northern long-eared bat (*Myotis septentrionalis*, NLEB) on January 5, 2016. The PBO was issued pursuant to section 7(a)(2) of the ESA to address impacts that Federal actions may have on this species. In addition, the Service published a final 4(d) rule on January 14, 2016, which details special consultation provisions for Federal actions that may affect the NLEB. Briefly, the PBO and the 4(d) rule allow for "incidental" take of the NLEB throughout its range under certain conditions. Take is defined in section 3 of the ESA as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Further, incidental take is defined as take that results from, but is not the purpose of, carrying out an otherwise lawful activity. Under the PBO and 4(d) rule, all incidental take of the NLEB is exempted from the ESA's take prohibitions under certain conditions. However, incidental take is prohibited within one quarter mile from known hibernacula and winter roost, or within 150 feet from a known maternity roost tree during the months of June and July.

In consideration of known hibernacula, winter roosts, and maternity roost tree locations in South Carolina, this letter hereby offers blanket concurrence for a may affect, but is not likely to adversely affect determination for the NLEB if the proposed work occurs more than one quarter mile from known hibernacula, winter roosts, or is further than 150 feet from a known maternity roost trees. If an activity falls within one-quarter mile of hibernacula or winter roost or within 150 feet of a maternity roost tree additional consultation with the Service will be required. As a conservation measure for all projects it is recommended that all tree clearing activities be conducted during the NLEB inactive season of November 15<sup>th</sup> to March 31<sup>st</sup> of any given year.

#### **Clearance to Proceed**

For all of the above listed projects that meet the criteria, have no effect or impact upon federally protected species or designated critical habitat, and, if applicable, meet the requirements of the NLEB 4(d) rule no further coordination with the Service is necessary. This letter may be

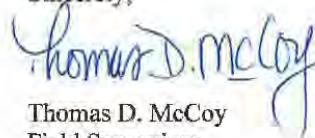
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downloaded and serve as the Service's concurrence letter for your project. The protected species survey or assessment conducted for the property should be included with this letter when submitting the project to Federal permitting agencies.

Please note that obligations under the ESA must be reconsidered if: (1) new information reveals impacts of this identified action may affect any listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner which was not considered in this assessment; or (3) a new species is listed or critical habitat is designated that may be affected by the identified action.

The Service recommends that project proponents contact the South Carolina Department of Natural Resources regarding potential impacts to State protected species. If the proposed project will impact streams and/or wetlands, please contact the U.S. Army Corps of Engineers, Charleston District. The Service appreciates your cooperation in the protection of federally listed species and their habitats in South Carolina.

Sincerely,

A handwritten signature in blue ink that reads "Thomas D. McCoy".

Thomas D. McCoy  
Field Supervisor

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**Karyn Desselle**

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**From:** Caldwell, Mark <[mark\\_caldwell@fws.gov](mailto:mark_caldwell@fws.gov)>  
**Sent:** Monday, January 25, 2021 7:35 AM  
**To:** Karyn Desselle  
**Cc:** Wolf, Morgan  
**Subject:** RE: [EXTERNAL] NLEB Maternity Roosts and Hibernacula in SC

Karyn,

Good morning and thank you for your request. The Service is not aware of any new NLEB hibernacula in SC. There are only the two that you have noted. Bats have been captured in various locations but the only maternity roost noted is the one Berkeley County.

Mark

Mark A. Caldwell  
Deputy Field Supervisor  
US Fish and Wildlife Service  
South Atlantic-Gulf Region  
South Carolina Ecological Services  
176 Croghan Spur Road, Suite 200  
Charleston, SC 29407  
843-300-0426 (direct line)  
843-870-0041 (cell)  
843-300-0189 – facsimile

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**From:** Karyn Desselle <[Karyn.Desselle@hornellp.com](mailto:Karyn.Desselle@hornellp.com)>  
**Sent:** Friday, January 22, 2021 5:50 PM  
**To:** Caldwell, Mark <[mark\\_caldwell@fws.gov](mailto:mark_caldwell@fws.gov)>  
**Subject:** [EXTERNAL] NLEB Maternity Roosts and Hibernacula in SC

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good afternoon Mark,

It's been a while but we spoke in January 2019, regarding the locations of NLEB maternity roosts and hibernacula in SC, for the purposes of conducting environmental reviews for the HUD CDBG-DR funded Housing Program for the South

Carolina Disaster Recovery Office (now under the Office of Resilience). At that time, you provided the locations below. With the release of new information showing increases in the range of the species, we wanted to see if there have been any changes in hibernacula and maternity roost locations?

0.25 Mi Buffer - Pickens County hibernacula at Table Rock State Park : 35.043748, -82.709153  
0.25 Mi Buffer - Oconee County hibernacula at Stumphouse Tunnel: 34.811032, -83.123822

150 ft Buffer - Berkeley County maternity roost - located approximately at 33.10744, -79.65790.

Also, we will be sending out a few programmatic notices over the next few weeks/months, should we send those to [charleston\\_regulatory@fws.gov](mailto:charleston_regulatory@fws.gov) or to your attention, or someone else? Thanks in advance!

Best Regards,

**Karyn Desselie**

Manager, Government Services | **HORNE**

O: 225.755.9798 D: 225.341.6169 M: 225.931.7052

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## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

176 Croghan Spur Road, Suite 200  
Charleston, South Carolina 29407



January 28, 2021

Mr. Eric Fosmire, Legal Director  
South Carolina Disaster Recovery Office  
The South Carolina Office of Resilience  
632 Rosewood Drive  
Columbia, South Carolina 29201

Re: Environmental Review for Housing Program, Multiple Counties, South Carolina  
FWS Log# 2021-I-0325

Dear Mr. Fosmire:

The U.S. Fish and Wildlife Service (Service) has received the South Carolina Disaster Recovery Office (SCDRO) letter for the proposed housing program in various counties of South Carolina. The SCDRO has received an allocation from the Department of Housing and Urban Development (HUD) for disaster relief operations following Hurricane Florence, which impacted South Carolina in September 2018. Allocations will be used to provide safe housing for those impacted by the hurricane. The program strives to fund over 500 single-family projects, rental repair, and homeowner buyouts across Chesterfield, Darlington, Dillon, Florence, Georgetown, Horry, Marlboro, and Marion Counties in SC. Pursuant to section 7 of the Endangered Species Act (16 U.S.C. 1531 eq. seq.)(ESA). SCDRO requires concurrence regarding potential impacts these activities may have upon federally protected species.

The SCDRO has determined activities under the safe housing program will have minimal or no effect upon federally protected threatened and endangered species or federally designated critical habitat and is seeking the Service's concurrence on the use of the Department of Commerce, HUD, and US Department of Agriculture Rural Developments Blanket Clearance letter. We agree that use of this blanket letter is appropriate for the intended program provided all requirements of the blanket letter are followed. Any deviation from the requirements may require additional consultation with this office.

In addition, obligations under the ESA must be reconsidered if: (1) new information reveals impacts of this identified action may affect any federally listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner, which was not considered in this assessment; or (3) a new species is listed or critical habitat is designated that may be affected by the identified action.

The Service recommends SCDRO consider species that have been petitioned for listing under the ESA as well as Candidate Species that may be in the project area. These species are collectively referred to as "At-Risk Species" (ARS). Although there are no Federal protections afforded to

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ARS incorporating proactive measures to avoid or minimize harm to ARS may improve their status and assist with precluding the need to list these species. Additional information on ARS can be found at:

<http://www.fws.gov/southeast/candidateconservation>

The Service recommends that SCDRO contact the SC Department of Natural Resources for potential impacts to state listed species. Please contact the US Army Corps of Engineers – Charleston District regarding potential impacts to wetland resources. If you have any questions on this correspondence, please contact Mark Caldwell at (843) 300-0426 or by email: [mark\\_caldwell@fws.gov](mailto:mark_caldwell@fws.gov) and reference FWS log # 2021-I-0325.

Sincerely,

*Thomas D. McCoy*

Thomas D. McCoy  
Field Supervisor

TDM/MAC

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## Explosive and Flammable Hazards

24 CFR 51(c)

### Regulatory Agencies Consulted

All agency coordination will be conducted on a case-by-case basis.

### Regulatory Background and Broad Review Determination

There are inherent potential dangers associated with locating HUD-assisted projects near hazardous facilities which store, handle, or process hazardous substances of a flammable or explosive nature. Project sites located too close to facilities handling, storing or processing conventional fuels, hazardous gases or chemicals of an explosive or flammable nature may expose occupants or end-users of a project to the risk of injury in the event of a fire or an explosion. To address this risk, regulations at 24 CFR Part 51 Subpart C require “HUD-assisted projects” to be separated from these facilities by a distance that is based on the contents and volume of the aboveground storage tank, or to implement mitigation measures.

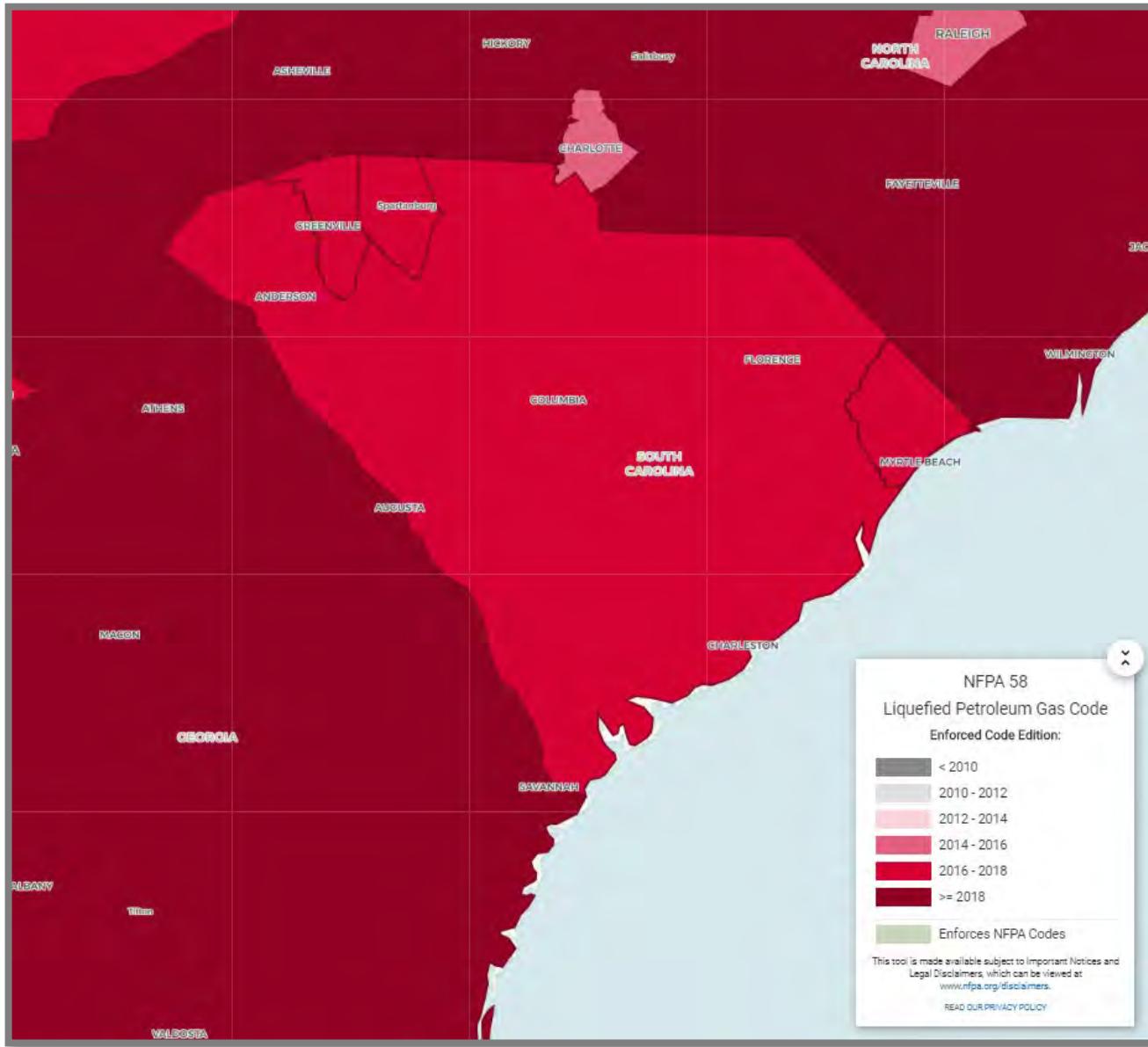
The definition of “HUD-assisted project” at 24 CFR 51.201 is predicated on whether the project increases the number of people exposed to hazardous operations. Therefore, activities to reconstruct, rehabilitate, or replace housing that existed prior to the disaster, where the number of dwelling units is not increased, and the activities are limited to the general area of the pre-existing footprint, are not required to apply the acceptable separation distance (ASD) standards in 24 CFR Part 51C. An ASD analysis is required if the number of dwelling units increases and / 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.

HUD has updated the definition of “hazard” in 24 CFR 51.201 to exclude from mandatory separation distance requirements in 24 CFR part 51, subpart C all containers that are 1,000 gallons or less in water volume capacity and comply with the National Fire Protection Association Code 58, in the 2017 edition (NFPA 58 (2017)). Therefore, the following categories of containers are not covered by 24 CFR Part 51 Subpart C requirements, in spite of the fact that they store or handle covered gases or liquids:

- Stationary aboveground containers that store natural gas and have floating tops
- Underground storage containers, mobile conveyances (tank trucks, barges, railroad tank cars), and pipelines, such as high-pressure natural gas transmission pipelines or liquid petroleum pipelines
- Aboveground storage tanks that are ancillary to a one-to-four-unit single-family FHA-insured property
- Aboveground storage tanks containing liquified petroleum gas (“LPG” or propane) when they are 1,000 gallons or less in volume and comply with the National Fire Protection Association (NFPA) Code 58, version 2017 (NFPA 58 (2017)).

In these jurisdictions, citation to the NFPA website ([codefinder.nfpa.org](http://codefinder.nfpa.org)) referencing the applicable state or local code is sufficient to document that any tank in that jurisdiction containing propane of 1,000 gallons or less water volume is excepted from coverage under 24 CFR part 51, subpart C. As verified by [NFPA Code](#)

[Finder](#), with the exception of a single reference by IFGC in the City of Columbia to NFPA (2014), the entire State of South Carolina, including the project area, has adopted and is in compliance with NFPA 58 (2017). The City of Columbia is outside of the project area for the program.



## **Site Specific Review Process**

Projects involving reconstruction, rehabilitation, or replacement of housing that existed prior to the disaster, where the number of dwelling units is not increased and the activities are limited to the general area of the pre-existing footprint, will not require further review for above ground storage tanks.

Projects involving a relocation of an MHU to a new location on the same property or to a different previously developed property will require further review. An ASD analysis using HUD's [ASD Calculator](#) will be performed for all ASTs identified within 1 mile of the project site, through site reconnaissance, detailed review of recent

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aerial imagery and contacting local agencies with an interest in tracking the locations of ASTs within a specific community. If the AST meets or exceeds the acceptable separation distance from the project site, or the risk of exposure to blast overpressure and thermal radiation can be sufficient mitigated through the presence of natural barriers, existing man-made barriers, or reconfiguring or relocating the project site, the project may proceed. The Tier II Sit-Specific Review Checklist will document the determination, to include the ASD analysis and any mitigating factors, as required.

If the acceptable separation distance is not met, and mitigating factors are insufficient to prevent exposure to blast overpressure and thermal radiation, the project cannot proceed.

## Farmland Protection

**Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR 658**

### **Regulatory Agencies Consulted**

U.S. Department of Agriculture, South Carolina Natural Resources Conservation Service (NRCS)

### **Regulatory Background and Broad Review Determination**

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 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.

Pursuant to 7 CFR § 658.3(c) the Farmland Protection Policy Act (FPPA) does not apply to the purchase, maintenance, renovation or replacement of existing structures and sites converted prior to application for HUD funding, including actions related to the construction of minor new ancillary structures, such as garages or sheds.

Hence, the regulations to protect Farmlands do not apply to projects involving rehabilitation, reconstruction, acquisition/buyout (demolition of an existing structure), replacement of existing homes, and relocation of replacement MHUs onto previously developed lots where all existing utility connections and systems are in place, as these properties were previously converted to non-agricultural use when the initial development occurred.

Additionally, the SC NRCS was contacted on May 8, 2018 regarding Hurricane Matthew housing program activities. A response was received on June 1, 2018 stating that, The project [...] is in an area already in urban development or is in existing right-of-ways. There is no significant impact on Prime or Statewide Important Farmlands”. The SC NRCS was contacted for comment regarding project compliance for activities related to Hurricane Florence in a letter dated January 26, 2021. In a response dated February 11, 2021, NRCS stated, “The proposed site may involve areas of Prime Farmland; however, we consider the location to be ‘land committed to urban development’ due to its previous development as residential areas. Due to this reason, this project is exempt from provisions of FPPA and no further consideration from protection is required. However, the Natural Resource Conservation Service (NRCS) strongly encourages the use of acceptable erosion control methods during the construction of this project.” Erosion control measures have been incorporated into the mitigation measures applicable to all project types.

The Farmland Protection review is concluded at the Tier I Broad Environmental Review Level.

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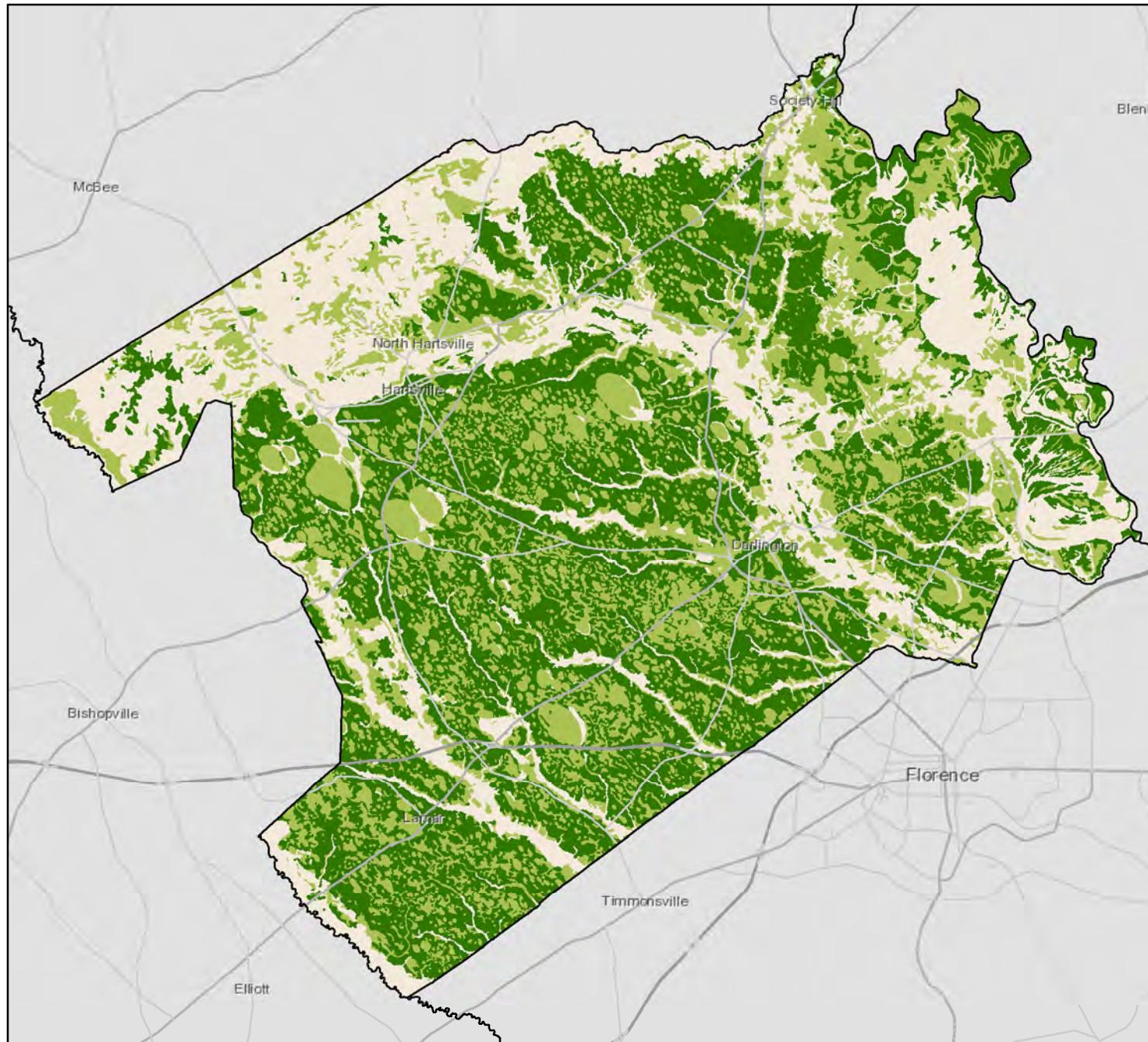
### **Site Specific Review Process**

FPPA does not apply to the proposed project activities. The Tier II Site-Specific Review Checklist will document that the review was concluded at the Tier I level.

# Prime Farmland - Darlington County Hurricane Florence Single-Family Housing Program



**HORNE**



## USA Soils Farmland Class

- Prime Farmland
- Farmland of Local Importance
- Farmland of Statewide Importance
- Farmland of Unique Importance
- Not Prime Farmland



0 3.5 7 Miles

Sources: NRCS Farmland and Soils  
Data compiled by ESRI Living Atlas;  
ESRI Imagery Basemap service.



United States Department of Agriculture

Benjamin J. Duncan II, Program Director  
South Carolina Disaster Recovery Office  
Office of Resilience  
632 Rosewood Drive  
Columbia, SC 29201

FEB 11 2021

Dear Mr. Duncan:

RE: South Carolina Office of Resilience, Disaster Recovery Office (SCDRO) Hurricane Florence Single-Family Housing Program

I have reviewed the information provided in your correspondence dated January 26, 2021, concerning the repair/rehabilitation of stick-built and manufactured housing units, reconstruction of stick-built homes, and replacement of manufactured homes located in Chesterfield, Darlington, Dillon, Florence, Georgetown, Horry, Marlboro, and Marion Counties in South Carolina. This review is part of the National Environmental Policy Act (NEPA) evaluation for the U.S. Department of Housing and Urban Development (HUD). I have evaluated the proposed sites as required by the Farmland Protection Policy Act (FPPA).

The proposed site may involve areas of Prime Farmland; however, we consider the location to be "land committed to urban development" due to its previous development as residential areas. Due to this reason, this project is exempt from provisions of FPPA and no further consideration from protection is necessary. However, the Natural Resources Conservation Service (NRCS) strongly encourages the use of acceptable erosion control methods during the construction of this project.

For future reference, NRCS policy and procedures on prime and unique farmlands are published in the Code of Federal Regulations 7CFR657. The website is: [https://www.ecfr.gov/cgi-bin/text-idx?SID=a5afcfa7f6185ee7c835d365b1d478c&mc=true&tpl=/ecfrbrowse/Title07/7tab\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?SID=a5afcfa7f6185ee7c835d365b1d478c&mc=true&tpl=/ecfrbrowse/Title07/7tab_02.tpl). Detailed information can be found in Section 657.5 on this website.

If you have any questions, please Kristine Ryan, State Soil Scientist at [Kristine.ryan@usda.gov](mailto:Kristine.ryan@usda.gov) or (803) 253-3896.

Sincerely,

ANN ENGLISH  
State Conservationist

cc: Kristine Ryan, State Soil Scientist, NRCS, Columbia, SC

Natural Resources Conservation Service  
1835 Assembly Street, Room 950  
Columbia, South Carolina 29201  
(803) 253-3935  
Helping People Help the Land  
*An Equal Opportunity Provider and Employer*

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## Historic Preservation

National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800

### Regulatory Agencies Consulted

South Carolina Department of Archives and History State Historic Preservation Officer  
Catawba Indian Nation Tribal Historic Preservation Officer

### Regulatory Background and Broad Review Determination

Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, requires the lead federal agency with jurisdiction over a federally funded or federally-licensed activity to consider impacts to historic properties before approving a project. The implementing regulation of Section 106, issued by the Advisory Council on Historic Preservation (AChP), is 36 CFR 800. If the project requires Section 106 approval, it is called an undertaking. The historic preservation review process mandated by Section 106 is outlined in regulations issued by the Advisory Council on Historic Preservation. Revised regulations, "Protection of Historic Properties" (36 CFR 800), became effective August 5, 2004 (<https://www.achp.gov/protecting-historic-properties>).

Resources for evaluation include: the National Register database, existing state and local inventories, local historical and preservation organizations, and local planning departments to identify properties that are listed in or eligible for the National Register.

The NHPA regulation establishes the process to identify cultural resources that may be impacted by the undertaking and evaluate their eligibility for listing on the National Register of Historic Places (NRHP). It further requires assessing the effects of an undertaking on historic properties, and specifies the consultation methods to avoid, reduce, or mitigate any adverse effects to historic properties. Adverse effects include, but are not limited to, destruction or alteration of all or part of a property; isolation from or alteration of its surrounding environment; introduction of visual, audible, or atmospheric elements that are out of character with the property or that alter its setting; transfer or sale of a federally owned property without adequate conditions or restrictions regarding preservation, maintenance, or use; and neglect of a property resulting in its deterioration or destruction.

A historic property is defined as any building, district, structure, archaeological site, or object that is either listed, or eligible for listing, in the NRHP. Under this regulatory definition, other cultural resources can be present within a project's Area of Potential Effect but are not considered historic properties if they do not meet the NRHP eligibility requirements. To be considered eligible for the NRHP, a property must meet one of the four following criteria (36 CFR 60.4): (a) they are associated with events that have made a significant contribution to the broad patterns of our history; (b) they are associated with the lives of persons significant in our past; (c) they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or (d) they have yielded, or may be likely to yield, information important in prehistory or history.

The South Carolina Department of Archives and History was contacted for comment regarding project compliance for activities related to Hurricane Matthew in a letter dated October 11, 2016. In an email dated October 18, 2016, the following clarifications and guidance was provided, “Rehabilitation and Reconstruction of Single-Family Homes: Rehabs of buildings less than 45 years old would be excluded per I.B.1 of the FEMA PA. Otherwise, other specific rehab activities can be excluded primarily under II.’s Tier Two Allowances, regardless of building age. Demolition and/or Reconstruction to buildings less than 45 years old would be excluded per II.B.11. If a building is well over 45 years old and its activities (rehab, demolition and/or reconstruction) are not excluded from review per the Allowances then standard Section 106 consultation is recommended.”

“Replacement of MHU’s: These would also be addressed by the above citations. However, while the FEMA PA does not specifically address MHU’s (i.e. mobile homes), our office has no concerns with repairs to, or demolition or replacement of any MHU, regardless of age. Consultation with our office for MHU projects is not necessary.”

Follow-up letters seeking additional comments regarding project compliance for activities related to Hurricane Florence were sent to both the South Carolina Department of Archives and History State Historic Preservation Officer (SHPO) and the Catawba Indian Nation Tribal Historic Preservation Officer on January 26, 2021. The SC SHPO responded on February 8, 2021 concurring with the consultation approach outlined in the January 26, 2021 letter. No response was received from the THPO.

The HUD Addendum to the South Carolina Programmatic Agreement (PA) among the Federal Emergency Management Agency, The South Carolina State Historic Preservation Officer, The South Carolina Emergency Management Division, and Tribes Participating as Invited Signatories to include the South Carolina Disaster Recovery Office and Participating South Carolina Units of General Local Government, was executed on November 16, 2016. This document follows the process defined therein.

### **Site Specific Review Process**

All projects have the potential to adversely affect historic properties through inappropriate alterations to:

1. the applicant building itself (if listed or eligible for listing on the National Register of Historic Places [NRHP]);
2. a NRHP-listed or NRHP-eligible district if the work site is within its boundaries; and/or
3. an archaeology site that is NRHP-listed or NRHP-eligible, or that is significant to a Native American Tribe.

Above-ground (architectural history) and below-ground (archaeology) assessments have different review requirements. They shall be assessed separately by appropriate professionals, overseen by an archaeologist and architectural historian that each meet their respective qualifications as listed by the Secretary of the Interior (SOI) ([https://www.nps.gov/history/local-law/arch\\_stnds\\_9.htm](https://www.nps.gov/history/local-law/arch_stnds_9.htm)).

The storm-damaged house will be confirmed to be greater or less than 45 years of age through property records, aerial imagery, and by a Secretary-of-Interior qualified architectural historian. It will also be verified if the proposed site is within or adjacent to a NRHP-listed or a NRHP-eligible historic district (including local districts and any defined potential future historic districts).

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If the proposed activities meet the first tier PA allowance(s), this will be recorded on the SSC and the historic preservation review is concluded for both archaeology and architectural history.

If the proposed activity does not meet the first-tier allowances, an SOI-qualified architectural historian/archaeologist, as appropriate, will further evaluate whether it is already NRHP-listed or is potentially eligible for listing as a NRHP property at the individual level. If not, and all project activities comply with the second-tier allowances in the PA, these shall be identified on the SSC and the architectural review shall be completed by the SOI-qualified architectural historian/archaeologist, as appropriate. If the activities do not conform to the second-tier allowances in the PA, a South Carolina Section 106 Project Review Form will be completed and submitted to the SC SHPO for their review and response, within the designated review period. All agency correspondence will be placed into the ERR and any required mitigation measures will be entered onto the SSC.

If that review indicates that the building is NRHP-listed or potentially individually NRHP-eligible, is located within any designated historic district (local, NRHP-eligible, or NRHP-listed) or the pre-storm residence is of historic-age and project activities do not meet PA allowances, then a memorandum or letter report South Carolina Section 106 Project Review Form with appropriate photographs and maps will be prepared by the SOI-qualified architectural historian/archaeologist. This document will also identify whether the proposed program activity will result in a Section 106 determination of “No Adverse Effect” or “Adverse Effect” to the district, including contributing buildings within the viewshed of the proposed activity. When needed, the form will include recommendations conditions for No Adverse Effect determinations or proposed mitigation measures for findings of “Adverse Effect”. The report form will then be submitted to the SC SHPO to review and concur or object to the finding, for their review and response, within the designated review period. All agency correspondence will be placed into the ERR and any required mitigation measures will be entered onto the SSC.

#### Native American Tribal Consultation

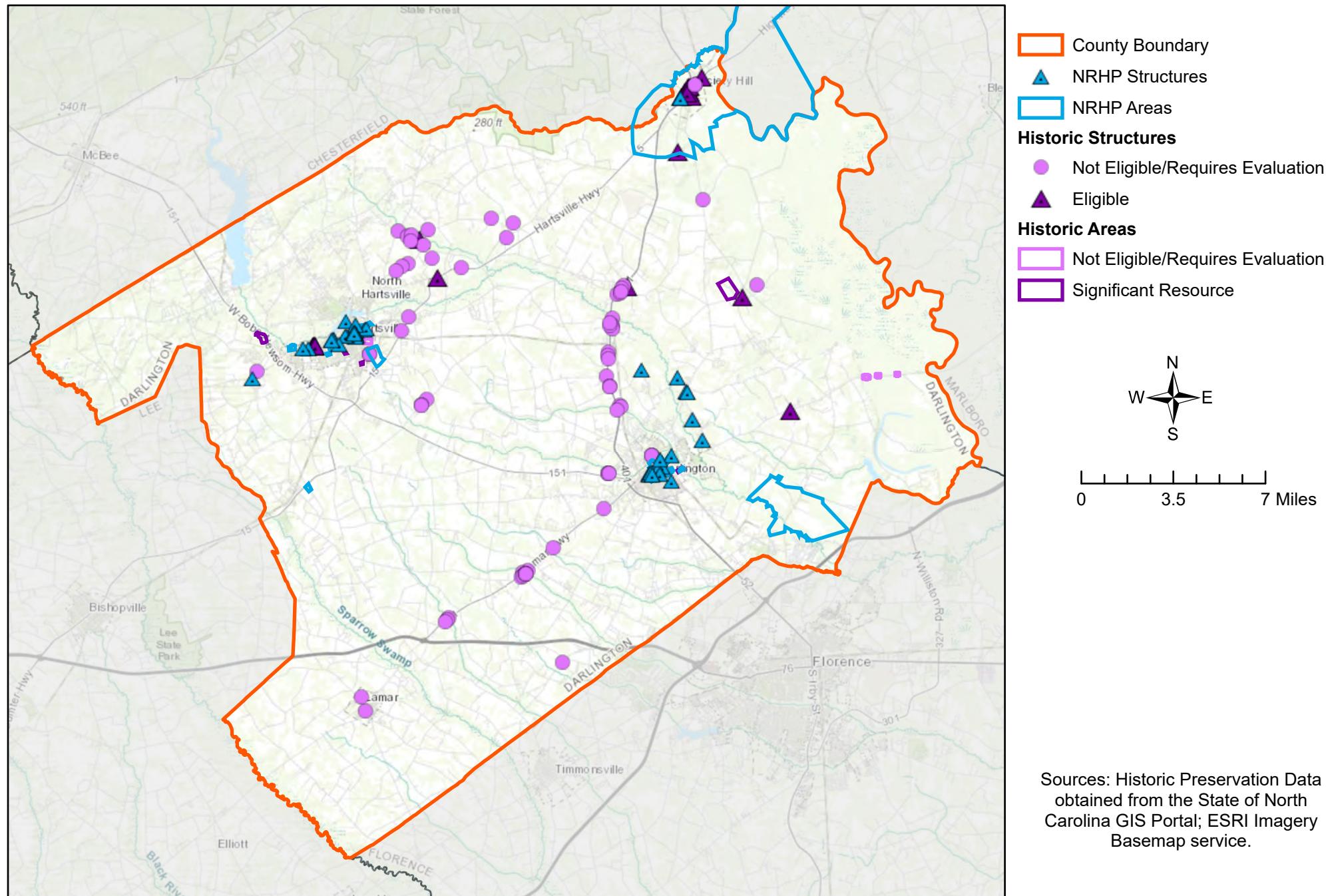
Consultation with the tribes participating as invited signatories will occur when proposed activities touch or are within the boundaries of a known prehistoric site, are located on tribal lands, or unanticipated discoveries occur that include but are not limited to human remains and funerary objects. The consultation documents will be prepared by an SOI-qualified archaeologist and sent by the SCDRO to the designated tribal contacts.

# **Historic Preservation - Darlington County**

## **Hurricane Florence Single-Family Housing Program**



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## Noise Abatement and Control

**Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B**

### **Regulatory Agencies Consulted**

All agency coordination will be made on a case-by-case basis.

### **Regulatory Background and Broad Review Determination**

The Noise Control Act of 1972 regulates noise to protect people from negative health and welfare effects resulting from noise pollution in the environment. HUD's noise standards may be found in 24 CFR Part 51, Subpart B. Consideration of noise applies to the acquisition of undeveloped land and existing development as well – where these activities result in a new noise-sensitive land use. For proposed new construction in high noise areas, the project must incorporate noise mitigation features.

HUD has determined that noise abatement and control is not applicable to a disaster recovery program which meets the definition under 24 CFR 51.101(a)(3): “The policy does not apply to...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.”

Rehabilitation, reconstruction, and replacement (Proposed Actions 1 – 6) fit this definition and will not require further review. Although relocated replacement MHUs may be in a ‘new’ location, per program requirements, the home must be placed on an existing residentially developed MHU lot –thus the ‘new’ location is actually a previously existing noise-sensitive (residential) land use, and also fits the definition above.

Additionally, acquisition / buyout (Proposed Action 7) involves demolition and conversion to greenspace in perpetuity, which will not result in a noise-sensitive land use.

The review for Noise is concluded at the Tier I Broad Environmental Review level.

### **Site Specific Review Process**

HUD's noise regulations do not apply to projects involving reconstruction, rehabilitation, or replacement of housing for the purpose of restoring facilities substantially as existed prior to the disaster, and projects that will not result in a new noise-sensitive land use. The Tier II Site-Specific Review Checklist will document that the review was concluded at the Tier I level.

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## **Sole Source Aquifers**

**Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR 149**

### **Regulatory Agencies Consulted**

No agencies were consulted.

### **Regulatory Background and Broad Review Determination**

Aquifers and surface water are drinking water systems that may be impacted by development. The Safe Drinking Water Act of 1974 requires protection of drinking water systems that are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.

Sole Source Aquifer designations are one tool to protect drinking water supplies in areas where alternatives to the groundwater resource are few, cost-prohibitive, or nonexistent. The designation protects an area's ground water resource by requiring U.S. Environmental Protection Agency (EPA) review of any proposed projects within the designated area that are receiving federal financial assistance. All proposed projects receiving federal funds are subject to review to ensure they do not endanger the water source.

Only new construction and conversion activities are subject to review for Sole Source Aquifers (SSA).

A review of the EPA regional Sole Source Aquifer (SSA) maps determined that the project area is not within the boundaries of a designated SSA. There are no sole source aquifers located in South Carolina. The review for SSA is concluded at the Tier I Broad Environmental Review level.

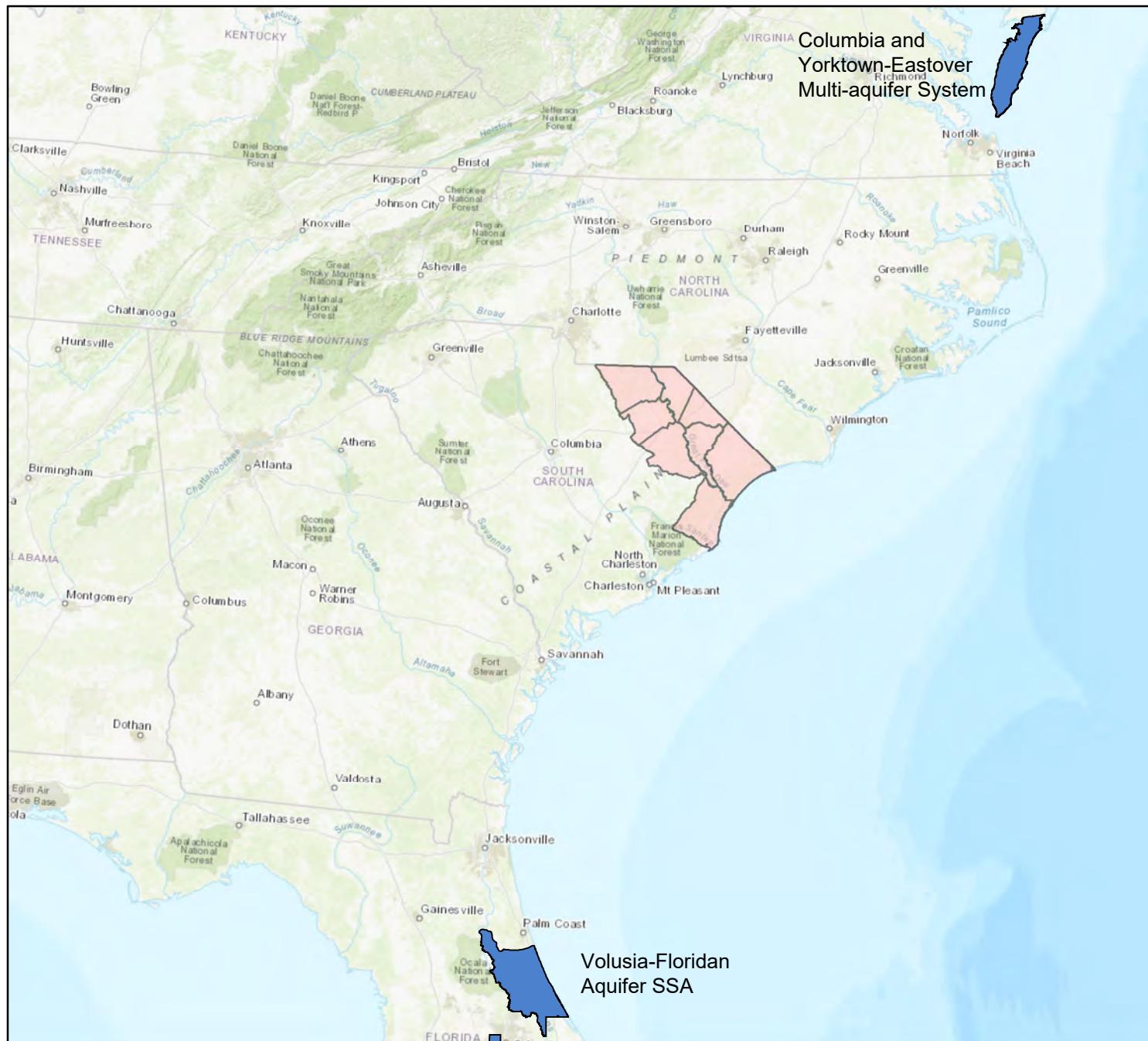
### **Site Specific Review Process**

There are no sole source aquifers in South Carolina. The Tier II Site-Specific Review Checklist will document that the review was concluded at the Tier I level.

# Map L-1. Sole Source Aquifers Hurricane Florence Single-Family Housing Program



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Sources: Aquifer data obtained from the Environmental Protection Agency's GIS Portal; ESRI Imagery Basemap service.

## **Wetlands and Surface Waters Protection**

**Executive Order 11990 (particularly sections 2 and 5), and Clean Water Act Compliance (33 CFR 320 – 330)**

### **Regulatory Agencies Consulted**

U.S. Army Corps of Engineers Charleston District Office

Charleston Ecological Services Field Office

SC Department of Health and Environmental Control, Bureau of Water, Division of Water Quality

### **Regulatory Background and Broad Review Determination**

Executive Order (EO) 11990 was issued “to avoid to the extent possible the long- and short-term adverse impacts associated with wetlands as defined at Section 6(e) and to avoid direct or indirect support of new construction (draining, dredging, channelizing, filling, diking, impounding, and related activities or placement of any buildings or facilities) in wetlands wherever there is a practicable alternative.” In addition to compliance with EO 11990, project activities located within wetlands or with surface waters (e.g., creeks, lake shores or coastline) may also be subject to permitting under Sections 401 and 404 of the Clean Water Act (CWA).

Sections 401 and 404 provide the USACE with the authority to permit or deny placement of dredge or fill material in waters of the U.S. (see <https://www.epa.gov/wotus-rule>). Examples of fill include, but are not limited to: rock, sand, soil, clay, plastics, construction debris, wood, overburden from excavation activities, and materials used to create any building or infrastructure within a water of the U.S. designated water or wetland. All activities will be located on lands privately owned by the applicant and Sections 10 and 14 (also Section 408) of the Rivers and Harbor Act will not apply.

Based on a review of the National Wetlands Inventory data, there are wetlands throughout the program area and it is assumed that at least some of the proposed project sites will intersect with NWI-mapped wetlands. Projects that involve new construction (as defined in Executive Order 11990), expansion of a building’s footprint, or ground disturbance in a wetland (per NWI and verified by site reconnaissance and the presence of wetland indicators) are required to obtain any necessary permits as required by the Corps and are subject to processing under 24 CFR 55.20 (unless an exemption applies).

Although the 8-Step Decision Making Process did not specifically take these alternatives into consideration, 24 CFR §55.12 “Inapplicability of 24 CFR Part 55 to certain categories of proposed actions” states that this part shall not apply to:

1. “The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, but only if: (i) The property is cleared of all existing structures and related improvements; (ii) The property is dedicated for permanent use for flood control, wetland protection, park land, or open space; and (iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetland from future development.” (24 CFR §55.12(c)(3))

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The Program criteria for acquisition/buyout mandate that acquired, damaged single-family residential properties in the 100-year floodplain be demolished and cleared, these properties will then be converted to greenspace in perpetuity through a restrictive covenant placed on the property to prevent future redevelopment of the property. Therefore, it has been determined that further analysis under the 8-Step Decision Making Process would not be required for acquisition/buyout activities.

### **Site Specific Review Process**

All projects that involve new construction (as defined in Executive Order 11990), expansion of a building's footprint, or ground disturbance will be evaluated to determine if the project site is located in or adjacent to a wetland (per NWI and verified by site reconnaissance and the presence of wetland indicators) or waterbody.

If there is no evidence that project construction activities could impact a water / wetland feature, then the review will be complete. The finding will be noted in the project file and documented through appropriate notes, maps and photographs.

If the desktop review, site inspection, agency coordination and/or aquatic features delineation study ascertain that a jurisdictional water / wetland is present or adjacent to the proposed construction work area then this finding will be recorded through a memorandum or letter report from a professional ecologist. This document will provide, where feasible, recommendations that present practical mitigation actions that could avoid or minimize potential adverse impacts to the aquatic feature.

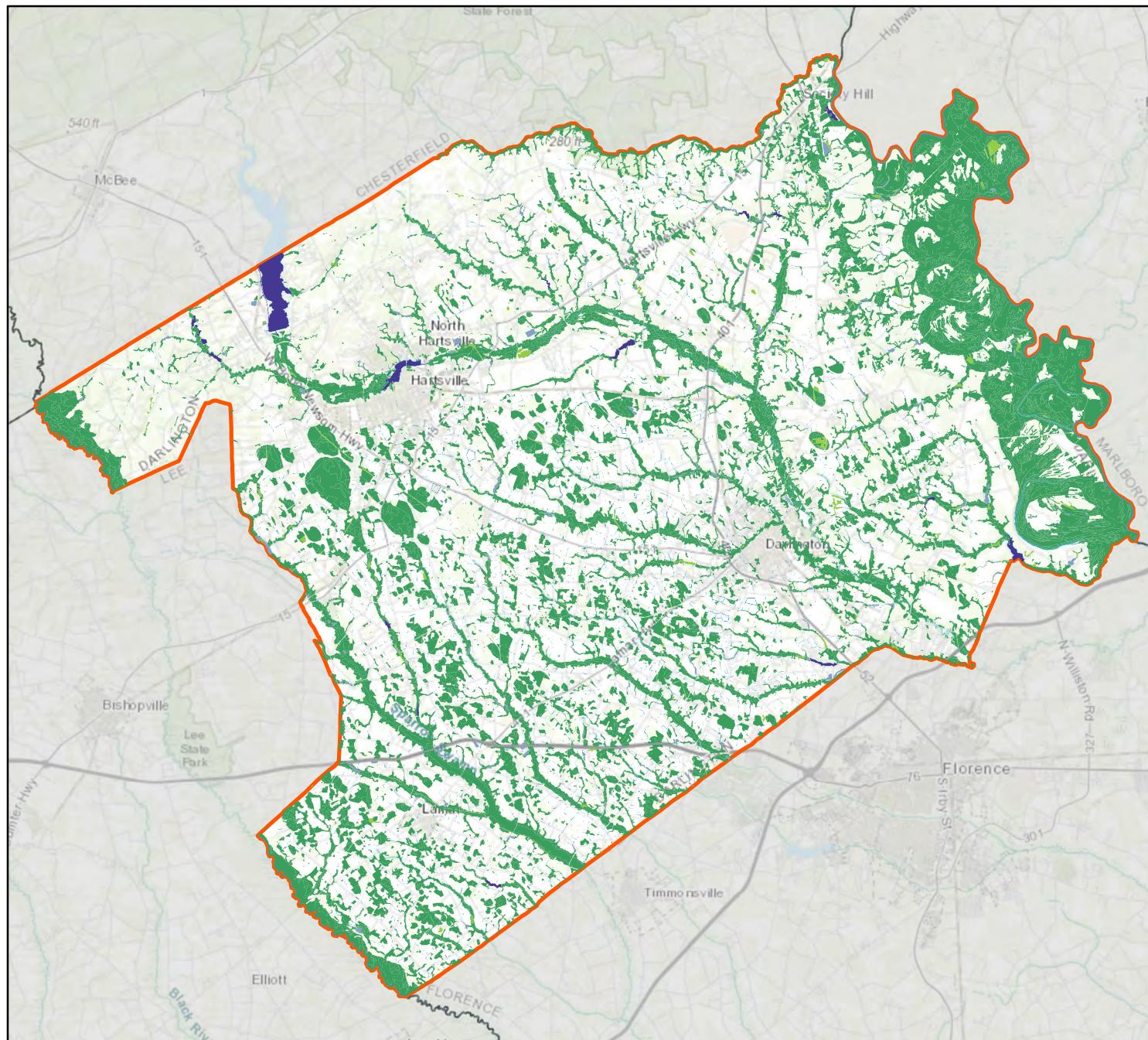
If the option is feasible the applicant may be asked to move the program activity to another location that is confirmed to be outside all wetlands / waters of the US. If this option is not feasible then the document and site recommendations will be submitted to the USACE for review and comment. If approved by the USACE then the applicant will be informed of the mitigation requirements. As required by the USACE, on a case-by-case basis, the 8-Step process outlined at 24 CFR 55.20 with modifications necessary for compliance with Sections 2 and 5 of EO 11990, will be performed. Included in the ERR will be any compliance requirements to meet USACE permit needs.

All relevant findings for each application will be documented on the Tier II Site-Specific Review Checklist and kept on file in the final ERR.

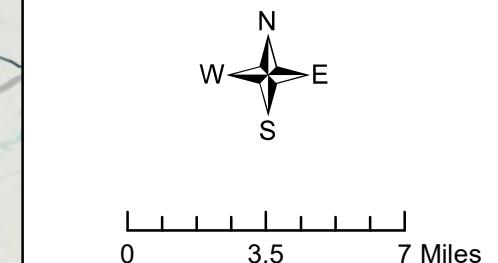
# National Wetlands Inventory - Darlington County Hurricane Florence Single-Family Housing Program



**HORNE**



- County Boundary
- National Wetlands Inventory**
  - Estuarine and Marine Deepwater
  - Estuarine and Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater Forested/Shrub Wetland
  - Freshwater Pond
  - Lake
  - Other
  - Riverine



Sources: National Wetlands Inventory data obtained from the US Fish and Wildlife Service; ESRI Imagery Basemap service.

## Wild and Scenic Rivers

Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)

### Regulatory Agencies Consulted

National Park Service, Interior Region 2 - South Atlantic Gulf

### Regulatory Background and Broad Review Determination

The Wild and Scenic Rivers Act created the National Wild and Scenic Rivers System (NWSRS) 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 NWSRS includes, designated Wild and Scenic Rivers, Study Rivers and the National Rivers Inventory. 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. Boundaries for protected rivers generally extend one-quarter mile from either bank in the lower 48 states.

South Carolina has approximately 29,898 miles of river, of which 41.9 miles are designated as wild & scenic. The Chattooga River is the only river in South Carolina that is designated as wild and scenic. There are currently 3 study rivers, none of which are located in South Carolina. The Nationwide Rivers Inventory (NRI) is a listing of more than 3,400 free-flowing rivers or river segments in the US that are 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 mitigate actions that would adversely affect one or more of the NRI segments. There are ten (10) NRI segments located within the program project area.

A request for comment was submitted to the National Park Service on May 8, 2018 in regard to Hurricane Matthew housing activities. No response was received.

Based on the distance to the rivers, and the general location of the project sites within the project area, the Program will not impact a designated Wild and Scenic River or Study River. Project activities will not include any water resources projects that require Section 404 permits (dams, water diversion projects, bridges, roadway construction or reconstruction, boat ramps, etc.). Additionally, the proposed project activities are limited to reconstruction, rehabilitation, or replacement of existing housing, and any ground disturbance would be limited to the disturbed area of the previously developed lot and therefore, are not likely to have an adverse effect on the natural, cultural, and/or recreational values of an NRI segment.

The review for Wild and Scenic Rivers is concluded at the Tier I Broad Environmental Review level.

### Site Specific Review Process

The Tier II Site-Specific Review Checklist will document that the review was concluded at the Tier I level. All projects will be conditioned to "take care to avoid or mitigate adverse effects on the rivers identified in the Nationwide Inventory."

## WILD & SCENIC RIVERS

SOUTH CAROLINA	Chattooga	May 10, 1974. The segment from 0.8 miles below Cashiers Lake in North Carolina to the Tugaloo Reservoir. The West Fork from its confluence with the main stem upstream 7.3 miles. Wild — 41.6 miles; Scenic — 2.5 miles; Recreational — 14.6 miles; Total — 58.7 miles
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## STUDY RIVERS

OREGON	Cave, Lake, No Name and Panther Creeks	December 19, 2014 (Public Law 113-291). Cave Creek from the River Styx to the boundary of the Rogue River-Siskiyou National Forest. Lake Creek from its headwaters at Bigelow Lakes to the confluence with Cave Creek. No Name Creek from its headwaters to the confluence with Cave Creek. Panther Creek from its headwaters to the confluence with Lake Creek. Upper Cave Creek from its headwaters to the confluence with the River Styx.  8.3 miles
CONNECTICUT	Housatonic River	November 11, 2016 (Section 2(a)(ii) Application by Governor Malloy). From the Massachusetts/Connecticut border downstream to Boardman Bridge in New Milford, Connecticut.  41.0 miles
MAINE	York River	December 19, 2014 (Public Law 113-291). From the headwaters of the York River at York Pond to the mouth of the river at York Harbor and any associated tributaries.  11.3 miles plus tributaries

## National Rivers Inventory (within Program Counties)

River	County	Reach	Length (miles)	Description	ORVs	Water-shed (HUC Code 8)	Year Listed / Updated
LITTLE PEE DEE RIVER	Marion, Horry, Dillon	SC 57 bridge to confluence with Pee Dee River	118	Low country blackwater river with many reaches of remote swampland and pristine cypress forests; sandy beaches; plentiful waterfowl.	Cultural, Fish, Historic, Recreational, Scenic, Wildlife	Little Pee Dee	1982

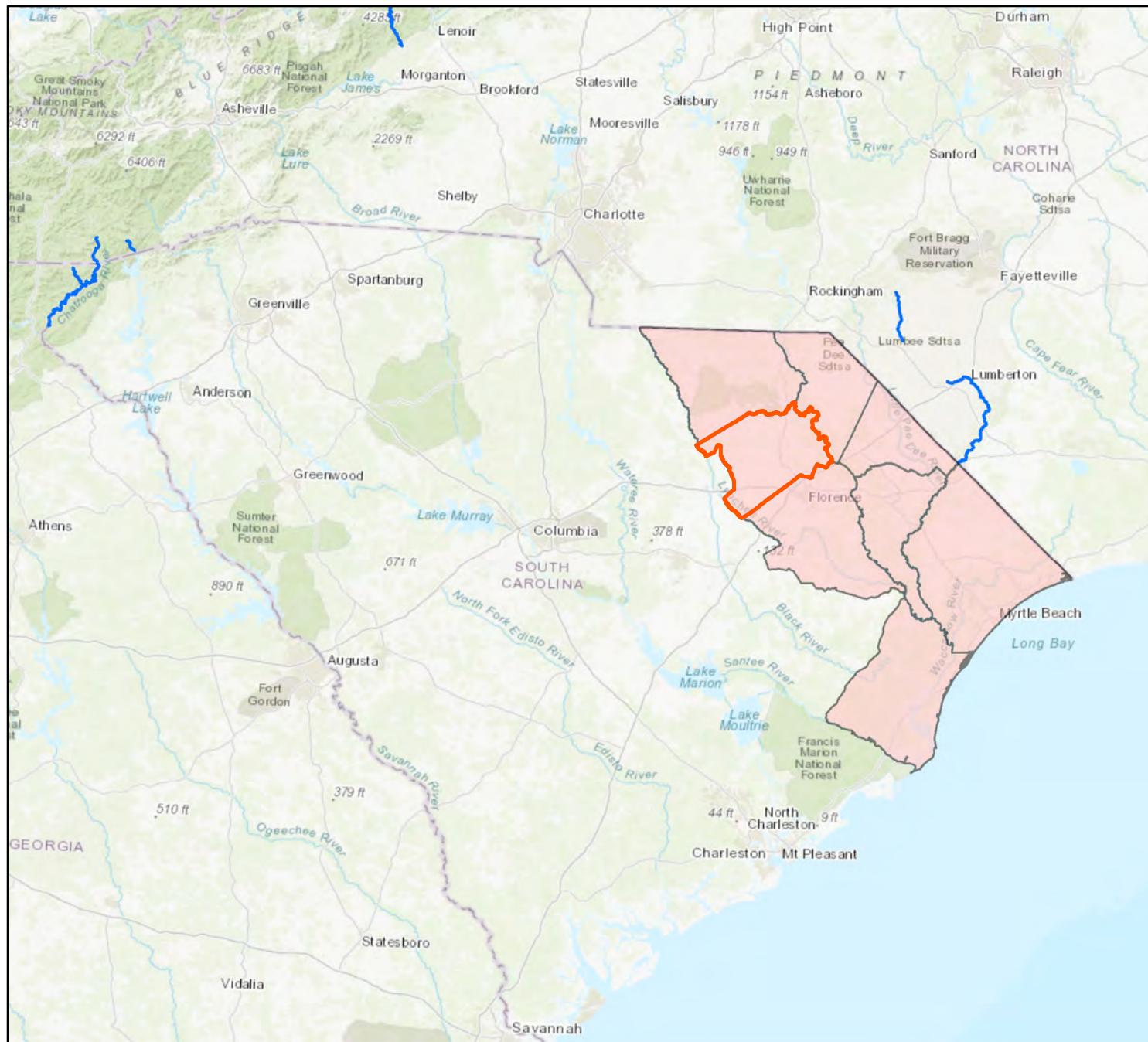
<b>LUMBER RIVER</b>	Marion, Horry, Dillon	NC State line to confluence with Little Pee Dee River	17	Forested, swampy floodplain rich in wildlife, including Swainsons Warbler and Red- Cockaded Woodpecker; excellent fishery; of Revolutionary War significance.	Cultural, Fish, Historic, Recreational, Scenic, Wildlife	Little PeeDee	1982
<b>PEE DEE RIVER</b>	Georgetown, Horry, Marion, Florence, Dillon, Darlington, Marlboro, Chesterfield	NC State line to Atlantic Ocean	177	Flows through lowland swamps, scenic bluffs; numerous oxbow lakes and sandbars; abundance of wildlife.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Lower PeeDee	1982
<b>LYNCHE'S RIVER</b>	Florence, Sumter, Lee, Darlington, Kershaw, Chesterfield	SC 903 bridge to confluence with Pee Dee River	152	Scenic and secluded coastal plain stream with stretches of whitewater; lush vegetation and dense forests.	Fish, Geologic, Recreational, Scenic, Wildlife	Carolina Coastal-Sampit	1982
<b>NORTH SANTEE RIVER</b>	Georgetown	Confluence with Wadmacon Creek to mouth at Santee Bay	18	Slow moving shallow swamp stream with natural corridor and diversity of flora and fauna.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Santee	1982
<b>SANTEE RIVER</b>	Charleston, Georgetown, Berkeley, Williamsburg, Clarendon	Santee River to confluence with South Santee River	71	Slow moving shallow swamp stream with natural corridor exhibiting a diversity of flora and fauna; numerous historical and archaeological sites.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Santee	1982
<b>SAVANNAH RIVER</b>	Charleston, Georgetown, Berkeley, Williamsburg, Clarendon	Hartwell Dam to confluence with Beer Garden Creek. Then from Augusta Regional Airport to Kings Island.	196	Popular year round for recreational activities; geological sites, including 160 foot high Shell Bluffs; habitat for variety and abundance of wildlife.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Upper Savannah	1982

<b>SOUTH SANTEE RIVER</b>	Charleston, Georgetown, Berkeley, Williamsburg, Clarendon	Confluence with Santee River to Atlantic Ocean	16	Slow moving shallow swamp stream with natural corridor exhibiting a diversity of flora and fauna; numerous historical and archaeological sites	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Santee	1982
<b>WACCAMAW RIVER</b>	Georgetown, Horry	NC State line to confluence with Pee Dee River	98	Deep blackwater swamp stream characterized by numerous buttressed tree species, predominately cypress draped with Spanish moss; abundance of wildlife	Cultural, Fish, Historic, Recreational, Scenic, Wildlife	Waccamaw	1982
<b>BLACK RIVER</b>	Georgetown, Williamsburg, Clarendon	Confluence with Pocotaligo River to Confluence with Pee Dee River	112	Southern blackwater stream with limestone bluffs and numerous buttressed tree species; oxbow lakes and white sand bars.	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Black	1982

# National Wild and Scenic Rivers - Darlington County Hurricane Florence Single-Family Housing Program



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- County Boundary
- Study Area
- National Wild and Scenic River



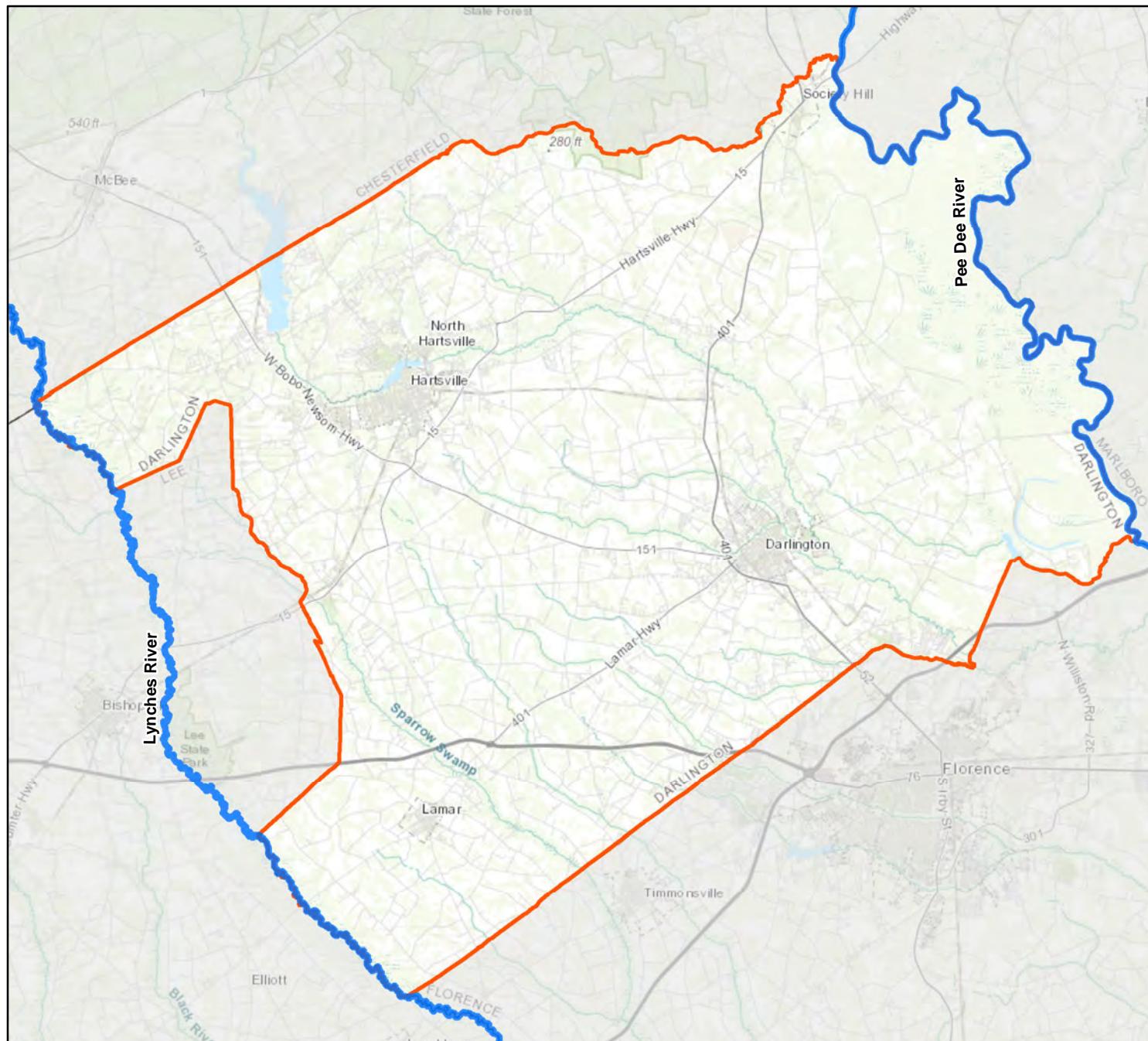
0 25 50 Miles

Sources: National Wild and Scenic Rivers compiled by the US Forest Service, National Park Service, Bureau of Land Management, and US Fish and Wildlife Service; ESRI Imagery Basemap service.

# National Rivers Inventory - Darlington County Hurricane Florence Single-Family Housing Program



**HORNE**



Sources: Nationwide Rivers Inventory obtained from the National Park Service; ESRI Imagery Basemap service.

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## Environmental Justice

### Executive Order 12898

#### Regulatory Agencies Consulted

US Environmental Protection Agency, Region IV

#### Regulatory Background and Broad Review Determination

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations" (2/94) requires certain federal agencies, including HUD, to consider how federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and low-income populations.

As required by HUD per the federal register notice, low- to moderate-income households will receive at least 70% of the proposed Program funding. The proposed activities will assist these low- to moderate-income residents in the areas most affected by Hurricanes Matthew and Florence, many of whom are designated as minority populations. The program is designed to allow residents to return to, or continue living in, their current communities, with the primary goal of improving the condition of the housing, making it more durable, energy-efficient, safe from mold, asbestos, lead based paint, and other health and safety impacts. The program will also enhance health and safety by making many homes less vulnerable to flooding and future storm damage by repairing or replacing/reconstructing to current code and Housing Quality Standards and elevating the structures above the flood level.

While the program's intent is to beneficially impact these target populations, it is understood that any adverse environmental impacts that may be identified during the site-specific environmental review, could result in an unintended disproportionate, adverse impact.

#### Site Specific Review Process

Environmental Justice will be analyzed at the site-specific level once all sections of the Tier II Site-Specific Environmental Checklist are completed to determine if the project may adversely impact a low-income or minority population. If adverse impacts are identified, the impacts must be mitigated and documented in the Tier II Site-Specific Checklist.



## EJSCREEN ACS Summary Report



Location: Darlington County  
 Ring (buffer): 0-mile radius  
 Description: Darlington County, SC

<b>Summary of ACS Estimates</b>		2013 - 2017		
		2013 - 2017 ACS Estimates	Percent	MOE (±)
<b>Population</b>				
Population Density (per sq. mile)		67,572	120	
People of Color Population		30,398	45%	
% People of Color Population				
<b>Households</b>				
Housing Units		26,861	30,631	
Housing Units Built Before 1950			3,723	
<b>Per Capita Income</b>			21,225	
Land Area (sq. miles) {source: SF1}		561.15	99%	
% Land Area				
Water Area (sq. miles) {source: SF1}		5.66	1%	
% Water Area				
<b>Population by Race</b>		2013 - 2017 ACS Estimates	Percent	MOE (±)
<b>Total</b>		67,572	100%	0
Population Reporting One Race		66,407	98%	717
White		38,254	57%	95
Black		27,512	41%	373
American Indian		225	0%	99
Asian		297	0%	71
Pacific Islander		10	0%	15
Some Other Race		109	0%	64
Population Reporting Two or More Races		1,185	2%	393
Total Hispanic Population		1,297	2%	0
Total Non-Hispanic Population		66,275		
White Alone		37,174	55%	29
Black Alone		27,512	41%	373
American Indian Alone		222	0%	99
Non-Hispanic Asian Alone		288	0%	68
Pacific Islander Alone		10	0%	15
Other Race Alone		0	0%	29
Two or More Races Alone		1,089	2%	399
<b>Population by Sex</b>		2013 - 2017 ACS Estimates	Percent	MOE (±)
Male		31,915	47%	100
Female		35,657	53%	100
<b>Population by Age</b>		2013 - 2017 ACS Estimates	Percent	MOE (±)
Age 0-4		3,946	6%	59
Age 0-17		15,418	23%	506
Age 18+		52,154	77%	999
Age 65+		11,578	17%	547

**Data Note:** Detail may not sum to totals due to rounding. Hispanic population can be of any race.  
 N/A means not available. Source: U.S. Census Bureau, American Community Survey (ACS) 2013-2017.



## EJSCREEN ACS Summary Report



Location: Darlington County  
 Ring (buffer): 0-mile radius  
 Description: Darlington County, SC

	2013 - 2017 ACS Estimates	Percent	MOE (±)
<b>Population 25+ by Educational Attainment</b>			
Total	46,063	100%	63
Less than 9th Grade	2,846	6%	369
9th - 12th Grade, No Diploma	5,737	12%	524
High School Graduate	16,355	36%	791
Some College, No Degree	12,914	28%	750
Associate Degree	3,872	8%	370
Bachelor's Degree or more	8,211	18%	617
<b>Population Age 5+ Years by Ability to Speak English</b>			
Total	63,626	100%	45
Speak only English	62,268	98%	227
Non-English at Home <sup>1+2+3+4</sup>	1,358	2%	213
<sup>1</sup> Speak English "very well"	749	1%	177
<sup>2</sup> Speak English "well"	247	0%	90
<sup>3</sup> Speak English "not well"	243	0%	120
<sup>4</sup> Speak English "not at all"	119	0%	78
<sup>3+4</sup> Speak English "less than well"	362	1%	140
<sup>2+3+4</sup> Speak English "less than very well"	609	1%	164
<b>Linguistically Isolated Households<sup>5</sup></b>			
Total	175	100%	97
Speak Spanish	140	80%	88
Speak Other Indo-European Languages	27	15%	24
Speak Asian-Pacific Island Languages	0	0%	29
Speak Other Languages	8	5%	13
<b>Households by Household Income</b>			
Household Income Base	26,861	100%	455
< \$15,000	5,439	20%	534
\$15,000 - \$25,000	3,993	15%	404
\$25,000 - \$50,000	7,356	27%	616
\$50,000 - \$75,000	4,328	16%	432
\$75,000 +	5,745	21%	516
<b>Occupied Housing Units by Tenure</b>			
Total	26,861	100%	455
Owner Occupied	18,431	69%	568
Renter Occupied	8,430	31%	630
<b>Employed Population Age 16+ Years</b>			
Total	54,032	100%	167
In Labor Force	30,796	57%	868
Civilian Unemployed in Labor Force	4,018	7%	527
Not In Labor Force	23,236	43%	888

**Data Note:** Data may not sum to totals due to rounding. Hispanic population can be of any race.

N/A means not available. Sources: U.S. Census Bureau, American Community Survey (ACS)

<sup>5</sup>Households in which no one 14 and over speaks English "very well" or speaks English only.

# Tier II Site Specific Environmental Review Checklist

Case ID

Address, City, State, Zip



## Hurricane Florence Single-Family Housing Program

### Tier II Site-Specific Environmental Review

Version 1.1 March 2021

(For reviewing individual projects involving rehabilitation, reconstruction, replacement, elevation, and relocation of owner-occupied single-family residential structures in accordance with the Tiered Environmental Broad Review.)

#### Project Information

<b>HUD Grant Numbers:</b>	B-16-DL-45-0001 (Hurricane Matthew 2016) B-19-DV-45-0001 / B-19-DV-45-0002 (Hurricane Florence 2018)		
<b>Program Name:</b>	Hurricane Florence Single-Family Housing Program		
<b>Florence Case ID:</b>		<b>Matthew Case ID:</b>	
<b>Applicant Name:</b>			
<b>Property Address:</b>			
<b>County:</b>		<b>Year Built:</b>	
<b>Parcel ID:</b>		<b>Coordinates (Lat/Long):</b>	
<b>Inspector Name:</b>		<b>Date Inspected:</b>	
<b>Preparer Name:</b>		<b>Date Prepared:</b>	
<b>Reviewer Name:</b>		<b>Date Reviewed:</b>	
<b>Proposed Action:</b>			
<b>Attachments:</b> A-Property Record (Year Built Documentation) & Site Inspection w/Photos, B-Maps, C-Review Documentation, D-Agency Consultation (Attachments C and D are included only when necessary.)			

#### Project Description:

A Tiered Environmental Broad Review (Tier I EA) for proposed activities to be funded through South Carolina's Hurricane Florence Single-Family Housing Program (CDBG-DR), was completed for each program-eligible county in accordance with state, federal and local environmental laws, regulations, and executive orders. This Tier II Site-Specific Environmental Review is being completed in anticipation of proposed activities at an individual project site where the residential structure sustained damage from Hurricanes Matthew and/or Hurricane Florence. Funds were released at the Tier 1 level for each county.

**Proposed Action 1: Rehabilitation** – Proposed activities involve the repair / rehabilitation of an existing stick-built, single-family structure (rental or owner-occupied) on a previously disturbed parcel. The home was constructed [insert year built and source]. Repairs would consist of addressing storm-related damage to the residence including general demolition, drywall, electrical, HVAC, insulation, light fixtures, painting, roofing, etc. as needed to meet current minimum residential property standards. Repair activities will be limited to the existing footprint of the extant structure and associated utilities. The property record and site inspection report with photos are included in Attachment A, and a map of the project location is included in Attachment B.

**Proposed Action 2: Rehabilitation and Elevation** – Proposed activities involve the repair / rehabilitation and elevation of an existing stick-built, single-family structure on a previously disturbed parcel. The home was constructed [insert year built and source]. Repairs would consist of addressing storm-related damage to the residence including general demolition, drywall, electrical, HVAC, insulation, light fixtures, painting, roofing, etc. as needed to meet current



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minimum residential property standards. The structure is located in the FEMA-designated 100-year floodplain, as known as the Special Flood Hazard Area (SFHA), and is substantially damaged; therefore, in accordance with NFIP and program guidelines, the home will be elevated to a minimum of 2ft above the base flood elevation (BFE) based on the Preliminary or Effective FIRM, or best available data. Repair activities will be limited to the existing footprint of the extant structure with minimal ground surface disturbance to install an elevated foundation and restore/connect to existing utilities. All activities, including the staging of equipment and materials will be limited to the disturbed area of the previously developed lot or residential site. The property record and site inspection report with photos are included in Attachment A, and a map of the project location is included in Attachment B.

**Proposed Action 3: MHU Replacement** – Proposed activities involve the replacement of an existing manufactured home on a previously disturbed parcel. The home was constructed (insert year built and source). The MHU will be demolished/removed and a new MHU installed in the same location, within the disturbed area associated with the damaged structure with minimal ground surface disturbance to accommodate required utilities. All activities, including staging of equipment and materials, will be limited to the disturbed area of the previously developed lot or residential site with minimal ground surface disturbance to restore/connect to existing utilities. The property record and site inspection report with photos are included in Attachment A, and a map of the project location is included in Attachment B.

**Proposed Action 4: MHU Replacement and Elevation** – Proposed activities involve the replacement and elevation/structural reinforcement of an existing manufactured home on a previously disturbed parcel. The home was constructed (insert year built and source). The MHU will be demolished/removed and a new MHU installed in the same location, within the disturbed area associated with the damaged structure. The new MHU will be elevated and/or installed with appropriate structural reinforcement, as required by NFIP and program guidelines. All activities, including staging of equipment and materials, will be limited to the disturbed area of the previously developed lot or residential site with minimal ground surface disturbance to install an elevated foundation and restore/connect to existing utilities. The property record and site inspection report with photos are included in Attachment A, and a map of the project location is included in Attachment B.

**Proposed Action 5: Stick-Built Reconstruction** – Proposed activities involve the reconstruction of an existing stick-built, single-family structure on a previously disturbed parcel. The home was constructed (insert year built and source). The damaged structure will be demolished, and a new structure will be constructed in the same location, within the disturbed area of the parcel associated with the damaged structure. All activities, including staging of equipment and materials, will be limited to the disturbed area of the previously developed lot or residential site with minimal ground surface disturbance to restore/connect to existing utilities. The property record and site inspection report with photos are included in Attachment A, and a map of the project location is included in Attachment B.

**Proposed Action 6: Stick-Built Reconstruction and Elevation** – Proposed activities involve the reconstruction and elevation of an existing stick-built, single-family structure on a previously disturbed parcel. The home was constructed (insert year built and source). The damaged structure will be demolished, and a new elevated structure will be constructed in the same location, within the disturbed area of the parcel associated with the damaged structure. The structure will be elevated during reconstruction in accordance with NFIP and program guidelines. All activities, including staging of equipment and materials, will be limited to the disturbed area of the previously developed lot or residential site with minimal ground surface disturbance to install an elevated foundation and restore/connect to existing utilities. The property record and site inspection report with photos are included in Attachment A, and a map of the project location is included in Attachment B.

**Proposed Action 7: Acquisition/Buyout** – Proposed activities involve the acquisition/buyout of a damaged single-family property within the 100-year floodplain. The home was constructed (insert year built and source). Once acquired and once all utilities have been secured, the damaged structure(s) will be demolished, and the site will be cleared of all debris. A restrictive covenant preventing future redevelopment, will be placed on the property, converting it to green space in perpetuity. All activities, including staging of equipment, will be limited to the disturbed area of the previously developed lot or residential site with minimal ground surface disturbance to remove



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Case ID

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the existing foundation and utilities. The property record and site inspection report with photos are included in Attachment A, and a map of the project location is included in Attachment B.



Case ID

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## SITE-SPECIFIC ENVIRONMENTAL CERTIFICATION

### Environmental Finding:

- The proposed activity conditionally complies with environmental requirements for funding.
- The proposed activity does not comply with environmental requirements for funding due to (state topic(s) that makes it ineligible).

\*If the scope of the project changes, a re-evaluation of environmental findings is required per 24 CFR 58.47.

### Environmental Review Preparer:

Signature:

Date:

First Last, Environmental Specialist, HORNE LLP

### Environmental Review QC:

Signature:

Date:

Erich Ortlieb, Environmental Manager, HORNE LLP

### SOI-Qualified Reviewer:

Signature:

Date:

Lauren B. Poche, M.A., Architectural Historian/Archaeologist, HORNE LLP

### Responsible Entity's Certifying Officer:

Certifying Officer Signature:

Date:

Eric Fosmire, Legal Director, South Carolina Disaster Recovery Office



## SITE-SPECIFIC MITIGATION MEASURES

The following Site-Specific Project Conditions and General Environmental Mitigation Measures shall be incorporated into the project scope and complied with for the project:

### PROJECT CONDITIONS

- There are no site-specific project conditions; however, the general mitigation measures below are applicable.
- Floodplain Management:** The proposed project site is located within a 100-year floodplain and is substantially damaged. Project activities must comply with elevation/construction requirements as outlined in the general conditions below.
- Flood Insurance:** The proposed project site is located within a 100-year floodplain and obtain and maintain flood insurance as outlined in the general conditions below.
- Hazardous Conditions:** The field inspector noted that the septic system onsite is faulty. Any potential concerns or issues associated with the faulty septic system must be addressed as part of the project scope, in bringing the property up to current minimum property standards in accordance with HUD's HQS guidelines. Additionally, the inspector noted environmental housekeeping concerns (used appliances, non-leaking 55-gallon drums/containers, portable propane tank), that do not appear to pose a threat to the health and safety of the residents. Any handling or disposal of these items, if necessary, to complete construction activities, must be performed in accordance with state and local requirements and in a manner that prevents potential site contamination.
- Wetlands:** In addition to implementing the best management practices below to avoid potential wetland impacts, the reconstructed structure must be reconstructed in the same location on the property and should not be shifted closer to the wetland areas of the property.
- Historic (Section 106):** The project site is located in a Local/National Register Historic District; therefore, all reconstruction activities must adhere to the building plans, in design and materials, as shown in the approved plans to maintain compliance with the Certificate of Appropriateness.
- Coastal Zone:** The project site is in the vicinity of a critical area as defined in Section 3(J) of the South Carolina Coastal Management Act of 1977 and involves major rehabilitation (cost of repair exceeds 66.6% of the structure's value), replacement or reconstruction. A permit or formal written approval must be obtained from SCDHEC OCRM prior to the start of project activities.
- Lead-Based Paint:** The structure is positive for lead-based paint or lead hazards and must comply with regulatory requirements outlined below. Additionally, post-renovation lead-specific cleaning and a Clearance Report documenting that the hazard has been appropriately mitigated, are required.
- Mold:** Upon completion of project activities all rehabilitated residential dwellings must be free of mold attributable to the disaster event.
- Other:**



## GENERAL MITIGATION MEASURES

1. All changes to the scope of work of a proposed activity, must be revised and resubmitted for reevaluation under NEPA (24 CFR 58.47).
2. Acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions.
3. Use of energy-efficient doors, water heaters and HVAC units, as well as the incorporation of weatherization measures to the extent practicable.

### HISTORIC PRESERVATION

4. Ensure that the work does not diminish the historic integrity of any local historic district or historic property.
5. If archaeological materials are encountered during execution of the project activity, the procedures codified at 36 CFR 800.13(b) will apply. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include, but are not limited to, stone projectile points (arrow heads), ceramic shards, bricks, worked wood, bone and stone, metal and glass objects, and human skeletal materials. The contractor or applicant receiving federal assistance should contact SHPO immediately if any are uncovered.

### FLOODPLAIN MANAGEMENT AND FLOOD INSURANCE

6. All proposed reconstruction, manufactured housing replacement, substantial improvements, and elevation activities in the 100-year floodplain must adhere to the minimum standard of Base Flood Elevation plus 2 feet or the local floodplain requirements, whichever is more restrictive.
7. All residences in, or partially in, the 100-year floodplain shown on the current effective FEMA Flood Insurance Rate Map must be covered by flood insurance and the flood insurance must be maintained per program guidelines.
8. Applications approved to build within the "Coastal High Hazard" areas ("V" or "VE" Zones shown on the current effective FEMA Flood Insurance Rate Map) must adhere to construction standards, methods, and techniques requiring a registered professional engineer to either develop, review, or approve, per the associated location, specific Applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 CFR 60.3(e) as required by HUD Regulation 24 CFR 55.1(c)(3).

### WETLANDS / WATER QUALITY

9. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters. This includes buffering and filtering runoff water and using BMPs to control nonpoint source runoff.
10. Soil compaction will be minimized by controlling project activities in vegetated areas, including lawns.
11. Protect existing drain inlets from debris, soil and sedimentation.
12. Protect stream, wetlands, woods and other natural areas from any unnecessary construction activities or disturbance.

### NOISE

13. Outfit all heavy equipment with operating mufflers.
14. Comply with the applicable local noise ordinance.



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**AIR QUALITY**

15. Utilize alternatively fueled equipment when possible.
16. Utilize emission controls applicable to the equipment.
17. Reduce idling time on construction equipment.
18. Minimize dust emissions through good operating practices.
19. Retrofit, repower, or replace older and more polluting diesel construction equipment in order to satisfy clean air construction requirements, as necessary.
20. Require an asbestos survey and project license as may be required prior to any demolition activities such as deconstruction of a building or removal of structures in the right-of-way of a road project.

**HAZARDOUS MATERIALS**

21. Except where exempted, all activities must comply with applicable federal, state, and local laws and regulations regarding asbestos, including but not limited to the following:
  - Regulation 61-86.1, Standards of Performance for Asbestos Projects,
  - Occupational Safety and Health Administration (OSHA) Asbestos Standard,
  - 1926.1101 and National Emissions Standards for Hazardous Air Pollutants (NESHAPs) – Asbestos.
  - Applicant 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).
22. All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to:
  - EPA's Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80(e));
  - HUD's lead-based paint regulations in 24 CFR 35(a)(b)(h)(j)(r);
  - HUD's "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing".
23. Project rehabilitation and new construction shall apply appropriate materials and construction techniques to prevent radon gas contamination (<https://www.epa.gov/radon/radon-resources-builders-and-contractors>).
24. Upon completion all rehabilitated residential dwellings must be free of mold attributable to the disaster event.
25. Comply with all laws, regulations, and industry standards applicable to aboveground and underground storage tanks.
26. Storage tanks installed below the base flood elevation must be watertight and must be anchored to resist floatation and lateral movement during a storm surge or other flood.

**COASTAL ZONE**

27. Septic tank repair or replacement in a coastal zone will be situated as safe distance from the shoreline to ensure proper drainage and filtering of tank effluents before they reach the water's edge with special attention given in identified erosion areas.

**NATIONAL WILD AND SCENIC RIVERS**

28. Contractors are required to "take care to avoid or mitigate adverse effects on the rivers identified in the Nationwide Inventory" when present in the vicinity of construction activities.



## Site-Specific Review Checklist

### 1. Airport Hazards

(24 CFR Part 51 Subpart D)

Is the proposed project site located in one of the counties where airport hazards were eliminated at the Tier I level (Chesterfield, Darlington, Dillon, Georgetown, Marlboro, Marion)?

- Yes. **Airport Hazards Analysis Complete.**
- No. The proposed project site located in a county where airport hazards exist (Florence, Horry). See Airport Map in Attachment B. Is the proposed project site located within 2,500' of a civil airport or 15,000' of a military airfield?
  - No. **Airport Hazards Analysis Complete.**
  - Yes. Is the proposed project site located in a Runway Protection Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?
    - No. **Airport Hazards Analysis Complete.**
    - Yes. Does the project involve new construction, substantial rehabilitation, acquisition of undeveloped land, or activities that would significantly prolong the physical or economic life of the existing structure?
      - Yes. **THE PROPOSED PROJECT CANNOT PROCEED.**
      - No. Project activities are limited to minor rehabilitation or buyout for conversion to greenspace. Complete Sections I and II below.

#### I. Runway Protection Zone/Clear Zone (RPZ/CZ)

- Proposed project site is NOT in an RPZ/CZ. RPZ/CZ Review Complete. Proceed to Section II.
- Project site is located in an RPZ/CZ. Is the project part of clear zone acquisition program?
  - Yes. **THE PROPOSED PROJECT CANNOT PROCEED.**
  - No. Applicant has been informed of the potential hazards from airplane accidents as well as the potential for the property to be purchased as part of a future airport expansion project. See Airport Hazards Notification Letter (Attachment C). **Airport Hazards Analysis Complete upon completion of RPZ/CZ & APZ review.**

#### II. Accident Potential Zone (APZ)

- Proposed project site is NOT in an APZ. APZ Review Complete.
- Project site is located in an APZ. Is the proposed project consistent with Department of Defense (DOD) Land Use Compatibility Guidelines?
  - No. **THE PROPOSED PROJECT CANNOT PROCEED.**
  - Yes. See documentation of consistency with DOD guidelines in Attachment C. **Airport Hazards Analysis Complete upon completion of RPZ/CZ & APZ review.**

OTHER: (explain finding)



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## 2. Coastal Barrier Resources

(Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501])

Is the proposed project site located in a non-coastal county where potential coastal barrier impacts were eliminated at the Tier I level (Chesterfield, Darlington, Dillon, Florence, Marlboro, Marion)?

Yes. **Coastal Barriers Analysis Complete.**

No. The proposed project site located in a county where coastal barrier resources exist (Georgetown, Horry). See Coastal Barriers Map in Attachment B. Is the project located in a CBRS Unit?

Yes. Project is not allowed within a CBRS Unit. **THE PROPOSED PROJECT CANNOT PROCEED.**

No. **Coastal Barriers Analysis Complete.**

OTHER: (explain finding)

## 3. Floodplain Management and Flood Insurance

(EO 11988, 24 CFR 55, 24 CFR 58.6, Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a])

FIRM Panel:

Effective Date:

Preliminary FIRM Panel:

Issue Date:

Is the subject structure located in the FEMA designated 100-year floodplain (Zones "A" or "V") on the FEMA FIRM or Preliminary FIRM (if applicable)? See Floodplain Map(s) in Attachment B.

No. **Floodplain Analysis Complete.**

Yes. Is the proposed project located in a FEMA-designated FLOODWAY?

Yes. Is the project acquisition / buyout?

No. **PROPOSED PROJECT CANNOT PROCEED.**

Yes. Project site will be cleared of all structures/development, and a restrictive covenant will be placed on the property converting it to greenspace in perpetuity in accordance with 24 CFR §55.12(c)(3) and is therefore, exempt from Part 55. **Floodplain Analysis Complete.**

No. Is the project site located in a community that is participating and in good standing with the National Flood Program?

No. **PROPOSED PROJECT CANNOT PROCEED.** See NFIP List of Non-Participating Communities in Attachment C.

Yes. A programmatic 8-Step Decision Making Process for Floodplains was completed for the county and is included within the Tier I ERR. As outlined in the 8-Step, all substantially damaged structures, as defined at 24 CFR 55.2(b)(10), and reconstructed structures in the floodplain will be elevated to a minimum of two feet above the base flood elevation. All participants in the program whose property is in the 100-year floodplain shown on the effective Flood Insurance Rate Map (FIRM) or Preliminary FIRM as Best Available Data will be required to carry flood insurance on the subject structure in perpetuity.

Additional requirements apply to projects located in a Coastal High Hazard / Wave Action Zone ("V" Zones). Is the project site located in a "V" zone?

No. Project must comply with requirements outlined above. See Site-Specific Mitigation Measures. **Floodplain Analysis Complete.**

Yes. In addition to the requirements outlined above, the project must adhere to the construction standards, methods and techniques outlined in 24 CFR Part 55.1(c)(3)(i) and (ii). See Site-Specific Mitigation Measures. **Floodplain Analysis Complete.**

OTHER: (state finding)



Case ID \_\_\_\_\_ Address, City, State, Zip \_\_\_\_\_

#### **4. Clean Air**

(Clean Air Act, as amended, Section 176(c) & (d); 40 CFR Parts 6, 51, 93)

Compliance achieved at the Tier I Broad Review level.

#### **5. Coastal Zone Management**

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

Is the proposed project site located in a county that is not part of South Carolina's Coastal Zone Management Program (SCCZMP) for which potential impacts were eliminated at the Tier I level (Chesterfield, Darlington, Dillon, Florence, Marlboro, Marion)? See Coastal Zone Map in Attachment B.

Yes. **Coastal Zone Analysis Complete.**

No. The project is located in South Carolina's Coastal Zone Management Area. Is the project located in the vicinity of any one of the critical areas as defined in Section 3(J) of the South Carolina Coastal Management Act of 1977 which consist of: coastal waters, tide-lands, beaches and primary ocean-front sand dunes?

No. **Coastal Zone Analysis Complete.**

Yes. Does this project include expansion or addition to an existing structure, major rebuilding (rehabilitation of a habitable structure determined to be damaged 66.66% or more, pursuant to R.30-14(D)(3)(a) and (b)), replacement, or reconstruction activities?

No. Proposed project is minor rehabilitation (less than 66.66% damaged). See Coastal Zone Minor/Major Damage Determination with supporting documentation in Attachment C. **Coastal Zone Analysis Complete.**

Yes. Project includes expansion or addition to an existing structure, major rebuilding, replacement, or reconstruction, MUH replacement and/or elevation within previously disturbed parcel; or property acquisition / buyout; and is therefore, subject to review by South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (SCDHEC OCRM). Project must receive approval or permits as required and must comply with all permit requirements. See Site-Specific Mitigation Measures. **Coastal Zone Analysis Complete.**

OTHER: (state finding)

#### **6. Contamination and Toxic Substances**

(24 CFR Part 50.3(i) & 58.5(i)(2))

**COMPLETE SUBSECTIONS I-V.**

##### **I. Site Inspection Findings**

Are there any recognized environmental conditions (REC), such as obvious signs of hazardous, toxic, or radioactive materials, or substances as observed on the site from the public right of way during the site visit that could adversely impact the proposed site where the specified REC could potentially affect the health and safety of occupants or conflict with the intended utilization of the property?

No. **On-Site Analysis Complete. Proceed to Section II.**

Yes. Site inspection observations are included in the Environmental Questionnaire. Can the potentially hazardous conditions be resolved through mitigation?

No. **PROPOSED PROJECT CANNOT PROCEED.**

Yes. Project must comply with the requirements outlined in the Site-Specific Mitigation Measures. **On-Site Analysis Complete. Proceed to Section II.**

OTHER: (explain finding)



**II. Regulatory Agency Records Review Findings**

Is the subject property within the specified search radius of any facilities or sites of concern where toxic, hazardous, or radioactive substances, are known or suspected to be present? See Toxic and Hazardous Facilities Map in Attachment B.

**No. Regulatory Records Analysis Complete. Proceed to Section III.**

Yes. There are facilities or sites of concern within their respective search radii. See Hazardous Facilities review table and supporting documentation in Attachment C. Do any of these sites/facilities pose a threat to the health and safety of project occupants or conflict with the intended use of the property?

No. As described in the Hazardous Facilities review table, based upon further investigation (including additional records reviews, correspondence with the regulatory oversight agency), proximity, topography, mechanisms for exposure, regulatory status ("No Further Action" (NFA), closed, inactive), or other documentation of the status and extent of hazardous conditions, the hazardous sites and facilities of concern are not suspected of adversely impacting the proposed project site. As such, the toxic substances or contaminants associated with these facilities are not likely to be present on the subject property at harmful levels that would pose a threat to the health or safety of the site occupants or conflict with the intended use of the property. See **Regulatory Records Analysis Complete. Proceed to Section III.**

Yes. Can the hazardous environmental conditions be mitigated to prevent the hazard from affecting the health and safety of project occupants?

**No. PROPOSED PROJECT CANNOT PROCEED.**

Yes. Project must comply with the requirements outlined in the Site-Specific Mitigation Measures. **Regulatory Records Analysis Complete. Proceed to Section III.**

OTHER: (explain finding)

**III. Lead Based Paint**

Structure Date of Construction:

Was the structure built after January 1, 1978?

**Yes. Lead-Based Paint Analysis Complete. Proceed to Section IV.**

No. Is the proposed project rehabilitation?

No. Reconstruction, replacement, or acquisition / buyout are exempt from lead-based paint testing and mitigation requirements. **Lead-Based Paint Analysis Complete. Proceed to Section IV.**

Yes. See Lead-Based Paint Risk Assessment in Attachment C. Was the structure positive for lead-based paint or lead hazards?

**No. Lead-Based Paint Analysis Complete. Proceed to Section IV.**

Yes. Project must comply with the requirements outlined in the Site-Specific Mitigation Measures. **Lead-Based Paint Analysis Complete. Proceed to Section IV.**

**IV. Asbestos**

Was the structure built after January 1, 1982?

**Yes. Asbestos Analysis Complete. Proceed to Section V.**

No. Asbestos Report to be included in Attachment C, if performed. Did the structure test positive for asbestos or is asbestos presumed to be present?

**No. Asbestos Analysis Complete. Proceed to Section V.**

Yes. Project must comply with the requirements outlined in the General Mitigation Measures. **Asbestos Analysis Complete. Proceed to Section V.**



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**V. Mold**

Is the proposed project rehabilitation?

No. Mold will be eradicated through demolition, reconstruction, or replacement. **Mold Analysis Complete.**

Yes. Project must comply with the requirements outlined in the Site-Specific Mitigation Measures. **Mold Analysis Complete.**

**\*Contamination and Toxic Substances Analysis is complete only when ALL subsections (I-V), have been completed.\***

**7. Endangered Species**

(Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402)

Compliance achieved at the Tier I Broad Review level.

**8. Explosive and Flammable Hazards**

(24 CFR Part 51 Subpart C)

Does the proposed project involve reconstruction, rehabilitation, replacement of housing that existed prior to the disaster, where the number of dwelling units is not increased and the activities are limited to the general area of the pre-existing footprint, or acquisition / buyout?

Yes. The acceptable separation distance (ASD) standards in 24 CFR Part 51C do not apply. **AST Analysis Complete.**

No. The project involves relocation of an MUH on the same property or to a different, previously developed property. See AST Map in Attachment B. Are there above ground storage tanks (ASTs) that contain explosive or combustible substances within one (1) mile of the project activity?

No. There are no ASTs within one (1) mile of the proposed project site. **AST Analysis Complete.**

Yes. Is the structure less than the acceptable separation distance (ASD) from a stationary AST that qualifies as a "hazard" as defined in 24 CFR 51.201?

No. **AST Analysis Complete.**

Yes. Will the hazard be sufficiently mitigated through a planned or existing barrier (natural or man-made), as determined by a licensed engineer?

No. **PROPOSED PROJECT CANNOT PROCEED.**

Yes. See mitigation documentation and correspondence from a licensed engineer in Attachment C. **AST Analysis Complete.**

OTHER: (explain finding)

**9. Farmland Protection**

(Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658)

Compliance achieved at the Tier I Broad Review level.



Case ID

Address, City, State, Zip

#### **10. Historic Preservation**

(National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800)

##### **COMPLETE SUBSECTIONS I-II.**

###### **I. Above Ground Resources**

Programmatic Agreement Review - Does the project consist solely of activities listed in the Programmatic Agreement (PA), Appendix B Allowances?

Yes. The proposed scope of work conforms to the following allowances for above ground resources.

Appendix B, Tier 1 Allowance(s):

Appendix B, Tier 2 Allowance(s):

Applied by:

Does the Undertaking involve a National Historic Landmark?

No. **Review for Above Ground Resources is complete. Proceed to Section II.**

Yes. Documentation of notification and information provided to the Southeast Region's National Park Service National Historic Landmark Manager, SHPO and the participating tribes, is included in Attachment D. **Review for Above Ground Resources is complete. Proceed to Section II.**

No. The proposed scope of work for above ground resources does not meet the allowances listed in Appendix B of the PA. **Consultation is necessary, proceed below.**

Standard Project Review – SHPO/Tribal Consultation

No above ground Section 106-defined historic properties or NRHP-listed, NRHP-eligible or local historic districts are in the Area of Potential Effects.

No Historic Properties Affected Determination. See SHPO concurrence in Attachment D. **Above Ground Review Concluded. Proceed to Section II.**

Individual historic properties or historic districts are located within the Area of Potential Effect.

No Adverse Effect Determination (See SHPO concurrence in Attachment D)

Are project conditions required?

No. **Above Ground Review Concluded. Proceed to Section II.**

Yes. See Site-Specific Mitigation Measures. **Above Ground Review Concluded. Proceed to Section II.**

Adverse Effect Determination (SHPO concurrence on file)

Mitigation not possible. **PROPOSED PROJECT CANNOT PROCEED**

Adverse effect resolved. Resolution Method:

Using measure(s) listed in PA (See SHPO concurrence in Attachment D).

Separate MOA on file (See Attachment D).

Are project conditions required?

No. **Above Ground Review Concluded. Proceed to Section II.**

Yes. See Site-Specific Mitigation Measures. **Above Ground Review Concluded. Proceed to Section II.**

OTHER: (explain finding)



**II. Archaeological Resources**

Programmatic Agreement Review - Does the project consist solely of activities listed in the Programmatic Agreement (PA), Appendix B Allowances?

Yes. The proposed scope of work conforms to the following allowances for below ground resources.

**Below Ground Review Concluded.**

Appendix B, Tier 1 Allowance(s):

Appendix B, Tier 2 Allowance(s):

Applied by:

No. The proposed scope of work for below ground resources does not meet the allowances listed in Appendix B of the PA. **Consultation is necessary, proceed below.**

Standard Project Review – SHPO/Tribal Consultation Performed

No known below ground resources are in the Area of Potential Effects.

No Historic Properties Affected Determination (SHPO concurrence in Attachment D) **Below Ground Review Concluded.**

Potential below ground resources are located within the Area of Potential Effect.

No Adverse Effect Determination (SHPO concurrence in Attachment D)

Are project conditions required?

No. **Below Ground Review Concluded.**

Yes. See Site-Specific Mitigation Measures. **Below Ground Review Concluded.**

Adverse Effect Determination (SHPO concurrence in Attachment D)

Mitigation not possible. **PROPOSED PROJECT CANNOT PROCEED**

Adverse effect resolved. Resolution method:

Using measure(s) listed in PA (SHPO concurrence in Attachment D).

Separate MOA on file (See Attachment D).

Are project conditions required?

No. **Below Ground Review Concluded.**

Yes. See Site-Specific Mitigation Measures. **Below Ground Review Concluded.**

OTHER: (explain finding)

**\*Historic Preservation Analysis is complete only when BOTH Subsections (I-II), have been completed.\***



Case ID

Address, City, State, Zip

**11. Noise Abatement and Control**

(Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B)

Compliance achieved at the Tier I Broad Review level.

**12. Sole Source Aquifers**

(Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149)

Compliance achieved at the Tier I Broad Review level.

**13. Wetland Protection**

(Executive Order 11990 (particularly sections 2 and 5), and Clean Water Act Compliance (33 CFR 320-330))

Does the proposed project involve new construction (as defined in Executive Order 11990), expansion of a building's footprint, or ground disturbance?

No. Wetland Analysis Complete.

Yes. Are there protected wetlands (per NWI, and verified by site reconnaissance or the presence of wetland indicators, or through an Approved Jurisdictional Determination (AJD) from the Corps) or waterbodies present on or adjacent to the proposed project site? See National Wetlands Inventory Map in Attachment B and AJD in Attachment D, if applicable.

No. Wetland Analysis Complete.

Yes. Will project activities adversely impact wetlands/water bodies?

No. Mitigation measures will be incorporated into project activities to ensure that wetlands/water bodies are not adversely impacted by construction activities. See Site-Specific Mitigation Measures.

**Wetland Analysis Complete.**

Yes. Is the proposed project acquisition/buyout (property to be demolished and cleared, and converted to greenspace in perpetuity through a restrictive covenant preventing future redevelopment) and therefore, exempt from 8-Step Decision Making Process per 24 CFR §55.12?

Yes. Wetland Analysis Complete.

No. Is the 8-Step Decision Making Process for Wetlands complete?

No. PROPOSED PROJECT CANNOT PROCEED.

Yes. Activity complies with EO 11990 and the Clean Water Act. See attached 8-Step Process documentation. Project must obtain required permits and incorporate mitigation measures to minimize adverse impacts from construction activities. See Site-Specific Mitigation Measures.

**Wetland Analysis Complete.**

OTHER: (explain finding)

**14. Wild and Scenic Rivers**

(Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c))

Compliance achieved at the Tier I Broad Review level.



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Case ID

Address, City, State, Zip

**15. Environmental Justice**

(Executive Order 12898)

Were any adverse environmental impacts identified during the proposed project's environmental review?

**No. Environmental Justice Analysis Complete.**

Yes. Based on program criteria, any adverse impacts are presumed to be disproportionately high for low-income and/or minority populations. Can the impact(s) be mitigated to the extent that it is no longer considered adverse?

**No. PROPOSED PROJECT CANNOT PROCEED.**

Yes. See Site-Specific Mitigation Measures. **Environmental Justice Analysis Complete.**

OTHER: (explain finding)



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## Original Tiered Environmental Broad Review



## Tier I: Broad Environmental Review Record (ERR)

### COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM

### Single Family Rehabilitation and Reconstruction Program South Carolina

For the South Carolina Disaster Recovery Office (SCDRO), of the  
South Carolina Department of Commerce



Ardurra Group, LLC | New Orleans, LA | November 17, 2016

Ardurra  
Group

<b>Environmental Review Record Project Summary</b>	
<b>Responsible Entity:</b>	The South Carolina Disaster Recovery Office (SCDRO), of the South Carolina Department of Commerce
<b>Certifying Officer:</b>	Eric Fosmire, Attorney, SCDRO
<b>Program Name:</b>	Single Family Rehabilitation and Reconstruction for Lee County, South Carolina
<b>Federal Agency:</b>	U.S. Department of Department of Urban Development (HUD)
<b>Project Sponsor:</b>	The South Carolina Department of Commerce
<b>Program Name:</b>	Single Family Rehabilitation and Reconstruction Program
<b>Project Site Address:</b>	Scattered Sites throughout Darlington County, SC
<b>Project County:</b>	Darlington County, South Carolina
<b>Estimated Total Program Cost:</b>	\$96,827,000
<b>Estimated Total Darlington County Funds:</b>	\$3,000,000.00
<b>Project Sponsor Address:</b>	632 Rosewood Drive, Columbia, SC 29201
<b>Primary Contact Name:</b>	Eric Fosmire
<b>Email:</b>	Eric.Fosmire@scdr.sc.gov
<b>Telephone Number:</b>	(803) 922-8500
<b>Project NEPA Classification:</b>	24 CFR 58.36 Environmental Assessment
<b>ENVIRONMENTAL FINDING:</b>	<input checked="" type="checkbox"/> Finding of NO Significate Impact – The project will not result in a Significate Impact on the Quality of Human Environment. <input type="checkbox"/> Finding of Significate Impact – The project may significantly affect the quality of the Human Environment.

	The undersigned hereby certifies that The South Carolina Disaster Recover Office (SCDRO), of the South Carolina Department of Commerce has conducted an environmental review of the project identified above and prepared the attached Environmental Review Record (ERR) in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended, (42 USC Sec. 4321 et seq.) and its implementing regulations under 24 CFR Part 58.
Preparer Signature	
Title/Agency	Derek A. Galose, Senior Environmental & Historic Preservation Manager, Ardurra Group
RE Approving Official Signature	
Title/Agency	Eric Fosmire, Attorney South Carolina Disaster Recovery Office
Date	12/01/2016



## State of South Carolina Office of the Governor

NIKKI R. HALEY  
GOVERNOR

1205 PENDLETON STREET  
COLUMBIA 29201

**To:** All Interested U.S. Housing and Urban Development (HUD) Parties:

**From:** Nikki R. Haley

**RE:** Delegation of Certifying Officer for CDBG-DR Environmental Documents

**Date:** November 3, 2016

A. Daniel Young, Director of Grants Administration, South Carolina Department of Commerce, by virtue of his position, is designated as the State of South Carolina CDBG-DR Environmental Certifying Officer. In addition, due to the volume of environmental documents anticipated that require sign off by the Certifying Officer for the State of South Carolina's Community Development Block Grant – Disaster Recovery (CDBG-DR) Program, I also designate Eric Fosmire, attorney for the South Carolina Disaster Recovery Office (SCDRO) as a second Certifying Officer. Mr. Fosmire may sign any and/or all Environmental Review Records associated with the current HUD CDBG-DR Grant # B-16-DH-45-0001 and also serve as Certifying Officer for Environmental Review records for any future CDBG Disaster Grants the State of South Carolina may receive. Eric Fosmire will represent the responsible entity and will be subject to the jurisdiction of the Federal courts as specified in 24 C.F.R. Part 58 Section 58.13.

**Responsible Entity, Representative's Information/Certification:**

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

Nikki R. Haley, Governor, South Carolina

Signature:

Date:

A handwritten signature in blue ink that reads "Nikki R. Haley".

11-3-16



**U.S. Department of Housing and Urban Development**

451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)

[espanol.hud.gov](http://espanol.hud.gov)

## **Tier I: Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58**

### **Project Information**

**Project Name:** Single Family Rehabilitation and Reconstruction Program: South Carolina 2015 Flood Event, Darlington County.

**Responsible Entity:** The South Carolina Disaster Recovery Office (SCDRO), of the South Carolina Department of Commerce (SCDOC)

**Grant Recipient:** South Carolina Department of Commerce

**State/Local Identifier:** South Carolina

**Grant Number:** B-16-DH-45-0001

**Preparer:** Derek A. Galose, Environmental Manager, Ardurra Group

**Certifying Officer Name and Title:** Eric Fosmire, Attorney, SCDRO

**Grant Recipient:** South Carolina Department of Commerce

**Consultant:** Ardurra Group, LLC

**Direct Comments to:** Eric Fosmire, Attorney, SCDRO

632 Rosewood Drive,

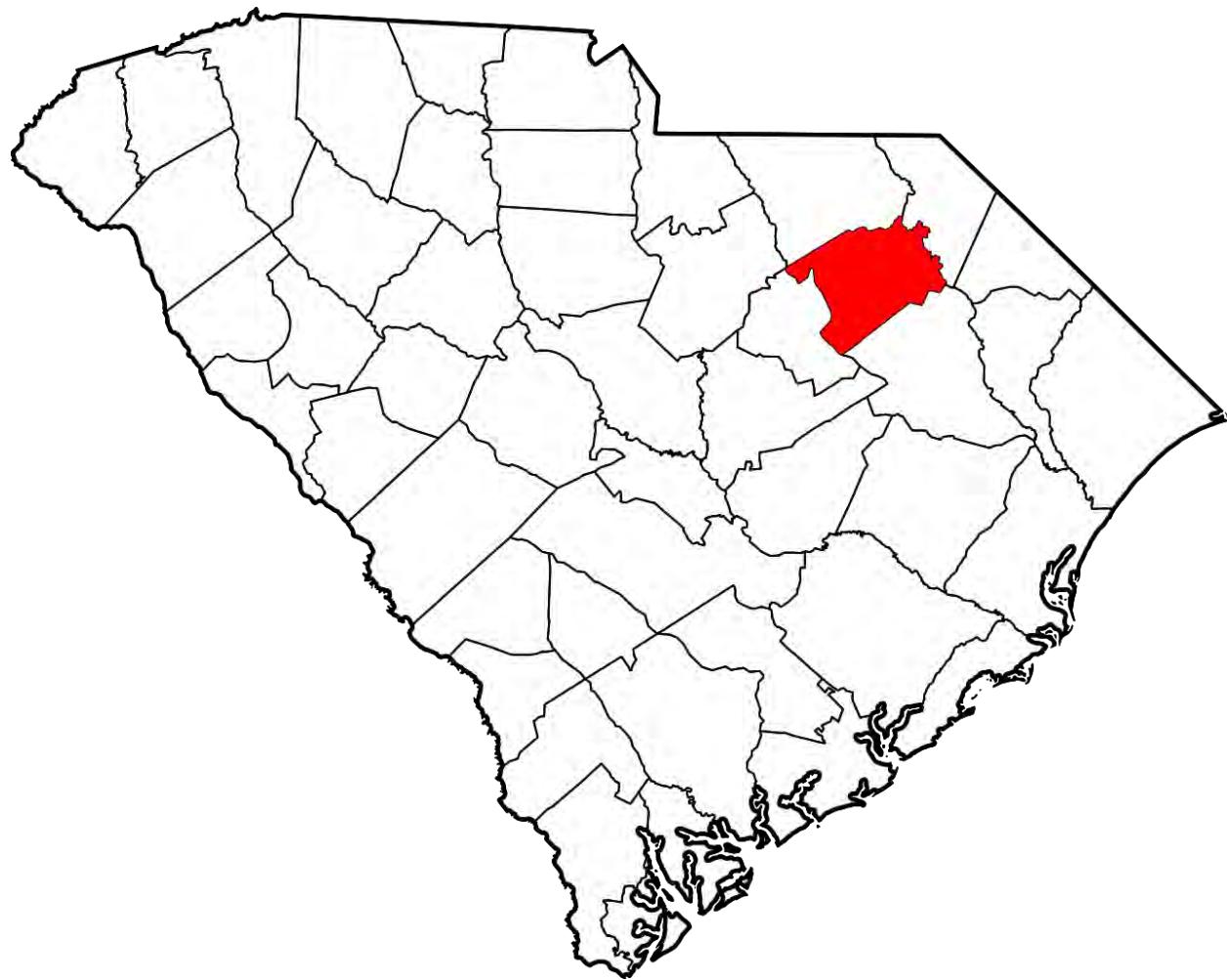
Columbia, SC 29201

[Eric.Fosmire@scdr.sc.gov](mailto:Eric.Fosmire@scdr.sc.gov)

(803) 922-8500

**Project Location:**

Scattered Sites, Darlington County, South Carolina. The geographic scope for the Single Family Rehabilitation and Reconstruction Program described herein is the jurisdictional area of Darlington County, South Carolina. According to the United States Census Bureau in 2010 the population was 67,234. The county seat is Darlington. According to the U.S. Census Bureau, the county has a total area of 567 square miles (1,469 km<sup>2</sup>), of which 561 square miles (1,453 km<sup>2</sup>) is land and 5.7 square miles (15 km<sup>2</sup>) (1.0%) is water. Darlington County is in the north-eastern part of the state.



**Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

South Carolina Disaster Recovery Office (SCDRO) proposes to provide Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to individual homeowners throughout Darlington County whose homes were damaged by the October 2015 flood event. Projects include single-family homeowner repair and reconstruction and replacement of Manufactured Housing Units (MHUs) as necessary. Location figures of the project sites are located in the Site-Specific Appendices. This project will include reconstruction of homes and rehabilitation of homes in close proximity, requiring preparation of an Environmental

**TIER I DARLINGTON COUNTY**

**SINGLE FAMILY HOMEOWNER REHABILITATION & RECONSTRUCTION PROGRAM**

Assessment pursuant to 24 CFR Part 58 Subpart E. This classification of project is also subject to provisions of Sec. 58.6 as applicable.

Rehabilitation & Reconstruction of Single-Family Homes:

Rehabilitation activities will include repair of storm damages and other items to bring the home to minimum Section 8 Housing Quality Standards (HQS). Rehabilitation can include items such as:

- Roof repair/replacement
- Flooring repair/replacement
- Electrical repair/replacement
- Window repair/replacement
- Lead Based Paint and Mold remediation
- Handicapped accessibility
- Sheetrock repair/replacement
- Building foundations repair/replacement
- Repair/replacement unsafe water and sewer supplies

Proposed single-family reconstruction will not expand the original existing footprint of the existing structure. Should lot restrictions apply and if the footprint must be expanded, the footprint will not be increased in a floodplain or a wetland.

South Carolina will implement construction methods that emphasize high quality, durability, energy efficiency, sustainability, and mold resistance. All rehabilitation, reconstruction, and new construction will be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigation against the impact of future disasters.

Where feasible, the State will follow best practices such as those provided by the U.S. Department of Energy's Guidelines for Home Energy Professionals Certifications and Standard Work Specification. New construction and replacement construction activities that include changes in structural elements such as flooring systems, columns, or load bearing interior or exterior walls must fully incorporate Green building standards. Rehabilitation construction will incorporate Green Building materials to the extent feasible according to the specific project scope. Material must meet established industry recognized standard that have achieved certification under at least one of the following programs.

- ENERGY STAR (Certified Homes)
- Enterprise Green Communities
- LEED (New Construction, Homes, Midrise, Existing Buildings Operations and Maintenance, or Neighborhood Development)
- ICC-700 National Green Building Standard, (v) EPA Indoor Air Plus (ENERGY STAR a prerequisite), or any other equivalent comprehensive green building program.

Replacement of Damaged Manufactured Housing Units (MHU) & Mobile Homes:

The replacement of damaged MHUs will be on the original existing site. SCDRO will perform a repair feasibility analysis and replace damaged mobile homes that cannot reasonably be

repaired. SCDRO will implement resilient practices to ensure the viability, durability and accessibility of replacement mobile homes:

- Although local building codes allow installation of Wind Zone I rated mobile homes, SCDRO will only utilize mobile homes with a minimum wind rating of HUD Wind Zone II or higher (able to withstand winds up to 100 MPH)
- SCDRO will adopt the 5'7" rule, prohibiting the installation of mobile homes elevated 5'7" above grade without appropriate structural reinforcement

The award maximums for each type of housing assistance are listed below:

- Single Family Housing unit repair/rehabilitation of existing units: up to \$25,000 in Housing Recovery funds;
- Manufactured Housing Unit (MHU) replacement of damaged unit: up to \$60,000 in Housing Recovery funds;
- Modular Housing Unit replacement/Single-Family Reconstruction awards – up to \$90,000 in Housing Recovery funds.

SCDRO will implement and monitor construction results to ensure the safety of residents and the quality of homes assisted through the program. All single-family homes repaired or reconstructed must comply with the current HUD HQS. In addition, SCDRO has coordinated with DHEC to ensure applicants are aware of the risks associated with mold and take steps to limit the impact of any mold issues that may arise.

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]:

South Carolina suffered a historic rain event that began on the evening of Oct 1, 2015 and received unprecedented and historical rainfall and flooding during the event. This heavy rainfall of over 20 inches across the State came from an upper atmospheric low-pressure system that funneled tropical moisture from Hurricane Joaquin. Heavy rainfall occurred across South Carolina during October 1–5, 2015, the storm caused major flooding from the central to the coastal areas of South Carolina.

The purpose of the prosed project is to assist homeowners in Darlington County whose single-family homes were damaged or destroyed by the 2015 major flood event. The program is needed to assist with providing adequate housing for residents whose single-family homes were damaged or destroyed due to the flooding event.

Single Family Rehabilitation and Reconstruction activities are expected to take place on scattered sites throughout the most distressed neighborhoods within Darlington County and most affected by the 2015 flooding event. Property owners of any location within the county that sustained damage from the aforementioned storms are able to apply for the program.

**Existing Conditions and Trends** [24 CFR 58.40(a)]:

Many properties in Darlington County were either damaged or substantially damaged due to the flooding caused by the rains that began on October 01, 2015. Some property owners are repairing their homes as funds become available, while others have no available funds to complete needed repairs.

Repairing and/or reconstructing damaged homes with CDBG-DR funds would ensure that the structures are resilient and safe. In the absence of the proposed project, existing debris and damaged structures would remain in the existing locations and could potentially be a hazard in future storms.

## **Funding Information**

<b>Grant Number</b>	<b>HUD Program</b>	<b>Funding Amount</b>
B-16-DH-45-0001	CDBG_DR	\$96,827,000 (Entire Grant for 22 affected counties)

**Estimated Total HUD Funded Amount:** \$3,000,000.00 (Darlington County)

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$3,000,000.00

## **Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>Each site will be mapped to determine if the property is within 2,500 of a Federal Aviation Agency-designated civilian airport or 15,000 feet of a military airfield. If so, the airport will be contacted to determine if the project is located within the Runway Clear Zone or Runway Protection Zone, or within a military airfield Clear Zone or Accident Potential Zone.</p> <p>HUD will not fund new construction or substantial rehabilitation activities in Runway Clear Zones or Protection Zones.</p> <p><b>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</b></p>
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>The South Carolina Coastal Barrier Coordinator was contacted on October 11, 2016 for a determination of no effect or input on the need for individual consultation concerning compliance with the Coastal Barrier Resource Act.</p> <p>A response was received on November 04, 2016 stating: "In regards to the National Environmental Policy Act, any federal funding requested within a Coastal Barrier Resource System (CBRS) unit triggers an extraordinary circumstance, and a categorical exclusion cannot be used unless the Coastal Barrier Resource Act (CBRA) is addressed specifically in your review. Therefore, once the specific locations of homes to be replaced under the grant are determined, the disaster recovery office should notify the Fish and Wildlife Service to determine if any of those locations are in a CBRS unit, which could affect whether they are eligible for funding or not."</p> <p>All properties will be mapped at the site specific level to determine if they are located in a Coastal Barrier Area or Otherwise Protected Area. If the site is located in either area, consultation with the FWS will occur to determine project compliance.</p>

		No HUD funding will be used in a Coastal Barrier Resources Area.  See <b>Appendix A</b> for compliance documentation.  <b>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</b>
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	All sites will be reviewed for their location within the floodplain, and, if the site is in the 100-year floodplain the applicant will be required to purchase and maintain flood insurance as required by the National Flood Insurance Program (NFIP).  <b>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</b>
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b>		
<b>Clean Air</b>  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>The proposed project does not include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units. As such, the review is in compliance with this section.</p> <p>However, The Division of Air Assessment, Innovations, &amp; Regulation Bureau of Air Quality was contacted on October 11, 2016 regarding project compliance. A response was received from the Bureau on October 24, 2016. The response listed suggestions on how the project can assist with staying in compliance with the NAAQS. All suggestions were incorporated into the Mitigation Measures section of this EA.</p> <p>Project activities will be completed on existing residential developed sites and existing structures and would not substantively affect the SC State Implementation Plan (SIP) due to the implementation of standard BMPs that control dust and other emissions during construction.</p> <p>Air quality impacts will be short term and localized. No significant impacts on air quality will result and further assessment is not required.</p> <p>See <b>Appendix B</b> for Agency Consultation.</p> <p><b>No further assessment necessary.</b></p>
<b>Coastal Zone Management</b>  Coastal Zone Management Act, sections 307(c) & (d)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>The Coastal Services Division of the SCDHEC was contacted on October 11, 2016 for a "no effect" concurrence on a program wide level. A response was received on October 28, 2016 requesting that SCDRO review the Residential Development Policies on their website and reply with a statement that the proposed project is fully consistent with the policies.</p> <p>A response was given to DHEC on October 28, 2016 stating, "The proposed project is for rehabilitation/reconstruction of existing single-family residential units and no new development in the coastal zones will occur as a result of the proposed</p>

		<p>project. Since exact home locations are unknown at this time, rehabilitation and/or reconstruction of an existing single-family home may occur in the coastal zone. Any rehabilitation/reconstruction planned in a coastal zone will be fully consistent with the Residential Development Policies as outlined in Chapter III on pages 16 -18 in the South Carolina Management of Coastal Resources. Mitigation Measures have been added to the Tier I EA for all rehabilitation /reconstruction homes located in a coastal zone".</p> <p>DHEC responded again on November 5<sup>th</sup>, 2016, stating: "After reviewing the Consistency Determination and associated documents, the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (SCDHEC OCRM) concurs pursuant to that the proposed activity complies with the enforceable policies contained within the S. C. Coastal Zone Management Program (SCCZMP) pursuant to 15 C.F.R. § 930 Subpart F. This conditional concurrence is based upon the review of the Guidelines for Evaluation of All Projects as well as the (1) Residential Development, (2) Public Services and Facilities (water Supply) and (3) Stormwater Management (runoff) policies contained within the SCCZMP. This letter does not alleviate Colleton County from the responsibility of obtaining other required local, state or federal approvals for the work described above. Please do not hesitate to contact me should you have any questions."</p> <p>All properties will be mapped at the site specific level to determine if they are located in a Coastal Zone. If the site is located in a Coastal Zone, the project will be reviewed for compliance with the enforceable policies contained in the SCCZMP and mitigation measures will be added at the Site Specific Measures as required.</p> <p>Proposed projects located in Colleton County that are located in the Coastal Zone will acquire all local, state or federal approvals as necessary before the start of construction activities.</p> <p>See <b>Appendix C</b> for compliance documentation.</p> <p><b>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</b></p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>	<p>Yes      No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>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.</p> <p>All sites will be mapped at the site-specific level to identify nearby dumps, junkyards, landfills, hazardous waste sites, RCRA Corrective Action sites with releases or suspected releases requiring clean-ups and/or further investigation.</p>

		<p>In addition, all activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to, EPA Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80 Subpart E), HUD's lead-based paint regulations in 24 CFR Part 35 Subparts A, B, H, J, and R, and HUD "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing."</p> <p><b>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</b></p>
<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes      No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The Federal Endangered Species Act (ESA) requires the Action Agency to make a determination of effect to any federally listed species or designated critical habitat that may occur as a result of an action that is funded, authorized, or carried out by the proposed action.</p> <p>The FWS was contacted on October 11, 2016 for a no effect determination or input on the need for individual consultation concerning compliance for the project. A response was received on October 19, 2016 stating; "The Service recognizes that many activities, such as the replacement of homes, typically do not pose a threat to T&amp;E species or the surrounding environment. Such activities do not normally require a detailed review under the National Environmental Policy Act (NEPA) or the ESA. However, NEPA and ESA considerations must be accounted for. In order to assist requesting parties with projects of this nature the Service developed several clearance authorizations covering multiple topics that may be used to fulfill such needs. The clearance authorizations are found on our website <a href="http://www.fws.gov/charleston/regulatory.html">www.fws.gov/charleston/regulatory.html</a>. The most relevant authorization applicable to your needs is the DOC_HUD_USDA Rural Development letter found under the General Guidance heading. This letter may be downloaded and serve as the Service's consultation for any project that meets the criteria in the letter.</p> <p>The letter also states: "Please note that the obligations under the ESA must be reconsidered if: (1) new information reveals impacts of this identified action may affect any listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner which was not considered in this assessment; or (3) a new listed or critical habitat is designated that may be affected by the identified action."</p> <p>Since exact project locations aren't known at this time and it is possible that a new species may be added or a new critical habitat may be designated, each site will be mapped to determine its location in relation to State and County endangered species and critical habitats. Should the project have the potential to affect an endangered or threatened species or critical habitat consultation will be initiated to resolve any potential impacts.</p>

		<p>See <b>Appendix D</b> for Agency Consultation and General Concurrence Letter.</p> <p><b>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</b></p>
<b>Explosive and Flammable Hazards</b>  24 CFR Part 51 Subpart C	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>The project is in compliance. Acceptable Separation Distance requirements do not apply, the definition of HUD assisted projects in 24 CFR Part 51.201 is predicated on whether the HUD project will increase the number of people exposed to hazardous operations.</p> <p>The project does not include development, construction, or rehabilitation activities that will increase residential densities, or conversion.</p> <p><b>No further assessment is required.</b></p>
<b>Farmlands Protection</b>  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>The Natural Resources Conservation Service was contacted on October 11, 2016 for project compliance. A concurrence was received on November 3, 2016 stating that, "there will be no effect to Prime Farm Land and/or Wetlands in South Carolina as a result of the listed work.</p> <p>The proposed project is in compliance. The proposed project will not convert "Important Farmland" or other "Farmland of Statewide or Local Importance" as identified by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), formerly, the Soil Conservation Service to nonagricultural purposes.</p> <p>Consultation can be found in <b>Appendix E</b>.</p> <p><b>No further assessment is required.</b></p>
<b>Floodplain Management</b>  Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>For each address (or group of addresses for structures that are located in the same vicinity) at which repair or reconstruction activities would occur, a floodplain determination will be made using the applicable Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) or best available data if newer floodplain maps are available. A HUD Floodplain worksheet will be completed for each property. If it is determined that the home is located in a 100-year floodplain, the 8-step process, as described in 24 CFR Part 55.20, will be completed.</p> <p><b>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</b></p>
<b>Historic Preservation</b>  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>The SC State Historic Preservation Officer (SHPO) was contacted on October 11, 2016 for project compliance. A response was received from the SHPO on October 18, 2016 stating; "Rehabilitation and Reconstruction of Single-Family Homes: Rehabs of buildings less than 45 years old would be excluded per I.B.1 of the FEMA PA. Otherwise, other specific rehab activities can be excluded primarily under II.'s Tier Two Allowances, regardless of building age. Demolition and/or Reconstruction to buildings less than 45 years old would be excluded per II.B.11. If a building is well over 45 years old and its activities</p>

		<p>(rehab, demolition and/or reconstruction) are not excluded from review per the Allowances then standard Section 106 consultation is recommended."</p> <p>"Replacement of MHU's: These would also be addressed by the above citations. However, while the FEMA PA does not specifically address MHU's (i.e. mobile homes), our office has no concerns with repairs to, or demolition or replacement of any MHU, regardless of age. Consultation with our office for MHU projects is not necessary."</p> <p>The HUD Addendum to the South Carolina Programmatic Agreement (PA) among the Federal Emergency Management Agency, The South Carolina State Historic Preservation Officer, The South Carolina Emergency Management Division, and Tribes Participating as Invited Signatories has been signed and executed as of November 18, 2016.</p> <p>All properties will be reviewed under Section 106 of the National Historic Preservation Act on a site-specific basis.</p> <p>If the proposed project activities do not fall within any of the Tier I or Tier II allowances in the PA, consultation with the SHPO will be required. The PA and SHPO Consultation can be found in <b>Appendix F</b>.</p> <p><b>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</b></p>
<b>Noise Abatement and Control</b>  Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>The Single Family Rehabilitation and Reconstruction Program would result in the same amount of development which existed at pre flood. The proposed activities would cause temporary increases in noise levels. Temporary increases in noise levels will be mitigated by complying with local noise ordinances.</p> <p>HUD has determined That noise abatement and control is not applicable to a disaster recovery program which meets the definition under 24 CFR Part 51.101(a)(3) "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.</p> <p><b>No further assessment is required.</b></p>
<b>Sole Source Aquifers</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Pre-determined by HUD and the EPA. There are no sole source aquifers in South Carolina.

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Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149		<b>No further assessment necessary.</b>
<b>Wetlands Protection</b>  Executive Order 11990, particularly sections 2 and 5	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>All sites will be evaluated for the presence of wetlands in accordance with South Carolina Division of National Resources, and the U. S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) maps, and if necessary, an on-site wetlands inspection and delineation will occur.</p> <p>If project work on a specific site will impact a wetland, appropriate permits will be obtained, in compliance with Executive Order 11990. If Executive Order 11990 is triggered, the 8-Step decision making process under 24 CFR Part 55.20 modified for wetlands will be completed.</p> <p><b>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</b></p>
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>The National Park Service was contacted on October 11, 2016 for project compliance. A response was received on October 26, 2016 stating; "the nature of the project will have no bearing on any Wild and Scenic River".</p> <p>See <b>Appendix G</b> for compliance documentation.</p> <p><b>No further assessment necessary.</b></p>
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>Environmental Justice will be analyzed at the site specific level once all sections of the site-specific statutory checklist are completed to determine if the project may adversely impact a low-income or minority community. No sites will be approved if they have the ability to disproportionately affect low-income or minority population.</p> <p><b>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</b></p>

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

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- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	<p>The program will not require zoning changes or amendments, and will consist of Single Family Rehabilitation and Reconstruction Program of existing stock damaged by flooding. Reconstruction will not expand the existing footprint consistent with current local plans. The proposed project would repair or replace existing flood damaged homes consistent with local plans and zoning ordinances. If it is determined that permits are needed, the contractors will obtain from the appropriate department.</p>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p><b>Soil Suitability:</b> Any problems involving unsuitable soils on the proposed work sites were dealt with when the homes to be renovated or rebuilt were originally constructed. Therefore, unsuitable soils are not expected to cause problems for the proposed project. If unsuitable soils have caused structural problems for any of the existing or previous homes on the project sites, this would generally be addressed during the local permitting process.</p> <p><b>Slope:</b> The program is the Single Family Rehabilitation and Reconstruction Program, and adverse effects to slope are not anticipated. Minor adjustment to soil slope may result for properties requiring soil amendment or preparation for stilts and associated footings. However, impacts to slope within a localized area on a property would be considered negligible.</p> <p><b>Erosion:</b> The proposed rehabilitation of existing homes and reconstruction of homes in the same footprint or on previously developed lots would not involve placement of significant amounts of fill or creation of significant expanses of bare soil, and would therefore have little potential to cause significant erosion.</p> <p>On sites close to wetlands, however, best management practices would be implemented to protect the wetlands from sedimentation caused by erosion (see Mitigation Measures below). Proximity of wetlands would be determined on a site-specific basis.</p> <p><b>Storm Water:</b> Reconstruction or rehabilitation of single family residential properties will not involve a change in the existing structures footprint and should have no significant impact on storm water systems. All sites will be evaluated for the need to comply with storm water permitting requirements general permit or local Municipal Separate Storm Sewer Systems (MS4) permits). If multiple adjacent sites are worked on, the sites will be aggregated for the purposes of construction storm water compliance.</p>
Hazards and Nuisances including Site Safety and Noise	2	<p>The Single Family Rehabilitation and Reconstruction Program would be typical of home remodeling activities. Typical effects of rehabilitation may include sidewalk closures and fugitive dust and noise, which would be addressed under existing regulations governing construction activity in South Carolina, Darlington County, and local municipalities. If a site</p>

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		<p>Is determined to have hazardous materials, mitigation measures would be implemented to minimize the exposure of workers and the public.</p> <p>The presence or absence of hazards and nuisances are discussed on a site-specific basis.</p>
Energy Consumption	1	<p>Fossil fuel energy consumption would occur via the use of construction equipment and the shipment of materials required for the rehabilitation and reconstruction. However, the program would not expand the housing stock relative to conditions prior to the severe flooding would not increase long-term energy consumption. Rehabilitated and reconstructed homes would be more energy-efficient as a result of the program, due to incorporation of energy efficient building materials and practices.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	1	<p>The Single Family Rehabilitation and Reconstruction Program would support employment and income patterns. The program is not expected to result in significant effects on area employment and income patterns. In addition, the proposed activities would benefit the affected areas by generating employment for the construction industry.</p>
Demographic Character Changes, Displacement	2	<p>The proposed use of CDBG-DR funds is for the Single Family Rehabilitation and Reconstruction Program and would not alter the demographic character of the area. The occupants of properties will be the same occupants that resided in the area prior to disaster. No significant impacts would occur to the demographic character of the 22 affected counties.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	<p>The Single Family Rehabilitation and Reconstruction Program using the proposed CDBG-DR funding would not result in adverse effects on the public schools in South Carolina. In most cases, students displaced by flood waters would be able to return to their local school.</p> <p>There will be no significant adverse effects on educational facilities as new residences are not being added only existing structures being repaired.</p>
Commercial Facilities	1	<p>The Single Family Rehabilitation and Reconstruction Program using the proposed CDBG-DR funding would not result in a significant effect on existing commercial establishments. Returning residents would frequent commercial establishments in the neighborhood. This would be an economic benefit to all local businesses that experienced a loss in revenue since the flood.</p>
Health Care and Social Services	2	<p>The Single Family Rehabilitation and Reconstruction Program using the proposed CDBG-DR funding would not result in a large increase in demands on the health care system. There will be no significant adverse effects on health care facilities as new residences are not being added and only existing structures are being repaired.</p>
Solid Waste Disposal / Recycling	3	<p>The proposed project would create remodeling, demolition and construction waste and may cause a slight increase in long-term generation of municipal solid waste.</p>
Waste Water / Sanitary Sewers	2	<p>Waste water should not be generated from the reconstruction or rehabilitation of the existing residences. The reconstruction or rehabilitation of single family residential properties using the proposed</p>

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		CDBG-DR funding would not result in a significant demand on waste water disposal/treatment services. No significant impact would occur as a result of reconstructing the residences, as the housing stock would not be increased beyond pre disaster conditions.
Water Supply	1	No demands would be placed on the water supply in any of the 22 affected counties as no new residences are being built. The reconstruction or rehabilitation of residential properties using the proposed CDBG-DR funding would not result in a significant impact on water supplies. Reconstructed and rehabilitated homes may be fitted with water conserving fixtures and will likely consume less water than before the flood event.
Public Safety - Police, Fire and Emergency Medical	1	The proposed program will not result in additional housing units and, thus, will not increase the demand on the local police departments, fire departments or emergency medical departments. The proposed use of CDBG-DR funding for the Single Family Rehabilitation and Reconstruction Program would help displaced homeowners return to their neighborhoods, stabilizing those neighborhoods and helping restore public safety. Debris from construction activities will be managed as to not impede response time. It is possible debris or trucks may temporarily block access, though these hindrances would be minor and temporary. Redevelopment activities will ultimately provide benefits by reducing the amount of derelict properties.
Parks, Open Space and Recreation	2	The proposed use of CDBG-DR for the Single Family Rehabilitation and Reconstruction Program of storm damaged residential properties would not introduce a sizeable new population to neighborhoods impacted by severe flooding from the disaster; therefore, no new demand on open space or recreational facilities would be generated. No significant negative impacts would occur.
Transportation and Accessibility	2	CDBG-DR funds for The Single Family Rehabilitation and Reconstruction Program of storm damaged residential properties will not generate significant levels of traffic or place a significant demand on transportation systems in the area. Population density from pre flood disaster levels is not expected to increase, since no additional housing stock of significance is being constructed.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	<p><b>Water Resources:</b> The proposed rehabilitation, demolition and reconstruction in the same footprint would not pose a significant threat to groundwater or other water resources. There are no sole source aquifers located in South Carolina; however, since this action is for Single Family Rehabilitation and Reconstruction Program water supplies are already established and no significant impacts are expected to occur.</p> <p><b>Unique Natural Features:</b> The Environmental Review Guide for Community Development Block Grant Programs defines unique natural features as "primarily geological features which are unique in the sense that their occurrence is infrequent or they are of special social, cultural, economic, educational, aesthetic or scientific value.</p> <p>Development on or near those features may render them inaccessible to investigators or visitors, or otherwise limit potential future use and appreciation of these resources. Examples of unique natural features include: sand dunes, waterfalls, unique rock outcroppings, caves, canyons, and petrified forests</p> <p>The proposed rehabilitation or reconstruction of existing homes in the same footprint would have no adverse effect on natural features or agricultural land.</p>

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Vegetation, Wildlife	2	<p>The Federal Endangered Species Act (ESA) requires the Action Agency (SCDRO) to make a determination of effect to any federally listed species or designated critical habitat that may occur as a result of an action that is funded, authorized, or carried out by the Action Agency.</p> <p>The proposed project can be cleared under the "HUD and USDA Rural Development Projects Clearance Letter   No Effect (available at <a href="http://www.fws.gov/charleston/pdf/Regulatory/20120509_HUD_No_Effect_LTR.pdf">http://www.fws.gov/charleston/pdf/Regulatory/20120509_HUD_No_Effect_LTR.pdf</a>) and found in Appendix D.</p>
Other Factors		

**Additional Studies Performed:** No additional studies were performed for this broad review of the environmental assessment.

**Field Inspection (Date and completed by): Will be Completed at the Site Specific Level.**

**List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]:

1. Federal Aviation Administration. National Plan of Integrated Airport Systems. Internet Website: [http://www.faa.gov/airports/planning\\_capacity/npias/](http://www.faa.gov/airports/planning_capacity/npias/)
2. Federal Aviation Administration. Report to Congress - National Plan of Integrated Airport Systems. [http://www.faa.gov/airports/planning\\_capacity/npias/reports/media/2013/npias2013Narrative.pdf](http://www.faa.gov/airports/planning_capacity/npias/reports/media/2013/npias2013Narrative.pdf)
3. United States Census Bureau. American Fact Finder. Internet Website: <http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>
4. United States Department of Agriculture. Natural Resources Conservation Service. Internet Website: <http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>
5. United States Department of Housing and Urban Development. Community Development Block Grant Program – CDBG. Internet Website: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/communitydevelopment/programs](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/programs)
6. United States Department of Housing and Urban Development. Noise Abatement and Control. Internet Website: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/environment/review/noise](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/noise)
7. United States Environmental Protection Agency. Designations for fine particulates. Internet Website: <http://www.epa.gov/pmdesignations/2006standards/final/region2.htm>
8. United States Environmental Protection Agency. Nonattainment Areas. Internet Website: <http://www.epa.gov/oaqps001/greenbk/ancl.html>
9. United States Fish and Wildlife Service. National Wetlands Inventory. Internet Website: <http://www.fws.gov/wetlands/Wetlands-Mapper.html>. <https://www.fws.gov/ecological-services/habitat-conservation/cbra/Maps/index.html>
10. United States Environmental Protection Agency. Designations for Sole Source Aquifers <https://archive.epa.gov/pesticides/region4/water/groundwater/web/html/r4ssa.html>
11. South Carolina Department of Natural Resources Flood Mitigation Program Internet Website: <http://www.dnr.sc.gov>

12. South Carolina List of At-Risk, Candidate, Endangered, and Threatened Species Internet Website: <https://www.dnr.sc.gov/species/index.html>.
13. South Carolina Ecological Services Field Office Department of the Interior - U.S. Fish and Wildlife Service. Internet Website:  
[https://www.fws.gov/charleston/EndangeredSpecies\\_County.html](https://www.fws.gov/charleston/EndangeredSpecies_County.html)  
[www.fws.gov/charleston/](http://www.fws.gov/charleston/) EPA Region IV Sole Source, Internet Website:  
[epa.gov/pesticides/region4/water/groundwater/web/html/r4ssa.htm](http://epa.gov/pesticides/region4/water/groundwater/web/html/r4ssa.htm)
14. South Carolina Department of Health and Environmental Control Internet Website: <http://www.scdhec.gov>  
<http://www.scdhec.gov/Agency/RegulationsAndUpdates/LawsAndRegulations/Air/>

**List of Permits Obtained:**

All necessary permits will be obtained at the site-specific level.

**Public Outreach [24 CFR 50.23 & 58.43]:**

None

**Cumulative Impact Analysis [24 CFR 58.32]:**

The federal Council on Environmental Quality's (CEQ) regulations implementing the procedural provisions of the National Environmental Policy Act (NEPA), set forth at 40 CFR Part 1508.7, require federal agencies to consider the environmental consequences of their actions, including not only direct and indirect effects, but also cumulative effects. Cumulative impacts result from the incremental consequences of an action (the Proposed Action) when added to other past, present, and reasonably foreseeable future actions (40 CFR 1508.7).

The cumulative effects of an action may be undetectable when viewed in the individual context of direct and even indirect impacts, but nevertheless can eventually lead to a measurable environmental change. Based upon the completion of this environmental assessment, environmental review of the proposed project indicates that there will be no significant changes to the existing environmental conditions across the impact categories implemented by HUD in response to NEPA. The proposed project is to repair/replace homes on existing residential lots. The proposed project would have no impacts on air quality, endangered species, noise abatement and control, explosive and flammable operations, sole source aquifers, wild & scenic rivers, slope, soil suitability, energy consumption, community facilities and services, transportation, and unique natural features.

The project would result in beneficial impacts to comprehensive plans and zoning; compatibility and urban impact, hazards and nuisances, including site safety; and visual quality.

**Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]**

**Relocating to Sites Outside the Floodplain and/or Wetlands:** The benefits of performing residential reconstruction, rehabilitation, and elevation activities on the currently occupied sites include, but are not limited to: sites are owned by the current residents, sites are adequately

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sized and are consistent with surrounding land uses and have already met the requirements for funding under the current program. A search for suitably sized, available sites outside the floodplain and/or wetlands and the procurement of other sources of available funding would extend the amount of time that residents would have to continue to live in unsafe and unsanitary conditions in un-elevated homes and thus remain at risk of future flood incidents. Failure to locate another site and/or procure funding from another source would result in some residents having to indefinitely live in such conditions. Therefore, this alternative was rejected.

**Use of Other Flood Protection Measures:** Use of other flood protection measures could include building flood protection infrastructure such as levees around the communities at risk of flooding. Construction of this type of flood protection would be cost-prohibitive and would fail to improve current unsafe and unsanitary housing conditions. Therefore, this alternative was rejected.

**No Action Alternative** [24 CFR 58.40(e)]:

Under the No Action alternative, the rehabilitation/reconstruction or replacement of MHUs of single family homes on scattered sites throughout Darlington County damaged by the flood event would not occur. This alternative was rejected because it would result in residents living in unsafe and unsanitary conditions in un-elevated homes in the floodplain and/or wetlands. This would continue to put them at risk of future flood incidents. Some homeowners would gradually secure resources to rebuild from non-SCDRO sources. Other homeowners may not be able to secure resources from other funding programs. Since the CDBG-DR funding would not be available, some damaged properties would remain as they are: unsafe, un-sanitary and un-elevated and thus continue to be at risk of future flood incidents.

**Summary of Findings and Conclusions:**

Based upon completion of this environmental assessment, environmental review of the proposed project indicates there will be no significant changes to existing environmental conditions across the impact categories implemented by HUD in response to the National Environmental Policy Act of 1969 listed below.

- Clean Air
- Explosive and Flammable Hazards
- Farmland Protection
- Noise Abatement & Control
- Sole Source Aquifers
- Wild & Scenic Rivers

Based on completion of this environmental assessment, the following subjects require site-specific analysis before it can be concluded that the proposed project activities would have no significant environmental impacts on individual sites:

- Airport Hazards
- Coastal Barrier Resources
- Flood Insurance
- Coastal Zone Management Act

- Contamination & Toxic Substances
- Endangered Species
- Floodplain Management
- Historic Preservation
- Wetlands Protection
- Environmental Justice

The Tier 2 Site Specific Review Form can be found in Exhibit 1. The Tier II: Site-Specific review must be completed prior to any construction activities occurring on a particular site.

### **Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

The following mitigation measures are required as conditions for approval of the program.

- General
  - All program activity will acquire all required federal, state and local permits prior to commencement of construction and comply with all permit conditions. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under NEPA.
- Construction
  - Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters.
  - Soil compaction will be minimized by controlling project activities in vegetated areas, including lawns.
  - Protect existing drain inlets from debris, soil and sedimentation.
  - Protect stream, wetlands, woods and other natural areas from any unnecessary construction activities or disturbance.
- Historic Preservation
  - Ensure that the work does not diminish the historic integrity of any local historic district or historic property.
- Require an asbestos survey and project license as may be required prior to any demolition activities such as deconstruction of a building or removal of structures in the right-of-way of a road project.
- Use of energy-efficient doors, water heaters and HVAC units, as well as the incorporation of weatherization measures to the extent practicable.
- For compliance with NAAQS;
  - Utilize alternatively fueled equipment when possible
  - Utilize emission controls applicable to the equipment
  - Reduce idling time on construction equipment

- Minimize dust emissions through good operating practices
- Retrofit, repower, or replace older and more polluting diesel construction equipment in order to satisfy clean air construction requirements as necessary.
- Coastal Zone Properties;
  - Septic tank repair or replacement in a coastal zone will be situated as safe distance from the shoreline to ensure proper drainage and filtering of tank effluents before they reach the water's edge with special attention given in identified erosion areas.
  - Construction measures shall be designed so as to control erosion and sedimentation, water quality degradation, and other negative impacts on adjacent water and wetlands. This includes; buffering and filtering runoff water and using BMPs to control nonpoint source runoff.

**Determination:**

**Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: Derek A Galose Date:11/21/2016

Name/Title/Organization: Derek A. Galose, Environmental Manager, Ardurra Group, LLC

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Certifying Officer Signature: Eric J Fosmire Date:11/21/2016

Name/Title: Eric, Fosmire, Attorney, South Carolina Disaster Recovery Office (SCDRO)

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

## **Exhibit 1:**

### **Tier II: Site-Specific Environmental Form**



## Tier II: Site-Specific Environmental Assessment Form

\*Intended for use following CEST and EA level Tier I Environmental Review  
conducted for South Carolina (SC) Single-Family Rehabilitation and Reconstruction Program  
**THIS ENVIRONMENTAL ASSESSMENT FORM MUST BE KEPT IN INDIVIDUAL CLIENT FILE**

<b>HUD Grant Number:</b> B-16-DH-45-0001			
<b>SC Submittal date:</b>		<b>Application #:</b>	
<b>Date of field inspection:</b>		<b>Date review initiated:</b>	
<b>Inspector name:</b>		<b>Reviewer name:</b>	
<b>Name of Program:</b> South Carolina Disaster Recovery Office (SCDRO) Single-Family Rehabilitation and Reconstruction Program			
<b>Property address:</b>			
<b>County:</b>	Fairfield	<b>Census tract:</b>	
<b>Block:</b>		<b>Lot:</b>	
<b>Target building site(s):</b>	N/A	<b>GPS Coordinates (Lat/Long):</b>	Latitude: - Longitude: -
<b>Attachments:</b> A-Floodplain/Maps; B-Environmental Questionnaire Sheet; C-Photographs;			
<b>Project Description:</b> The SC Housing Recovery Program Tier I Environmental Review of the Proposed CDBG-DR (Tier I EA) Funded Action was completed to establish measures for compliance with multiple State and Federal environmental regulations for the program, including various Codes of Federal Regulation (CFR), United States Codes (USC), Executive Orders (EO), and South Carolina Codes, Rules and Regulations (SCCRRs). This is the Tier II site-specific review for activities eligible under this program, for which funds were released at the Tier 1 level on <a href="#">Click here to enter a date.</a> for <a href="#">Choose a County..</a>			
<input type="checkbox"/> The proposed project involves rehabilitation activities on an existing residential property with the above-listed address, where the home site <b>is not</b> located in the 100-year floodplain but received damage as a result of the 2015 SC Storm Event. This home was constructed in _____, as verified by SCDRO. Proposed activities would consist of addressing storm-related damage to the residence including: _____, to bring it to current minimum residential property standards. Activities would be limited to the disturbed area of the previously developed residential site.			
<input type="checkbox"/> The proposed project involves rehabilitation activities on an existing residential property with the above-listed address, where the home site <b>is</b> located in the 100-year floodplain and received damage as a result of the 2015 SC Storm Event. This home was constructed in _____, as verified by SCDRO. Proposed activities would consist of addressing storm-related damage to the residence including: _____, to bring it to current minimum residential property standards. Activities would be limited to the disturbed area of the previously developed residential site.			
<input type="checkbox"/> The proposed project involves rehabilitation and elevation activities on an existing residential property with the above-listed address, where the home site is located in the 100-year floodplain and received damage as a result of the 2015 SC Storm Event. This home was constructed in _____, as verified by SCDRO. Proposed activities would consist of addressing storm-related damage to the residence, including: _____, to bring it to current minimum residential property standards, including elevation of the home two feet above the base flood elevation (BFE) (see individual comments associated with applicable compliance factors in this document).			
<input type="checkbox"/> The proposed project involves home reconstruction on an existing residential property with the above-listed address, where the home site received damage as a result of the 2015 SC Storm Event. This home was constructed in _____, as verified by SCDRO. Proposed activities would consist of addressing storm-related damage to the residence including: _____, to bring it to current minimum residential property standards. If the home site is located in the floodplain, compliance with the local floodplain ordinance would be required and include elevation of the home (two feet above the BFE).			
<input type="checkbox"/> The proposed project involves replacement of a mobile/modular home on an existing residential property with the above-listed address, where the home site received damage as a result of the SC 2015 Storm Event. Proposed activities would consist of replacing the damaged mobile/modular home with a new mobile/modular home. Although local building codes allow installation of Wind Zone I rated mobile homes, SCDRO will only utilize mobile homes with a minimum wind rating of HUD Wind Zone II or higher (able to withstand winds up to 100 MPH). If the home site is located in the floodplain, compliance with the local floodplain ordinance would be required and include elevation of the home (two feet above the BFE). SCDRO will adopt the 5'7" rule, prohibiting the installation of mobile homes elevated 5'7" above grade without appropriate structural reinforcement.			
<input type="checkbox"/> The proposed project involves replacement of a single-family stick-built home with a mobile/modular home on an existing residential property at the above-listed address, where the home received damage as a result of the SC 2015 Storm Event. The home was constructed in _____, as verified by SC Disaster Recovery Office. Proposed activities would consist of demolishing the existing home, removing all construction debris and hauling to an appropriate facility. Although local building codes allow installation of Wind Zone I rated mobile homes, SCDRO will only utilize mobile homes with a minimum wind rating of HUD Wind Zone II or higher (able to withstand winds up to 100 MPH). If the home site is located in the floodplain, compliance with the local floodplain ordinance would be required and include elevation of the home (two feet above the BFE). SCDRO will adopt the 5'7" rule, prohibiting the installation of mobile homes elevated 5'7" above grade without appropriate structural reinforcement.			



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### Site Specific Findings

#### STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6

##### Airport Hazards

(3624 CFR Part 51 Subpart D )

1. **Is the project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?**  
 No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within the applicable distances to a military or civilian airport. See Attachment A.*  
 Yes → Continue to Question 2.
2. **Is the project located within a Runway Potential Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?**  
 Yes, project is in an APZ → Continue to Question 3.  
 Yes, project is an RPZ/CZ → *Project cannot proceed at this location.*  
 No, project is not within an APZ or RPZ/CZ.  
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.*
3. Is the **project in conformance with DOD guidelines for APZ??**  
 Yes, project is consistent with DOD guidelines for APZ.  
**Explain how you determined that the project is consistent:**  
  
 No, the project cannot be brought into conformance with DOD guidelines and has not been approved. → *Project cannot proceed at this location.*  
 Project is not consistent with DOD guidelines, but it has been approved by Certifying Officer or HUD Approving Official  
**Explain approval process:**

**If mitigation measures have been or will be taken, explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

##### Worksheet Summary Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

**Are formal compliance steps or mitigation required?**

Yes  
 No



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### Coastal Barrier Resources

Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]

**1. Is the project located in a CBRS Unit?**

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*  
 Yes → Continue to Question 2.

**Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project.**  
In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

**2. Indicate your selected course of action.**

After consultation with the FWS the project was given approval to continue  
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of FWA approval.*  
 Project was not given approval  
Project cannot proceed at this location.

### Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Are formal compliance steps or mitigation required?

Yes  
 No

### Flood Insurance

Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]

**1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

No. This project does not require flood insurance or is excepted from flood insurance → *Continue to Worksheet Summary*  
 Yes. Continue to Question 2.

**2. Provide a FEMA/FIRM map showing the site.**

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

**Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?**

No → *Continue to the Worksheet Summary.*  
 Yes → *Continue to Question 3.*

**3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?**

Yes, the community is participating in the National Flood Insurance Program.  
For loans, loan insurance or loan guarantees, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. Copy of Flood Insurance Policy will be maintained in the Applicant file.

→ *Continue to the Worksheet Summary.*

Yes, less than one year has passed since FEMA notification of Special Flood Hazards. If less than one year has passed since notification of Special Flood Hazards, no flood Insurance is required.

→ *Continue to the Worksheet Summary.*



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No. The community is not participating, or its participation has been suspended.  
Federal assistance may not be used at this location. Cancel the project at this location.

Are formal compliance steps or mitigation required?

Yes  
 No

### STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.5

#### Clean Air Act

Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93

**1. Not applicable. Compliance determined in Tier I EA.** Project does not include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units.

#### Coastal Zone Management

Coastal Zone Management Act, sections 307(c) & (d)

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

Yes → Continue to Question 2.  
 No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.*

**2. Does this project include activities that are subject to state review?**

Yes → Continue to Question 3.  
 No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.*

**3. Has this project been determined to be consistent with the State Coastal Management Program?**

Yes, with mitigation. → *Continue to Question 4.*  
 Yes, without mitigation. → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*  
 No., project must be canceled.  
Project cannot proceed at this location.

**4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

#### Worksheet Summary

##### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

**Are formal compliance steps or mitigation required?**

Yes  
 No



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### Contamination and Toxic Substances

24 CFR Part 50.3(i) & 58.5(i)(2)

**1. Evaluate the site for contamination.** Do any of the following apply to the subject property? (1) Property is listed on an EPA Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) List, or equivalent State list; (2) Property is within 3,000 feet of a landfill site, hazardous waste or solid waste cleanup site; (3) Has an underground storage tank (which is not a residential fuel tank); (4) Known or suspected to be contaminated by toxic chemicals or radioactive materials; or (5) During site reconnaissance of subject property and visible adjoining properties, inspector has observed potential environmental concerns.

No → *Provide a map or other documentation of absence or presence of contamination and explain evaluation of site contamination in the Worksheet below. Include Environmental Questionnaire completed by Construction Inspector.*

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Yes → *Describe the findings, including any recognized environmental conditions (RECs), in Worksheet Summary below. Continue to Question 2.*

**2. Mitigation**

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental mitigation cannot be mitigated, then HUD assistance may not be used for the project at this site.

**Can adverse environmental impacts be mitigated?**

Adverse environmental impacts cannot feasibly be mitigated  
→ Project cannot proceed at this location.

Yes, adverse environmental impacts can be eliminated through mitigation.

→ *Provide all mitigation requirements and documents. Continue to Question 3.*

**3. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls, or use of institutional controls.**

**If a remediation plan or clean-up program was necessary, which standard does it follow?**

Complete removal  
 Risk-based corrective action (RBCA)  
 Other

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

**Are formal compliance steps or mitigation required?**

Yes  
 No



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### Endangered Species

Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402

#### 1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office.

Explain your determination:

Yes, the activities involved in the project have the potential to affect species and/or habitats. → *Continue to Question 2.*

#### 2. Are federally listed species or designated critical habitats present in the action area?

Obtain a list of protected species from the Services. This information is available on the [FWS Website](#) or you may contact your [local FWS](#) and/or [NMFS](#) offices directly.

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.*

Yes, there are federally listed species or designated critical habitats present in the action area. → *Continue to Question 3.*

#### 3. What effects, if any, will your project have on federally listed species or designated critical habitat?

No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.*

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

→ *Continue to Question 4, Informal Consultation.*

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

→ *Continue to Question 5, Formal Consultation.*

#### 4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

#### Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

Yes, the Service(s) concurred with the finding.

→ *Based on the response, the review is in compliance with this section. Continue to Question 6 and provide the following:*

- (1) A biological evaluation or equivalent document
- (2) Concurrence(s) from FWS and/or NMFS
- (3) Any other documentation of informal consultation

*Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.*

No, the Service(s) did not concur with the finding. → *Continue to Question 5.*



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### 5. Formal consultation is required

Section 7 of ESA (16 USC 1536) mandates consultation to resolve potential impacts to federally listed endangered and threatened species and critical habitats. If a HUD assisted project may affect any endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

→ Once consultation is complete, the review is in compliance with this section. Continue to Question 6 and provide the following:

- (1) A biological assessment, evaluation, or equivalent document
- (2) Biological opinion(s) issued by FWS and/or NMFS
- (3) Any other documentation of formal consultation

### 6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that will be implemented to mitigate for the impact or effect, including the timeline for implementation.

Mitigation as follows will be implemented:

No mitigation is necessary.

**Explain why mitigation will not be made here:**

### Worksheet Summary

#### Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

#### Are formal compliance steps or mitigation required?

Yes  
 No

### Explosive and Flammable Hazards

24 CFR Part 51 Subpart C

1. **Not applicable. Compliance determined in Tier I EA.** Acceptable Separation Distance requirements do not apply, the definition of HUD assisted projects in 24 CFR Part 51.201 is predicated on whether the HUD project will increase the number of people exposed to hazardous operations.

### Farmlands Protection

Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658

1. **Not applicable. Compliance determined in Tier I EA.** Project does not include any activities, including new construction, acquisition of undeveloped land or conversion that could convert agricultural land to a non-agricultural use.



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### Floodplain Management

Executive Order 11988, particularly section 2(a); 24 CFR Part 55

**1. Does [24 CFR 55.12\(c\)](#) exempt this project from compliance with HUD's floodplain management regulations in Part 55?**

Yes

**Provide the applicable citation at [24 CFR 55.12\(c\)](#) here. If project is exempt under 55.12(c)(7) or (8), provide supporting documentation.**

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

No → Continue to Question 2.

**2. Provide a FEMA/FIRM or ABFE map showing the site.**

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs) or Advisory Base Flood Elevations (ABFEs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

**Does your project occur in a floodplain?**

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes

**Select the applicable floodplain using the FEMA map or the best available information:**

Floodway → Continue to Question 3, Floodways

Coastal High Hazard Area (V Zone) → Continue to Question 4, Coastal High Hazard Areas

500-year floodplain (B Zone or shaded X Zone) → Continue to Question 5, 500-year Floodplains

100-year floodplain (A Zone) → The 8-Step Process is required. Continue to Question 6, 8-Step Process

**3. Floodways**

**Is this a functionally dependent use?**

Yes

The 8-Step Process is required. Work with your HUD FEO to determine a way to satisfactorily continue with this project. Provide a completed 8-Step Process, including the early public notice and the final notice.

→ Continue to Question 6, 8-Step Process

No

Federal assistance may not be used at this location unless a 55.12(c) exception applies. You must either choose an alternate site or cancel the project at this location.

**4. Coastal High Hazard Area**

**Is this a critical action?**

Yes

Critical actions are prohibited in coastal high hazard areas. Federal assistance may not be used at this location. Unless the action is excepted at [24 CFR 55.12\(c\)](#), you must either choose an alternate site or cancel the project.

No

**Does this action include construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?**

Yes, there is new construction.

New construction is prohibited in V Zones ([24 CFR 55.1\(c\)\(3\)](#)).

No, this action concerns only a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster.

This construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.

→ Continue to Question 6, 8-Step Process



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### 5. **500-year Floodplain**

#### **Is this a critical action?**

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Yes → *Continue to Question 6, 8-Step Process*

### 6. **8-Step Process**

#### **Does the 8-Step Process apply? Select one of the following options:**

8-Step Process applies.

Provide a completed 8-Step Process, including the early public notice and the final notice.

→ *Continue to Question 7, Mitigation*

5-Step Process is applicable per 55.12(a)(1-3).

Provide documentation of 5-Step Process.

Select the applicable citation:

- 55.12(a)(1) HUD actions involving the disposition of HUD-acquired multifamily housing projects or “bulk sales” of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).
- 55.12(a)(2) HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.
- 55.12(a)(3) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.
- 55.12(a)(4) HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.

→ *Continue to Question 7, Mitigation*

8-Step Process is inapplicable per 55.12(b)(1-4).

Select the applicable citation:

- 55.12(b)(1) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway or coastal high hazard area.
- 55.12(b)(2) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for “substantial improvement” under § 55.2(b)(10)
- 55.12(b)(3) HUD actions involving the disposition of individual HUD-acquired, one- to four-family properties.
- 55.12(b)(4) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance.
- 55.12(b)(5) The approval of financial assistance to lease an existing structure located within the floodplain, but only if—
  - (i) The structure is located outside the floodway or Coastal High Hazard Area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24);
  - (ii) The project is not a critical action; and
  - (iii) The entire structure is or will be fully insured or insured to the maximum under the NFIP for at least the term of the lease.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

### 7. **Mitigation**

**For the project to be brought into compliance with this section, all adverse impacts must be mitigated.**



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**Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

**Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.**

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology
- Planting or restoring native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements or similar easements
- Floodproofing of structures
- Elevating structures including freeboarding above the required base flood elevations
- Other

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

**Are formal compliance steps or mitigation required?**

- Yes
- No

### **Historic Preservation**

National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800

#### **Is Section 106 review required for your project?**

- No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the [PA Database](#) to find applicable PAs.)

**Either provide the PA itself or a link to it here. Mark the applicable exemptions or include the text here:**

→ Continue to the Worksheet Summary.

- No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination



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[36 CFR 800.3(a)(1)].

**Either provide the memo itself or a link to it here. Explain and justify the other determination here:**

→ *Continue to the Worksheet Summary.*

Yes, because the project includes activities with potential to cause effects (direct or indirect). → *Continue to Step 1.*

### **The Section 106 Process**

After determining the need to do a Section 106 review, initiate consultation with regulatory and other interested parties, identify and evaluate historic properties, assess effects of the project on properties listed on or eligible for the National Register of Historic Places, and resolve any adverse effects through project design modifications or mitigation.

Note that consultation continues through all phases of the review.

Step 1: Initiate consultation

Step 2: Identify and evaluate historic properties

Step 3: Assess effects of the project on historic properties

Step 4: Resolve any adverse effects

### *Step 1 - Initiate Consultation*

The following parties are entitled to participate in Section 106 reviews: Advisory Council on Historic Preservation; State Historic Preservation Officers (SHPOs); federally recognized Indian tribes/Tribal Historic Preservation Officers (THPOs); Native Hawaiian Organizations (NHOs); local governments; and project grantees. The general public and individuals and organizations with a demonstrated interest in a project may participate as consulting parties at the discretion of the RE or HUD official. Participation varies with the nature and scope of a project. Refer to HUD's website for guidance on consultation, including the required timeframes for response. Consultation should begin early to enable full consideration of preservation options.

Use the [When to Consult with Tribes checklist](#) within [Notice CPD-12-006: Process for Tribal Consultation](#) to determine if you should invite tribes to consult on a particular project. Use the [Tribal Directory Assessment Tool \(TDAT\)](#) to identify tribes that may have an interest in the area where the project is located. Note that consultants may not initiate consultation with Tribes.

### **Select all consulting parties below (check all that apply):**

State Historic Preservation Officer (SHPO)  
 Advisory Council on Historic Preservation  
 Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

**List all tribes that were consulted here and their status of consultation:**

Other Consulting Parties

**List all consulting parties that were consulted here and their status of consultation:**

**Describe the process of selecting consulting parties and initiating consultation here:**

*Provide all correspondence, notices, and notes (including comments and objections received) and continue to Step 2.*

***Step 2 - Identify and Evaluate Historic Properties***

**Define the Area of Potential Effect (APE), either by entering the address(es) or providing a map depicting the APE.** Attach an additional page if necessary.



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Gather information about known historic properties in the APE. Historic buildings, districts and archeological sites may have been identified in local, state, and national surveys and registers, local historic districts, municipal plans, town and county histories, and local history websites. If not already listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register.

Refer to HUD's website for guidance on identifying and evaluating historic properties.

### **In the space below, list historic properties identified and evaluated in the APE.**

Every historic property that may be affected by the project should be listed. For each historic property or district, include the National Register status, whether the SHPO has concurred with the finding, and whether information on the site is sensitive. Attach an additional page if necessary.

Provide the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination.

### **Was a survey of historic buildings and/or archeological sites done as part of the project?**

If the APE contains previously unsurveyed buildings or structures over 50 years old, or there is a likely presence of previously unsurveyed archeological sites, a survey may be necessary. For Archeological surveys, refer to HP Fact Sheet #6, [Guidance on Archeological Investigations in HUD Projects](#).

Yes → *Provide survey(s) and report(s) and continue to Step 3.*

Additional notes:

No → *Continue to Step 3.*

### *Step 3 - Assess Effects of the Project on Historic Properties*

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. ([36 CFR 800.5](#)) Consider direct and indirect effects as applicable as per HUD guidance.

### **Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.**

No Historic Properties Affected

#### **Document reason for finding:**

No historic properties present. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

Historic properties present, but project will have no effect upon them. → *Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.*

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.4\(d\)\(1\)](#)) and consult further to try to resolve objection(s).

No Adverse Effect

#### **Document reason for finding:**



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### Does the No Adverse Effect finding contain conditions?

Yes

**Check all that apply:** (check all that apply)

- Avoidance
- Modification of project
- Other

**Describe conditions here:**

→ Monitor satisfactory implementation of conditions. Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.

No → Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to ([36 CFR 800.5\(c\)\(2\)](#)) and consult further to try to resolve objection(s).

Adverse Effect

### Document reason for finding:

Copy and paste applicable Criteria into text box with summary and justification.

Criteria of Adverse Effect: [36 CFR 800.5](#)

Notify the Advisory Council on Historic Preservation of the Adverse Effect and provide the documentation outlined in [36 CFR 800.11\(e\)](#). The Council has 15 days to decide whether to enter the consultation (Not required for projects covered by a Programmatic Agreement).

→ Continue to Step 4.

### Step 4 - Resolve Adverse Effects

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to HUD guidance and [36 CFR 800.6](#) and [800.7](#).

### Were the Adverse Effects resolved?

Yes

**Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:**

**For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**



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→ Provide signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA). Continue to the Worksheet Summary.

No

The project must be cancelled unless the “Head of Agency” approves it. Either provide approval from the “Head of Agency” or cancel the project at this location.

**Describe the failure to resolve Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation and “Head of the Agency”:**

**Explain in detail the exact conditions or measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ Provide correspondence, comments, documentation of decision, and “Head of Agency” approval. Continue to the Worksheet Summary.

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

#### **Are formal compliance steps or mitigation required?**

Yes  
 No

### **Noise Abatement and Control**

Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B

1. **Not applicable. Compliance determined in Tier I EA.** HUD has determined that noise abatement and control is not applicable to a disaster recovery program which meets the definition under 24 CFR Part 51.101(a)(3) “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



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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.

### Sole Source Aquifers

Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149

**1. Not applicable. Compliance determined in Tier I EA.** Pre-determined by HUD and the EPA. There are no sole source aquifers in South Carolina.

### Wetlands Protection

Executive Order 11990, particularly sections 2 and 5

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance?**

The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*  
 Yes → *Continue to Question 2.*

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland?**

The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.  
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

→ *You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process. Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation. Continue to Question 3.*

**3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

**Which of the following mitigation actions have been or will be taken? Select all that apply:**

Permeable surfaces  
 Natural landscape enhancements that maintain or restore natural hydrology through infiltration  
 Native plant species  
 Bioswales  
 Evapotranspiration  
 Stormwater capture and reuse  
 Green or vegetative roofs with drainage provisions  
 Natural Resources Conservation Service conservation easements  
 Compensatory mitigation

### Worksheet Summary

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region



## Tier II: Site-Specific Environmental Assessment Form

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### Are formal compliance steps or mitigation required?

Yes  
 No

### Wild and Scenic Rivers

Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)

**1. Not Applicable, Compliance determined in Tier I EA.**

### ENVIRONMENTAL JUSTICE

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?**

Yes → Continue to Question 2.

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

**2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?**

Yes

**Explain:**

→ Continue to Question 3. Provide any supporting documentation.

No

**Explain:**

→ Continue to the Worksheet Summary and provide any supporting documentation.

**3. All adverse impacts should be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Mitigation as follows will be implemented:

→ Continue to Question 4.

No mitigation is necessary.

**Explain why mitigation will not be made here:**



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→ Continue to Question 4.

**4. Describe how the affected low-income or minority community was engaged or meaningfully involved in the decision on what mitigation actions, if any, will be taken.**

→ Continue to the Worksheet Summary and provide any supporting documentation.

### **Worksheet Summary**

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

#### **Are formal compliance steps or mitigation required?**

Yes  
 No



## Tier II: Site-Specific Environmental Assessment

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Property Address:

### Finding of this Tier II Site Specific Review

- The proposed project complies with environmental requirements for funding.
- The proposed project does not comply with environmental requirements for funding because \_\_\_\_\_.

Site Specific Review Completed by:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature:



Section 106 Review Completed by:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature:



QA/QC Review Completed by:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature:



### Responsible Entity Agency

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature:





## Tier II: Site-Specific Environmental Assessment

\*Intended for use following CEST and EA level Tier I Environmental Review  
conducted for South Carolina (SC) Single-Family Rehabilitation and Reconstruction Program

<b>HUD Grant Number:</b> B-16-DH-45-0001			
<b>SC Submittal date:</b>	<b>Error! Reference source not found.</b>	<b>Application #:</b>	<b>Error! Reference source not found.</b>
<b>Date of field inspection:</b>		<b>Date review initiated:</b>	
<b>Inspector name:</b>		<b>Reviewer name:</b>	
<b>Name of applicant:</b> SC Single-Family Rehabilitation and Reconstruction			
<b>Property address:</b>	<b>Error! Reference source not found.</b>		
<b>County:</b>	Fairfield	<b>Census tract:</b>	<b>Error! Reference source not found.</b>
<b>Block:</b>		<b>Lot:</b>	
<b>Target building site(s):</b>	N/A	<b>GPS Coordinates (Lat/Long):</b>	Latitude: - Longitude: -
The following environmental mitigation measures and conditions shall be complied with for the subject project:			
<ul style="list-style-type: none"><li>– Floodplain Management: If in the 100-year floodplain add; “The project is required to comply with the local <a href="#">floodplain ordinance, and participate in the National Flood Insurance Program.</a>”</li><li>– Lead-based Paint: Must adhere to Federal, State and local lead-based paint regulations.</li><li>– Historic: <a href="#">Add Necessary Historic Mitigation Measures (If applicable)</a></li><li>– Wetlands: <a href="#">Add Necessary Wetland Mitigation Measures (If applicable)</a></li><li>– <b>Asbestos:</b> <a href="#"><b>to include only if site is suspect for ACMs</b></a><ul style="list-style-type: none"><li>– Contractor must mitigate according to federal, state and local regulations.</li><li>– Contractor must have certified personnel to supervise the proper handling of asbestos and proper protective equipment (respirator masks or other ventilation system) for the workers directly handling the asbestos.</li></ul></li><li>– <b>Lead Paint:</b> <a href="#"><b>to include only if site is suspect for lead-based paint</b></a><ul style="list-style-type: none"><li>– Contractor must mitigate according to federal, state and local regulations.</li><li>– Contractor must have certified personnel to supervise the proper handling of lead-based paint and proper protective equipment (respirator masks or other ventilation system) for the workers directly working with lead paint.</li></ul></li></ul>			
<b><i>Add any necessary mitigation measures as called for in the document above</i></b>			
Should the scope of work change on this project, a re-evaluation of environmental findings will be completed per 24 C.F.R Part 58.47.			

# APPENDICES

## **APPENDIX A:**

### **Coastal Barrier Resources Act/ Coastal Barrier Improvement**

Oct. 11<sup>th</sup> 2016

Ms. Katie Niemi  
Coastal Barrier Coordinator  
U.S. Fish and Wildlife Service Division of Habitat and Resource Conservation, Room 860  
4401 N. Fairfax Drive Arlington, VA 22203  
Email: [katie\\_niemi@fws.gov](mailto:katie_niemi@fws.gov) Phone: 703.358.2071

**RE: South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) - Rehabilitation & Reconstruction of Single-Family Homes and Replacement of Manufactured Housing Unit's**

Dear Ms. Niemi:

The state of South Carolina was included into the Community Development Block Grant Disaster Recovery (CDBG-DR) program on December 18, 2015. In October 2015, South Carolina received unprecedented and historical rainfall and flooding. This heavy rainfall of over 20 inches across the state came from an upper atmospheric low-pressure system that funneled tropical moisture from Hurricane Joaquin. Heavy rainfall occurred across South Carolina during October 1-5, 2015, the storm caused major flooding from the central to the coastal areas of South Carolina to compute streamflow from monitored river stage. The floods caused loss of life and extensive damage to many dams, bridges, roads, homes, and businesses. South Carolina is proposing to use CDBG-DR funds to assist homeowners in the following disaster declared counties: Bamberg, Berkeley, Colhoun, Charleston, Clarendon, Colleton, Darlington, Dorchester, Fairfield, Florence, Georgetown, Greenwood, Greenville, Horry, Fairfield, Lee, Marion, Newberry, Orangeburg, Spartanburg, Sumter and Williamsburg, in achieving safe and code compliant housing that meets minimum property standards through rehabilitation, reconstruction and replacement of manufactured homes.

The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) is the responsible entity for completing the federally required environmental review in accordance with 24 CFR Part 58. SCDRO has retained the Ardurra Group to assist with the environmental review. For the NEPA review of the rehabilitation, reconstruction, and replacement of manufactured homes, SCDRO intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site specific reviews in areas of potential impact. To expedite environmental review while complying with Part 58 and other applicable laws and regulations, your determination of no affect or input on the need for individual consultation concerning compliance is sought for the following types of projects:

- Rehabilitation & Reconstruction of Single-Family Homes
  - The reconstruction work will not expand the original footprint of the structure if possible. If lot restrictions apply and the footprint must be expanded, the footprint will not be increased in a floodplain or a wetland.



- Replacement of Damaged Manufactured Housing Units (MHU) Deemed Unrepairable Through a Feasibility Review
  - The replacement of damaged MHUs will be replaced on the original site.

Please do not hesitate to contact me at 225-954-5136 or [dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com) should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink that reads "Derek A. Galose".

Derek A. Galose  
Environmental Manager  
Ardurra Group

CC: Angela L Dahlgren, Ardurra Group

CC: Eric Fosmire, SCDRO

## Angela Dahlgren

---

**To:** Derek Galose  
**Subject:** RE: SC Disaster Recovery Office CBRA consistency

**From:** Hernandez, Christopher [[mailto:christopher\\_hernandez@fws.gov](mailto:christopher_hernandez@fws.gov)]

**Sent:** Friday, November 4, 2016 9:23 AM

**To:** Derek Galose <[dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com)>

**Subject:** SC Disaster Recovery Office CBRA consistency

Dear Mr. Galose,

This message is in response to your request for consultation for several projects covered under a Community Development Block Grant Disaster Recovery (CDBG-DR) grant dated October 11, 2016. In regards to the National Environmental Policy Act, any federal funding requested within a Coastal Barrier Resource System (CBRS) unit triggers an extraordinary circumstance, and a categorical exclusion cannot be used unless the Costal Barrier Resource Act (CBRA) is addressed specifically in your review. Therefore, once the specific locations of homes to be replaced under the grant are determined, the disaster recovery office should notify the Fish and Wildlife Service to determine if any of those locations are in a CBRS unit, which could affect whether they are eligible for funding or not.

If you have further questions, please contact me at 843-727-4707 x 213.

Sincerely,

Christopher Hernandez

Christopher Hernandez  
Fish and Wildlife Biologist - Coastal Program  
US Fish & Wildlife Service  
176 Croghan Spur Road, Suite 200  
Charleston, SC 29407  
(843) 727-4707 x 213

NOTE: This email correspondence and any attachments to and from this sender are subject to the Freedom of Information Act and may be disclosed to third parties.

## APPENDIX B:

### Clean Air Act

Oct. 11<sup>th</sup> 2016

Mr. Robert J. Brown  
Director  
Division of Air Assessment, Innovations, & Regulation Bureau of Air Quality  
2600 Bull Street Columbia, SC 29201  
[brownrj@dhec.sc.gov](mailto:brownrj@dhec.sc.gov)

**RE: South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) - Rehabilitation & Reconstruction of Single-Family Homes and Replacement of Manufactured Housing Unit's**

Dear Mr. Brown:

The state of South Carolina was included into the Community Development Block Grant Disaster Recovery (CDBG-DR) program on December 18, 2015. In October 2015, South Carolina received unprecedented and historical rainfall and flooding. This heavy rainfall of over 20 inches across the state came from an upper atmospheric low-pressure system that funneled tropical moisture from Hurricane Joaquin. Heavy rainfall occurred across South Carolina during October 1-5, 2015, the storm caused major flooding from the central to the coastal areas of South Carolina to compute streamflow from monitored river stage. The floods caused loss of life and extensive damage to many dams, bridges, roads, homes, and businesses. South Carolina is proposing to use CDBG-DR funds to assist homeowners in the following disaster declared counties: Bamberg, Berkeley, Colhoun, Charleston, Clarendon, Colleton, Darlington, Dorchester, Fairfield, Florence, Georgetown, Greenwood, Greenville, Horry, Fairfield, Lee, Marion, Newberry, Orangeburg, Spartanburg, Sumter and Williamsburg, in achieving safe and code compliant housing that meets minimum property standards through rehabilitation, reconstruction and replacement of manufactured homes.

The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) is the responsible entity for completing the federally required environmental review in accordance with 24 CFR Part 58. SCDRO has retained the Ardurra Group to assist with the environmental review. For the NEPA review of the rehabilitation, reconstruction, and replacement of manufactured homes, SCDRO intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site specific reviews in areas of potential impact. To expedite environmental review while complying with Part 58 and other applicable laws and regulations, your determination of no affect or input on the need for individual consultation concerning compliance is sought for the following types of projects:

- Rehabilitation & Reconstruction of Single-Family Homes
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- Replacement of Damaged Manufactured Housing Units (MHU) Deemed Unrepairable Through a Feasibility Review
  - The replacement of damaged MHUs will be replaced on the original site.

Please do not hesitate to contact me at 225-954-5136 or [dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com) should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink that reads "Derek A. Galose".

Derek A. Galose  
Environmental Manager  
Ardurra Group

CC: Angela L Dahlgren, Ardurra Group

CC: Eric Fosmire, SCDRO



October 24, 2016

Derek A. Galose  
Environmental Manager  
Ardurra Group  
South Carolina Disaster Management Office  
632 Rosewood Dr  
Columbia, SC 29201

Re: South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) – Rehabilitation & Reconstruction of Single-Family Homes and Replacement of Manufactured Housing Units

Dear Mr. Galose:

On October 14, 2016 we received your letter, dated October 11, 2016, about the proposed rehabilitation, reconstruction and replacement of flood-damaged homes in 22 disaster declared counties of South Carolina. *Based on the information provided, I am responding on behalf of the South Carolina Department of Health and Environmental Control, Bureau of Air Quality (Bureau).*

The Bureau is tasked with implementing the Federal Clean Air Act (1990, as amended) in the State of South Carolina. The Bureau is required to ensure compliance with the National Ambient Air Quality Standards (NAAQS) for criteria pollutants. Currently two criteria pollutants are of particular concern in South Carolina:

- **Ozone** – The 2015 8-hour primary and secondary standards of 70 parts per billion (ppb) were finalized on October 26, 2015. The area represented in this proposal is currently meeting the 2015 ozone standards. Designations for these standards are anticipated in October 2017.
- **Particulate Matter 2.5** (Particulates 2.5 microns in size and smaller) – The 2012 standard for maximum daily concentration is set at 35 micrograms per cubic meter. The 2012 standard for the maximum annual concentration is set at 12 micrograms per cubic meter. The area represented in this proposal is meeting the 2012 particulate matter 2.5 standards.

South Carolina is currently attaining all of the NAAQS, but may face nonattainment when designations for the new ozone standards are made. If a project is located in a nonattainment area, it may be subject to prescriptive requirements such as Transportation Conformity or air quality modeling.

An asbestos survey and project license may be required prior to any demolition activities such as deconstruction of a building or removal of structures in the right-of-way of a road project. If you have any questions regarding asbestos regulatory applicability you may contact Robin Mack (with the Bureau's Asbestos Section) at (803) 898-4270 or [mackrs@dhec.sc.gov](mailto:mackrs@dhec.sc.gov).

As energy efficient features in homes provide air quality benefits to the community as well as making homes more affordable to live in, the Bureau encourages the use of energy-efficient doors, water heaters and HVAC units, as well as the incorporation of weatherization measures to the extent practicable.

All necessary environmental permits for the subject project must be obtained in accordance with applicable state and federal regulations. If you have not already done so, please contact the Bureau of Water at (803) 898-4300 and the Bureau of Land and Waste Management at (803) 898-2000 for input regarding those program areas' assessments of this proposed project.

Emissions from diesel equipment are regulated by federal standards. The Bureau would like to offer the following suggestions on how this project can help us stay in compliance with the NAAQS. More importantly, these strategies are beneficial to the health of citizens of South Carolina.

- Utilize alternatively fueled equipment.
- Utilize emission controls applicable to your equipment.
- Reduce idling time on equipment.
- Fugitive dust emissions should be minimized through good operating practices.

The Bureau can provide model clean construction contract language. A vendor may need to retrofit, repower or replace older and more polluting diesel construction equipment in order to satisfy clean construction requirements. These types of projects can be financed with Congestion Mitigation and Air Quality (CMAQ) funds, and are in fact a high priority for CMAQ funding. Please contact our office if assistance is needed.

Thank you for the opportunity to comment on this project. Should you have any further questions or comments concerning this matter, please do not hesitate to contact me at (803) 898-4122 or at [robertln@dhec.sc.gov](mailto:robertln@dhec.sc.gov).

Sincerely,



L. Nelson Roberts, Jr., Manager  
Air Programs Implementation and Mobile Sources Section  
Bureau of Air Quality

cc: Mark Harley, BEHS Greenwood Office, [harvlema@dhec.sc.gov](mailto:harvlema@dhec.sc.gov)  
Sabrina Prince, BEHS Greenville Office, [kprincesa@dhec.sc.gov](mailto:kprincesa@dhec.sc.gov)  
Johnny Hall, BEHS Spartanburg Office, [halljc@dhec.sc.gov](mailto:halljc@dhec.sc.gov)  
Ben Buchanan, Midlands BEHS Columbia Office, [buchanbr@dhec.sc.gov](mailto:buchanbr@dhec.sc.gov)  
Brian Baxley, Pee Dee BEHS Florence Office, [baxleybc@dhec.sc.gov](mailto:baxleybc@dhec.sc.gov)  
Regie Watts, Pee Dee BEHS Sumter Office [wattsrj@dhec.sc.gov](mailto:wattsrj@dhec.sc.gov)  
Jay Cox, Pee Dee BEHS Myrtle Beach Office, [coxmj@dhec.sc.gov](mailto:coxmj@dhec.sc.gov)  
Wendy Boswell, Lowcountry EQC McMillan Office [boswelwm@dhec.sc.gov](mailto:boswelwm@dhec.sc.gov)  
Neshia Wright, Lowcountry EQC Beaufort Office, [wrightnm@dhec.sc.gov](mailto:wrightnm@dhec.sc.gov)  
Melinda Washington, BEHS Orangeburg Office, [washinmk@dhec.sc.gov](mailto:washinmk@dhec.sc.gov)

**From:** Roberts, Nelson <[robertln@dhec.sc.gov](mailto:robertln@dhec.sc.gov)>

**Sent:** Thursday, October 27, 2016 1:29 PM

**To:** Derek Galose

**Subject:** Fw: Follow up on the South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) Concurrence letter mailed on 10/11/16

**Attachments:** Clean Air Act.pdf; South Carolina Dept of Commerce Disaster Recovery Office 20161025.pdf

Mr. Galose,  
Robbie Brown, my director, forwarded your email to me. We mailed a response letter on October 24, 2016. You should be receiving it soon, if you don't have it already.

For your convenience, I am attaching a pdf version of the letter.

Please let me know if I can be of further assistance.

L. Nelson Roberts, Jr., Section Manager  
Air Programs Implementation & Mobile Sources Section  
Bureau of Air Quality, SCDHEC  
2600 Bull Street, Columbia, SC 29201  
office: (803)898-4122  
fax: (803)898-4487  
[robertln@dhec.sc.gov](mailto:robertln@dhec.sc.gov)

---

**From:** Brown, Robbie  
**Sent:** Thursday, October 27, 2016 11:49 AM  
**To:** Roberts, Nelson  
**Subject:** Fw: Follow up on the South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) Concurrence letter mailed on 10/11/16

--

Robert J. Brown, Jr., Director  
Division of Air Assessment and Regulation  
SCDHEC Bureau of Air Quality  
2600 Bull Street, Columbia, SC 29201  
803.898.4105  
803.465.1533 (mobile)  
803.898.4487 (fax)

[brownrj@dhec.sc.gov](mailto:brownrj@dhec.sc.gov)

---

**From:** Derek Galose <[dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com)>  
**Sent:** Thursday, October 27, 2016 10:28 AM  
**To:** Brown, Robbie  
**Subject:** Follow up on the South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) Concurrence letter mailed on 10/11/16

Dear Mr. Brown,

I am following up with you to see if you have mailed a response in regards to the concurrence letter we sent you on October 11th.

An email reply will suffice also instead of a formal letter?

Attached is a copy of the concurrence letter for your review we mailed to the following Address:

Robert J. Brown  
Director, Division of Air Assessment, Innovations, and Regulation

Bureau of Air Quality  
S.C. DHEC  
2600 Bull Street  
Columbia, SC 29201  
(803) 898-4105  
[brownrj@dhec.sc.gov](mailto:brownrj@dhec.sc.gov)

Thank you and please feel free to call me with any questions.

Derek

**Derek A. Galose**  
**Environmental Manager**  
South Carolina Disaster Management Office  
632 Rosewood Dr., Columbia, SC 29201  
(t) 225.954.5136  
[www.ardurragroup.com](http://www.ardurragroup.com)

Ardurra  
Group

## APPENDIX C:

### Coastal Zone Management

Oct. 11<sup>th</sup> 2016

Mr. Daniel Burger  
Director  
Coastal Services Division and Coastal Resource Management  
1362 McMillan Avenue - Suite 400 Charleston, SC 29405-2029  
Email: [burgerj@dhec.sc.gov](mailto:burgerj@dhec.sc.gov) Phone: 843.953.0251

**RE: South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) - Rehabilitation & Reconstruction of Single-Family Homes and Replacement of Manufactured Housing Unit's**

Dear Mr. Burger:

The state of South Carolina was included into the Community Development Block Grant Disaster Recovery (CDBG-DR) program on December 18, 2015. In October 2015, South Carolina received unprecedented and historical rainfall and flooding. This heavy rainfall of over 20 inches across the state came from an upper atmospheric low-pressure system that funneled tropical moisture from Hurricane Joaquin. Heavy rainfall occurred across South Carolina during October 1-5, 2015, the storm caused major flooding from the central to the coastal areas of South Carolina to compute streamflow from monitored river stage. The floods caused loss of life and extensive damage to many dams, bridges, roads, homes, and businesses. South Carolina is proposing to use CDBG-DR funds to assist homeowners in the following disaster declared counties: Bamberg, Berkeley, Colhoun, Charleston, Clarendon, Colleton, Darlington, Dorchester, Fairfield, Florence, Georgetown, Greenwood, Greenville, Horry, Fairfield, Lee, Marion, Newberry, Orangeburg, Spartanburg, Sumter and Williamsburg, in achieving safe and code compliant housing that meets minimum property standards through rehabilitation, reconstruction and replacement of manufactured homes.

The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) is the responsible entity for completing the federally required environmental review in accordance with 24 CFR Part 58. SCDRO has retained the Ardurra Group to assist with the environmental review. For the NEPA review of the rehabilitation, reconstruction, and replacement of manufactured homes, SCDRO intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site specific reviews in areas of potential impact. To expedite environmental review while complying with Part 58 and other applicable laws and regulations, your determination of no affect or input on the need for individual consultation concerning compliance is sought for the following types of projects:

- Rehabilitation & Reconstruction of Single-Family Homes
  - The reconstruction work will not expand the original footprint of the structure if possible. If lot restrictions apply and the footprint must be expanded, the footprint will not be increased in a floodplain or a wetland.



- Replacement of Damaged Manufactured Housing Units (MHU) Deemed Unrepairable Through a Feasibility Review
  - The replacement of damaged MHUs will be replaced on the original site.

Please do not hesitate to contact me at 225-954-5136 or [dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com) should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink that reads "Derek A. Galose".

Derek A. Galose  
Environmental Manager  
Ardurra Group

CC: Angela L Dahlgren, Ardurra Group

CC: Eric Fosmire, SCDRO

Please send the statement back to me, by email is fine. No hard copies are needed.

Have a great day.  
Holli

<http://www.scdhec.gov/Agency/RegulationsAndUpdates/LawsAndRegulations/Coastal/>

## DHEC Laws and Regulations: Coastal Zone

[www.scdhec.gov](http://www.scdhec.gov)

Coastal Zone . The South Carolina Coastal Management Program was established under the guidelines of the national Coastal Zone Management Act (1972) as a state ...

**Holli Dawn Martin**  
Project Coordinator - Coastal Zone Consistency-OCRM  
**S.C. Dept. of Health & Environmental Control**  
Office: (843) 953-0860  
Email: [martinhd@dhec.sc.gov](mailto:martinhd@dhec.sc.gov)  
Connect: [www.scdhec.gov](http://www.scdhec.gov) [Facebook](#) [Twitter](#)



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**From:** Burger, Dan  
**Sent:** Thursday, October 27, 2016 10:59 AM  
**To:** Joyner, Curtis  
**Subject:** Fw: Status of South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) Concurrence letter sent on 10/11/16

Mr. Galose: Apologies, as it appears that I did not receive your initial correspondence either by email or surface mail. I am routing your request to Curtis Joyner, Manager, Coastal Zone Consistency Section. Mr. Joyner will be best able to assist you in your request.

Cheers,  
Dan

**Daniel J. Burger**  
Director, Coastal Services Division, OCRM  
**S.C. Dept. of Health & Environmental Control**  
Office: (843) 953-0251  
Mobile: (843) 709-8311

## **Angela Dahlgren**

---

**From:** Derek Galose <dgalose@ardurragroup.com>  
**Sent:** Friday, October 28, 2016 1:11 PM  
**To:** Martin, Holli; Joyner, Curtis  
**Cc:** Angela Dahlgren  
**Subject:** RE: Status of South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) Concurrence letter sent on 10/11/16

Good afternoon Ms. Martin,

The proposed project is for rehabilitation/reconstruction of existing single-family residential units. No new development in the coastal zones will occur as a result of the proposed project. Since exact home locations are unknown at this time, rehabilitation and/or reconstruction of an existing single-family home may occur in the coastal zone. Any rehabilitation/reconstruction planned in a coastal zone will be fully consistent with the Residential Development Policies as outlined in Chapter III on pages 16 -18 in the South Carolina Management of Coastal Resources. Mitigation Measures will be added to the Environmental Assessment for all rehabilitation/reconstruction homes located in a coastal zone.

Thank you and have a nice weekend.

Derek

**Derek A. Galose**  
Environmental Manager  
South Carolina Disaster Management Office  
632 Rosewood Dr., Columbia, SC 29201  
(t) 225.954.5136  
[www.ardurragroup.com](http://www.ardurragroup.com)



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**From:** Martin, Holli [mailto:[martinhd@dhec.sc.gov](mailto:martinhd@dhec.sc.gov)]  
**Sent:** Friday, October 28, 2016 10:48 AM  
**To:** Joyner, Curtis <[JOYNERCM@dhec.sc.gov](mailto:JOYNERCM@dhec.sc.gov)>; Derek Galose <[dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com)>  
**Subject:** Re: Status of South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) Concurrence letter sent on 10/11/16

Good morning,

I have received your email to Dan Burger, forwarded to me from Curtis Joyner. Coastal Zone Consistency has received your Federal Funding Assistance Request for Coastal Zone Consistency Determination.

Please review the Residential Development Policies found on our website at the link below and reply with a statement that you are fully consistent with those policies.

---

**From:** Derek Galose <[dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com)>  
**Sent:** Thursday, October 27, 2016 10:46 AM  
**To:** Burger, Dan  
**Subject:** Status of South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) Concurrence letter sent on 10/11/16

Dear Mr. Burger,

I am following up with you to see if you have mailed a response in regards to the concurrence letter we sent you on October 11th.

An email reply will suffice also instead of a formal letter?

Attached is a copy of the concurrence letter for your review we mailed to the following Address:

Coastal Services Division and Coastal Resource Management  
1362 McMillan Avenue –  
Suite 400 Charleston, SC 29405-2029

Thank you for your time.

Derek

**Derek A. Galose**  
Environmental Manager  
South Carolina Disaster Management Office  
632 Rosewood Dr., Columbia, SC 29201  
(t) 225.954.5136  
[www.ardurragroup.com](http://www.ardurragroup.com)



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**From:** Derek Galose  
**Sent:** Tuesday, October 11, 2016 6:38 PM  
**To:** [burgerj@dhec.sc.gov](mailto:burgerj@dhec.sc.gov)  
**Subject:** South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) Concurrence letter

Dear Mr. Burger,

The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) is the responsible entity for completing the federally required environmental review in accordance with 24 CFR Part 58. SCDRO has retained the Ardurra Group to assist with the environmental review. For the NEPA review of the rehabilitation, reconstruction, and replacement of manufactured homes, SCDRO intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site specific reviews in areas of potential impact.

attached is a copy of the concurrence letter for your review we also mailed a hard copy.

Please feel free to contact me with any questions or concerns.

Thank you for your time.

**Derek A. Galose**  
Environmental Manager  
Cell (225) – 954 – 5136

**Ardurra**  
Group



Healthy People. Healthy Communities.

November 5, 2016

Mr. Eric Fosmire  
South Carolina Disaster Recovery Office  
632 Rosewood Drive  
Columbia, SC 29201

Re: SC Department of Commerce, Disaster Recovery Office (SCDRO) – Rehabilitation & Reconstruction of Single Family Homes and Replacement of Manufacturing Housing Units, # CZC-16-1374

Dear Mr. Fosmire:

This letter is in response to a recent South Carolina Department of Commerce Disaster Recovery Office (SCDRO) Funding Assistance request submitted to the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) disaster recovery funding assistance to rehabilitate and reconstruct single family homes and replacement of manufactured housing affected by the October 2015 historic rainfall and flooding event. In addition to several inland counties, SCDRO is proposing to use CDBG-DR funds to assist homeowners in the eight coastal counties. The funding will be used to reconstruct or replace affected homes with the following caveats: the work will not expand or will minimally extend beyond the original footprint of the structures or unrepairable units will be replaced within the footprint of the original site. The review is submitted in accordance with HUD requirements and is also subject to the Federal Coastal Zone Management Act as a Federal Consistency Funding Assistance.

After reviewing the Consistency Determination and associated documents, the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (SCDHEC OCRM) concurs pursuant to that the proposed activity complies with the enforceable policies contained within the S. C. Coastal Zone Management Program (SCCZMP) pursuant to 15 C.F.R. § 930 Subpart F. This conditional concurrence is based upon the review of the *Guidelines for Evaluation of All Projects* as well as the (1) Residential Development, (2) Public Services and Facilities (water Supply) and (3) Stormwater Management (runoff) policies contained within the SCCZMP.

This letter does not alleviate Colleton County from the responsibility of obtaining other required local, state or federal approvals for the work described above. Please do not hesitate to contact me should you have any questions.

Sincerely,

*Curtis M. Joyner*

Curtis M. Joyner  
Manager, Coastal Zone Consistency Section, SCDHEC OCRM  
1362 McMillan Avenue, Suite 400  
Charleston, SC 29405  
843-953-0205  
[joynercm@dhec.sc.gov](mailto:joynercm@dhec.sc.gov)

cc: Rheta DiNovo, SCDHEC OCRM  
Jeannie Lewis, SCDHEC OCRM  
Derek Galose, Ardurra Group  
Angela Dahlgren, Ardurra Group

## APPENDIX D:

### Endangered Species

Oct. 11<sup>th</sup> 2016

Mr. Tim McCoy  
Field Supervisor  
Charleston Ecological Services Field Office  
176 Croghan Spur Road, Suite 200 Charleston, SC 29407  
Email: [thomas\\_mccoy@fws.gov](mailto:thomas_mccoy@fws.gov) Phone: 843.727.4707

**RE: South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) - Rehabilitation & Reconstruction of Single-Family Homes and Replacement of Manufactured Housing Unit's**

Dear Mr. McCoy:

The state of South Carolina was included into the Community Development Block Grant Disaster Recovery (CDBG-DR) program on December 18, 2015. In October 2015, South Carolina received unprecedented and historical rainfall and flooding. This heavy rainfall of over 20 inches across the state came from an upper atmospheric low-pressure system that funneled tropical moisture from Hurricane Joaquin. Heavy rainfall occurred across South Carolina during October 1–5, 2015, the storm caused major flooding from the central to the coastal areas of South Carolina to compute streamflow from monitored river stage. The floods caused loss of life and extensive damage to many dams, bridges, roads, homes, and businesses. South Carolina is proposing to use CDBG-DR funds to assist homeowners in the following disaster declared counties: Bamberg, Berkeley, Colhoun, Charleston, Clarendon, Colleton, Darlington, Dorchester, Fairfield, Florence, Georgetown, Greenwood, Greenville, Horry, Fairfield, Lee, Marion, Newberry, Orangeburg, Spartanburg, Sumter and Williamsburg, in achieving safe and code compliant housing that meets minimum property standards through rehabilitation, reconstruction and replacement of manufactured homes.

The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) is the responsible entity for completing the federally required environmental review in accordance with 24 CFR Part 58. SCDRO has retained the Ardurra Group to assist with the environmental review. For the NEPA review of the rehabilitation, reconstruction, and replacement of manufactured homes, SCDRO intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site specific reviews in areas of potential impact. To expedite environmental review while complying with Part 58 and other applicable laws and regulations, your determination of no affect or input on the need for individual consultation concerning compliance is sought for the following types of projects:

- Rehabilitation & Reconstruction of Single-Family Homes
  - The reconstruction work will not expand the original footprint of the structure if possible. If lot restrictions apply and the footprint must be expanded, the footprint will not be increased in a floodplain or a wetland.



- Replacement of Damaged Manufactured Housing Units (MHU) Deemed Unrepairable Through a Feasibility Review
  - The replacement of damaged MHUs will be replaced on the original site.

Please do not hesitate to contact me at 225-954-5136 or [dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com) should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink that reads "Derek A. Galose".

Derek A. Galose  
Environmental Manager  
Ardurra Group

CC: Angela L Dahlgren, Ardurra Group

CC: Eric Fosmire, SCDRO

**From:** Thomas McCoy <Thomas\_McCoy@fws.gov>  
**Sent:** Wednesday, October 12, 2016 7:25 AM  
**To:** Derek Galose  
**Subject:** RE: South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) Concurrence letter

Mr. Galose,  
My Deputy/Regulatory Supervisor will be contacting you regarding this project with some questions.

Thank you for your help.

Tom McCoy  
Field Supervisor/FERC Coordinator  
Department of the Interior - U.S. Fish and Wildlife Service  
South Carolina Ecological Services Field Office  
176 Croghan Spur Road, Suite 200  
Charleston, South Carolina 29407  
Main Phone Line: 843.727.4707 Direct Phone Line: 843.300.0431  
Fax: 843.300.0204  
E-mail: [thomas\\_mccoy@fws.gov](mailto:thomas_mccoy@fws.gov)

Please visit our Web Page for information about our office: [www.fws.gov/charleston](http://www.fws.gov/charleston)

NOTE: This email correspondence and any attachments to and from this sender is subject to the Freedom of Information Act (FOIA) and may be disclosed to third parties.

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**From:** Derek Galose [mailto:[dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com)]  
**Sent:** Tuesday, October 11, 2016 6:08 PM  
**To:** [thomas\\_mccoy@fws.gov](mailto:thomas_mccoy@fws.gov)  
**Subject:** South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) Concurrence letter

Dear Mr. McCoy

The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) is the responsible entity for completing the federally required environmental review in accordance with 24 CFR Part 58. SCDRO has retained the Ardurra Group to assist with the environmental review. For the NEPA review of the rehabilitation, reconstruction, and replacement of manufactured homes, SCDRO intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site specific reviews in areas of potential impact.

attached is a copy of the concurrence letter for your review we also mailed a hard copy.

Please feel free to contact me with any questions or concerns.

Thank you for your time.

Derek A. Galose  
Environmental Manager

Cell (225) – 954 – 5136

**Ardurra**  
Group

**From:** Mark Caldwell <mark\_caldwell@fws.gov>  
**Sent:** Wednesday, October 19, 2016 8:37 AM  
**To:** Derek Galose  
**Subject:** SCDRO Rehabilitation and Reconstruction

Dear Mr. Galose,

The Service has received your letter of October 11, 2016, requesting review and consultation on South Carolina's Community Block Grant Recovery Program authorizing reconstruction, rehabilitation, or replacement of homes damaged or lost during the October 2015 flooding event. In order for the Service to provide comments central to potential environmental impacts, specific proposals must be submitted (i.e. location of homes, presence and amount of natural resources, impact acreages, expansion proposal, etc.). Without specific information we cannot conduct a thorough review of impacts. In addition, as required by the Endangered Species Act of 1973 (ESA), it is the responsibility of the Federal agency, or their delegated representative, seeking consultation to first determine a potential effect upon threatened or endangered (T&E) species based on the proposed work. Once that determination is made concurrence is then sought from the Service.

The Service recognizes that many activities, such as the replacement of homes, typically do not pose a threat to T&E species or the surrounding environment. Such activities do not normally require a detailed review under the National Environmental Policy Act (NEPA) or the ESA. However, NEPA and ESA considerations must be accounted for. In order to assist requesting parties with projects of this nature the Service developed several clearance authorizations covering multiple topics that may be used to fulfill such needs. The clearance authorizations are found on our website [www.fws.gov/charleston/regulatory.html](http://www.fws.gov/charleston/regulatory.html). **The most relevant authorization applicable to your needs is the DOC\_HUD\_USDA Rural Development letter found under the General Guidance heading. This letter may be downloaded and serve as the Service's consultation for any project that meets the criteria in the letter.**

Please visit our website to review the information. If you have any questions on this matter please do not hesitate to contact me.

Mark

Mark A. Caldwell  
Deputy Field Supervisor  
U.S. Fish and Wildlife Service  
South Carolina Ecological Services  
176 Croghan Spur Road, Suite 200  
Charleston, SC 29407  
843-727-4707 ext 215  
843-300-0426 (direct line)  
843-727-4218 – facsimile

**This email correspondence and any attachments to and from this sender is subject to the Freedom of Information Act and may be disclosed to third parties.**



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

176 Croghan Spur Road, Suite 200  
Charleston, South Carolina 29407

### **U.S. Fish and Wildlife Service Clearance to Proceed with U.S. Department of Commerce, U.S. Department of Housing and Urban Development, and U.S. Department of Agriculture Projects**

The U.S. Fish and Wildlife Service (Service) is one of two lead Federal Agencies mandated with the protection and conservation of Federal trust resources, including threatened and endangered species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*) (ESA). The U.S. Department of Commerce (DOC), U.S. Department of Housing and Urban Development (HUD), as well as the U.S. Department of Agriculture (USDA) allocate grant funds for rural development projects. Accordingly, obligations under the ESA and the National Environmental Policy Act (NEPA) require HUD and USDA to perform an environmental impact review prior to a project's approval. Primarily, these projects involve repair, maintenance, or reconstruction of existing facilities on previously developed land.

Many of the DOC, HUD, and USDA projects result in no adverse impacts to federally protected species. In determining if your project will have an effect on federally protected species or designated critical habitat under the jurisdiction of the Service, we provide this guidance, relative to the criteria listed below, applicable to many DOC, HUD, and USDA project requests. If the project description falls in one of the categories and the Federal agency, or their designee, determines there is no effect or impact to federally protected species or designated critical habitat, no further action is required under section 7 of the ESA. Please note this guidance applies only to projects in South Carolina.

#### **Description of DOC, HUD, and USDA Projects Covered**

The following types of projects have been evaluated by the Service in accordance with ESA and NEPA:

1. Purchase machinery, equipment, and supplies for use in existing structures and buildings.
2. Finance or refinance existing structures or properties. Transfer of loans where the original lending or mortgage institutions for existing projects are no longer holding the loans and the properties transfer via back loans.
3. Construct, expand, maintain, remove, replace, or rehabilitate structures on developed or otherwise disturbed areas. Examples of developed or disturbed areas include paved, filled, graveled, routinely mowed vegetated grasses, agricultural fields, and pasturelands. Undeveloped areas are those sites where natural vegetation dominates.
4. New, refurbished, or expanded parking lots and amenities associated with existing or proposed private, commercial, or industrial developments that do not expand into previously undeveloped areas.
5. Implement streetscape beautification projects. Examples of these projects include the removal and replacement of existing sidewalks, curbing, or gutters; demolishing and

disposing of existing curbing; installing irrigation systems for plants; installing or replacing streetlights, benches, or trashcans; and installing handicap sidewalk ramps or new sidewalks within city limits in right of ways.

6. Repair, replace, or renovate existing wastewater treatment facilities, water supply facilities, and storm water facilities (such as drainage ditches and ponds) without expansion of the existing site boundary.
7. Install or replace pipelines or transmission lines using trenchless technology (directional drilling) techniques. Trenchless technology eliminates the need to disturb the environment caused by excavating and backfilling trenches.
8. Install or replace pipelines by trench and back fill within previously disturbed lands such as, but not limited to, maintained easements and transportation right of ways provided a protected species survey is performed and no protected species are found on the site.

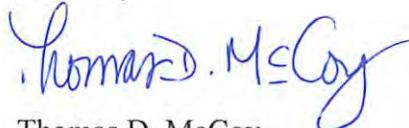
#### **Clearance to Proceed**

**For all projects that meet the criteria described and have no effect or impact upon federally protected species or designated critical habitat, no further coordination with the Service is necessary. This letter may be downloaded and serve as the Service's concurrence letter for your project.**

**Please note that obligations under the ESA must be reconsidered if: (1) new information reveals impacts of this identified action may affect any listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner which was not considered in this assessment; or (3) a new species is listed or critical habitat is designated that may be affected by the identified action.**

The Service recommends that project proponents contact the South Carolina Department of Natural Resources regarding potential impacts to State protected species. If the proposed project will impact streams and/or wetlands, please contact the U.S. Army Corps of Engineers, Charleston District. The Service appreciates your cooperation in the protection of federally listed species and their habitats in South Carolina.

Sincerely,



Thomas D. McCoy  
Field Supervisor

## APPENDIX E:

### Farmland Protection

Oct. 11<sup>th</sup> 2016

Ms. Ann English  
State Conservationist  
USDA Strom Thurmond Federal Building  
1835 Assembly Street Room 950 Columbia, SC 29201  
Email: ann.english@sc.usda.gov Phone: 803.253.3935

**RE: South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) - Rehabilitation & Reconstruction of Single-Family Homes and Replacement of Manufactured Housing Unit's**

Dear Ms. English:

The state of South Carolina was included into the Community Development Block Grant Disaster Recovery (CDBG-DR) program on December 18, 2015. In October 2015, South Carolina received unprecedented and historical rainfall and flooding. This heavy rainfall of over 20 inches across the state came from an upper atmospheric low-pressure system that funneled tropical moisture from Hurricane Joaquin. Heavy rainfall occurred across South Carolina during October 1-5, 2015, the storm caused major flooding from the central to the coastal areas of South Carolina to compute streamflow from monitored river stage. The floods caused loss of life and extensive damage to many dams, bridges, roads, homes, and businesses. South Carolina is proposing to use CDBG-DR funds to assist homeowners in the following disaster declared counties: Bamberg, Berkeley, Colhoun, Charleston, Clarendon, Colleton, Darlington, Dorchester, Fairfield, Florence, Georgetown, Greenwood, Greenville, Horry, Fairfield, Lee, Marion, Newberry, Orangeburg, Spartanburg, Sumter and Williamsburg, in achieving safe and code compliant housing that meets minimum property standards through rehabilitation, reconstruction and replacement of manufactured homes.

The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) is the responsible entity for completing the federally required environmental review in accordance with 24 CFR Part 58. SCDRO has retained the Ardurra Group to assist with the environmental review. For the NEPA review of the rehabilitation, reconstruction, and replacement of manufactured homes, SCDRO intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site specific reviews in areas of potential impact. To expedite environmental review while complying with Part 58 and other applicable laws and regulations, your determination of no affect or input on the need for individual consultation concerning compliance is sought for the following types of projects:

- Rehabilitation & Reconstruction of Single-Family Homes
  - The reconstruction work will not expand the original footprint of the structure if possible. If lot restrictions apply and the footprint must be expanded, the footprint will not be increased in a floodplain or a wetland.



- Replacement of Damaged Manufactured Housing Units (MHU) Deemed Unrepairable Through a Feasibility Review
  - The replacement of damaged MHUs will be replaced on the original site.

Please do not hesitate to contact me at 225-954-5136 or [dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com) should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink that reads "Derek A. Galose".

Derek A. Galose  
Environmental Manager  
Ardurra Group

CC: Angela L Dahlgren, Ardurra Group

CC: Eric Fosmire, SCDRO



Derek A. Galose  
Environmental Manager, Ardurra Group  
South Carolina Disaster Management Office  
632 Rosewood Drive  
Columbia, SC 29201

NOV 03 2016

**RE: South Carolina Department of Commerce, Disaster Recovery Office - Rehabilitation and Reconstruction of Single-Family Homes and Replacement of Manufactured Housing Units**

Dear Mr. Galose,

The Natural Resources Conservation Service (NRCS) in South Carolina appreciates the opportunity to comment on the National Environmental Policy Act determination required for utilizing Community Development Block Grant Disaster Recovery (CDBG-DR) program funds to address impacts from the historic October 2015 floods in South Carolina.

We understand that you are proposing to use CDBG-DR funds to assist homeowners in specific disaster declared counties in South Carolina to achieve safe and code compliant housing, which meets minimum property standards through rehabilitation, reconstruction and replacement of manufactured homes. The counties identified include Bamberg, Berkeley, Calhoun, Charleston, Clarendon, Colleton, Darlington, Dorchester, Fairfield, Florence, Georgetown, Greenwood, Greenville, Horry, Kershaw, Lee, Marion, Newberry, Orangeburg, Spartanburg, Sumter and Williamsburg.

We agree there will be no effect to Prime Farm Land and/or Wetlands in South Carolina as a result of the listed work:

1. Rehabilitation and reconstruction of single-family homes.
  - Reconstruction work will not expand the original footprint of the structure if possible.
  - If lot restrictions apply and the footprint must be expanded, the footprint will not be increased in a floodplain or a wetland.
2. Replacement of damaged manufactured housing units (MHU) deemed unrepairable through a feasibility review.
  - Replacement of damaged MHUs will be replaced on the original site.

Thank you for the opportunity to comment. Please let me know if you require any additional information.

Sincerely,

ANN ENGLISH  
State Conservationist

cc:

Jerome Brown, State Resources Conservationist, NRCS, Columbia, SC

Natural Resources Conservation Service  
1835 Assembly Street, Room 950  
Columbia, South Carolina 29201  
(803) 253-3935  
Fax: (855) 563-9308  
**Helping People Help the Land**  
*An Equal Opportunity Provider and Employer*

## APPENDIX F:

### Historic Preservation

Oct. 11<sup>th</sup> 2016

Dr. W. Eric Emerson  
SHPO DEPARTMENT OF ARCHIVES & HISTORY  
8301 PARKLANE ROAD COLUMBIA, SC 29223-4905  
Email: [eemerson@scdah.state.us](mailto:eemerson@scdah.state.us) Phone: 803.896.6167

**RE: South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) - Rehabilitation & Reconstruction of Single-Family Homes and Replacement of Manufactured Housing Unit's**

Dear Dr. Emerson:

The state of South Carolina was included into the Community Development Block Grant Disaster Recovery (CDBG-DR) program on December 18, 2015. In October 2015, South Carolina received unprecedented and historical rainfall and flooding. This heavy rainfall of over 20 inches across the state came from an upper atmospheric low-pressure system that funneled tropical moisture from Hurricane Joaquin. Heavy rainfall occurred across South Carolina during October 1-5, 2015, the storm caused major flooding from the central to the coastal areas of South Carolina to compute streamflow from monitored river stage. The floods caused loss of life and extensive damage to many dams, bridges, roads, homes, and businesses. South Carolina is proposing to use CDBG-DR funds to assist homeowners in the following disaster declared counties: Bamberg, Berkeley, Colhoun, Charleston, Clarendon, Colleton, Darlington, Dorchester, Fairfield, Florence, Georgetown, Greenwood, Greenville, Horry, Fairfield, Lee, Marion, Newberry, Orangeburg, Spartanburg, Sumter and Williamsburg, in achieving safe and code compliant housing that meets minimum property standards through rehabilitation, reconstruction and replacement of manufactured homes.

The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) is the responsible entity for completing the federally required environmental review in accordance with 24 CFR Part 58. SCDRO has retained the Ardurra Group to assist with the environmental review. For the NEPA review of the rehabilitation, reconstruction, and replacement of manufactured homes, SCDRO intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site specific reviews in areas of potential impact. To expedite environmental review while complying with Part 58 and other applicable laws and regulations, your determination of no affect or input on the need for individual consultation concerning compliance is sought for the following types of projects:

- Rehabilitation & Reconstruction of Single-Family Homes
  - The reconstruction work will not expand the original footprint of the structure if possible. If lot restrictions apply and the footprint must be expanded, the footprint will not be increased in a floodplain or a wetland.
- Replacement of Damaged Manufactured Housing Units (MHU) Deemed Unrepairable Through a Feasibility Review



- The replacement of damaged MHUs will be replaced on the original site.

Please do not hesitate to contact me at 225-954-5136 or [dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com) should you have any questions or require additional information.

Sincerely,

Derek A. Galose  
Environmental Manager  
Ardurra Group

CC: Angela L Dahlgren, Ardurra Group

CC: Eric Fosmire, SCDRO

**From:** Sylvest, John <JSylvest@scdah.sc.gov>  
**Sent:** Tuesday, October 18, 2016 4:49 PM  
**To:** Derek Galose  
**Cc:** Johnson, Elizabeth  
**Subject:** RE: Tier I reviews for the SCDRO of the South Carolina Department of Commerce

Derek,

Thank you for your October 11 letter. Our input regarding the types of projects you raised is as follows. Of course, this all takes into account the signing of the HUD Addendum to the FEMA PA by SCDRO and all parties, as well as your approval as qualified preservation professional:

Rehabilitation and Reconstruction of Single-Family Homes: Rehabs of buildings less than 45 years old would be excluded per I.B.1 of the FEMA PA. Otherwise, other specific rehab activities can be excluded primarily under II.'s Tier Two Allowances, regardless of building age. Demolition and/or Reconstruction to buildings less than 45 years old would be excluded per II.B.11. If a building is well over 45 years old and its activities (rehab, demolition and/or reconstruction) are not excluded from review per the Allowances then standard Section 106 consultation is recommended.

Replacement of MHU's: These would also be addressed by the above citations. However, while the FEMA PA does not specifically address MHU's (i.e. mobile homes), our office has no concerns with repairs to, or demolition or replacement of any MHU, regardless of age. Consultation with our office for MHU projects is not necessary. However you want to discuss documenting this for your HUD environmental record may need further discussion with Nancy Boone or Lenwood Smith at HUD.

I hope this helps. I will be out on paternity leave any time now for much of the next month. If you have any questions in the meantime you can always try Elizabeth Johnson, copied, if I'm unreachable or unresponsive.

Thanks,

John D. Sylvest  
South Carolina Department of Archives and History  
State Historic Preservation Office (SHPO)  
8301 Parklane Road  
Columbia, SC 29223  
phone: 803.896.6129 fax: 803.896.6167  
SHPO Website: <http://shpo.sc.gov>

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**From:** Derek Galose [mailto:[dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com)]  
**Sent:** Thursday, October 13, 2016 1:54 PM  
**To:** Sylvest, John  
**Subject:** RE: Tier I reviews for the SCDRO of the South Carolina Department of Commerce

John,

I have attached a letter explaining the Program and that we will be conducting a Tiered Environmental Review for the SCDRO Single Family Housing Recovery Program. The letter was also mailed to your office.

I know how slammed you can get! I used to work at the Louisiana SHPO as a 106 Reviewer for all Disaster Recovery Projects.

Before I call you tomorrow I wanted to send you a brief overview below of how we will be conducting the Tier I review.

The Tier 1 review addresses and analyzes those environmental impacts related to the proposed activities that might occur on a typical site within the geographic area. This includes examining the applicable laws and authorities (e.g., floodplains, coastal zones, wetlands, aboveground storage tanks, etc.). For example, if the target area is not within a 100-year floodplain or a coastal zone management area, none of the project sites will be affected no matter where they are located in the target area. On the other hand, if a portion of the target area is within a 100-year floodplain, then the grantee must complete the required compliance process to decide whether to fund any future projects within the floodplain, including whether mitigation measures are feasible.

For activities requiring an environmental assessment, the Tier 1 review must also assess project effects related to a longer list of environmental factors (e.g., compatibility with surrounding land uses, conformance with zoning plans, nuisances that affect site safety, displacement of people or businesses, solid waste management, etc.).

In short, a tiered review focuses on a targeted geographic area (i.e., maximum size is a single census tract) to address and analyze environmental impacts related to the proposed activities that might occur on a typical project site within that area. The specific addresses/locations of the individual properties are not known at this time. However, once individual project sites are located any remaining environmental compliance issues that could not be resolved until project locations became known are now completed, according to standards for approval previously established for the target area.

Thank you for your time!

**Derek A. Galose**  
Environmental Manager  
South Carolina Disaster Management Office  
632 Rosewood Dr., Columbia, SC 29201  
(t) 225.954.5136  
[www.ardurragroup.com](http://www.ardurragroup.com)



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**From:** Sylvest, John [<mailto:JSylvest@scdah.sc.gov>]  
**Sent:** Thursday, October 13, 2016 11:49 AM  
**To:** Derek Galose <[dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com)>  
**Subject:** RE: Tier I reviews for the SCDRO of the South Carolina Department of Commerce

Hi Derek,

I would point you to our Section 106 review guidance pages at <http://shpo.sc.gov/programs/revcomp/Pages/default.aspx> and call me soon if you have any questions. Otherwise, frankly I am slammed right now with projects and am on hold for paternity leave any time in the next two weeks.

For any project requiring consultation with our office we would want our Section 106 Project Review Form or a cover letter containing all equivalent information and findings pursuant to 36 CFR 800, photographs and maps of the project area, and any associated drawings, plans, background research, records of consultation with other consulting parties, etc. that would be applicable. All this is referenced on our website and in the Section 106 regulations documentation standards. The FEMA PA touches it on it as well.

The HUD PA being finalized now will not be applicable to you. It is for direct HUD undertakings under Part 50 of their regs, not Part 58 responsible entity undertakings.

Look forward to working with you as well. Thanks,

John D. Sylvest  
South Carolina Department of Archives and History  
State Historic Preservation Office (SHPO)  
8301 Parklane Road  
Columbia, SC 29223  
phone: 803.896.6129 fax: 803.896.6167  
SHPO Website: <http://shpo.sc.gov>

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**From:** Derek Galose [<mailto:dgalose@ardurragroup.com>]  
**Sent:** Thursday, October 13, 2016 10:51 AM  
**To:** Sylvest, John  
**Subject:** Tier I reviews for the SCDRO of the South Carolina Department of Commerce

Good Morning John,

I was given your information from Eric Fosmire with SCDRO of the South Carolina Department of Commerce. I wanted to see if you would have some time tomorrow so I could meet with you and explain the program and how we will be conducting the Environmental Reviews and also discuss how you would like the reviews designed for your review.

I will be on the 11:00am call today about the HUD South Carolina Tribal Consultation for HUD Addendum to the FEMA PA.

I also have some questions about which PA we should follow to conduct our reviews because I saw your office has a draft PA between HUD Region IV for HUD-Funded Activities.

I look forward to working with you.

Best regards,

Derek

**Derek A. Galose**

**Environmental Manager**

South Carolina Disaster Management Office

632 Rosewood Dr., Columbia, SC 29201

(t) 225.954.5136

[www.ardurragroup.com](http://www.ardurragroup.com)

Ardurra  
Group

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICE,  
THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION,  
AND TRIBES PARTICIPATING AS INVITED SIGNATORIES**

8 WHEREAS, the mission of the Federal Emergency Management Agency (FEMA) of the  
9 Department of Homeland Security is to support our citizens and first responders to ensure that as  
10 a nation we work together to build, sustain, and improve our capability to prepare for, protect  
11 against, respond to, recover from, and mitigate all hazards; and

12       **WHEREAS**, FEMA makes assistance available to States, Commonwealths, communities,  
13       Federally recognized Indian Tribes (Tribes) and other eligible entities through programs  
14       (Programs) set forth in Appendix A, pursuant to the Homeland Security Act of 2002, Pub. L. No.  
15       107-296 (2002) (codified as amended at 6 U.S.C. § 101 *et seq.*); Robert T. Stafford Disaster  
16       Relief and Emergency Assistance Act, Pub. L. No. 93-288 (1974) (codified as amended at 42  
17       U.S.C. § 5121 *et seq.*, (Stafford Act)); the National Flood Insurance Act of 1968, Pub. L. No. 90-  
18       448 (1968) (as amended); the National Flood Insurance Reform Act of 1994, Pub. L. No. 103-325  
19       (1994) (as amended); the Post-Katrina Emergency Management Reform Act of 2006, Pub. L. No.  
20       109-295 (2006) (as amended); implementing regulations contained in Title 44 of the Code of  
21       Federal Regulations (CFR), Executive Order 13407 (2006), and such other acts, executive orders,  
22       implementing regulations, or Congressionally authorized programs as are enacted from time to  
23       time; and

25       **WHEREAS**, FEMA has determined that implementing its Programs may result in **Undertakings**  
26 (as defined by 16 U.S.C. § 470w and 36 CFR § 800.16(y)) that may affect properties listed in or  
27 eligible for listing in the National Register of Historic Places (National Register) pursuant to 36  
28 CFR Part 60 (historic properties), and FEMA has consulted with the South Carolina State Historic  
29 Preservation Officer (SHPO) pursuant to Section 106 of the National Historic Preservation Act  
30 (NHPA), Pub. L. No. 89-665 (1966) (codified as amended at 16 U.S.C. § 470f), and the  
31 regulations implementing Section 106 of the NHPA (Section 106) at 36 CFR Part 800; and

33   **WHEREAS**, FEMA, the Advisory Council on Historic Preservation (AHP) and the National  
34 Conference of State Historic Preservation Officers (NCSHPO) have determined that FEMA's  
35 Section 106 requirements can be more effectively and efficiently implemented and delays to the  
36 delivery of FEMA assistance minimized if a programmatic approach is used to stipulate roles and  
37 responsibilities, exempt certain Undertakings from Section 106 review, establish protocols for  
38 consultation, facilitate identification and evaluation of historic properties, and streamline the  
39 assessment and resolution of adverse effects; and

41 **WHEREAS**, FEMA has developed a Prototype Programmatic Agreement (FEMA Prototype  
42 Agreement) pursuant to 36 CFR § 800.14(b)(4) in consultation with the ACHP and NCSHPO to  
43 serve as a basis for negotiation of a State specific Programmatic Agreement (Agreement) with the  
44 SHPO, State Emergency Management Agency, and participating Tribe(s); and

45  
46 **WHEREAS**, this Agreement conforms to the FEMA Prototype Agreement as designated by the  
47 ACHP on December 17, 2013 and therefore does not require the participation or signature of the  
48 ACHP; and  
49  
50 **WHEREAS**, in order to implement its Programs, FEMA will provide assistance to the State of  
51 South Carolina (Grantee) that may provide monies and other assistance to eligible subgrantees,  
52 and as such, the South Carolina Emergency Management Division that is typically responsible for  
53 administering funds provided under these Programs has participated in this consultation, and  
54 FEMA has invited the South Carolina Emergency Management Division to execute this  
55 Agreement as an Invited Signatory; and  
56  
57 **WHEREAS**, FEMA also may directly perform its own Undertakings pursuant to this Agreement;  
58 and  
59  
60 **WHEREAS**, in anticipation or in the immediate aftermath of an event, impacted communities  
61 and the State of South Carolina, and affected Tribes, may conduct critical preparedness, response  
62 and recovery activities to safeguard public health and safety and/or to restore vital community  
63 services and functions before, during, and or following an event. Some of these activities may  
64 become Undertakings requiring Section 106 review subject to the terms of this Agreement, and  
65 FEMA shall coordinate the appropriate review as warranted; and  
66  
67 **WHEREAS**, FEMA has determined that its Programs may result in Undertakings with the  
68 potential to affect historic properties having religious and cultural significance to Tribes,  
69 including sites that may contain human remains and/or associated cultural items; and  
70  
71 **WHEREAS**, FEMA recognizes that the Catawba Indian Nation, Cherokee Nation of Oklahoma,  
72 Eastern Band of Cherokee Indians, Eastern Shawnee Tribe of Oklahoma, Seminole Nation of  
73 Oklahoma, Seminole Tribe of Florida, Shawnee Tribe, Thlophlocco Tribal Town, and United  
74 Keetoowah Band of Cherokee Indians Tribes may have sites of religious and cultural significance  
75 on or off Tribal lands [as defined in 36 CFR § 800.16(x)], and in meeting its Federal trust  
76 responsibility, FEMA has engaged in government-to-government consultation with the Tribe(s),  
77 and pursuant to 36 CFR § 800.2 (c)(2)(ii)(E) has invited the Tribe(s) to enter into an agreement  
78 that specifies how FEMA and the Tribe(s) will carry out Section 106 responsibilities, including  
79 the confidentiality of information; and  
80  
81 **WHEREAS**, the Catawba Indian Nation has assumed the responsibilities of the SHPO in its/their  
82 Tribal lands through appointment of a Tribal Historic Preservation Officer (THPO) in accordance  
83 with Section 101 of the NHPA, and FEMA shall consult with the THPO in lieu of the SHPO for  
84 Undertakings occurring on or affecting its/their Tribal lands; and  
85  
86 **WHEREAS**, notwithstanding the aforementioned invitation to enter into an agreement, FEMA  
87 has invited the Catawba Indian Nation, Cherokee Nation of Oklahoma, Eastern Band of Cherokee  
88 Indians, Eastern Shawnee Tribe of Oklahoma, Seminole Nation of Oklahoma, Seminole Tribe of  
89 Florida, Shawnee Tribe, Thlophlocco Tribal Town, and United Keetoowah Band of Cherokee

SC HP PA  
Executed

90 Indians Tribes to enter into this Agreement as signatory parties to fulfill the requirements of  
91 Section 106; and

92  
93 **WHEREAS**, no Tribe(s) have agreed to enter into a separate Programmatic Agreement or other  
94 agreement with FEMA; and

95  
96 **WHEREAS**, no Tribe(s) have declined to enter into this Agreement as a signatory party; and

97  
98 **WHEREAS**, Cherokee Nation of Oklahoma, Eastern Band of Cherokee Indians, Eastern  
99 Shawnee Tribe of Oklahoma, Seminole Nation of Oklahoma, Seminole Tribe of Florida, Shawnee  
100 Tribe, Thlophlocco Tribal Town, and United Keetoowah Band of Cherokee Indians Tribes  
101 Tribes(s) have not responded to FEMA's invitation to enter into this Agreement as a signatory  
102 party; and

103  
104 **WHEREAS**, FEMA may invite additional Tribes that have sites of religious and cultural  
105 significance to enter into the terms of this Agreement as invited signatories or concurring parties  
106 in accordance with 36 CFR § 800.14(f), and nothing in this Agreement prevents a Tribe from  
107 entering into a separate Programmatic Agreement or other agreement with FEMA for  
108 administration of FEMA Programs; and

109  
110 **WHEREAS**, the terms of this Agreement shall not apply to Undertakings on or affecting Tribal  
111 lands without prior execution of the Agreement by the affected Tribe(s); and

112  
113 **WHEREAS**, for the review of specific Undertakings under this Agreement, FEMA may invite  
114 other agencies, organizations, and individuals to participate as consulting parties; and

115  
116 **NOW, THEREFORE**, FEMA, the Grantee(s), SHPO, and participating Tribes (Signatories)  
117 agree that FEMA Programs in the State of South Carolina and/or on Tribal lands shall be  
118 administered in accordance with the following Stipulations to satisfy FEMA's Section 106 and  
119 Section 110 responsibilities for all resulting Undertakings and effectively integrate historic  
120 preservation compliance considerations into the delivery of FEMA assistance. FEMA will not  
121 authorize implementation of an individual Undertaking until Section 106 review is completed  
122 pursuant to this Agreement.

123  
124 **STIPULATIONS**

125  
126 To the extent of its legal authority, and in coordination with other Signatories, FEMA shall ensure  
127 that the following measures are implemented:

128 **I. GENERAL**

129  
130 **A. Applicability**

132 1. The execution of this Agreement supersedes the terms of the previously executed  
133 Programmatic Agreement in the State of South Carolina dated May 12, 2004.

134

135 2. For FEMA Undertakings that also are within the jurisdiction of the Federal  
136 Communications Commission (FCC) and within the scope of its Section 106  
137 Programmatic Agreements for communication facilities, FEMA defers Section 106  
138 review in accordance with the ACHP Program Comment of October 23, 2009. The  
139 approval of funding for the FEMA Undertaking shall be conditioned upon the  
140 compliance of the sub-grantee with FCC's applicable Section 106 review, including  
141 any required consultation with Tribes. FEMA shall notify the SHPO/THPO when it  
142 applies the ACHP Program Comment to an Undertaking. FEMA remains responsible  
143 for any FEMA Undertakings it determines are outside the jurisdiction of FCC.

144

145 3. In the event of a Stafford Act major disaster or emergency declaration (Declaration),  
146 State, Tribal and local governments may lack the capability to perform or to contract  
147 for emergency work, and instead request that the work be accomplished by a Federal  
148 agency. Through a mission assignment (MA), FEMA may direct appropriate Federal  
149 agencies to perform the work. This Agreement shall apply to such Federal assistance  
150 undertaken by or funded by FEMA pursuant to Titles IV and V of the Stafford Act and  
151 44 CFR Part 206.

152

153 4. FEMA may utilize this Agreement to fulfill its Section 106 responsibilities and those  
154 of other Federal agencies that designate FEMA as the lead Federal agency pursuant to  
155 36 CFR § 800.2(a)(2) with appropriate notification to the other Signatories and the  
156 ACHP regarding Undertakings that fall within the scope of this Agreement. When  
157 FEMA is not designated as the lead Federal agency, all Federal agencies, including  
158 FEMA, remain individually responsible for their compliance with Section 106.

159

160 5. If another Federal program or Federal agency has concluded Section 106 consultation  
161 review and approved an Undertaking within the past five years, FEMA has no further  
162 requirement for Section 106 review regarding that Undertaking provided that FEMA:

163 a. adopts the findings and determinations of the previous agency;

164 b. confirms that the scope and effect [as defined by 36 CFR § 800.16(i)] of its  
165 Undertaking are the same as that of the Undertaking reviewed by the previous  
166 agency, and;

167 c. determines that the previous agency complied with Section 106 appropriately.

168 FEMA shall document these findings in its project file in order to confirm that the  
169 requirements of Section 106 have been satisfied. Should FEMA, in consultation with  
170 SHPO and participating Tribes, determine that the previous Section 106 review was  
171 insufficient or involved interagency disagreements about eligibility, effect, and/or

172 treatment measures, FEMA shall conduct additional Section 106 consultation in  
173 accordance with the terms of this Agreement.

174  
175 6. With the written concurrence of the Signatories, other Federal agencies providing  
176 financial assistance for the type of activities covered under the terms of this  
177 Agreement as outlined in Appendix A may satisfy their Section 106 responsibilities  
178 for such activities by accepting and complying in writing with the terms of this  
179 Agreement.

180  
181 a. Other Federal Agencies may include States and units of local government who  
182 have assumed environmental responsibilities of the U.S. Department of Housing  
183 and Urban Development and, acting as the Responsible Entity pursuant to 24 CFR  
184 Part 58, are responsible for environmental review, decision-making and action.

185  
186 b. In such situations, the other Federal Agency shall notify the Signatories in writing  
187 of its intent to use this Agreement to achieve compliance with its Section 106  
188 requirements, and consult with the Signatories regarding its Section 106  
189 compliance responsibilities. Resumes of staff who meet the Secretary of the  
190 Interior's (Secretary's) Professional Qualifications Standards (Professional  
191 Qualifications) set forth in the Federal Register at 48 Fed. Reg. 44716-01  
192 (September 29, 1983), as amended, and will review Second Tier projects in  
193 accordance with Appendix B of this Agreement shall be provided to FEMA and  
194 the SHPO/THPO.

195  
196 7. FEMA has determined that the following types of activities have limited or no  
197 potential to affect historic properties and FEMA has no further Section 106  
198 responsibilities with regards to them, pursuant to 36 CFR § 800.3(a)(1):

199  
200 a. Pursuant to 44 CFR § 206.110(m), assistance to individuals and households  
201 provided under 44 CFR Part 206, Subpart D and Section 408 of the Stafford Act,  
202 including funding for owner occupied home repair and replacement, content  
203 replacement, personal property, transportation and healthcare expenses, is exempt  
204 from the provisions of Section 106. For ground disturbing activities, and  
205 construction related to 44 CFR §§ 206.117(b)(1)(ii) (temporary housing),  
206 206.117(b)(3) (replacement housing), 206.117(b)(4) (permanent housing  
207 construction), 206.117(c)(1)(vi) (repair or replacement of privately owned access  
208 routes), and repair of multi-family housing units, FEMA shall conduct Section 106  
209 review.

210  
211 b. Administrative actions such as personnel actions, travel, procurement of services,  
212 supplies (including vehicles and equipment) for the support of day-to-day and  
213 emergency operational activities, and the temporary storage of goods provided  
214 storage occurs within existing facilities or on previously disturbed soils.

- 216       c. Granting of variances, and actions to enforce Federal, State, or local codes,  
217            standards or regulations.
- 218
- 219       d. Monitoring, data gathering, and reporting in support of emergency and disaster  
220            planning, response and recovery, and hazard activities.
- 221
- 222       e. Research and development of hazard warning systems, hazard mitigation plans,  
223            codes and standards, and education/public awareness programs.
- 224
- 225       f. Assistance provided for planning, studies, design and engineering costs that  
226            involve no commitment of resources other than staffing and associated funding.
- 227
- 228       g. Assistance provided for training, management and administration, exercises, and  
229            mobile/portable equipment purchases; with the exception of potential ground-  
230            disturbing activities and modification of existing structures.
- 231
- 232       h. Community Disaster Loans for funding to perform governmental functions for any  
233            eligible jurisdiction in a designated disaster area that has suffered a substantial loss  
234            of tax and other revenue.
- 235
- 236       i. Funding the administrative action of acquisition or lease of existing facilities  
237            where planned uses conform to past use or local land use requirements.
- 238
- 239       j. Funding the administrative action of acquiring properties in acquisition projects,  
240            including the real estate transaction.
- 241
- 242       k. Labor, equipment and materials used to provide security in the Declaration area,  
243            including lease, rental, purchase or repair of equipment or vehicles and payment  
244            for staff and contract labor.
- 245
- 246       l. Application of pesticides to reduce adverse public health effects, including aerial  
247            and truck-mounted spraying.
- 248
- 249       m. Unemployment assistance.
- 250
- 251       n. Distribution of food coupons.
- 252
- 253       o. Legal services.
- 254
- 255       p. Crisis counseling.
- 256
- 257       8. Any FEMA Programs authorized by the United States Congress in the future may be  
258            included in this Agreement in accordance with Stipulation IV.A, Amendments. Any  
259            change in the FEMA name, Programs, or organizational structure shall not affect this  
260            Agreement.

261                   B. Roles and Responsibilities of the Signatories

262                   1. FEMA:

265                   a. FEMA shall use Federal, Tribal, State, subgrantee, or contractor staff whose  
266                   qualifications meet the Secretary's Professional Qualifications in completing  
267                   identification and evaluation of historic properties and in making determinations of  
268                   effects. FEMA shall review any National Register eligibility determination and  
269                   make its own findings of effect resulting from the performance of these activities  
270                   prior to submitting such determinations to the SHPO and participating Tribes.

272                   i. FEMA acknowledges that Tribes possess special expertise in assessing the  
273                   National Register eligibility of properties with religious and cultural  
274                   significance to them. Tribal organization leaders, and as appropriate, their  
275                   representatives, shall decide who meets qualifications/standards as defined by  
276                   their Tribes for review of Undertakings affecting properties with religious and  
277                   cultural significance to them.

279                   b. FEMA alone shall conduct all Section 106 consultation with Tribes. In accordance  
280                   with 36 CFR § 800.2(c)(4), FEMA may authorize the Grantee(s), or a subgrantee  
281                   through the Grantee(s), to initiate the Section 106 process with the SHPO and  
282                   other consulting parties, assist in identifying other consulting parties with a  
283                   demonstrated interest in the Undertaking, and prepare any necessary analyses and  
284                   documentation, but FEMA shall remain responsible for determinations of National  
285                   Register eligibility and findings of effect recommended by the authorized party.  
286                   FEMA shall follow the process set forth in Stipulation I.B.1(a), FEMA Roles and  
287                   Responsibilities, and notify the SHPO in writing when a Grantee or subgrantee has  
288                   been authorized to initiate consultation on FEMA's behalf.

290                   c. Prior to authorizing the release of funds for individual Undertakings requiring  
291                   grant conditions pursuant to this Agreement, FEMA shall inform the Grantee(s) of  
292                   all stipulations and conditions and ensure that they are understood so they can be  
293                   adequately conveyed to the subgrantee. FEMA shall work in partnership with the  
294                   Grantee(s) to provide subgrantees with guidance on in-kind repair pursuant to *The*  
295                   *Secretary of the Interior's Standards for the Treatment of Historic Properties 1995*  
296                   *(Standards)*, 36 CFR Part 68, or the most updated version, and techniques to avoid  
297                   or minimize adverse effects to historic properties.

299                   d. FEMA shall provide the other Signatories and the ACHP with an annual report for  
300                   the previous calendar year by June 30th of each year that this Agreement is in  
301                   effect. This annual report will summarize the actions taken to implement the terms  
302                   of this Agreement, statistics on Undertakings reviewed, and recommend any  
303                   actions or revisions to be considered, including updates to the appendices.

305 e. FEMA shall confer annually and as necessary with the other Signatories within 30  
306 days after issuance of the annual report, to review the report and/or discuss issues  
307 and concerns in greater detail. This review shall occur in person or by telephone  
308 as determined by FEMA.  
309

310 f. FEMA shall notify the SHPO and affected Tribes, as soon as practicable,  
311 following a Declaration to provide specific points of contact and other pertinent  
312 information about the Declaration.  
313

314 g. FEMA may convene an initial scoping meeting with the Signatories and other  
315 interested parties as soon as practicable after each Declaration to address  
316 Declaration-specific issues and procedures.  
317

318 h. FEMA shall ensure that all documentation resulting from Undertakings reviewed  
319 pursuant to this Agreement is consistent with applicable SHPO and Tribal  
320 guidelines and the confidentiality provisions of 16 U.S.C. § 470w-3 and 36 CFR §  
321 800.11(c).

322 2. SHPO:

323 a. SHPO shall review FEMA's determination of the Areas of Potential Effects  
324 (APE), National Register eligibility determinations, and FEMA's effect findings  
325 and respond within timeframes required by this Agreement.  
326

327 b. Upon request, the SHPO shall provide FEMA and/or its designee(s) with available  
328 information about historic properties (such as access to online systems or site files,  
329 GIS data, survey information, geographic areas of concern). Such data sharing  
330 may be memorialized in an agreement. Only Qualified FEMA staff and/or  
331 designee(s) shall be afforded access to protected historic property information.  
332

333 c. The SHPO shall identify staff or consultants to assist FEMA staff with their  
334 Section 106 responsibilities, and identify, in coordination with FEMA, those  
335 activities within the Section 106 review process that SHPO may perform for  
336 specific Undertakings as agreed in writing with FEMA.  
337

338 d. As requested, SHPO staff shall be reasonably available as a resource and for  
339 consultation through site visits, written requests, telephone conversations or  
340 electronic media. In those instances where consultation with SHPO has occurred,  
341 FEMA shall provide a written summary via e-mail or regular mail to SHPO,  
342 including any decisions that were reached.  
343

344 e. The SHPO may delegate some or all of its responsibilities under this Agreement to  
345 one or more Liaisons to serve as a dedicated point of contact for consultation with  
346 FEMA. The SHPO shall confer with FEMA about the selection of any Liaisons,  
347

348 the scope of responsibilities delegated and related implementing procedures.  
349 SHPO shall formally document these decisions for concurrence by FEMA.  
350 Liaisons are not required to be members of the SHPO staff.

351

352 f. The SHPO shall participate in an initial scoping meeting for a Declaration.

353

354 g. The SHPO may assist local jurisdictions and/or the Grantee(s) in the State of South  
355 Carolina with advance planning efforts to consider historic properties in the  
356 context of homeland security considerations, including disaster preparedness,  
357 response, recovery, and mitigation programs for which FEMA funding may be  
358 requested.

359

360 h. The SHPO shall coordinate with FEMA, to identify consulting parties, including  
361 any communities, organizations, or individuals that may have an interest in a  
362 specific Undertaking and its effects on historic properties.

363

364 i. The SHPO shall participate in annual reviews convened by FEMA to review the  
365 effectiveness of this Agreement in accordance with Stipulation I.B.1(e).

366 3. Grantee(s):

367

368 a. The Grantee(s) shall ensure that their subgrantees understand and acknowledge  
369 conditions and potential requirements that may be placed upon Undertakings as a  
370 result of Section 106 consultation and the provisions of this Agreement.

371

372 b. The Grantee(s) shall participate in an initial scoping meeting for a Declaration.

373

374 c. The Grantee(s) shall ensure that their subgrantees understand that failure to comply  
375 with any project-specific conditions that have been placed on their grants could  
376 jeopardize FEMA funding.

377

378 d. The Grantee(s) shall notify FEMA as soon as possible of any proposed change to  
379 the approved scope of work. The Grantee(s) shall direct their subgrantee not to  
380 implement the changes to the proposed scope of work until any additional review  
381 required by this Agreement is complete.

382

383 e. The Grantee(s) shall ensure that its subgrantees are made aware that in the event of  
384 an unexpected discovery involving an Undertaking that has affected a previously  
385 unidentified historic property or human remains, or affected a known historic  
386 property in an unanticipated manner, the subgrantee will comply with Stipulation  
387 III.B, Unexpected Discoveries, Previously Unidentified Properties, or Unexpected  
388 Effects.

389

390 f. The Grantee(s) shall ensure that in its subgrant agreements, any scope of work  
391 involving ground disturbance, and resultant contracts to execute said work, provide  
392 for the protection of and notification protocols for unexpected discoveries or  
393 unexpected effects to historic properties and human remains.

394

395 g. If a Signatory Tribe assumes the role of Grantee for projects on Tribal lands, the  
396 Tribe shall assume the same responsibilities as outlined in Stipulation I.B.3 of this  
397 Agreement, Roles and Responsibilities of the Signatories.

398 C. Tribal Organization Consultation

400 1. For FEMA Undertakings on Tribal lands or affecting properties of religious and  
401 cultural significance, and where no tribe-specific consultation agreements or protocols  
402 are in place, FEMA shall consult with affected Tribes in accordance with 36 CFR Part  
403 800. In determining who the affected Tribes may be, FEMA will first establish that it  
404 is a type of Undertaking with potential to affect historic properties with religious and  
405 cultural significance and may consult with the SHPO, Tribe(s), any State Tribal  
406 Agency, and access the National Park Service (NPS) Native American Consultation  
407 Database or other tools to identify geographic tribal interests. Appendix D lists  
408 individual Tribe's areas of interest, project-type interest, and preferred method of  
409 communication.

410

411 2. To the extent permitted by Section 304 of the NHPA, Section 9(a) of the  
412 Archeological Resources Protection Act (ARPA) (16 U.S.C. §470aa – 470mm), and  
413 any other applicable laws, FEMA shall ensure it withholds information protected by  
414 such laws from public disclosure.

415

416 3. FEMA shall invite affected Tribes to participate in the initial scoping meeting within  
417 their geographic area of interest for each Declaration.

418 D. Public Participation

419 1. FEMA recognizes that the views of the public are essential to informed decision  
420 making throughout the Section 106 consultation process. FEMA shall notify the public  
421 of proposed Undertakings in a manner that reflects the nature, complexity, significance  
422 of historic properties likely affected by the Undertaking, the likely public interest  
423 given FEMA's specific involvement, and any confidentiality concerns of Tribes,  
424 private individuals and businesses.

425

426 2. FEMA may consult with the Grantee(s), subgrantee, SHPO, participating Tribes, and  
427 other consulting parties to determine if there are individuals or organizations with a  
428 demonstrated interest in historic properties that should be included as a consulting  
429 party for the Undertaking in accordance with 36 CFR § 800.2(c)(5). If such parties are  
430 identified or identify themselves to FEMA, FEMA shall provide them with

432 information regarding the Undertaking and its effects on historic properties, consistent  
433 with the confidentiality provisions of 36 CFR § 800.11(c).

434

435 3. In accordance with the outreach strategy developed for an Undertaking in consultation  
436 with the SHPO and participating Tribes, for involving the public, FEMA shall identify  
437 the appropriate stages for seeking public input during the Section 106 consultation  
438 process. FEMA shall consider all views provided by the public regarding an  
439 Undertaking.

440

441 4. FEMA may also provide public notices and the opportunity for public comment or  
442 participation in an Undertaking through the public participation process of the  
443 National Environmental Policy Act (NEPA) and its implementing regulations set out  
444 at 44 CFR Part 10, and/or Executive Orders 11988 and 11990 relating to floodplains  
445 and wetlands as set out in 44 CFR Part 9, and Executive Order 12898, Environmental  
446 Justice, provided such notices specifically reference Section 106 as a basis for public  
447 involvement.

448

449 5. Should a member of the public object in writing to implementation of the Agreement's  
450 terms, FEMA will notify the other Signatories in writing and take the objection into  
451 consideration. FEMA shall consult with the objecting party and, if that party so  
452 requests, the other Signatories, for not more than 30 days. In reaching its decision  
453 regarding the objection, FEMA shall take into consideration all comments from these  
454 parties. Within 15 days after closure of this consultation period, FEMA shall provide  
455 the other parties with its final decision in writing.

456 E. Timeframes and Communications

457 1. All time designations shall be in calendar days unless otherwise stipulated. If any  
458 Signatory does not object to FEMA's finding or determination related to an  
459 Undertaking within an agreed upon timeframe, FEMA may proceed to the next step in  
460 the consultation process as described in Stipulation II, Project Review.

461 2. Due to the varied nature of Undertakings, the individual response times to FEMA's  
462 requests for comment/concurrence will vary. These response times are contingent  
463 upon FEMA ensuring that its findings and determinations are made by Qualified staff  
464 and supported by documentation as required by 36 CFR § 800.11(d) and 36 CFR §  
465 800.11(e), and consistent with FEMA guidance.

466

467 a. For Emergency Undertakings as outlined in Stipulation II.B, Expedited Review of  
468 Emergency Undertakings, the SHPO and participating Tribes shall respond to any  
469 FEMA request for comments within three (3) business days after receipt, unless  
470 FEMA determines the nature of the emergency action warrants a shorter time  
471 period.

- b. For Undertakings associated with the Individual Assistance (IA) and Public Assistance (PA) programs, the response time for each request for concurrence shall be a maximum of fifteen (15) days after receipt, or in accordance with temporary timelines established by FEMA and agreed upon by SHPO and participating Tribes on a Declaration by Declaration basis.
    - c. For the Hazard Mitigation Grant Program (HMGP) and all non-disaster programs, the response time for each request for concurrence shall be a maximum of thirty (30) days after receipt.
  3. The consulting parties may send and accept official notices, comments, requests for further information and documentation, and other communications required by this Agreement by e-mail.
    - a. FEMA will use a “read receipt” to ensure the email was received by intended party.
    - b. FEMA will note the consultation timeline in the subject line of the letter and header of the email to ensure consulting parties are aware of the project’s associated timeline.

## II. PROJECT REVIEW

## A. Programmatic Allowances

1. If FEMA determines an Undertaking conforms to one or more allowances in Appendix B of this Agreement, FEMA shall complete the Section 106 review process by documenting this determination in the project file, without SHPO review or notification.
2. If the Undertaking involves a National Historic Landmark (NHL), FEMA shall notify the SHPO, participating Tribes, and the NPS NHL Program Manager of the Southeast NPS Regional Office that the Undertaking conforms to one or more allowances. FEMA shall provide information about the proposed scope of work for the Undertaking and the allowance(s) enabling FEMA's determination.
3. If FEMA determines any portion of an Undertaking's scope of work does not conform to one or more allowances listed in Appendix B, FEMA shall conduct expedited or standard Section 106 review, as appropriate, for the entire Undertaking in accordance with Stipulation II.B, Expedited Review for Emergency Undertakings, or Stipulation II.C, Standard Project Review.
4. Allowances may be revised and new allowances may be added to this Agreement in accordance with Stipulation IV.A.3, Amendments.

516      B.     Expedited Review for Emergency Undertakings

517      1.     Determine Expedited Review

518      a.    As part of the Declaration process, FEMA shall define the time interval during  
519              which the disaster causing incident occurs (the incident period, as defined in 44  
520              CFR § 206.32(f)). FEMA may approve direct Federal assistance and/or funding  
521              for emergency work (as defined in 44 CFR § 206.201(b)) that occurs during the  
522              incident period, including work already completed, in response to an immediate  
523              threat to human health and safety or property. Pursuant to 36 CFR § 800.12(d),  
524              FEMA may conduct expedited review of emergency Undertakings for 30 days  
525              from the beginning of the incident period.

526      b.    Should FEMA determine that it is necessary to extend the expedited review period  
527              for emergency Undertakings beyond the initial 30 days, FEMA shall, in 30-day  
528              increments, as needed, request extension from the ACHP and notify in writing  
529              SHPO and participating Tribes.

530      2.     Conduct Expedited Reviews

531      a.    If the emergency Undertaking is an immediate rescue and salvage operation  
532              conducted in response to an event to preserve life and property, FEMA has no  
533              Section 106 consultation responsibilities in accordance with 36 CFR § 800.12(d);  
534              or

535      b.    If the emergency Undertaking meets one or more of the Allowances in Appendix B  
536              of this Agreement, FEMA shall complete the Section 106 review process pursuant  
537              to Stipulation II.A.1, Programmatic Allowances.

539      c.    If FEMA determines that the emergency Undertaking would adversely affect a  
540              historic property during this expedited review period:

542              i.    To the extent practicable, FEMA will propose treatment measures that would  
543              address adverse effects during implementation, and request the comments of  
544              the SHPO and participating Tribes within 3 days of receipt of this information  
545              unless FEMA determines the nature of the emergency warrants a shorter time  
546              period.

548              ii.   FEMA may provide this information through written requests, telephone  
549              conversations, meetings, or electronic media. In all cases, FEMA shall clarify  
550              that an “expedited review” is being requested for the Undertaking.

552              iii.   FEMA shall take into account any timely comments provided by SHPO and/or  
553              participating Tribes in making a decision on how to proceed.

- iv. Should the SHPO and/or participating Tribes not comment within 3 days, FEMA shall complete Section 106 consultation for the Undertaking based on the available information.
- v. FEMA shall notify the SHPO and participating Tribes of the final decision, indicating how any comments received were considered in reaching that decision.

C. Standard Project Review: For Undertakings not exempt from further Section 106 review, FEMA shall ensure that the following standard project review steps are implemented. In the interest of streamlining, FEMA may combine some or all of these steps during consultation in accordance with 36 CFR § 800.3(g).

1. **Consulting Parties:** FEMA shall consider all written requests of individuals and organizations to participate as consulting parties, and consult with the SHPO and participating Tribes to identify any other parties that meet the criteria to be consulting parties and invite them to participate in the Section 106 process. FEMA may invite others to participate as consulting parties as the Section 106 consultation proceeds. FEMA shall invite any individual or organization that will assume a specific role or responsibility outlined in an MOA or Programmatic Agreement to participate as an invited signatory to the agreement.

## 2. Area of Potential Effects:

- a. For standing structures not adjacent to or located within the boundaries of a National Register listed or eligible district, Qualified staff may define the APE as the individual structure when the proposed Undertaking is limited to its repair or rehabilitation (as defined in 36 CFR § 68.3(b)).
- b. For all other Undertakings, Qualified staff shall determine the APE in consultation with the SHPO and participating Tribes. FEMA may consider information provided by other parties, such as local governments and the public, when establishing the APE.

601 the affected Tribe(s) to determine geographical areas containing them that may be  
602 affected by an Undertaking and determine the necessary level of effort to identify  
603 and evaluate or avoid any such historic properties.

604

605 b. **National Historic Landmarks:** When FEMA identifies an Undertaking with the  
606 potential to affect an NHL, FEMA shall contact the NPS NHL Program Manager  
607 of the appropriate NPS Regional Office in addition to the SHPO, participating  
608 Tribes, and other consulting parties. The purpose of this notification is to ensure  
609 early coordination for the Undertaking which FEMA later may determine  
610 adversely affects the NHL as outlined in Stipulation II.C.8.

611

612 c. **Determinations of Eligibility:** FEMA shall review or determine National Register  
613 eligibility based on identification and evaluation efforts, and consult with SHPO,  
614 participating Tribes, and other consulting parties regarding these determinations.  
615 Should the SHPO, participating Tribes, or another consulting party disagree with  
616 the determination of eligibility, FEMA shall either:

617

618 i. Elect to consult further with the objecting party until the objection is resolved;

619

620 ii. Treat the property as eligible for the National Register; or

621

622 iii. Obtain a determination of eligibility from the Keeper of the National Register  
623 in accordance with 36 CFR § 63.2(d)-(e) and 36 CFR § 800.4(c)(2).

624

625 4. **Findings of No Historic Properties Affected:** FEMA shall make a finding of "no  
626 historic properties affected" under the following circumstances:

627

628 a. If no historic properties are present in the APE;

629

630 b. The Undertaking is designed to avoid effects to historic properties, including  
631 National Register listed or eligible properties of religious or cultural significance  
632 to participating Tribes; or

633

634 c. The Undertaking does not affect the character defining features of a historic  
635 property.

636

637 d. FEMA shall notify the SHPO, participating Tribes and any other consulting parties  
638 of this finding and provide supporting documentation in accordance with 36 CFR §  
639 800.11(d). Unless the SHPO or participating Tribes object to the finding within  
640 the applicable timeframe outlined in Stipulation I.E, Timeframes and  
641 Communications, the Section 106 review of the Undertaking will have concluded.

642

643 e. If the SHPO or participating Tribes object to a finding of "no historic properties  
644 affected," FEMA shall consult with the objecting party to resolve the  
645 disagreement.

646

647 i. If the objection is resolved, FEMA either may proceed with the Undertaking in  
648 accordance with the resolution or reconsider effects on the historic property by  
649 applying the criteria of adverse effect pursuant to Stipulation II.C.5,  
650 Application of the Criteria of Adverse Effect, below.

651

652 ii. If FEMA is unable to resolve the disagreement, it will forward the finding and  
653 supporting documentation to the ACHP and request that the ACHP review  
654 FEMA's finding in accordance with 36 CFR § 800.4(d)(1)(iv)(A) through 36  
655 CFR § 800.4(d)(1)(iv)(C). FEMA shall consider the ACHP's recommendation  
656 in making its final determination. If FEMA's final determination is to reaffirm  
657 its "no historic properties affected" finding, the Section 106 review of the  
658 Undertaking will have concluded. Otherwise, FEMA will proceed to  
659 Stipulation II.C.5., below.

660

661 5. Application of the Criteria of Adverse Effect: If FEMA finds an Undertaking may  
662 affect historic properties in the APE, including those of religious or cultural  
663 significance to affected Tribe(s), FEMA shall apply the criteria of adverse effect to  
664 historic properties within the APE(s), taking into account the views of the consulting  
665 parties and the public concerning effects in accordance with 36 CFR § 800.5(a).

666

667 a. If FEMA determines that an Undertaking does not meet the adverse effect criteria,  
668 FEMA shall propose a finding of "no adverse effect" in accordance with 36 CFR §  
669 800.5(b).

670

671 i. FEMA shall notify the SHPO, participating Tribes, and all other consulting  
672 parties of its finding and provide supporting documentation pursuant to 36  
673 CFR §800.11(e).

674

675 ii. Unless a consulting party objects within the applicable timeframe outlined in  
676 Stipulation I.E, Timeframes and Communications, FEMA will proceed with its  
677 "no adverse effect" determination and conclude the Section 106 review.

678

679 iii. If a consulting party objects to a finding of "no adverse effect," FEMA will  
680 consult with the objecting party to resolve the disagreement.

681

682 1) If the objection is resolved, FEMA shall proceed with the Undertaking in  
683 accordance with the resolution, or;

684

685 2) If the objection cannot be resolved, FEMA shall request that the ACHP  
686 review the findings in accordance with 36 CFR § 800.5(c)(3)(i)-(ii) and  
687 submit the required supporting documentation. FEMA shall consider the  
688 ACHP's comments in making its final determination.

689

690 b. If FEMA finds the Undertaking may adversely affect historic properties, FEMA  
691 shall request through the Grantee(s) that the subgrantee revise the scope of work to  
692 substantially conform to the *Standards* for standing structures, or avoid or  
693 minimize adverse effects for National Register listed or eligible archaeological  
694 properties.

695 i. If the subgrantee modifies the scope of work to avoid the adverse effect,  
696 FEMA shall notify the SHPO, participating Tribes, and all other consulting  
697 parties, and provide supporting documentation. Unless a consulting party  
698 makes a timely objection in accordance with the applicable timeframe outlined  
700 in Stipulation I.E, Timeframes and Communications, FEMA shall proceed with  
701 its “no adverse effect” determination, including any conditions, and conclude  
702 the Section 106 review.

703 ii. If an Undertaking is not modified to avoid the adverse (effects), FEMA shall  
704 initiate consultation to resolve the adverse effect(s) in accordance with  
705 Stipulation II.C.6, Resolution of Adverse Effects.

706 6. Resolution of Adverse Effects: If FEMA determines that an Undertaking may  
707 adversely affect a historic property, it shall resolve the effects of the Undertaking in  
708 consultation with the SHPO, Grantee(s), subgrantee, participating Tribes, the ACHP, if  
709 participating, and other consulting parties, by one of the following methods depending  
710 upon the severity of the adverse effect(s) as well as determination of the historic  
711 property’s significance on a local, state or national level. When FEMA determines an  
712 Undertaking will adversely affect an NHL, FEMA shall notify and invite the Secretary  
713 and ACHP to participate in consultation in accordance with 36 CFR § 800.10. When  
714 the ACHP participates in consultation related to an NHL, the ACHP shall report the  
715 outcome of the consultation to the Secretary and the FEMA Administrator.

716 a. Abbreviated Consultation Process: After taking into consideration the significance  
717 of the historic properties affected, the severity of the adverse effect(s) and  
718 avoidance or minimization of the adverse effect(s), FEMA may propose in writing  
719 to the consulting parties to resolve the adverse effects of the Undertaking through  
720 the application of one or more Treatment Measures outlined in Appendix C as  
721 negotiated with the SHPO, participating Tribes, and other consulting parties. The  
722 use of these Treatment Measures shall not require the execution of a Memorandum  
723 of Agreement (MOA) or Programmatic Agreement.

724 i. In consultation with the SHPO, participating Tribe(s), and other consulting  
725 parties, FEMA shall propose in writing the implementation of a specific  
726 Treatment Measure, or combination of Treatment Measures, with the intent of  
727 expediting the resolution of adverse effects, and provide documentation as  
728 required by 36 CFR § 800.11(e) and subject to the confidentiality provisions of  
729 36 CFR § 800.11(c). Unless a consulting party or the ACHP objects within 15  
730 days of receipt of FEMA’s proposal, FEMA shall proceed with the  
731  
732  
733  
734

735 implementation of the Treatment Measure(s) and will conclude the Section 106  
736 review.

737

738 ii. If any of the consulting parties or the ACHP objects within the 15 day review  
739 and comment period to the resolution of adverse effects through the application  
740 of the Abbreviated Consultation Process, FEMA shall resolve the adverse  
741 effect(s) using procedures outlined below in Stipulation II.C.6(b), MOA or  
742 Stipulation II.C.6.(c), Programmatic Agreement.

743

744 iii. Because funding and implementation details of Treatment Measures for  
745 specific Undertakings may vary by program, FEMA shall provide written  
746 notice to the consulting parties within sixty (60) days of the completion of the  
747 Treatment Measure(s). This written notice will serve as confirmation that the  
748 Treatment Measure(s) for a specific Undertaking have been implemented.  
749 FEMA also shall include information pertaining to the completion of  
750 Treatment Measures in the annual report pursuant to Stipulation I.B.1(d),  
751 FEMA Roles and Responsibilities.

752

753 b. Memorandum of Agreement: FEMA shall provide the ACHP with an adverse  
754 effect notice in accordance with 36 CFR § 800.6(a)(1) if it has not already  
755 provided such under the Abbreviated Consultation Process of this Agreement, if a  
756 consulting party or the ACHP objects in accordance with Stipulation II.C.6(a)(ii),  
757 or if FEMA, in consultation with the SHPO, participating Tribe(s), and other  
758 consulting parties, has determined that an MOA would be more appropriate to  
759 resolve the adverse effect(s). In consultation with the SHPO, participating  
760 Tribe(s), and other consulting parties, including the ACHP (if participating),  
761 FEMA shall develop an MOA, in accordance with 36 CFR § 800.6(c) to agree  
762 upon treatment measures to avoid, minimize, and/or mitigate adverse effects on  
763 historic properties. The MOA may also include treatment measures that serve an  
764 equal or greater public benefit in promoting the preservation of historic properties  
765 in lieu of more traditional treatment measures.

766

767 c. Programmatic Agreement: Should the execution of an MOA be inappropriate  
768 given the similar nature of effects on historic properties, the inability to determine  
769 effects prior to approval of an Undertaking, or where other circumstances warrant,  
770 FEMA, shall consult with the SHPO, participating Tribes, the ACHP, if  
771 participating, and any other consulting parties to develop a Programmatic  
772 Agreement in accordance with 36 CFR § 800.14(b) and identify programmatic  
773 conditions or treatment measures to govern the resolution of potential or  
774 anticipated adverse effects from certain complex project situations for an  
775 Undertaking or for multiple but similar Undertakings by a single subgrantee.

776

777 7. Objections: Should any signatory or consulting party object within the timeframes  
778 established by this Agreement to any plans, specifications, or actions taken pursuant to  
779 resolving an adverse effect, FEMA shall consult further with the objecting party to

780 seek resolution. If FEMA determines the objection cannot be resolved, FEMA shall  
781 address the objection in accordance with Stipulation IV.B, Dispute Resolution.

782 **III. OTHER CONSIDERATIONS**

783 **A. Changes to an Approved Scope of Work:** The Grantee(s) shall notify FEMA and shall  
784 require a subgrantee to notify it immediately when a subgrantee proposes changes to an  
785 approved scope of work for an Undertaking.

786 

- 787 1. If FEMA determines the change meets a Programmatic Allowance or has no effect on  
788 the property, FEMA shall approve the change.

789 

- 790 2. If the change can be modified to meet a Programmatic Allowance, or conform to any  
791 applicable *Standards*, FEMA shall conclude its Section 106 review responsibilities.

792 

- 793 3. If FEMA determines that the change does not meet an Allowance, FEMA shall initiate  
794 consultation pursuant to Stipulation II.C, Standard Project Review.

795 **B. Unexpected Discoveries, Previously Unidentified Properties, or Unexpected Effects:**

796 

- 797 1. Upon notification by a subgrantee of an unexpected discovery, or if it appears that a  
798 Undertaking has affected a previously unidentified property or affected a known  
799 historic property in an unanticipated manner, in accordance with Stipulation I.B.3(e),  
800 Grantee(s) Roles and Responsibilities, the Grantee(s) shall immediately notify FEMA  
801 and require the subgrantee to:

802 

- 803 a. Immediately stop construction activities in the vicinity of the discovery.

804 

- 805 b. Take all reasonable measures to avoid or minimize harm to the property until  
806 FEMA has completed consultation with the SHPO, participating Tribes, and any  
807 other consulting parties. Upon notification by the Grantee of a discovery, FEMA  
808 shall immediately notify the SHPO, participating Tribes, and other consulting  
809 parties that may have an interest in the discovery, previously unidentified property  
810 or unexpected effects, and consult to evaluate the discovery for National Register  
811 eligibility and/or the effects of the undertaking on historic properties.

812 

- 813 c. If human remains are discovered, notify the local law enforcement office and  
814 coroner/medical examiner in accordance with applicable State statutes, and protect  
815 the remains from any harm. Discoveries of human remains on Federal or Tribal  
816 lands shall be subject to the Native American Graves Protection and Repatriation  
817 Act (NAGPRA) (25 U.S.C. §3001-3013, 18 U.S.C. § 1170) and ARPA, as  
818 applicable.

819 

- 820 d. Assist FEMA in completing the following actions, as required:

822

823     i. FEMA shall consult with the SHPO, participating Tribes, and other consulting  
824        parties in accordance with the consultation process outlined in Stipulation II,  
825        Project Review, to develop a mutually agreeable action plan with timeframes  
826        to identify the discovery or previously unidentified property, take into account  
827        the effects of the Undertaking, resolve adverse effects if necessary, and ensure  
828        compliance with applicable Federal, State, and local statutes.

829

830     ii. FEMA shall coordinate with the Grantee(s) and the subgrantee regarding any  
831        needed modification to the scope of work for the Undertaking necessary to  
832        implement recommendations of the consultation and facilitate proceeding with  
833        the Undertaking.

834

835     iii. In cases where discovered human remains are determined to be American  
836        Indian, FEMA shall consult with the appropriate Tribal representatives and  
837        SHPO. In addition, FEMA shall follow the guidelines outlined in the ACHP's  
838        *Policy Statement Regarding the Treatment of Burial Sites, Human Remains,*  
839        *and Funerary Objects* (2007) and any state-specific policies that may be in  
840        force.

841     C. Curation

842

843     1. In cases where archaeological survey and testing are conducted on private land, any  
844        recovered collections remain the property of the land owner. In such instances, FEMA  
845        and the Grantee(s), in coordination with the SHPO and affected Tribes, shall  
846        encourage land owners to donate the collection(s) to an appropriate public or Tribal  
847        entity. In cases where the property owner wishes to transfer ownership of the  
848        collection(s) to a public or Tribal entity, and in the case of artifacts recovered from  
849        public lands, FEMA and the Grantee(s) shall ensure that recovered artifacts and related  
850        documentation are curated in a suitable repository as agreed to by FEMA, SHPO, and  
851        affected Tribes, and following *South Carolina Standards and Guidelines for*  
852        *Archaeological Investigations* or Tribal guidelines.

853 2. When an Undertaking will adversely affect a National Register listed or eligible  
854 archaeological site, FEMA may treat the adverse effect by providing for the recovery  
855 of significant information through archaeological data recovery. FEMA shall consult  
856 with the SHPO, participating Tribes, and other consulting parties to prepare a research  
857 design (data recovery plan), including a specific plan for curation. This plan will  
858 incorporate any relevant curation provisions contained in the *South Carolina*  
859 *Standards and Guidelines for Archaeological Investigations*, ACHP's "*Recommended*  
860 *Approach for Consultation on Recovery of Significant Information from*  
861 *Archaeological Sites*" published in the Federal Register (64 Federal Register 27085-  
862 27087 (May 18, 1999)), or other provisions agreed to by the consulting parties. No  
863 excavation should be initiated before FEMA acceptance and approval of the curation  
864 plan.

865 a. As stipulated in the curation plan, artifacts, as well as field and laboratory records  
866 sufficient to document the collection, shall be curated at a facility, preferably in-  
867 state, that meets the standards of, and in accordance with the provisions of 36 CFR  
868 Part 79, "Curation of Federally Owned and Administered Archaeological  
869 Collections," and *South Carolina Standards and Guidelines for Archaeological*  
870 *Investigations* or Tribal requirements.

871 D. Review of Undertakings Initiated Before Initiation or Completion of Section 106 Review

872 1. In accordance with Section 110(k) of the NHPA, FEMA shall not grant assistance to a  
873 subgrantee who, with intent to avoid the requirements of this Agreement or Section  
874 106 of the NHPA, has intentionally significantly and adversely affected a historic  
875 property to which the assistance would relate, or having legal power to prevent it,  
876 allowed an adverse effect to occur. However, if after consultation with the SHPO,  
877 appropriate Tribes, and ACHP, FEMA determines that extraordinary circumstances  
878 justify granting assistance despite the adverse effect created or permitted by the  
879 subgrantee, FEMA shall complete consultation for the Undertaking pursuant to the  
880 terms of this Agreement.

881 2. FEMA shall specifically advise the Grantee(s) and shall require that the Grantee(s)  
882 advise its subgrantees in writing that they may jeopardize Federal funding if work is  
883 performed without all required local, State, and Federal licenses, permits, and/or  
884 approvals, including the completion of the Section 106 process. FEMA also shall  
885 document this requirement in its Record of Environmental Consideration, as  
886 applicable, as well as all project approval documents specifying the project scope and  
887 limits, and containing all conditions and caveats.

888 3. In circumstances where FEMA determines a subgrantee has initiated an Undertaking  
889 without willful intent to avoid the requirements of this Agreement or Section 106 of  
890 NHPA, FEMA shall proceed as follows:

895 a. Determine if the Undertaking is of a type for which FEMA has no further Section  
896 106 responsibilities, namely:

897 i. An Undertaking listed in Stipulation I.A.8; or

898 ii. An immediate rescue and salvage operation in accordance with 36 CFR §  
899 800.12(d); or

900 iii. A Programmatic Allowance as described under Stipulation II.A.

901

902 b. In any such cases listed in Stipulation III.D.3.a., above, FEMA shall document this  
903 determination in the project files, and consider the Undertaking Section 106  
904 compliant.

905 c. If FEMA determines the Undertaking would have required Section 106 review,  
906 FEMA shall coordinate with the SHPO and appropriate Tribes to determine if  
907 consultation is feasible.

908 i. If after coordination with the SHPO and appropriate Tribes, FEMA determines  
909 that consultation is feasible, FEMA shall review the Undertaking in accordance  
910 with Stipulation II.C, Standard Project Review.

911 ii. If after coordination with the SHPO and appropriate Tribes, FEMA determines  
912 that review is infeasible, FEMA shall document the outcome to the Section 106  
913 review process, and the applicable FEMA program shall take the outcome into  
914 account before making a decision whether to fund the Undertaking. FEMA  
915 shall provide written notification of its funding decision to the SHPO,  
916 appropriate Tribes, and the ACHP.

917 4. FEMA shall ensure that all Undertakings considered for after the fact review in  
918 accordance with this stipulation are included in the annual report.

919

920 **IV. IMPLEMENTATION OF AGREEMENT**

921 A. Amendments

922 1. If any Signatory determines that an amendment to the terms of this Agreement must be  
923 made, the Signatories shall consult for no more than 30 days to seek amendment of the  
924 Agreement.

925 2. An amendment to this Agreement, exclusive of the appendices, shall be effective only  
926 when it has been signed by all the Signatories. An amendment shall be effective for  
927 Undertakings occurring on or affecting historic properties on Tribal lands only when  
928 the Tribe has signed the Agreement and its amendment.

938 3. Appendix A (FEMA Programs), Appendix B (Programmatic Allowances), Appendix  
939 C (Treatment Measures), and Appendix D (Tribal Areas of Interest) may be amended  
940 at the request of FEMA or another Signatory in the following manner:

941 a. FEMA, on its own behalf or on behalf of another Signatory, shall notify the  
942 Signatories of the intent to modify the current Appendix or Appendices and shall  
943 provide a draft of the updated Appendix or Appendices to all Signatory parties.  
944

945 b. If no other Signatory objects in writing within 30 days of receipt of FEMA's  
946 proposed modification, FEMA shall date and sign the amended Appendix and  
947 provide a copy of the amended Appendix to the other Signatories. Such an  
948 amendment shall go into effect on the date FEMA transmits the amendment to the  
949 other Signatories.  
950

951 B. Dispute Resolution

952 1. Should any Signatory object in writing to the terms of this Agreement, FEMA shall  
953 consult with the objecting party for not more than 30 days to resolve the objection.  
954

955 2. If the objection is resolved within 30 days, FEMA shall proceed in accordance with  
956 the resolution.  
957

958 3. If FEMA determines within 30 days that the objection cannot be resolved, FEMA shall  
959 forward to ACHP all documentation relevant to the objection, including FEMA's  
960 proposed resolution. Within 30 days of receipt, ACHP will:  
961

962 a. Concur in FEMA's proposed resolution; or  
963

964 b. Provide FEMA with recommendations, which FEMA shall take into account in  
965 reaching a final decision regarding the objection; or  
966

967 c. Notify FEMA that the objection will be referred for comment in accordance with  
968 36 CFR § 800.7(a)(4), and proceed to do so.  
969

970 4. FEMA shall take into account any ACHP recommendations or comments, and any  
971 comments from the other Signatories, in reaching a final decision regarding the  
972 objection. FEMA shall provide in writing to the ACHP and Signatories a summary of  
973 its final decision before authorizing any disputed action to proceed. The Signatories  
974 shall continue to implement all other terms of this Agreement that are not subject to  
975 objection.  
976

977 5. Should ACHP not respond within 30 days, FEMA may assume ACHP has no  
978 comment and proceed with its proposed resolution to the objection after providing the  
979 ACHP and Signatories a written summary of its final decision.  
980

983           C. Severability and Termination

984

985           1. In the event any provision of this Agreement is deemed by a Federal court to be  
986           contrary to, or in violation of, any applicable existing law or regulation of the United  
987           States of America, only the conflicting provision(s) shall be deemed null and void, and  
988           the remaining provisions of the Agreement shall remain in effect.

989

990           2. FEMA, the SHPO, ACHP, or Grantee(s) may terminate this Agreement by providing  
991           30 days written notice to the other Signatories, provided that the Signatories consult  
992           during this period to seek amendments or other actions that would prevent termination.  
993           If this Agreement is terminated, FEMA shall comply with Section 106 through other  
994           applicable means pursuant to 36 CFR Part 800. Upon such determination, FEMA  
995           shall provide all other Signatories and the ACHP with written notice of the termination  
          of this Agreement.

996

997           3. A participating Tribe may notify the other Signatories that it is fully withdrawing from  
998           participation in the Agreement. Following such a withdrawal, FEMA shall review  
999           undertakings that may affect historic properties of religious and cultural significance to  
1000           the Tribe, and Undertakings that occur on the Tribal lands of the relevant Tribe, in  
1001           accordance with 36 CFR §§ 800.3 through 800.7, 36 CFR § 800.8(c), or an applicable  
1002           alternative under 36 CFR § 800.14. Withdrawal from this Agreement by a Tribe does  
1003           not terminate the Agreement. At any time that this Agreement remains in effect, a  
1004           Tribe that has withdrawn from the Agreement may notify FEMA, the Grantee(s), and  
1005           SHPO in writing that it has rescinded its notice withdrawing from participation in the  
          Agreement.

1006

1007           4. This Agreement may be terminated by the implementation of a subsequent Agreement,  
1008           pursuant to 36 CFR § 800.14(b), that explicitly terminates or supersedes this  
1009           Agreement, or by FEMA's implementation of Alternate Procedures, pursuant to 36  
          CFR § 800.14(a).

1010

1011           D. Duration and Extension

1012

1013           1. This Agreement shall remain in effect from the date of execution for a period not to  
1014           exceed 7 years unless otherwise extended pursuant to Stipulation IV.D.2 below or  
1015           terminated pursuant to Stipulation IV.C.2 or IV.C.4, Severability and Termination.  
1016           The Agreement shall remain in effect for Declarations made prior to expiration of the  
1017           Agreement in order to minimize delays in delivery of FEMA assistance.

1018

1019           2. The Signatories may collectively agree to extend this Agreement to cover additional  
1020           calendar years, or portions thereof, through an amendment per Stipulation IV.A.,  
          provided that the original Agreement has not expired.

1021           E. Execution and Implementation

1022

1023 1. This Agreement may be executed in counterparts, with a separate page for each  
1024 Signatory, and shall become effective on the date of the final signature of FEMA and  
1025 the SHPO/THPO.

1026 2. The Agreement shall go into effect regarding Undertakings occurring, or affecting  
1027 historic properties, on Tribal lands when the relevant Tribe has signed the Agreement.

1028 3. FEMA shall ensure that each Signatory is provided with a complete copy of the  
1029 Agreement, including an original set of signatures.

1030 4. Execution and implementation of this Agreement evidence that FEMA has afforded  
1031 ACHP a reasonable opportunity to comment on FEMA's administration of all  
1032 referenced Programs, and that FEMA has satisfied its Section 106 responsibilities for  
1033 all individual Undertakings of its referenced Programs.

1034

1035

1036

1037

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICE,  
THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION,  
AND TRIBES PARTICIPATING AS INVITED SIGNATORIES**

## **Federal Emergency Management Agency**

Andrew Velasquez III  
Acting Regional Administrator  
Region IV

4

**SC HP PA**  
**For Signature**

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICE,  
THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION,  
AND TRIBES PARTICIPATING AS INVITED SIGNATORIES**

South Carolina State Historic Preservation Office

W. B. L. Morris

**W. Eric Emerson, Ph.D.  
State Historic Preservation Officer**

10-14-14

Date

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICE,  
THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION,  
AND TRIBES PARTICIPATING AS INVITED SIGNATORIES**

## **South Carolina Emergency Management Division**

---

Kim Stenson  
Director

---

Date \_\_\_\_\_

SC HP PA  
For Signature

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICE,  
THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION,  
AND TRIBES PARTICIPATING AS INVITED SIGNATORIES**

## 1102 United Keetoowah Band of Cherokee Indians

Dyanne Wilkje

## George Wickliffe

## Chief

1-9-15

Date

**PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICE,  
THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION,  
AND TRIBES PARTICIPATING AS INVITED SIGNATORIES**

## Catawba Indian Nation

William Harris

William Harris

Chief

5/22/15

Date \_\_\_\_\_

Wenatchee & Fairwater

---

## Wenonah Haire

## **Tribal Historic Preservation Officer**

5/28/15

Date

## Appendix A: FEMA Program Summaries

This Appendix may be amended in accordance with Stipulation IV.A, Amendments.

## **Disaster Response and Recovery Programs**

The following programs are authorized under Titles IV and V of the Stafford Act.

### *Public Assistance Program (PA)*

This program assists States, Tribal, and local governments, and certain types of private nonprofit organizations quickly respond to and recover from major disasters or emergencies declared by the President. Grants are provided for debris removal (Category A), emergency protective measures (Category B), and the repair, replacement, or restoration of disaster-damaged, publicly owned and certain private non-profit facilities (Categories C-G).

### *Individual Assistance Programs (IA)*

These programs help to ensure that individuals and families that have been affected by disasters have access to the full range of FEMA assistance including: crisis counseling (Section 416), disaster legal services (Section 415), essential assistance (Section 403), emergency sheltering assistance (Section 403), transportation (Section 419), funeral services, minor home repairs (Section 408), and temporary housing assistance (Section 408). It should be noted that other Federal agencies provide disaster assistance programs, services, and activities to individuals as well, including the U.S. Small Business Administration, U.S. Department of Agriculture, and U.S. Department of Labor, but these other assistance programs are not subject to the terms of this Agreement.

## *Fire Management Assistance Grant Program (FMAG)*

The FMAG is available to State, Tribal, and local governments for the mitigation, management, and control of fires on publicly or privately owned lands. Eligible costs may include expenses for field camps, equipment use, repair and replacement, materials and supplies, and mobilization and demobilization activities.

### *Hazard Mitigation Grant Program (HMGP)*

The HMPG provides grants to States, Territories, Tribes, and local governments to implement long-term hazard mitigation measures after a Declaration. Activities may include buyouts, retrofits, relocations, elevations, and minor flood control projects.

## Non-Disaster Programs

### *Pre-Disaster Mitigation Program (PDM)*

The PDM program provides competitive grants to States, Territories, Tribes, and local governments for hazard mitigation planning and the implementation of mitigation projects prior to a disaster event. Activities may include planning, buyouts, retrofits, relocations, elevations, minor flood control projects, and vegetative fuels reduction.

1179  
1180 *Flood Mitigation Assistance Program (FMA)*

1181 The FMA program provides grants to States, Territories, Tribal entities, and communities to assist  
1182 in their efforts to reduce or eliminate the risk of repetitive flood damage to buildings and  
1183 structures insurable under the National Flood Insurance Program (NFIP).

1184  
1185 *Assistance to Firefighters Grant Program*

1186 The AFG program provides funding for purchase of equipment and retrofit or construction of fire  
1187 stations to improve first responder capabilities.

1188  
1189 *State Homeland Security Program (SHSP)*

1190 This core assistance program provides funds to build capabilities at the state and local levels and  
1191 to implement the goals and objectives included in state homeland security strategies and  
1192 initiatives in the State Preparedness Report.

1193  
1194 *Urban Areas Security Initiative (UASI) Program*

1195 The Urban Areas Security Initiative (UASI) program focuses on enhancing regional preparedness  
1196 in major metropolitan areas. The UASI program directly supports the National Priority on  
1197 expanding regional collaboration in the National Preparedness Guidelines and is intended to assist  
1198 participating jurisdictions in developing integrated regional systems for prevention, protection,  
1199 response and recovery.

1200  
1201 *Metropolitan Medical Response System (MMRS) Program*

1202 The MMRS program supports the integration of emergency management, health, and medical  
1203 systems into a coordinated response to mass casualty incidents caused by any hazard. Successful  
1204 MMRS grantees reduce the consequences of a mass casualty incident during the initial period of a  
1205 response by having augmented existing local operational response systems before the incident  
1206 occurs.

1207  
1208 *Citizen Corps Program (CCP)*

1209 The Citizen Corps mission is to bring community and government leaders together to coordinate  
1210 community involvement in emergency preparedness, planning, mitigation, response and recovery.

1211  
1212 *State Homeland Security Program Tribal (SHSP Tribal)*

1213 To provide supplemental funding to directly eligible tribes to help strengthen the nation against  
1214 risks associated with potential terrorist attacks. Pursuant to the 9/11 Act, "a directly eligible tribe  
1215 applying for a grant under section 2004 [SHSP] shall designate an individual to serve as a tribal  
1216 liaison with [DHS] and other Federal, state, local, and regional government officials concerning  
1217 preventing, preparing for, protecting against and responding to acts of terrorism."

1218  
1219 *Nonprofit Security Grant Program (NSGP)*

1220 NSGP provides funding support for target-hardening activities to nonprofit organizations that are  
1221 at high risk of a terrorist attack and are located within one of the specific UASI-eligible urban  
1222 areas.

1223

1224 *Operation Stonegarden (OPSG)*

1225 The intent of OPSG is to enhance cooperation and coordination among local, State and Federal  
1226 law enforcement agencies in a joint mission to secure the United States borders along routes of  
1227 ingress from international borders to include travel corridors in States bordering Mexico and  
1228 Canada, as well as States and territories with international water borders.

1229 *Transit Security Grant Program (TSGP)*

1230 The TSGP provides grant funding to the nation's key high-threat urban areas to enhance security  
1231 measures for their critical transit infrastructure including bus, ferry and rail systems.

1232 *Freight Rail Security Grant Program (FRSGP)*

1233 The FRSGP funds security training for frontline employees, the completion of vulnerability  
1234 assessments, the development of security plans within the freight rail industry and GPS tracking  
1235 systems for railroad cars transporting toxic inhalation materials.

1236 *Intercity Passenger Rail (Amtrak)*

1237 The purpose of the Intercity Passenger Rail (IPR) is to create a sustainable, risk-based effort to  
1238 protect critical surface transportation infrastructure and the traveling public from acts of terrorism,  
1239 major disasters and other emergencies within the Amtrak rail system.

1240 *Port Security Grant Program (PSGP)*

1241 The PSGP provides grant funding to port areas for the protection of critical port infrastructure  
1242 from terrorism. PSGP funds are primarily intended to assist ports in enhancing maritime domain  
1243 awareness, enhancing risk management capabilities to prevent, detect, respond to and recover  
1244 from attacks involving improvised explosive devices (IEDs), weapons of mass destruction  
1245 (WMDs) and other non-conventional weapons, as well as training and exercises and  
1246 Transportation Worker Identification Credential (TWIC) implementation.

1247 *Intercity Bus Security Grant Program (IBSGP)*

1248 The IBSGP provides funding to create a sustainable program for the protection of intercity bus  
1249 systems and the traveling public from terrorism. The program seeks to assist operators of fixed-  
1250 route intercity and charter bus services in obtaining the resources required to support security  
1251 measures such as enhanced planning, facility security upgrades and vehicle and driver protection.

1252 *Trucking Security Program (TSP)*

1253 TSP funding will be awarded to eligible applicants to implement security improvement measures  
1254 and policies deemed valuable by DHS as indicated in the *Security Action Items* publication of  
1255 June 26, 2008. These items are primarily focused on the purchase and installation or enhancement  
1256 of equipment and systems related to tractor and trailer tracking systems. Additionally, the TSP  
1257 will provide funding to develop a system for DHS to monitor, collect and analyze tracking  
1258 information; and develop plans to improve the effectiveness of transportation and distribution of  
1259 supplies and commodities during catastrophic events.

1260 *Buffer Zone Protection Program (BZPP)*

1268 The BZPP provides funding to increase the preparedness capabilities of jurisdictions responsible  
1269 for the safety and security of communities surrounding high-priority pre-designated Tier 1 and  
1270 Tier 2 critical infrastructure and key resource (CIKR) assets, including chemical facilities,  
1271 financial institutions, nuclear and electric power plants, dams, stadiums and other high-risk/high-  
1272 consequence facilities, through allowable planning and equipment acquisition.

1273

1274 *Emergency Management Performance Grants (EMPG)*

1275 The purpose of the EMPG program is to assist State and local governments in enhancing and  
1276 sustaining all-hazards emergency management capabilities.

1277

1278 *Interoperable Emergency Communications Grant Program (IECGP)*

1279 IECGP provides governance, planning, training and exercise and equipment funding to States,  
1280 territories, and local and Tribal governments to carry out initiatives to improve interoperable  
1281 emergency communications, including communications in collective response to natural disasters,  
1282 acts of terrorism and other man-made disasters. According to the legislation that created IECGP,  
1283 all proposed activities must be integral to interoperable emergency communications and must be  
1284 aligned with the goals, objectives, and initiatives identified in the grantee's approved statewide  
1285 Communication Interoperability Plans (SCIP). IECGP will also advance DHS near-term  
1286 priorities that are deemed critical to improving interoperable emergency communications and are  
1287 consistent with goals and objectives of the National Emergency Communications Plan.

1288

1289 *Emergency Operations Center (EOC) Grant Program*

1290 The EOC grant program is intended to improve emergency management and preparedness  
1291 capabilities by supporting flexible, sustainable, secure, and interoperable Emergency Operations  
1292 Centers (EOCs) with a focus on addressing identified deficiencies and needs. This program  
1293 provides funding for construction or renovation of a State, local, or tribal governments' principal  
1294 EOC. Fully capable emergency operations facilities at the State and local levels are an essential  
1295 element of a comprehensive national emergency management system and are necessary to ensure  
1296 continuity of operations and continuity of government in major disasters caused by any hazard.

1297

1298 *Driver's License Security Grant Program*

1299 The purpose of the Driver's License Security Grant Program is to prevent terrorism, reduce fraud,  
1300 and improve the reliability and accuracy of personal identification documents that States and  
1301 territories issue.

1302

1303 *Integrated Public Alert and Warning System (IPAWS)*

1304 The Integrated Public Alert and Warning System (IPAWS) was established by Executive Order  
1305 13407 in 2006. In the event of a national emergency, the President may use IPAWS to send a  
1306 message to the American people quickly and simultaneously through multiple communications  
1307 pathways. FEMA has identified several radio transmission sites across the nation with  
1308 significantly powerful signals for this purpose, and FEMA is responsible for upgrading,  
1309 maintaining, and managing the agency installed and owned auxiliary fuel systems at each of these  
1310 radio transmission sites.

1311

## Appendix B: Programmatic Allowances

This list of Programmatic Allowances enumerates FEMA funded activities that based on FEMA experience have no or minimal effect on historic properties if implemented as specified in this Appendix and will not require review by the SHPO and participating Tribes.

The Programmatic Allowances consist of two tiers – First Tier and Second Tier. Staff may apply First Tier allowances whether or not they meet professional historic preservation qualification standards, while only staff meeting the applicable SOI Professional Qualifications Standards in accordance with Stipulation I.B(1)(a) of this Agreement may apply Second Tier allowances.

When referenced in the Programmatic Allowances, “in-kind” shall mean that it is either the same or a similar material, and the result shall match all physical and visual aspects, including form, color, and workmanship. The in-kind repair provided for in both First and Second Tier allowances in Appendix B should be limited to pre-existing architectural features and physical components of buildings and structures.

When referenced in the allowances, “previously disturbed soils” shall refer to soils that are not likely to possess intact and distinct soil horizons and have the reduced likelihood of possessing historic properties within their original depositional contexts in the area and to the depth to be excavated.

## I. First Tier Allowances

**A. GROUND DISTURBING ACTIVITIES AND SITE MODIFICATION**, when proposed activities described below substantially conform to the original footprint and/or are performed in previously disturbed soils, including the area where the activity is staged.

## I. Debris and Snow Removal

- a. Debris removal and collection, including removal of snow, uprooted trees, limbs and branches from public rights of way and public areas and areas as well as the transport and disposal of such waste to existing licensed waste facilities or landfills. This includes the temporary establishment and expansion of non-hazardous debris staging, reduction, and disposal areas at licensed transfer stations, or existing hard-topped or graveled surfaces (e.g. parking lots, roads, athletic courts) but not the creation of new or temporary access roads.
- b. Removal of debris from private property provided that buildings are not affected, ground disturbance is minimal and in-ground elements, such as driveways, walkways or swimming pools are left in place.
- c. Chipping and disposal of woody debris by broadcasting within existing rights-of-way.

1353  
1354       d. Sediment removal from man-made drainage facilities, including  
1355           retention/detention basins, ponds, ditches, and canals, in order to restore the  
1356           facility to its pre-disaster condition. The sediment may be used to repair eroded  
1357           banks or disposed of at an existing licensed or permitted spoil site.

1358  
1359       e. Dewatering flooded developed areas by pumping.

1360  
1361       2. Temporary Structures and Housing

1362  
1363       a. Installation and removal of temporary structures for use as school classrooms,  
1364           offices, or temporary shelters for essential public service agencies, such as police,  
1365           fire, rescue and medical care, as well as temporary housing for disaster personnel  
1366           and survivors at the following types of locations:

1367  
1368       i. Single units on private residential sites when all utilities are installed above  
1369           ground or tie into pre-existing utility lines.

1370  
1371       ii. Existing RV/Mobile Home Parks and campgrounds with pre-existing utility  
1372           hookups;

1373  
1374       iii. Paved areas, such as parking lots and paved areas at such facilities as  
1375           conference centers, shopping malls, airports, industrial port facilities business  
1376           parks, and military bases when all utilities are installed above ground or tie into  
1377           pre-existing utility lines.

1378  
1379       iv. Sites that have been previously prepared for planned construction, such as land  
1380           being developed for public housing, office buildings, city parks, ball fields,  
1381           schools, etc. when all utilities are installed above-ground or tie into pre-  
1382           existing utility lines.

1383  
1384       v. Areas previously filled to depths of at least six feet so that subsurface utilities  
1385           can be installed.

1386  
1387       3. Recreation and Landscaping

1388  
1389       a. Installation of temporary removable barriers.

1390  
1391       b. In-kind repairs, installation, or replacement, and minor upgrades/mitigation of  
1392           bollards and associated protective barriers when in previously disturbed areas.

1393  
1394       **B. BUILDINGS AND STRUCTURES**

1395  
1396       1. Repair or retrofit of buildings less than 45 years old.  
1397       2. Removal of water by physical or mechanical means.

1398  
1399       3. Installation of exterior security features and early warning devices on existing light  
1400        poles or other permanent utilities.

1401  
1402       **C. TRANSPORTATION FACILITIES**, when proposed activities substantially conform to  
1403        the original footprint and/or performed in previously disturbed soils, including any staging  
1404        areas.

1405  
1406       1. Roads and Roadways

1408       a. Paving and repair of roads to pre-disaster geometric design standards and  
1409        conditions using in-kind materials, shoulders medians, clearances, curbs, and side  
1410        slopes. This allowance does not include improvement to existing roadways and  
1411        appurtenances.

1413  
1414       b. Repairs to road slips and landslides that do not require grading of undisturbed soils  
1415        on the up-hill side of the slip

1416  
1417       c. Re-establishment, armoring, and/or upgrading of existing roadway ditches.

1419  
1420       d. In-kind repair or replacement of traffic control devices such as traffic signs and  
1421        signals, delineators, pavement markings, traffic surveillance systems.

1423  
1424       e. Installation and removal of temporary traffic control devices, including pre-formed  
1425        concrete barriers and fencings.

1427  
1428       f. In-kind repair or replacement of roadway safety elements such as barriers,  
1429        guardrails, and impact-attenuation devices. In the case of guardrails, the addition  
1430        of safety end treatments is permitted.

1431       2. Airports

1432       a. In-kind repair or replacement of existing runway surfaces and features (e.g.  
1433        asphalt, concrete, gravel, and dirt) and associated air transportation safety  
1434        components and systems (e.g. lighting bars, beacons, signage and weather  
1435        sensors).

1436       3. Rail Systems

1437       a. In-kind repair or replacement of safety components.

1439       b. In-kind repair or replacement of existing track system and passenger loading areas.

1443      **D. FEES AND SERVICES**

1444      1. Reimbursement of a subgrantee's insurance deductible, not to exceed \$2,500.

1445      **II. Second Tier Allowances**

1446      **A. GROUND DISTURBING ACTIVITIES AND SITE WORK**, when proposed activities  
1447      described below substantially conform to the original footprint and/or are performed in  
1448      previously disturbed soils, including the area where the activity is staged.

1449      1. Footings, Foundations, Retaining Walls, Slopes, and Slope Stabilization Systems

1450      a. In-kind repair, replacement, and reinforcement of footings, foundations, retaining  
1451      walls, slopes, and slope stabilization systems (e.g., gabion baskets, crib walls,  
1452      soldier pile and lag walls) if related ground disturbing activities are within the  
1453      boundary of previously disturbed soils.

1454      b. Installation of perimeter drainage (e.g. French drains) when performed in  
1455      previously disturbed soils.

1456      2. Recreation and Landscaping

1457      a. In-kind repairs or replacement, and minor upgrades to recreational facilities and  
1458      features (e.g. playgrounds, campgrounds, fire pits, dump stations and utility hook-  
1459      ups, swimming pools, athletic fields and signage, batting cages, basketball courts,  
1460      swing sets, pathways, simple wooden/wire stream crossings).

1461      b. In-kind repair, replacements, and minor upgrades to landscaping elements (e.g.,  
1462      fencing, free standing walls, paving, planters, irrigation systems, lighting elements,  
1463      signs, flag poles, ramps, steps).

1464      3. Piers, Docks, Boardwalks, Boat Ramps, and Dune Crossovers

1465      a. In-kind repair and replacement and minor upgrades to existing piers, docks,  
1466      boardwalks, boat ramps and dune crossovers in areas of previously disturbed soils.

1467      4. Cemeteries

1468      a. Removal of woody debris such as branches and limbs, from cemeteries, provided  
1469      that heavy equipment and other machinery are not operated or staged on areas  
1470      potentially containing human remains.

1471      b.

1485      **B. BUILDINGS AND STRUCTURES**

1486      1. Interior Work: Floors, Walls, Stairs, Ceilings and Trim

1487      a. In-kind repair of floors, walls, stairs, ceilings and/or trim. In-kind replacement of  
1488      floors, walls, stairs, ceilings, and/or trim that are damaged and/or deteriorated  
1489      beyond repair. The allowance does not apply to decorative finishes, including  
1490      murals, glazed paint, gold leaf, or ornamental plaster.

1491      b. Interior cleaning of surfaces using a weak solution of household bleach and water,  
1492      mold remediation, or mold removal. The allowance applies to interior finishes,  
1493      including plaster and wallboard, provided the cleaning is restricted to damaged  
1494      areas and does not affect adjacent materials.

1495      c. Non-destructive or concealed testing for hazardous materials (e.g., lead paint,  
1496      asbestos) or for assessment of hidden damages.

1497      2. Building Contents

1498      a. Repair or replacement of building contents including furniture, movable partitions,  
1499      computers, cabinetry, supplies, and equipment and any other moveable items  
1500      which are not character defining features of a historic property.

1501      3. Utilities and Mechanical, Electrical, and Security Systems

1502      a. In-kind repair or replacement, or limited upgrading of interior utility systems,  
1503      including mechanical (e.g., heating, ventilation, air conditioning), electrical, and  
1504      plumbing systems. This allowance does not provide for the installation of new  
1505      exposed ductwork.

1506      b. Elevation of heating, ventilation, and air conditioning system (HVAC) and  
1507      mechanical equipment as long as it is placed or located where it is not visible from  
1508      the street.

1509      c. Installation or replacement of interior fire detection, fire suppression, or security  
1510      alarm systems. The allowance does not apply to surface mounted wiring, conduits,  
1511      piping, etc., unless previously existing, provided that installation of the system  
1512      hardware does not damage or cause the removal of character-defining architectural  
1513      features and can be easily removed in the future.

1514      d. Installation of communication and surveillance security systems, such as cameras,  
1515      closed-circuit television, alarm systems, and public address systems, provided that  
1516      installation of the system hardware does not damage or cause the removal of  
1517      character defining architectural features and can be easily removed in the future.

1529 e. Installation of building access security devices, such as card readers, enhanced  
1530 locks, and security scanners (e.g., metal detectors), provided the device does not  
1531 damage or cause the removal of character-defining architectural features and can  
1532 be removed in the future without impacts to significant architectural features.  
1533

1534 4. Windows and Doors  
1535

1536 a. In-kind repair of damaged or severely deteriorated windows and window frames,  
1537 shutters, storm shutters, doors and door frames, and associated hardware, where  
1538 profiles, elevations, details and materials match those of the originals.  
1539 b. In-kind replacement of window panes. Clear plate, double, laminated or triple  
1540 insulating glazing can be used, provided it does not result in altering the existing  
1541 window material, tint, form, muntin profiles, or number of divided lights. This  
1542 allowance does not apply to the replacement of intact decorative glass.  
1543 c. Replacement of exterior, utilitarian, non-character-defining metal doors and frames  
1544 leading into non character-defining spaces with metal blast resistant doors and  
1545 frames.  
1546 d. Installation of security bars over windows on rear elevations.  
1547

1548 5. Exterior Walls, Cornices, Porches, and Foundations  
1549

1550 a. In-kind repainting of surfaces, provided that destructive surface preparation  
1551 treatments are not used, such as water blasting, sandblasting, power sanding and  
1552 chemical cleaning.  
1553 b. In-kind repair of walls, porches, foundations, columns, cornices, siding,  
1554 balustrades, stairs, dormers, brackets, trim, and their ancillary components or in-  
1555 kind replacement of severely deteriorated or missing or lost features, as long as the  
1556 replacement pieces match the original in detail and material. Any ground  
1557 disturbance will be limited to previously disturbed soils.  
1558 c. In-kind repair or replacement of signs or awnings.  
1559 d. Installation of temporary stabilization bracing or shoring, provided such work does  
1560 not result in additional damage.  
1561 e. Anchoring of walls to floor systems, provided the anchors are embedded and  
1562 concealed from exterior view.  
1563 f. In-kind repair of concrete and masonry walls, columns, parapets, chimneys, or  
1564 cornices or limited in-kind replacement of damaged and/or deteriorated beyond  
1565

1571 repair components including comparable brick, and mortar that matches the color,  
1572 strength, content, rake, and joint width.

1573

1574 g. Bracing and reinforcing of walls, chimneys and fireplaces, provided the bracing  
1575 and reinforcing are either concealed from exterior view or reversible in the future.

1576

1577 h. Strengthening of foundations and the addition of foundation bolts, provided that  
1578 visible new work is in-kind, including mortar that matches the color, content,  
1579 strength, rake, and joint width where occurring.

1580

1581 i. Repairs to and in-kind replacement of elements of curtain wall assemblies or  
1582 exterior cladding that is hung on the building structure, usually from floor to floor,  
1583 and when the color, size, reflectivity, materials, and visual patterns are unaltered.

1584 6. Roofing

1585

1586 a. Installation of scaffolding, polyethylene sheeting, or tarps, provided such work will  
1587 not result in additional damage or irreversible alterations to character defining  
1588 features.

1589

1590 b. In-kind repair, replacement, or strengthening of roofing, rafters, fascia, soffits,  
1591 gutters, verge boards, leader boxes, downspouts, or other damaged roof system  
1592 components.

1593

1594 c. Repairs to flat roof cladding, including changes in roofing materials, where the  
1595 repairs are not highly visible from the ground level.

1596 7. Weatherproofing and Insulation

1597

1598 a. Caulking and weather-stripping to complement the color of adjacent surfaces or  
1599 sealant materials.

1600

1601 b. In-kind repair or replacement of insulation systems, provided that existing interior  
1602 plaster, woodwork, exterior siding, or exterior architectural detail is not altered.

1603 8. Structural Retrofits

1604

1605 a. The installation of the following retrofits/upgrades, provided that such upgrades  
1606 are not visible on the exterior: attic bracing, cross bracing on pier and post  
1607 foundations; fasteners; collar ties; gussets; tie downs; strapping and anchoring of  
1608 mechanical, electrical, and plumbing equipment; concealed anchoring of furniture;  
1609 installation of plywood diaphragms beneath first floor joists, above top floor  
1610 ceiling rafters, and on roofs; and automatic gas shut off valves.

1611

1612 b. Replacement, repair or installation of lightning rods.

1613  
1614     9. Americans with Disabilities Act (ADA) Compliance  
1615  
1616       a. Installation of grab bars and other such minor interior modifications.  
1617  
1618     10. Safe Rooms  
1619  
1620       a. Installation of individual safe rooms within the property limits of a residence  
1621        where the installation would occur within the existing building or structure or in  
1622        previously disturbed soils.  
1623  
1624     11. Elevation, Demolition, and Reconstruction  
1625  
1626       a. Activities related to the elevation, demolition and/or reconstruction of buildings or  
1627        structures less than 45 years of age so long as the proposed activities substantially  
1628        conform to the original footprint and/or are performed in previously disturbed soils  
1629        including any staging area, and the buildings or structures are not located within or  
1630        adjacent to a National Register listed or eligible historic district.  
1631

1632     C. **TRANSPORTATION FACILITIES**, when proposed activities substantially conform to  
1633       the original footprint and/or performed in previously disturbed soils, including the area  
1634       where the activity is staged.  
1635

1636       1. Roads and Roadways  
1637

1638       a. Repair of roads to pre-disaster geometric design standards and conditions using in-  
1639        kind materials, shoulders, medians, clearances, curbs, and side slopes. This  
1640        allowance permits minor improvement to meet current code and standards or  
1641        hazard mitigation measures, such as those designed to harden exposed surfaces,  
1642        including the application of gravel armoring to side slopes and ditches.  
1643  
1644       b. In kind repair to historic paving materials for roads and walkways.  
1645  
1646       c. In-kind repair or replacement, or minor upgrade of culvert systems and arches  
1647        beneath roads or within associated drainage systems, including provision of  
1648        headwalls, riprap and any modest increase in capacity for the purposes of hazard  
1649        mitigation or to meet current codes and standards, provided that the work  
1650        substantially conforms to the existing footprint. For stone or brick culverts or  
1651        arches beneath roadways, this allowance only applies to in-kind repair.  
1652  
1653       d. In-kind repair or replacement of road lighting systems, including period lighting  
1654        fixture styles.  
1655  
1656       e. In-kind repair or replacement of road appurtenances such as curbs, berms, fences,  
1657        and sidewalks.

1658  
1659       f. Construction of temporary emergency access roads in previously disturbed soils to  
1660       allow for passage of emergency vehicles

1661  
1662       2. Bridges

1663  
1664       a. Installation of a temporary (Bailey-type) bridge over an existing structure or at a  
1665       previously disturbed location, such as a former bridge location, to allow passage of  
1666       emergency vehicles.

1667  
1668       b. In-kind repair or replacement of bridges and bridge components (e.g. abutments,  
1669       wing walls, piers, decks, and fenders) in previously disturbed soils.

1670  
1671       D. UTILITIES, COMMUNICATIONS SYSTEMS AND TOWERS, when proposed  
1672       activities substantially conform to the original footprint and/or performed in previously  
1673       disturbed soils, including the area where the activity is staged.

1674  
1675       1. General

1676  
1677       a. In-kind repair or replacement, or minor upgrading, small scale realignment, and  
1678       elevation of utilities and associated features and structures within previously  
1679       disturbed soils of rights-of-way or utility corridors.

1680  
1681       b. Installation of new utilities and associated features within existing rights-of-way.

1682  
1683       c. Directional boring of new/replacement service line and related appurtenances  
1684       involving boring or silt trenches within previously disturbed soils of rights-of-way  
1685       or utility corridors.

1686  
1687       d. In-kind repair or replacement, or minor upgrade of water towers provided activities  
1688       take place within previously disturbed soils. Ground-level facilities may be added  
1689       or expanded in previously disturbed areas. This allowance does not apply to  
1690       masonry water towers.

1691  
1692       2. Generators and Utilities

1693  
1694       a. In-kind repair or replacement, or minor upgrades, elevation, and/or installation of  
1695       generators, HVAC systems, and similar equipment provided activities occur within  
1696       previously disturbed soils and any roof mounted equipment is not visible from the  
1697       ground level.

1698  
1699       3. Communication Equipment/Systems and Towers

- 1701 a. Acquisition, installation, or operation of communication and security  
1702 equipment/systems that use existing distribution systems, facilities, or existing  
1703 infrastructure right-of-way.
- 1704 b. The collocation of communication and security equipment on existing towers and  
1705 buildings/structures less than 45 year in age, provided that the work does not  
1706 increase existing tower height or footprint by more than 10% and occurs within  
1707 previously disturbed soils.
- 1708 c. Enhancement, repair or replacement of existing communication towers and  
1709 antenna structures provided the work does not increase existing tower height or  
1710 footprint by more than 10% and occurs within previously disturbed soils.
- 1711 d. Installation of new temporary (not to exceed 12 months) communications towers  
1712 and antenna structures provided that the work occurs does not require modification  
1713 of buildings/structures 45 years or older and occurs within previously disturbed  
1714 soils.
- 1715 e. Installation of new communication towers, less than 200 feet tall, in previously  
1716 developed urban complexes when the work does not require modification of  
1717 buildings/structures 45 years or older, occurs within previously disturbed soil, and  
1718 is not within a half mile feet of the boundaries of a historic property.

1724 **E. WATER RESOURCE MANAGEMENT AND CONTROLS**, when proposed activities  
1725 substantially conform to the original footprint and/or performed in previously disturbed  
1726 soils, including the area where the activity is staged.

- 1727 1. Canal Systems
  - 1728 a. In-kind repairs or replacement to canal systems and associated elements.
- 1729 2. Breakwaters, Seawalls, Revetments, and Berms
  - 1730 a. In-kind repair or replacement of breakwaters, seawalls, and revetments, provided  
1731 the work occurs in previously disturbed soils.
- 1732 3. Dams, Levees, and Floodwalls
  - 1733 a. In-kind repair of dams, levees, floodwalls and related features, including spillways,  
1734 tide gates, and fuse plugs, provided the work occurs in previously disturbed soils.
- 1735 4. Fish Hatcheries
  - 1736 a. In-kind repair or replacement of fish hatcheries and fish ladders.

1746        5. Waste-Water Treatment Lagoon Systems

1747

1748        a. In-kind repair or replacement, or minor upgrades of waste-water treatment lagoon

1749        systems.

1750

## Appendix C: Treatment Measures

When avoidance or minimization of adverse effects is not appropriate, the following Treatment Measures are suggested for the resolution of adverse effects:

If Undertakings may or will result in adverse effects, FEMA, the Grantee(s), subgrantee, SHPO, and participating Tribes may develop a treatment measure plan that includes one or more of the following Treatment Measures, depending on the nature of historic properties affected and the severity of adverse effects. This Appendix may be amended in accordance with Stipulation IV.A.3 of this Agreement, Amendments.

#### A. Recordation

1. **Digital Photography Package:** Prior to project implementation, the designated responsible party shall oversee the successful delivery of a digital photography package prepared by staff or contractors meeting the Professional Qualifications for Architectural History, History, Architecture, or Historic Architecture, as appropriate. The digital photography package will meet the standards cited in the NPS' *National Register of Historic Places Photographic Policy March 2010* or subsequent revisions (<http://www.nps.gov/nr/publications/bulletins/photopolicy/index.htm>).
  - a. The digital photography package shall include a comprehensive collection of photographs of both interior and exterior views showing representative spaces and details of significant architectural features and typical building materials. Exterior photographs shall include full oblique and contextual images of each elevation. Exterior views shall be keyed to a site plan while interior views shall be keyed to a floor plan of the building/structure. The photographs shall be indexed according to the date photographed, site number, site name, site address, direction, frame number, subject matter and photographer's name recorded on the reverse side in pencil.
  - b. The digital photography package shall include printed color copies of the digital photographs (on appropriate paper, per *NPS Photographic Policy*), a CD/DVD of the digital photographs, a completed state architectural inventory form, and a written site history of the historic property.
  - c. The designated responsible party shall submit the digital photography package to the SHPO and participating Tribes for review and approval. Once approved by the SHPO and participating Tribes, the designated responsible party shall submit a copy of the approved documentation to a state or local historical society, archive, and/or library for permanent retention.

1793 2. **35mm Black and White Photography Package:** Prior to project implementation, the  
1794 designated responsible party shall oversee the successful delivery of a 35 mm film  
1795 black and white film photography package prepared by staff or contractors meeting the  
1796 Secretary's Professional Qualifications for Architectural History, History,  
1797 Architecture, or Historic Architecture, as appropriate.  
1798

1799 a. The 35 mm film black and white film photography package shall include a  
1800 comprehensive collection of photographs of both interior and exterior views  
1801 showing representative spaces and details of significant architectural features and  
1802 typical building materials. Exterior photographs shall include full oblique and  
1803 contextual images of each elevation. Exterior views shall be keyed to a site plan  
1804 while interior views shall be keyed to a floor plan of the building/structure. The  
1805 photographs shall be indexed according to the date photographed, site number, site  
1806 name, site address, direction, frame number, subject matter and photographer's  
1807 name recorded on the reverse side in pencil.  
1808

1809 b. The 35 mm film black and white film photography package shall include one (1)  
1810 full set of 35mm film black and white photographs printed on acid free paper, the  
1811 corresponding 35mm film negatives in acid free sleeves, a completed state  
1812 architectural inventory form, and a written site history of the historic property.  
1813

1814 c. The designated responsible party shall submit the 35 mm black and white film  
1815 photography package the SHPO and/or participating Tribes for review and  
1816 approval. Once approved by the SHPO and participating Tribes, the designated  
1817 responsible party shall submit a copy of the approved documentation to a state or  
1818 local historical society, archive, and/or library for permanent retention.  
1819

1820 3. **Large Format Photography Package:** Prior to project implementation, the designated  
1821 responsible party shall oversee the successful delivery of a large format photography  
1822 package prepared by staff or contractors meeting the Secretary's Professional  
1823 Qualifications for Architectural History, History, Architecture, or Historic  
1824 Architecture, as appropriate.  
1825

1826 a. The large format photography package shall include a comprehensive collection of  
1827 photographs of both interior and exterior views showing representative spaces and  
1828 details of significant architectural features and typical building materials. Exterior  
1829 photographs shall include full oblique and contextual images of each elevation.  
1830 Exterior views shall be keyed to a site plan while interior views shall be keyed to a  
1831 floor plan of the building/structure. The photographs shall be indexed according to  
1832 the date photographed, site number, site name, site address, direction, frame  
1833 number, subject matter and photographer's name recorded on the reverse side in  
1834 pencil.  
1835

1836 b. The large format film photography package shall include one (1) full set of 4 x 5 or  
1837 5 x 7-inch photographs printed on acid free paper, the corresponding 4 x 5 or 5 x

1838 7-inch negatives in acid free sleeves, a completed state architectural inventory  
1839 form, and a written site history of the historic property.

1840

1841 c. The designated responsible party shall submit the large format film photography  
1842 package to the SHPO and/or participating Tribes for review and approval. Once  
1843 approved by the SHPO and/or participating Tribes, the designated responsible  
1844 party shall submit    copies of the approved documentation to a state or local  
1845 historical society, archive, and/or library for permanent retention.

1846

1847 **B. Public Interpretation**

1848

1849 Prior to project implementation, FEMA, the Grantee(s), and subgrantee shall work with  
1850 the SHPO and/or participating Tribes to design an educational interpretive plan. The plan  
1851 may include signs, displays, educational pamphlets, websites, workshops and other similar  
1852 mechanisms to educate the public on historic properties within the local community, state,  
1853 or region. Once an interpretive plan has been agreed to by the parties, SHPO and/or  
1854 participating Tribes and the designated responsible party shall continue to consult  
1855 throughout implementation of the plan until all agreed upon actions have been completed  
1856 by the designated responsible party.

1857 **D. Historical Context Statements and Narratives**

1858

1859 Prior to project implementation, FEMA, the Grantee(s), and subgrantee shall work with  
1860 the SHPO and participating Tribes to determine the topic and framework of a historic  
1861 context statement or narrative the designated responsible party shall be responsible for  
1862 completing. The statement or narrative may focus on an individual property, a historic  
1863 district, a set of related properties, or relevant themes as identified in the statewide  
1864 preservation plan. Once the topic of the historic context statement or narrative has been  
1865 agreed to, the designated responsible party shall continue to coordinate with the SHPO  
1866 and participating Tribes through the drafting of the document and delivery of a final  
1867 product. The designated responsible party shall use staff or contractors that meet the  
1868 Secretary's Professional Qualifications for the appropriate discipline.

1869 **E. Oral History Documentation**

1870

1871 Prior to project implementation, FEMA, the Grantee(s), and subgrantee shall work with  
1872 the SHPO and/or participating Tribes to identify oral history documentation needs and  
1873 agree upon a topic and list of interview candidates. Once the parameters of the oral history  
1874 project have been agreed upon, the designated responsible party shall continue to  
1875 coordinate with the SHPO and/or participating Tribes through the data collection, drafting  
1876 of the document, and delivery of a final product. The designated responsible party shall  
1877 use staff or contractors that meet the Secretary's Professional Qualifications for the  
1878 appropriate discipline.

1879 **F. Historic Property Inventory**

1883  
1884 Prior to project implementation, FEMA, the Grantee(s), and subgrantee shall work with  
1885 the SHPO and/or participating Tribes to establish the appropriate level of effort to  
1886 accomplish a historic property inventory. Efforts may be directed toward the resurvey of  
1887 previously designated historic properties and/or districts which have undergone change or  
1888 lack sufficient documentation, or the survey of new historic properties and/or districts that  
1889 lack formal designation. Once the boundaries of the survey area have been agreed upon,  
1890 the designated responsible party shall continue to coordinate with the SHPO and/or  
1891 participating Tribes through the data collection process. The designated responsible party  
1892 shall use SHPO and/or participating Tribes' standards for the survey of historic properties  
1893 and SHPO and/or participating Tribes' forms as appropriate. The designated responsible  
1894 party shall prepare a draft inventory report, according to SHPO and/or participating  
1895 Tribes' templates and guidelines, and work with the SHPO and/or participating Tribes  
1896 until a final property inventory is approved. The designated responsible party shall use  
1897 staff or contractors that meet the Secretary's Professional Qualifications for the  
1898 appropriate discipline.  
1899

1900 **G. National Register and National Historic Landmark Nominations**

1901  
1902 Prior to project implementation, FEMA, the Grantee(s), and subgrantee shall work with  
1903 the SHPO and/or participating Tribes to identify the individual properties that would  
1904 benefit from a completed National Register or National Historic Landmark nomination  
1905 form. Once the parties have agreed to a property, the designated responsible party shall  
1906 continue to coordinate with the SHPO and/or participating Tribes through the drafting of  
1907 the nomination form. The SHPO and/or participating Tribes shall provide adequate  
1908 guidance to the designated responsible party during the preparation of the nomination  
1909 form and shall formally submit the final nomination to the Keeper for inclusion in the  
1910 National Register. The designated responsible party shall use staff or contractors that meet  
1911 the Secretary's Professional Qualifications for the appropriate discipline.  
1912

1913 **H. Geo-References of Historic Maps and Aerial Photographs**

1914  
1915 Prior to project implementation, FEMA, the Grantee(s), and subgrantee shall work with  
1916 the SHPO and/or participating Tribes to identify the historic maps and/or aerial  
1917 photographs for scanning and geo-referencing. Once a list of maps and/or aerial  
1918 photographs have been agreed upon, the designated responsible party shall continue to  
1919 coordinate with the SHPO and/or participating Tribes through the scanning and geo-  
1920 referencing process and shall submit drafts of paper maps and electronic files to the SHPO  
1921 and/or participating Tribes for review. The final deliverable produced by the designated  
1922 responsible party shall include a paper copy of each scanned image, a geo-referenced copy  
1923 of each scanned image, and the metadata relating to both the original creation of the paper  
1924 maps and the digitization process.  
1925

## **Appendix D: Tribal Areas of Interest within the State of South Carolina**

- 1926
- 1927
- 1928   **Tribe Name**
- 1929   Counties included within Area of Interest:
- 1930
- 1931   **Project Types of Interest:**
- 1932
- 1933   Any Excluded Project Types:
- 1934
- 1935   Preferred Method of Communication
- 1936



## South Carolina Disaster Recovery Team

632 Rosewood Drive  
Columbia, South Carolina 29201

# Cover Memo

**To:** Nancy E. Boone

Federal Preservation Officer, US Department of Housing and Urban Development

**From:** Eric Fosmire

Attorney, South Carolina Disaster Recovery Office

**Date:** November 17, 2016

**RE:** Cover Memo for the HUD Addendum to the FEMA PA

The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) will be using CDBG-DR funds to assist homeowners with following types of projects:

- **Rehabilitation & Reconstruction of Single-Family Homes**

Proposed single-family reconstruction will not expand the original existing footprint of the existing structure. Should lot restrictions apply and if the footprint must be expanded, the footprint will not be increased in a floodplain or a wetland.

Rehabilitation activities will include repair of storm damages and other items to bring the home to minimum Section 8 Housing Quality Standards (HQS).

Rehabilitation can include items such as:

- Roof repair/replacement
- Flooring repair/replacement
- Electrical repair/replacement
- Window repair/replacement
- Lead Based Paint and Mold remediation
- Handicapped accessibility
- Sheetrock repair/replacement
- Building foundations repair/replacement
- Repair/replacement unsafe water and sewer supplies

- **Replacement of Damaged Manufactured Housing Units (MHU's)**

The replacement of damaged MHUs will be on the original existing site. (SCDRO) will perform a repair feasibility analysis and replace damaged mobile homes that cannot reasonably be repaired.



## South Carolina Disaster Recovery Team

632 Rosewood Drive  
Columbia, South Carolina 29201

(SCDRO) will implement resilient practices to ensure the viability, durability and accessibility of replacement mobile homes:

- Although local building codes allow installation of Wind Zone I rated mobile homes, SCDRO will only utilize mobile homes with a minimum wind rating of HUD Wind Zone II or higher (able to withstand winds up to 100 MPH)
- SCDRO will adopt the 5'7" rule, prohibiting the installation of mobile homes elevated 5'7" above grade without appropriate structural reinforcement.

The location of these projects will be in will take place in the following counties: Bamberg, Berkeley, Colhoun, Charleston, Clarendon, Colleton, Darlington, Dorchester, Fairfield, Florence, Georgetown, Greenwood, Greenville, Horry, Fairfield, Lee, Marion, Newberry, Orangeburg, Spartanburg, Sumter and Williamsburg.

**ADDENDUM**  
**to**  
**PROGRAMMATIC AGREEMENT AMONG**  
**THE FEDERAL EMERGENCY MANAGEMENT AGENCY,**  
**THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,**  
**THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION, AND**  
**TRIBES PARTICIPATING AS INVITED SIGNATORIES**  
**to include**  
**PARTICIPATING SOUTH CAROLINA UNITS OF GENERAL LOCAL**  
**GOVERNMENT**

**WHEREAS**, FEMA makes assistance available to States, Commonwealths, communities, Federally recognized Indian Tribes (Tribes) and other eligible entities through programs (Programs) set forth in Appendix A, pursuant to the Homeland Security Act of 2002, Pub. L. No. 107-296 (2002) (codified as amended at 6 U.S.C. § 101 *et seq.*); Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 93-288 (1974) (codified as amended at 42 U.S.C. § 5121 *et seq.*, (Stafford Act); the National Flood Insurance Act of 1968, Pub. L. No. 90-448 (1968) (as amended); the National Flood Insurance Reform Act of 1994, Pub. L. No. 103-325 (1994) (as amended); the Post-Katrina Emergency Management Reform Act of 2006, Pub. L. No. 109-295 (2006) (as amended); implementing regulations contained in Title 44 of the Code of Federal Regulations (CFR), Executive Order 13407 (2006), and such other acts, executive orders, implementing regulations, or Congressionally authorized programs as are enacted from time to time; and

**WHEREAS**, FEMA has developed a Prototype Programmatic Agreement (FEMA Prototype Agreement) pursuant to 36 CFR § 800.14(b)(4) in consultation with the ACHP and NCSHPO to serve as a basis for negotiation of a State/Tribal specific Programmatic Agreement with the SHPO, State/Tribal Emergency Management Agency, and/or participating Tribe(s); and

**WHEREAS**, FEMA consulted with the South Carolina State Historic Preservation Officer (SHPO), the South Carolina Emergency Management Division (SCEM) the Catawba Indian Nation, and the United Keetoowah Band of Cherokee Indians to adopt and execute the FEMA Prototype Agreement for its Programs in South Carolina, and the South Carolina State specific Agreement (Agreement) was executed on October 16, 2014; and

**WHEREAS**, under the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, January 29, 2013), and other Congressionally authorized programs as are enacted from time to time, the U.S. Department of Housing and Urban Development (HUD) allocates Community Development Block Grant- Disaster Recovery (CDBG-DR) funds for disaster recovery activities similar to the activities covered by the Agreement; and

**WHEREAS**, the South Carolina Disaster Recovery Office (SCDRO) and participating units of general local government have assumed HUD's environmental review responsibilities as Responsible Entities and are responsible for environmental review, decision-making and action, pursuant to Section 104(g) of the Housing and Community Development Act of 1974 and 24

CFR Part 58, and propose to administer Community Development Block Grant – Disaster Recovery (CDBG-DR) funds pursuant to the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 and other Congressionally authorized programs as are enacted from time to time;

**WHEREAS**, Stipulation I.A.6. of the Agreement allows other Federal agencies, including state and local governments acting as Responsible Entities for CDBG-DR funds, to fulfill their Section 106 responsibilities for those types of activities covered under the terms of the Agreement by accepting and complying with the terms of the Agreement and executing this Addendum; and

**WHEREAS**, SCDRO and participating units of general local government will ensure that staff who meet the Secretary's Professional Qualification Standards will review Second Tier projects in accordance with Appendix B of the Agreement and will provide resumes of such staff to the signatories to this Addendum; and

**NOW, THEREFORE**, SCDRO and participating units of general local government agree to assume the federal agency role and accept the terms and conditions of the Agreement and subsequent amendments, as appropriate under HUD's authorizing legislation and regulations, and thereby take into account the effect of its undertakings and satisfy its Section 106 responsibilities for the CDBG-DR program for activities in their jurisdictions in South Carolina.

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**DURATION AND EXTENSION**, This Addendum to the Agreement will remain in effect for currently open disaster declarations and subsequent disaster declarations in the state of South Carolina; however, the Addendum will not exceed the expiration date of the Agreement. Signatories may collectively agree to extend this Addendum to cover additional calendar years provided that the Agreement is also extended.

**EXECUTION AND IMPLEMENTATION**, of this Addendum to the Agreement evidences that SCDRO and participating units of general local government have taken into account the effects of their undertakings on historic properties, and that through the execution of this Addendum and implementation of the Agreement, SCDRO and participating units of general local government will satisfy their responsibilities under Section 106 of the National Historic Preservation Act and its implementing regulations for the referenced CDBG-DR program for activities in their jurisdictions in South Carolina. This Addendum may be executed in counterparts, with separate signature pages. Units of general local government may decide to participate and execute the Addendum at any time during the term of the Addendum.

**ADDENDUM  
to  
PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,  
THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION, AND  
TRIBES PARTICIPATING AS INVITED SIGNATORIES  
to include  
THE SOUTH CAROLINA DISASTER RECOVERY OFFICE and  
PARTICIPATING SOUTH CAROLINA UNITS OF GENERAL LOCAL  
GOVERNMENT**

**SIGNATORY PARTIES:**

## FEDERAL EMERGENCY MANAGEMENT AGENCY

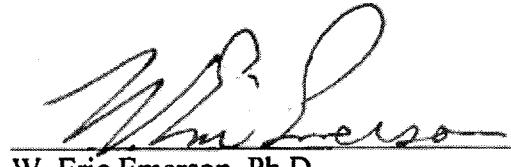
  
Gracia B. Szczech Date: 11/16/16

**Regional Administrator  
Region IV**

**ADDENDUM**  
to  
**PROGRAMMATIC AGREEMENT AMONG**  
**THE FEDERAL EMERGENCY MANAGEMENT AGENCY,**  
**THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,**  
**THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION, AND**  
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to include  
**THE SOUTH CAROLINA DISASTER RECOVERY OFFICE and**  
**PARTICIPATING SOUTH CAROLINA UNITS OF GENERAL LOCAL**  
**GOVERNMENT**

**SIGNATORY PARTIES:**

**SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER**

  
\_\_\_\_\_  
W. Eric Emerson, Ph.D.      Date: 11-4-16

State Historic Preservation Officer

---

**ADDENDUM**  
to  
**PROGRAMMATIC AGREEMENT AMONG**  
**THE FEDERAL EMERGENCY MANAGEMENT AGENCY,**  
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to include  
**THE SOUTH CAROLINA DISASTER RECOVERY OFFICE and**  
**PARTICIPATING SOUTH CAROLINA UNITS OF GENERAL LOCAL**  
**GOVERNMENT**

**SIGNATORY PARTIES:**

**SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION**

  
\_\_\_\_\_  
Kim Stenson

Date: 9 Nov 16

Director

---

**ADDENDUM  
to  
PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,  
THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION, AND  
TRIBES PARTICIPATING AS INVITED SIGNATORIES  
to include  
THE SOUTH CAROLINA DISASTER RECOVERY OFFICE and  
PARTICIPATING SOUTH CAROLINA UNITS OF GENERAL LOCAL  
GOVERNMENT**

**INVITED SIGNATORIES:**

# UNITED KEETOOWAH BAND OF CHEROKEE INDIANS

---

Date: \_\_\_\_\_

## Chief

**ADDENDUM  
to  
PROGRAMMATIC AGREEMENT AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,  
THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION, AND  
TRIBES PARTICIPATING AS INVITED SIGNATORIES  
to include  
THE SOUTH CAROLINA DISASTER RECOVERY OFFICE and  
PARTICIPATING SOUTH CAROLINA UNITS OF GENERAL LOCAL  
GOVERNMENT**

**INVITED SIGNATORIES:**

## CATAWBA INDIAN NATION

\_\_\_\_\_  
William Harris Date: \_\_\_\_\_

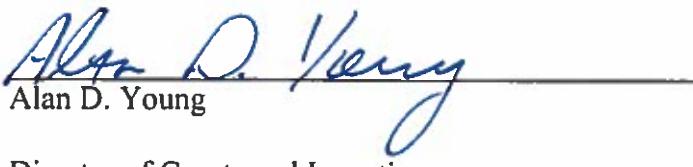
Chief

Wenyan, Hui Date: \_\_\_\_\_

Tribal Historic Preservation Officer

**ADDENDUM**  
to  
**PROGRAMMATIC AGREEMENT AMONG**  
**THE FEDERAL EMERGENCY MANAGEMENT AGENCY,**  
**THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,**  
**THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION, AND**  
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**PARTICIPATING SOUTH CAROLINA UNITS OF GENERAL LOCAL**  
**GOVERNMENT**

**SOUTH CAROLINA DISASTER RECOVERY OFFICE**

  
\_\_\_\_\_  
Alan D. Young      Date: 11-16-16  
Director of Grants and Incentives  
South Carolina Department of Commerce

**ADDENDUM**  
**to**  
**PROGRAMMATIC AGREEMENT AMONG**  
**THE FEDERAL EMERGENCY MANAGEMENT AGENCY,**  
**THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,**  
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**PARTICIPATING SOUTH CAROLINA UNITS OF GENERAL LOCAL**  
**GOVERNMENT**

**PARTICIPATING UNITS OF GENERAL LOCAL GOVERNMENT**

[City/County]

---

[name] \_\_\_\_\_ Date: \_\_\_\_\_  
[title]

---

# **Protocol for Responsible Entities to Adopt the HUD Addendum to the FEMA PA for CDBG-DR Projects in South Carolina**

## **Background**

HUD assisted projects like CDBG-DR (Community Development Block Grant- Disaster Recovery) projects require a historic preservation compliance review, otherwise known as Section 106 review, which requires federal agencies to consider any impacts their projects may have to historic properties. This review process can be completed as outlined in 36 CFR 800 for individual projects or a Programmatic Agreement (PA) may be developed as an alternative to expedite the review process for multiple projects. HUD environmental regulations [24 CFR 58] require states and units of general local government to assume responsibility for environmental review of HUD-assisted projects. These Responsible Entities (REs) act as the federal agency in carrying out environmental reviews, including Section 106 reviews.

The Federal Emergency Management Agency (FEMA) has a PA in place for South Carolina to expedite Section 106 reviews of its disaster and non-disaster recovery activities through October 2021. Some of the efficiencies captured in the PA include shortened review times, an appendix of exempt activities and the expedited resolution of adverse effects. HUD and FEMA fund similar types of disaster recovery activities such as: acquisition and demolitions, elevations of single family homes, large infrastructure projects, and the redevelopment of housing projects. Through an Addendum document, HUD REs can sign on to the FEMA PA and utilize the same review procedures for CDBG-DR projects. This is a much quicker approach than developing a parallel PA for CDBG-DR projects, which can take many months.

The Unified Federal Review process encourages a more consistent interagency approach in addressing Section 106 reviews for disaster recovery. In efforts to advance a more unified approach, HUD is encouraging REs with CDBG-DR funds to sign on to the FEMA PA in order to utilize the efficiencies in the PA for HUD funded disaster recovery projects that REs administer. Listed below are guidelines on how REs can adopt the Addendum and use the FEMA PA process to expedite reviews.

## **Initiation**

- The South Carolina Department of Commerce, City of Columbia, Richland County & Lexington County are the direct recipients of CDBG-DR grants from HUD, and are each individually eligible to adopt the Addendum and FEMA PA. HUD is available to support and discuss the Addendum and FEMA PA process with REs and assist them throughout the Addendum adoption process as necessary. HUD is not a signatory to the Addendum as its legal responsibilities are assumed by a RE pursuant to 24 CFR Part 58.

## **Public Outreach**

- Responsible Entities (REs) need to inform other potentially interested parties such as local historic preservation review Commissions (whether or not the city participates in the SHPO's Certified Local governments Program), local historic preservation organizations, and the public about the proposed HUD Addendum before they adopt it. This can be done by notice, letter, meeting, or other means. A list of current CLG's in SC can be found here: <http://shpo.sc.gov/programs/locgov/Pages/CLG.aspx>

## **Qualified Staff**

- The historic preservation review process in the FEMA PA requires implementation by a qualified historic preservation professional who meets the Secretary of the Interior's Professional Qualification Standards. Guidelines on the qualifications can be found here: [http://www.nps.gov/history/local-law/arch\\_stnds\\_9.htm](http://www.nps.gov/history/local-law/arch_stnds_9.htm)
- The RE identifies their choice for the qualified historic preservation professional who meets the Secretary's Professional Qualification Standards. It can be RE staff or a consultant. An RE can choose more than one qualified professional.
- Upon request from an RE, HUD will provide information on the Secretary of the Interior's Professional Qualifications Standards and/or preview resumes of potential candidates.
- For a list of historic preservation consultants in South Carolina please visit this website: <http://shpo.sc.gov/pubs/Pages/profs.aspx> \*Please note that not all of these consultants have experience working with Section 106, please confirm with any consultant on this list that they are Qualified preservation professionals with Section 106 experience.

## **Execution of the Addendum**

- HUD will prepare an Addendum signature page for each eligible RE.
- After the RE selects the qualified professional who will conduct Section 106 reviews for them, the RE should submit the resume of the SOI qualified individual to HUD for review/confirmation.
- The RE submits the original signature page, resume of the qualified professional and a cover memo to HUD and may begin using the FEMA PA process for CDBG-DR reviews effective the date of signature of the Addendum.
- The cover memo may include any of the following information that is pertinent and available at the time:
  - What types of projects are anticipated?
  - How many projects are anticipated?
  - Where will these projects generally be located?
  - Do these projects have the potential to include demolition, rehabilitation, new construction and/or ground disturbance?
- On behalf of the REs, HUD will notify SHPO, FEMA, and Tribes of new signatories to the Addendum and will provide copies of the signature pages, resumes, and a cover memo.
- HUD will post the Addendum and RE signature pages on the Section 106 Agreements section of the HUD Historic Preservation page at <https://www.hudexchange.info/environmental-review/historic-preservation/section-106-agreements/> & the Disaster Programmatic Agreement page at <https://www.hudexchange.info/programs/environmental-review/disaster-recovery-and-environment/>
- As necessary, HUD will schedule conference calls with the FEMA Regional office and SHPO to provide updates on new signatories to the Addendum and any new developments.

## Annual Report

- In relation to the annual reporting requirement in the FEMA PA, the RE will provide Signatories to the PA with an annual report by June 30th that summarizes the actions taken by the RE in the previous calendar year to implement the terms of this Agreement, statistics on undertakings reviewed, and recommendations for actions or revisions to be considered. Any of the parties may request a follow-up discussion of the report and its recommendations.

## Additional Information

- The RE can adopt a previously completed FEMA Section 106 review if the RE confirms that it covers the same project activities as the CDBG-DR project and if the FEMA review is less than 5 years old. See <https://www.hudexchange.info/resources/documents/AdoptionFEMAOtherFederalEnvironmentalReviewProcessingSandy.pdf>. No additional review is necessary unless the scope of work has changed.
- There may be projects that are jointly funded by FEMA and HUD. These projects should be coordinated to achieve a unified and expedited review.
- FEMA does not have any responsibility for the CDBG-DR project reviews that are conducted by an RE under the HUD Addendum to the FEMA PA.
- Categorically Excluded and Environmental Assessment-level Environmental Reviews of CDBG-DR projects that are entered into HUD's HEROS database will be accessible to the public on the HUD Exchange website for one year at <https://www.hudexchange.info/environmental-review/environmental-review-records/>. Environmental Impact Statements are posted at <https://www.hudexchange.info/environmental-review/environmental-impact-statements>. These reviews can be helpful in alerting other federal agencies with subsequent funding in the same project or project area that a previous Section 106 review was completed. Please contact HUD for more information on gaining access to the HEROS database.
- Any changes to the FEMA PA will need to follow the amendment process outlined under Stipulation IV.A in the PA.

## Contacts

### HUD

Nancy E. Boone, Federal Preservation Officer  
US Department of Housing and Urban Development  
Office of Environment and Energy  
451 7th Street SW, Room 7212  
Washington, DC 20410  
Voice: 202.402.5718  
Nancy.E.Boone@hud.gov

### SHPO

John D. Sylvest  
South Carolina Department of Archives and History

State Historic Preservation Office (SHPO)  
8301 Parklane Road  
Columbia, SC 29223  
phone: 803.896.6129 fax: 803.896.6167  
SHPO Website: <http://shpo.sc.gov>

### FEMA Region IV

Eric M. Thurston  
Historic Preservation Specialist  
Office: (770) 220-8817  
Cell: (404) 536-4114  
Eric.thurston@fema.dhs.gov

## APPENDIX G:

### Wild & Scenic Rivers

Oct. 11<sup>th</sup> 2016

Dr. Jeffrey R. Duncan, Ph.D.  
Southeast Regional Fishery Ecologist & Wild and Scenic Rivers Coordinator  
National Park Service 535 Chestnut Street - Suite 207 Chattanooga, TN 37402  
Email: [jeff\\_duncan@nps.gov](mailto:jeff_duncan@nps.gov) Phone: 423.987.6127

**RE: South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) - Rehabilitation & Reconstruction of Single-Family Homes and Replacement of Manufactured Housing Unit's**

Dear Dr. Duncan:

The state of South Carolina was included into the Community Development Block Grant Disaster Recovery (CDBG-DR) program on December 18, 2015. In October 2015, South Carolina received unprecedented and historical rainfall and flooding. This heavy rainfall of over 20 inches across the state came from an upper atmospheric low-pressure system that funneled tropical moisture from Hurricane Joaquin. Heavy rainfall occurred across South Carolina during October 1-5, 2015, the storm caused major flooding from the central to the coastal areas of South Carolina to compute streamflow from monitored river stage. The floods caused loss of life and extensive damage to many dams, bridges, roads, homes, and businesses. South Carolina is proposing to use CDBG-DR funds to assist homeowners in the following disaster declared counties: Bamberg, Berkeley, Colhoun, Charleston, Clarendon, Colleton, Darlington, Dorchester, Fairfield, Florence, Georgetown, Greenwood, Greenville, Horry, Fairfield, Lee, Marion, Newberry, Orangeburg, Spartanburg, Sumter and Williamsburg, in achieving safe and code compliant housing that meets minimum property standards through rehabilitation, reconstruction and replacement of manufactured homes.

The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) is the responsible entity for completing the federally required environmental review in accordance with 24 CFR Part 58. SCDRO has retained the Ardurra Group to assist with the environmental review. For the NEPA review of the rehabilitation, reconstruction, and replacement of manufactured homes, SCDRO intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site specific reviews in areas of potential impact. To expedite environmental review while complying with Part 58 and other applicable laws and regulations, your determination of no affect or input on the need for individual consultation concerning compliance is sought for the following types of projects:

- Rehabilitation & Reconstruction of Single-Family Homes
  - The reconstruction work will not expand the original footprint of the structure if possible. If lot restrictions apply and the footprint must be expanded, the footprint will not be increased in a floodplain or a wetland.
- Replacement of Damaged Manufactured Housing Units (MHU) Deemed Unrepairable Through a Feasibility Review
  - The replacement of damaged MHUs will be replaced on the original site.



Please do not hesitate to contact me at 225-954-5136 or dgalose@ardurragroup.com should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink that reads "Derek A. Galose".

Derek A. Galose  
Environmental Manager  
Ardurra Group

CC: Angela L Dahlgren, Ardurra Group

CC: Eric Fosmire, SCDRO

**From:** Duncan, Jeffrey <jeff\_duncan@nps.gov>  
**Sent:** Wednesday, October 26, 2016 4:19 PM  
**To:** Derek Galose  
**Subject:** Re: South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) Concurrence Letter

Derek--My apologies as I must have overlooked your previous correspondence. We have no comment as it appears the nature of the proposed projects will have no bearing on any Wild and Scenic Rivers. Will this email suffice or do you prefer a formal letter?

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

535 Chestnut St. Suite 207  
Chattanooga, TN 37402  
423-987-6127

On Tue, Oct 11, 2016 at 6:30 PM, Derek Galose <[dgalose@ardurragroup.com](mailto:dgalose@ardurragroup.com)> wrote:

Dear Dr. Duncan,

The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO) is the responsible entity for completing the federally required environmental review in accordance with 24 CFR Part 58. SCDRO has retained the Ardustra Group to assist with the environmental review. For the NEPA review of the rehabilitation, reconstruction, and replacement of manufactured homes, SCDRO intends to perform a tiered review to obtain programmatic clearances on those NEPA elements for which no impact is anticipated to occur and establish programmatic guidelines and standards for site specific reviews in areas of potential impact.

attached is a copy of the concurrence letter for your review we also mailed a hard copy.

Please feel free to contact me with any questions or concerns.

Thank you for your time.

## **APPENDIX H:**

### **Floodplain Management**

**Early Notice and Public Review of Proposed Activity in  
100- Year Floodplain**

**Final Notice and Public Review of Proposed Activity in 100-  
Year Floodplain**

## **APPENDIX I:**

### **Combined Finding of No Significant Impact and Notice of Intent to Request Release of Funds (FONSI/NOIRROF)**

**Combined Notice Notification Letter**

Dr. Jeffrey R. Duncan, PhD  
National Park Service-Southeast Region Science and Natural Resources Division,  
Fisheries and Aquatic Resources  
535 Chestnut St. Suite 207 Chattanooga, TN 37402 423-987-6127

Date: December 13, 2016

**Re: Single Family Rehabilitation and Reconstruction Program: South Carolina 2015 Flood Event**

CDBG-DR Project No: B-16-DH-45-0001

Dear Dr. Duncan,

This letter serves as notification, as per HUD regulation 24 CFR §58.43(a), that a Finding of No Significant Impact (FONSI) has been made and that a Notice of Intent to Request Release of Funds and Certification (NOI/RROF) will be submitted to HUD for the thirteen (13) South Carolina Counties listed in the table below. They are presented in a Combined Notice. Included with this letter are copies of the notices that will be published in the newspapers listed in the table below. No action is required on your agency's part.

	County	Newspaper	Publication Date
1	Charleston	The Post and Courier	11/30/2016
2	Darlington	Hartsville Messenger	11/30/2016
3	Spartanburg	Herald Journal	11/30/2016
4	Horry	The Sun News	12/6/2016
5	Berkeley	The Berkeley Independent	12/7/2016
6	Dorchester	The Summerville Journal	12/7/2016
7	Lee	Lee County Observer	12/7/2016
8	Marion	Marion Star & Mullins Enterprise	12/7/2016
9	Newberry	Newberry Observer	12/7/2016
10	Colleton	The Press and Standard	12/8/2016
11	Fairfield	The Independent Voice	12/8/2016
12	<del>Fairfield</del> <i>Crenshaw</i>	The Chronicle Independent	12/9/2016
13	Greenville	The Greenville News	12/7/2016

Sincerely,



**Derek A. Galose**  
Derek A. Galose  
Environmental Manager  
Ardurra Group

**Combined Notice Notification Letter**

Ms. Holli Dawn Martin,  
Project Coordinator Coastal Zone Consistency-OCRM  
S.C. Dept. of Health & Environmental Control Office 2600 Bull Street, Columbia, SC 29201

Date: December 13, 2016

**Re: Single Family Rehabilitation and Reconstruction Program: South Carolina 2015 Flood Event**

CDBG-DR Project No: B-16-DH-45-0001

Dear Dr. Duncan,

This letter serves as notification, as per HUD regulation 24 CFR §58.43(a), that a Finding of No Significant Impact (FONSI) has been made and that a Notice of Intent to Request Release of Funds and Certification (NOI/RROF) will be submitted to HUD for the thirteen (13) South Carolina Counties listed in the table below. They are presented in a Combined Notice. Included with this letter are copies of the notices that will be published in the newspapers listed in the table below. No action is required on your agency's part.

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9	Newberry	Newberry Observer	12/7/2016
10	Colleton	The Press and Standard	12/8/2016
11	Fairfield	The Independent Voice	12/8/2016
12	Kershaw	The Chronicle Independent	12/9/2016
13	Greenville	The Greenville News	12/7/2016

Sincerely,



**Derek A. Galose**  
Derek A. Galose  
Environmental Manager  
Ardurra Group

**Combined Notice Notification Letter**

Mr. Mark A. Caldwell Deputy Field Supervisor  
U.S. Fish and Wildlife Service South Carolina Ecological Services  
176 Croghan Spur Road, Suite 200 Charleston, SC 29407

Date: December 13, 2016

**Re: Single Family Rehabilitation and Reconstruction Program: South Carolina 2015 Flood Event**

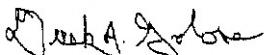
CDBG-DR Project No: B-16-DH-45-0001

Dear Mr. Caldwell,

This letter serves as notification, as per HUD regulation 24 CFR §58.43(a), that a Finding of No Significant Impact (FONSI) has been made and that a Notice of Intent to Request Release of Funds and Certification (NOI/RROF) will be submitted to HUD for the thirteen (13) South Carolina Counties listed in the table below. They are presented in a Combined Notice. Included with this letter are copies of the notices that will be published in the newspapers listed in the table below. No action is required on your agency's part.

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9	Newberry	Newberry Observer	12/7/2016
10	Colleton	The Press and Standard	12/8/2016
11	Fairfield	The Independent Voice	12/8/2016
12	Kershaw	The Chronicle Independent	12/9/2016
13	Greenville	The Greenville News	12/7/2016

Sincerely,



**Derek A. Galose**  
Derek A. Galose  
Environmental Manager  
Ardurra Group

**Combined Notice Notification Letter**

Mr. John D. Sylvest  
South Carolina Department of Archives and,  
History State Historic Preservation Office (SHPO)  
8301 Parklane Road Columbia, SC 29223

Date: December 13, 2016

**Re: Single Family Rehabilitation and Reconstruction Program: South Carolina 2015 Flood Event**

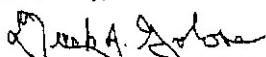
CDBG-DR Project No: B-16-DH-45-0001

Dear Mr. Sylvest,

This letter serves as notification, as per HUD regulation 24 CFR §58.43(a), that a Finding of No Significant Impact (FONSI) has been made and that a Notice of Intent to Request Release of Funds and Certification (NOI/RROF) will be submitted to HUD for the thirteen (13) South Carolina Counties listed in the table below. They are presented in a Combined Notice. Included with this letter are copies of the notices that will be published in the newspapers listed in the table below. No action is required on your agency's part.

	County	Newspaper	Publication Date
1	Charleston	The Post and Courier	11/30/2016
2	Darlington	Hartsville Messenger	11/30/2016
3	Spartanburg	Herald Journal	11/30/2016
4	Horry	The Sun News	12/6/2016
5	Berkeley	The Berkeley Independent	12/7/2016
6	Dorchester	The Summerville Journal	12/7/2016
7	Lee	Lee County Observer	12/7/2016
8	Marion	Marion Star & Mullins Enterprise	12/7/2016
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13	Greenville	The Greenville News	12/7/2016

Sincerely,



**Derek A. Galose**  
Derek A. Galose  
Environmental Manager  
Ardurra Group

**Combined Notice Notification Letter**

Mr. L. Nelson Roberts, Jr., Section Manager  
Air Programs Implementation & Mobile Sources Section Bureau of Air Quality,  
SCDHEC 2600 Bull Street, Columbia, SC 29201

Date: December 13, 2016

**Re: Single Family Rehabilitation and Reconstruction Program: South Carolina 2015 Flood Event**

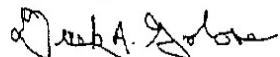
CDBG-DR Project No: B-16-DH-45-0001

Dear Dr. Duncan,

This letter serves as notification, as per HUD regulation 24 CFR §58.43(a), that a Finding of No Significant Impact (FONSI) has been made and that a Notice of Intent to Request Release of Funds and Certification (NOI/RROF) will be submitted to HUD for the thirteen (13) South Carolina Counties listed in the table below. They are presented in a Combined Notice. Included with this letter are copies of the notices that will be published in the newspapers listed in the table below. No action is required on your agency's part.

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13	Greenville	The Greenville News	12/7/2016

Sincerely,



**Derek A. Galose**  
Derek A. Galose  
Environmental Manager  
Ardurra Group

**Combined Notice Notification Letter**

Ms. Ann English, State Conservationist USDA,  
Natural Resources Conservation Service 1835 Assembly Street,  
Room 950 Columbia, SC 29201

Date: December 13, 2016

**Re: Single Family Rehabilitation and Reconstruction Program: South Carolina 2015 Flood Event**

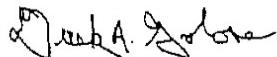
CDBG-DR Project No: B-16-DH-45-0001

Dear Ms. English,

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Sincerely,



**Derek A. Galose**

Derek A. Galose

Environmental Manager

Ardurra Group

## **Combined Notice Notification Letter-Agency Distribution List**

Mr. John D. Sylvest  
South Carolina Department of Archives and History  
State Historic Preservation Office (SHPO)  
8301 Parklane Road  
Columbia, SC 29223

Ms. Ann English, State Conservationist  
USDA, Natural Resources Conservation Service  
1835 Assembly Street, Room 950  
Columbia, SC 29201

Mr. Mark A. Caldwell  
Deputy Field Supervisor  
U.S. Fish and Wildlife Service  
South Carolina Ecological Services  
176 Croghan Spur Road, Suite 200  
Charleston, SC 29407

Mr. Christopher Hernandez  
Fish and Wildlife Biologist - Coastal Program  
U.S. Fish & Wildlife Service  
176 Croghan Spur Road, Suite 200  
Charleston, SC 29407

Mr. L. Nelson Roberts, Jr., Section Manager  
Air Programs Implementation & Mobile Sources Section  
Bureau of Air Quality, SCDHEC  
2600 Bull Street, Columbia, SC 29201

Ms. Holli Dawn Martin, Project Coordinator  
Coastal Zone Consistency-OCRM S.C. Dept. of Health & Environmental Control Office  
2600 Bull Street, Columbia, SC 29201

Dr. Jeffrey R. Duncan, PhD  
National Park Service-Southeast Region Science and Natural Resources Division,  
Fisheries and Aquatic Resources  
535 Chestnut St. Suite 207 Chattanooga, TN 37402 423-987-6127

**NOTICE OF FINDING OF NO SIGNIFICANT  
IMPACT AND NOTICE OF INTENT TO REQUEST  
RELEASE OF FUNDS**  
Darlington

November 30, 2016

South Carolina Disaster Recovery Office  
(SCDRO) of the South Carolina Department of  
Commerce, 632 Rosewood Drive, Columbia,  
SC 29201, (803) 896-4171

**These notices shall satisfy two separate but  
related procedural requirements for activities  
to be undertaken by the South Carolina  
Disaster Recovery Office (SCDRO) of the  
South Carolina Department of Commerce.**

**REQUEST FOR RELEASE OF FUNDS**

On or about December 16, 2016, the South Carolina Department of Commerce will "authorize the South Carolina Disaster Recovery Office to" submit a request to HUD for the release of Community Development Block Grant-Disaster Recovery (CDBG-DR) funds under The Disaster Relief Appropriations Act of 2016 (Pub. L. 114-113, approved December 18, 2015) to undertake a project known as Single Family Rehabilitation and Reconstruction Program, Darlington County, South Carolina for the purpose of rehabilitating and/or reconstructing single-family homes, and/or replacement of single-family Manufactured Housing Units (MHUs) that were damaged by the October 2015 Flood Event. This is a multi-year project 12/2016-12/2021 where SCDRO will be carrying out various individual action on single family homes. Rehabilitation activities may include: repair or replacement of structure elements such as roof, windows, door, sheetrock, plumbing and electrical fixtures, mechanicals, and lead based paint and mold remediation. Reconstruction activities will include demolition of the original storm-damaged unit, site preparation, elevation as required, and reconstruction of a single-family dwelling. MHU replacement will include demolishing original MHU on site, hauling debris away and placing new MHU in previous MHU footprint.

Under 24 CFR 58.15 (Tiering) and 24 CFR 58.32 (Project aggregation), SCDRO will utilize a tiered approach for combining similar work into geographic as well as functional aggregation packages when conducting the environmental review. The "Broad Review" or "Tier 1 review" has been completed and it has been determined that the project will not result in a significant impact on the quality of the human environment. Applying the tiering rule provides SCDRO the ability to separate individual project site work into aggregate categories of work having similar geographic and/or functional environmental attributes. A "site specific" or "Tier II" review will be done on each subject property before using any CDBG-DR funds for construction activities. The estimated CDBG-DR funding amount for Darlington County is \$3,000,000.00.

**FINDING OF NO SIGNIFICANT IMPACT**

SCDRO has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file with Eric Fosmire at the South Carolina Disaster Recovery Office, 632 Rosewood Drive, Columbia, SC 29201 and may be examined or copied weekdays 9 A.M to 5 P.M.

**PUBLIC COMMENTS**

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Eric Fosmire, 632 Rosewood Drive,

**PUBLIC COMMENTS**

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Eric Fosmire, 632 Rosewood Drive, Columbia, SC 29201. All comments received by December 15, 2016 will be considered by SCDRO prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

**ENVIRONMENTAL CERTIFICATION**

SCDRO certifies to HUD that Eric Fosmire in his capacity as the SCDRO Attorney consents to accept the jurisdiction of the 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 the SCDRO to use Program funds.

**OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of fund and the SCDRO's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the SCDRO; (b) SCDRO 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 approval of a release of funds by HUD; 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 Part 58, Sec. 58.76) and shall be addressed to Bradley S. Evatt, Director CPD, 1835 Assembly Street, 13th Floor, Columbia, SC 29201-2460, (803)765-5344. Potential objectors should contact HUD to verify the actual last day of the objection period.

# Carolina Publishing Order Confirmation for Ad #0001006379-01

## Ad Content Proof Actual Size

**NOTICE OF FINDING OF NO SIGNIFICANT  
IMPACT AND NOTICE OF INTENT TO REQUEST  
RELEASE OF FUNDS**  
Darlington

November 30, 2016

South Carolina Disaster Recovery Office  
(SCDRO) of the South Carolina Department of  
Commerce, 632 Rosewood Drive, Columbia,  
SC 29201, (803) 896-4171

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## Carolina Publishing

## Advertising Affidavit

310 South Dargan Street  
Florence, SC 29506  
(843) 317-6397

Date

November 30, 2016

ARDURRA GROUP  
632 ROSEWOOD DR.,  
COLUMBIA, SC 29201

Date	Category	Description	Ad Size	Total Cost
12/06/2016	Legal Notices	NOTICE OF FINDING OF NO SIGNIFICANT IMPA	1 x 139 L	212.82

Publisher of the  
Hartsville Msngr

This is to certify that the attached NOTICE OF FINDING OF NO S was published in the Hartsville Msngr in the City of Hartsville, state of South Carolina on the following dates:

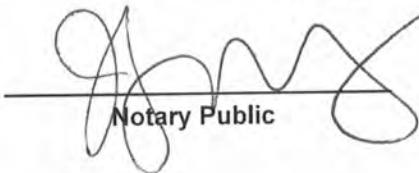
11/30/2016

The First insertion being given ... 11/30/2016

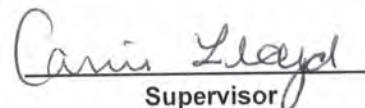
Newspaper reference: 0001006379

Sworn to and subscribed before me this

11/30/16



Notary Public



Supervisor



State of South Carolina  
My Commission expires

My Commission Expires August 17th, 2026

THIS IS NOT A BILL. PLEASE PAY FROM INVOICE. THANK YOU

# Carolina Publishing Order Confirmation for Ad #0001006379-01

Client	ARDURRA GROUP	Payor Customer	ARDURRA GROUP	Acct. Exec
Client Phone	941-224-6839	Payor Phone	941-224-6839	cloyd
Account#	2267621	Payor Account	2267621	
Address	632 ROSEWOOD DR., COLUMBIA SC 29201 USA	Payor Address	632 ROSEWOOD DR., COLUMBIA SC 29201	Ordered By
				Lori Manali

Fax  
EMail

Total Amount	\$212.82	Status		<u>Materials</u>	
Payment Amt	\$0.00	<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>PO Number</u>
Amount Due	\$212.82	0	0	1	<u>Blind Box</u>

Payment Method

Text:

Order Notes:

Ad Number	Ad Type	Color	Production Color
0001006379-01	CLP Legal Liner	<NONE>	

Pick Up Number	Ad Size	Production Method	Production Notes
	1.0 X 139 Li	AdBooker (liner)	

Product	Placement/Class	Position	# Inserts
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Run Schedule Invoice Text

Run Dates

Tag Line

SCA Hartsvil Msg CLP:      \_Legal Ads - Classified      \_Legal Notices-LEG-CLP      1

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS Darlington Novembe  
11/30/2016

NOTICEOFFINDINGOFNOSIGNIFICANTIMPACTANDNOTICEOFINTENTTOREQUESTRELEASEOFFUNDSDARLINGTONNOVEMBER3021

SCA scnow CLP.com:Onl Web:      \_Legal Ads - Classified      \_Legal Notices-LEG-CLP      7

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS Darlington Novembe  
11/30/2016, 12/1/2016, 12/2/2016, 12/3/2016, 12/4/2016, 12/5/2016, 12/6/2016

NOTICEOFFINDINGOFNOSIGNIFICANTIMPACTANDNOTICEOFINTENTTOREQUESTRELEASEOFFUNDSDARLINGTONNOVEMBER3021

**APPENDIX J:**  
Request for Release of Funds (RROF)  
And  
Authority Use Grant Funds (AUGF)

# Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development

OMB No. 2506-0087  
(exp. 07/31/2017)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

## Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)	2. HUD/State Identification Number	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity	
6. For information about this request, contact (name & phone number)		
8. HUD or State Agency and office unit to receive request	7. Name and address of recipient (if different than responsible entity)	

**The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following**

9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, county, State)
11. Program Activity/Project Description	

---

**Part 2. Environmental Certification (to be completed by responsible entity)**

---

**With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:**

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did  did not  require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity	Title of Certifying Officer
	Eric Fosmire, Attorney, South Carolina Disaster Recovery Office
	Date signed
	12/16/2016

Address of Certifying Officer

Eric Fosmire, Attorney, South Carolina Disaster Recovery Office, 632 Rosewood Drive, Columbia, SC 29201

---

**Part 3. To be completed when the Recipient is not the Responsible Entity**

---

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient	Title of Authorized Officer
	
	Date signed



**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)



## State of South Carolina Office of the Governor

NIKKI R. HALEY  
GOVERNOR

1205 PENDLETON STREET  
COLUMBIA 29201

**To:** All Interested U.S. Housing and Urban Development (HUD) Parties:

**From:** Nikki R. Haley

**RE:** Delegation of Certifying Officer for CDBG-DR Environmental Documents

**Date:** November 3, 2016

A. Daniel Young, Director of Grants Administration, South Carolina Department of Commerce, by virtue of his position, is designated as the State of South Carolina CDBG-DR Environmental Certifying Officer. In addition, due to the volume of environmental documents anticipated that require sign off by the Certifying Officer for the State of South Carolina's Community Development Block Grant – Disaster Recovery (CDBG-DR) Program, I also designate Eric Fosmire, attorney for the South Carolina Disaster Recovery Office (SCDRO) as a second Certifying Officer. Mr. Fosmire may sign any and/or all Environmental Review Records associated with the current HUD CDBG-DR Grant # B-16-DH-45-0001 and also serve as Certifying Officer for Environmental Review records for any future CDBG Disaster Grants the State of South Carolina may receive. Eric Fosmire will represent the responsible entity and will be subject to the jurisdiction of the Federal courts as specified in 24 C.F.R. Part 58 Section 58.13.

**Responsible Entity, Representative's Information/Certification:**

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

Nikki R. Haley, Governor, South Carolina

Signature:

Date:

A handwritten signature in blue ink that reads "Nikki R. Haley".

11-3-16



U. S. Department of Housing and Urban Development

Columbia Field Office  
Strom Thurmond Federal Building  
1835 Assembly Street  
Columbia, South Carolina 29201-2480  
[www.hud.gov](http://www.hud.gov)

January 1, 2017

Eric Fosmire, Attorney  
South Carolina Disaster Recovery Office  
632 Rosewood Drive  
Columbia, South Carolina 29201

Mr. Fosmire:

**SUBJECT:** Removal of Environmental Grant Condition and Authority to Use Grant Funds

On December 16, 2016, our Office received your Request for Release of Funds (RROF) and Certification indicating the environmental review for the following project has been completed:

**PROJECT:** The project will use CDBG-DR funding for single family rehabilitation and reconstruction program; South Carolina 2015 Flood Event with scattered sites throughout South Carolina.

**PROJECT AMOUNT:** \$12,600,000 (Charleston County)  
\$3,000,000 (Darlington County)  
\$300,000 (Spartanburg County)

**GRANT NUMBER:** B16-DH-45-0001

In accordance with HUD regulations at 24 CFR Part 58, the RROF has been held for 15 days as required to allow the public to comment or object to the use of HUD funds in this project. No valid objections were received by HUD during this time frame. Based upon the review, this project is considered environmentally cleared and the grant condition requiring that this project be environmentally cleared before committing CDBG-DR funds was removed on January 1, 2017. No further conditions are attached.

This letter and the enclosed Authority to Use Grant Funds (HUD-7015.16 form) should be placed in the Environmental Review Record (ERR) for each activity undertaken to show that the prescribed environmental review has been completed and the conditions satisfied. This clearance will remain in effect as long as the related environmental review is valid and the scope of the activities remains unchanged. If you have any questions or need additional information, please contact Angie Hall at 803-765-5102.

Sincerely,

A handwritten signature in blue ink that reads "Bradley S. Evatt".

Bradley S. Evatt, Director  
Community Planning and Development

Enclosure

# Authority to Use Grant Funds

U.S. Department of Housing  
and Urban Development  
Office of Community Planning  
and Development

To: (name & address of Grant Recipient & name & title of Chief Executive Officer)

Copy To: (name & address of SubRecipient)

Eric Fosmire, Attorney  
South Carolina Disaster Recovery Office  
632 Rosewood Drive  
Columbia, South Carolina 29201

We received your Request for Release of Funds and Certification, form HUD-7015.15 on

12/16/2016

Your Request was for HUD/State Identification Number

B16-DH-45-0001

All objections, if received, have been considered. And the minimum waiting period has transpired.  
You are hereby authorized to use funds provided to you under the above HUD/State Identification Number.  
File this form for proper record keeping, audit, and inspection purposes.

The environmental release date is January 1, 2017. The project will use CDBG-DR funding in the amount of:  
\$3,000,000 (Darlington County)  
\$300,000 (Spartanburg County)  
\$12,600,000 (Charleston County)  
for single family rehabilitation and reconstruction program: South Carolina 2015 flood event, scattered sites throughout South Carolina.

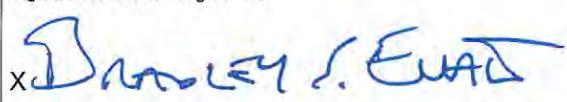
Typed Name of Authorizing Officer

Bradley S. Evatt

Title of Authorizing Officer

Director, Community Planning and Development

Signature of Authorizing Officer



Date (mm/dd/yyyy)

01/01/2017