

DARLINGTON COUNTY TIERED ENVIRONMENTAL BROAD REVIEW

for the
HURRICANE FLORENCE
SINGLE-FAMILY HOUSING
PROGRAM



February 10, 2021

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



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

“one team, one mission”

Contents

NEPA Compliance Document	ii
Change Log for Re-Evaluation of Tiered Environmental Review.....	iv
Delegation of Authority	v
Re-Evaluation of Tiered Environmental Review	1
Letter of Re-Evaluation of Environmental Finding	1
Environmental Review Record Classification and Tiering Plan	4
Re-Evaluation Tier I: EA Determinations and Compliance Findings.....	5
Re-Evaluation Determination:.....	39
Request for Release of Funds	40
Authorization to Use Grant Funds:	41
Site Specific Environmental Review Strategy	42
Tier II Site Specific Environmental Review Checklist	112
Original Tiered Environmental Broad Review.....	113



Change Log for Re-Evaluation of Tiered Environmental Review

Tier I Section	Summary

Delegation of Authority



HENRY McMASTER
GOVERNOR

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

From: Governor Henry Dargan McMaster

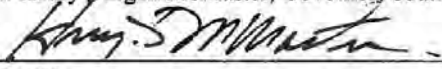
Re: Delegation of Environmental Certifying Officer Authority for HUD Community Development Block Grant – Disaster Recovery (CDBG-DR), HUD Community Development Block Grant - Mitigation (CDBG-MIT), and other HUD Disaster Recovery Environmental Documents

Date: 7 January 2021

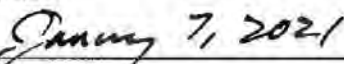
Benjamin I Duncan, II, Program Management Director of the South Carolina Disaster Recovery Office (SCDRO) of the South Carolina Office of Resilience, is designated as the Environmental Certifying Officer for South Carolina’s CDBG-DR, CDBG-MIT, and any other HUD disaster recovery program. In addition, 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



Signature



Date

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 February 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

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.

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

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 km²), of which 561.15 square miles (1,453 km²) is land and 5.66 square miles (14.7 km²) (1%) is water.

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 unreparable
3. Reconstruction of stick-built single-family homes deemed unreparable
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.

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.

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

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.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance Determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <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>

		<p>projects located within Darlington County will not require site-specific review.</p>
<p>Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</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 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>
<p>Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</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>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>

		<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.</p>
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STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<p>Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<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, & 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>Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (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.</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> <p>Darlington County is not within the South Carolina Coastal Zone and; therefore, is not subject to the Coastal Zone Plan.</p>
<p>Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)</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>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>

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.

Asbestos, Lead-Based Paint, and Mold

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.

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

- National Emission Standard for Asbestos, standard for demolition and renovation, 40 CFR 61.145
- National Emission Standard for Asbestos, standard for waste disposal for manufacturing, fabricating, demolition, and spraying operations, 40 CFR 61.150
- SC Regulation 61-86.1 - Standards of Performance for Asbestos Projects

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:

- 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)

		<ul style="list-style-type: none"> • HUD’s “Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing” <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>Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No <input type="checkbox"/> <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&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 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:</p>

		<p><i>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.</i></p> <p>The letter also provides guidance on the nationwide programmatic biological opinion (PBO) and the final 4(d) rule for the northern long-eared bat (<i>Myotis septentrionalis</i>, 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.</p> <p>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 all requirements of the blanket letter are followed. Any deviation from the requirements may require additional consultation with their office.</p>
<p>Explosive and Flammable Hazards 24 CFR Part 51 Subpart C</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>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</p>

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

		<p>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.”</p>
<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Compliance will be achieved during the site-specific review, as described below.</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.</p> <p>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)</p>

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.”

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.

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.

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

		<p>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>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Compliance will be achieved during the site-specific review, as described below.</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>
<p>Noise Abatement and Control 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’</p>

		location is actually a previously existing noise-sensitive (residential) land use, and also fits the definition above.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Compliance achieved at the Tier I Broad Review Level, as described below. 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.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	Compliance will be achieved during the site-specific review, as described below. 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. 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>Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No <input type="checkbox"/> <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. 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 & 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		
<p>Environmental Justice Executive Order 12898</p>	<p>Yes No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<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> <p>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.</p> <p>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.</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.

- (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
LAND DEVELOPMENT		
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><u>Soil Suitability:</u> 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><u>Slope:</u> 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><u>Erosion:</u> 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><u>Drainage / Storm Water Runoff:</u> 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 & 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>
SOCIOECONOMIC		
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>
COMMUNITY FACILITIES AND SERVICES		
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</p>

		to return to their homes and also to their local school and cultural 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 existing 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.
NATURAL FEATURES		
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

		<p>of similar size and setback as the pre-disaster buildings; therefore, no negative impacts to unique natural features is expected.</p> <p>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.</p>
Vegetation, Wildlife	1	<p>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.</p>
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/
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
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
 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
 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/ecologicalservices/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
www.fws.gov/charleston/ EPA Region IV Sole Source, Internet Website:
epa.gov/pesticides/region4/water/groundwater/web/html/r4ssa.html
 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]:

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:

- 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 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).
- 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.

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.

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.

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.

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".

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>).

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: Karyn Desselle Date: 2/10/2021
Karyn Desselle, Environmental Manager, HORNE LLP

Responsible Entity's Certifying Officer:

Certifying Officer Signature: Eric A. Fosmire 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).



Request for Release of Funds

Authorization to Use Grant Funds:

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.

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

Airport Operators will be consulted on a case-by-case basis.

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

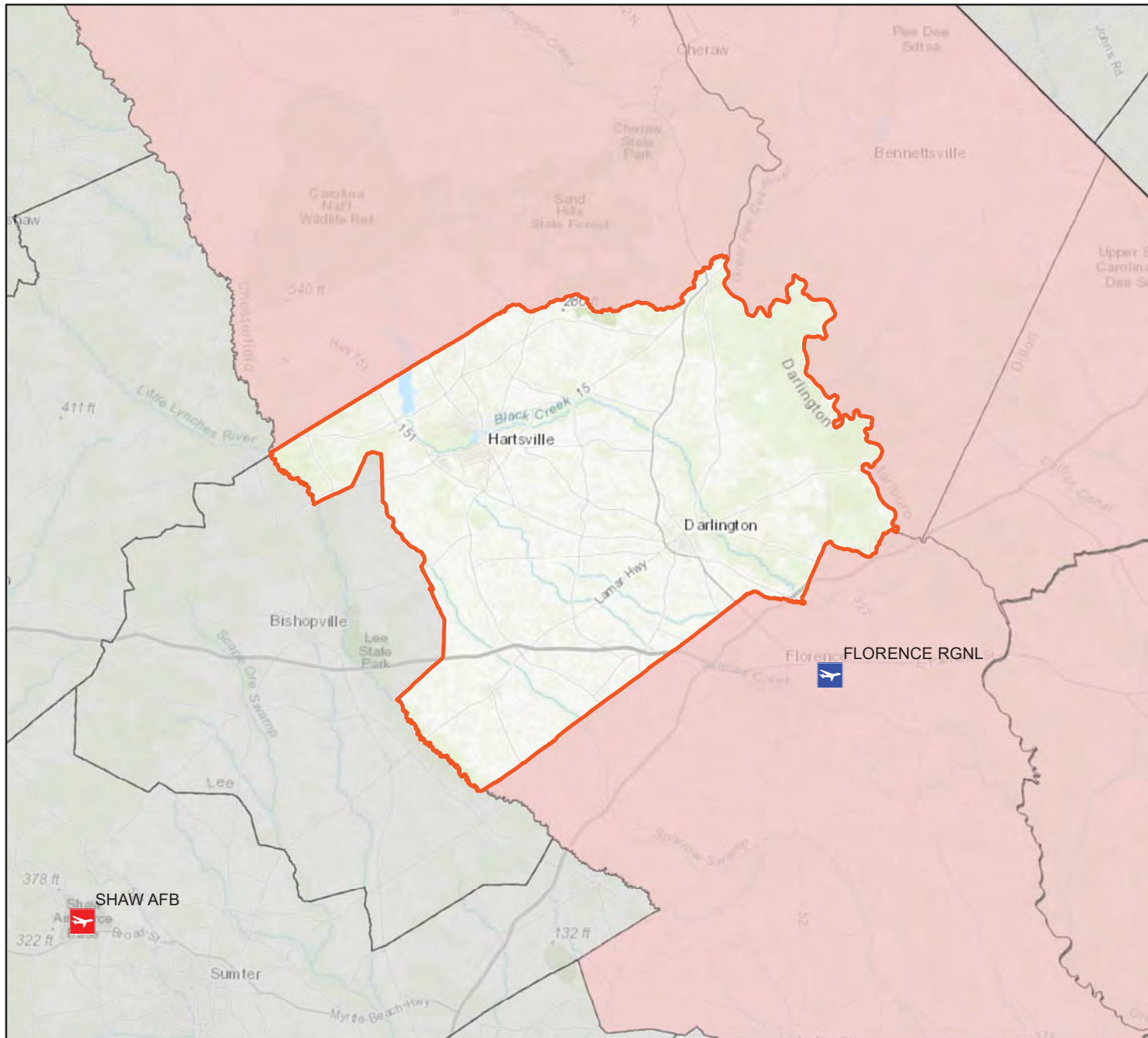
significantly prolong the physical or economic life of the existing facility if frequently used or occupied by people.


- 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



 County Boundary

 Study Area

Airports

 Civilian

 Joint Use

 Military



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. Chaffee 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

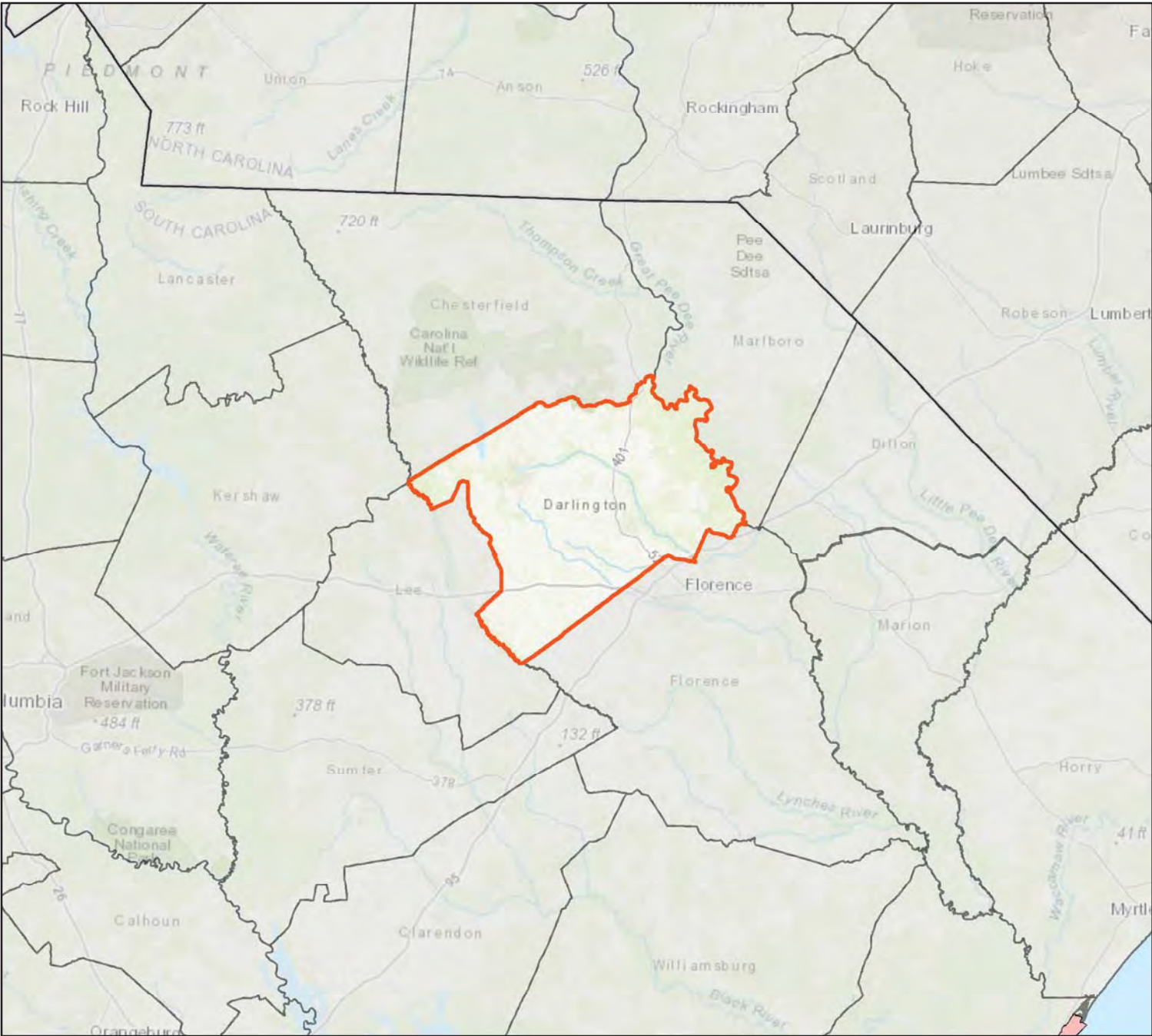
Number of CBRS Units	23
<i>Number of System Units</i>	16
<i>Number of Otherwise Protected Areas</i>	7
Total Acres	220,124
<i>Upland Acres</i>	14,467
<i>Associated Aquatic Acres</i>	205,657
Shoreline Miles	120

Site Specific Review Process

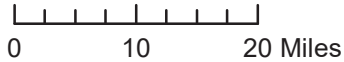
There are no Coastal Barrier Resources in Darlington County; therefore, for projects located within Darlington County, the site-specific review checklist will document that the review was concluded at the Tier I level.

Coastal Barrier Resources - Darlington County

Hurricane Florence Single-Family Housing Program



- County Boundary
- CBRS Units**
- Otherwise Protected Area
- System Unit



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

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

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

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 applicant's 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.

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 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.

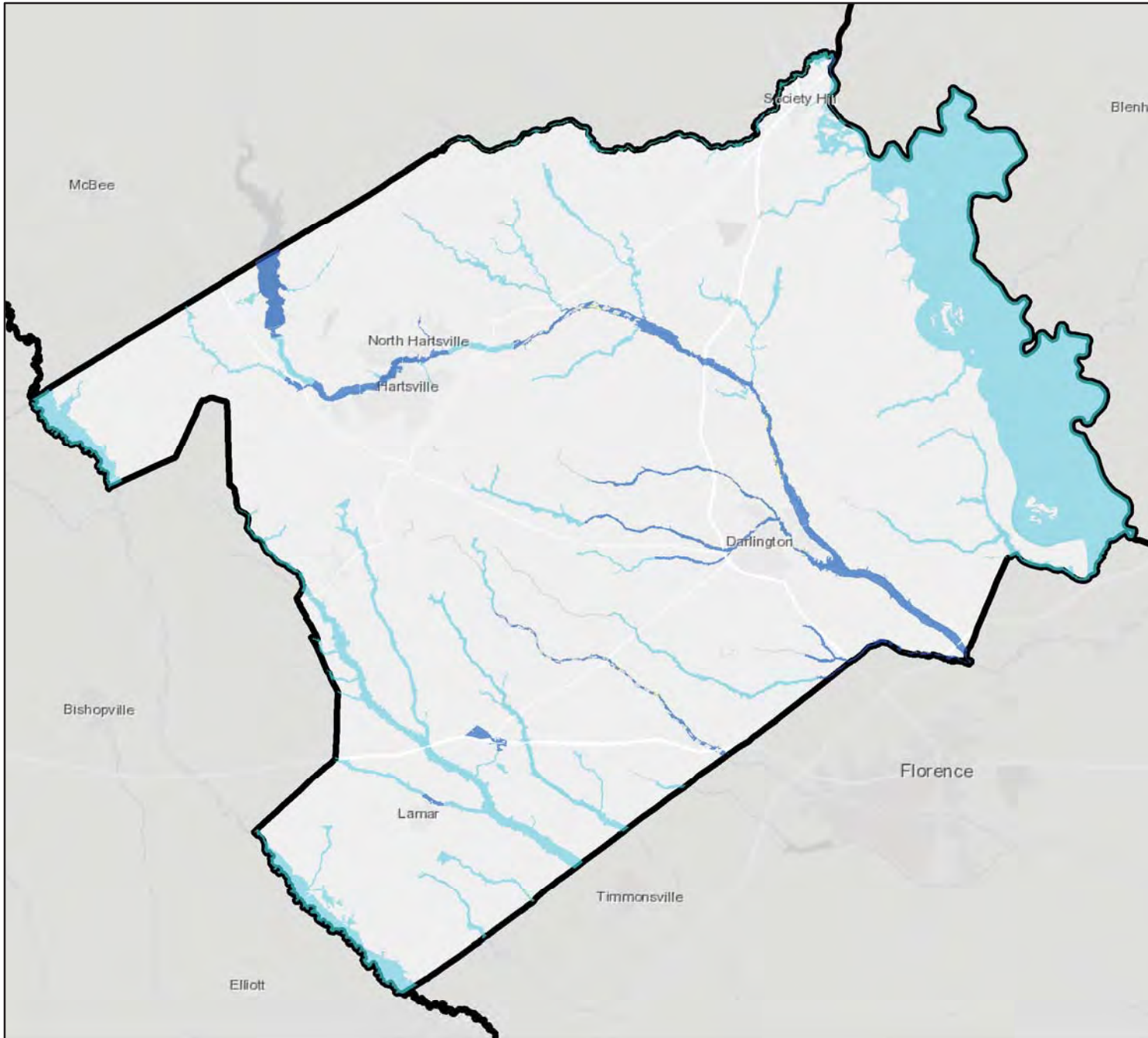
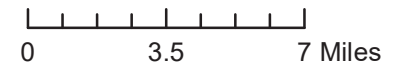
FEMA Flood Zone Coverage - Darlington County

Hurricane Florence Single-Family Housing Program



Zones

- Zone A
 - Zones AE, AH
 - Zone AE, Floodway
 - Zone VE
 - Open Water
 - 0.2 Annual Chance Flood Hazard
 - Zone X: Protected by Levee
 - Zone X
 - Zone D
 - Area Not Included
- Light Gray Canvas Base



Flood Zone	Acreage
100-Year	53,593.71
500-Year	318.77
Zone X	308,902.91

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

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

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

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.

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.

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

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.

Carolina Publishing

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**Publisher of the
Morning News**

This is to certify that the attached Early Notice and Public R was published in the Morning News in the City of Florence, state of South Carolina on the following dates:

01/27/2021

The First insertion being given ... 01/27/2021

Newspaper reference: 0001221494

Sworn to and subscribed before me this

1/27/21

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My Commission expires

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Darlinet

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 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 reemplazo de elementos estructurales como techos, ciementos, marcos, ventanas, puertas, molduras, aislamiento, placas de yeso, pisos, plomería, accesorios electrónicos, cableado y sistemas mecánicos, y remediación 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 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: 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 (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 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 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.

Publicado: 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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Publicado: 27 de enero de 2021

Clean Air

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

Regulatory Agencies Consulted

SC Dept. of Health and Environmental Control, Bureau of Air Quality

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.

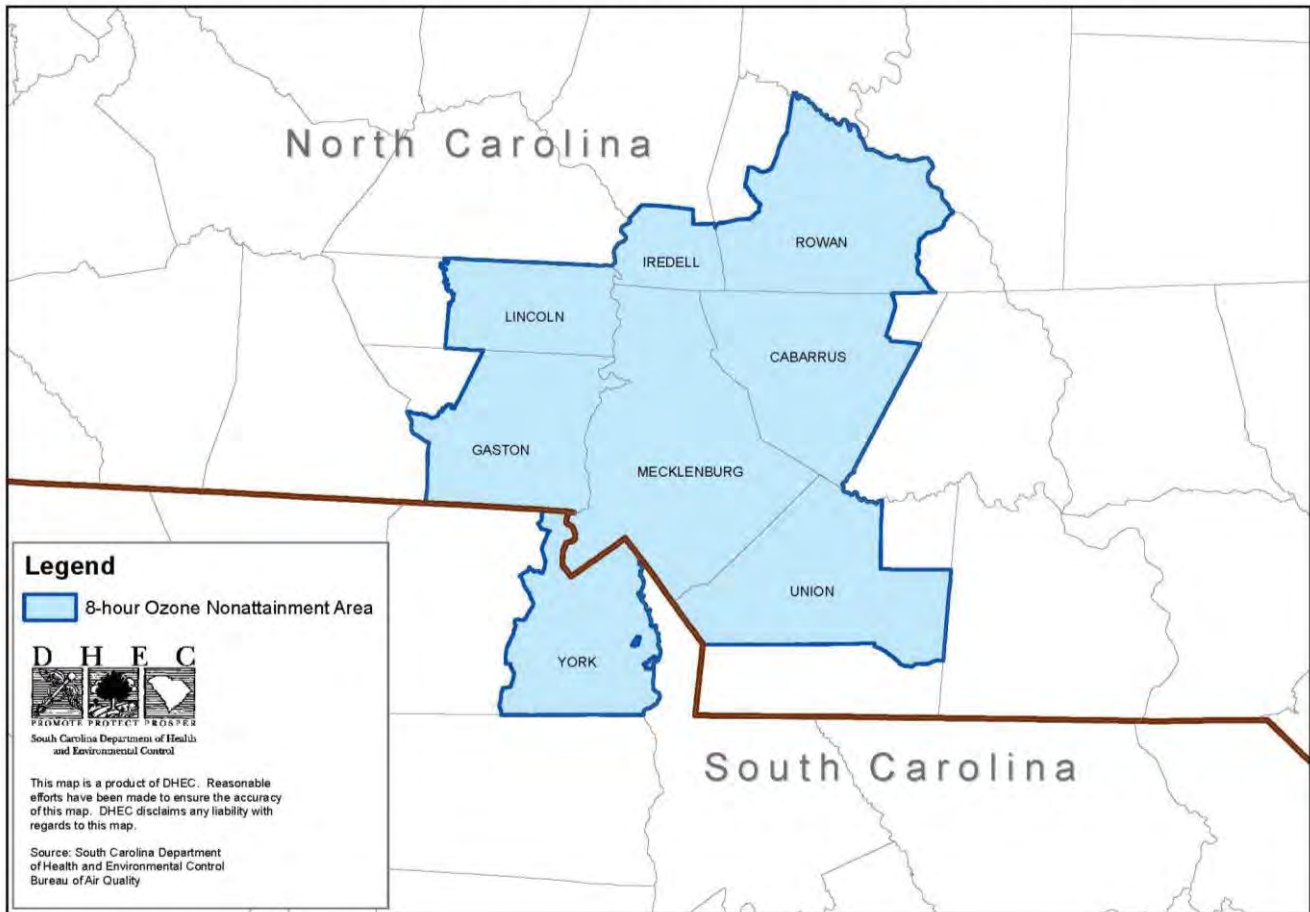
On August 22, 2014, the Department submitted a [Marginal Nonattainment Area SIP](#) to meet the requirements for the York County portion of the Charlotte-Rock Hill NC-SC 8-hour Ozone Nonattainment Area, for the 2008 NAAQS ozone standards. This SIP certifies that each Clean Air Act 182(a) marginal area 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.

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.

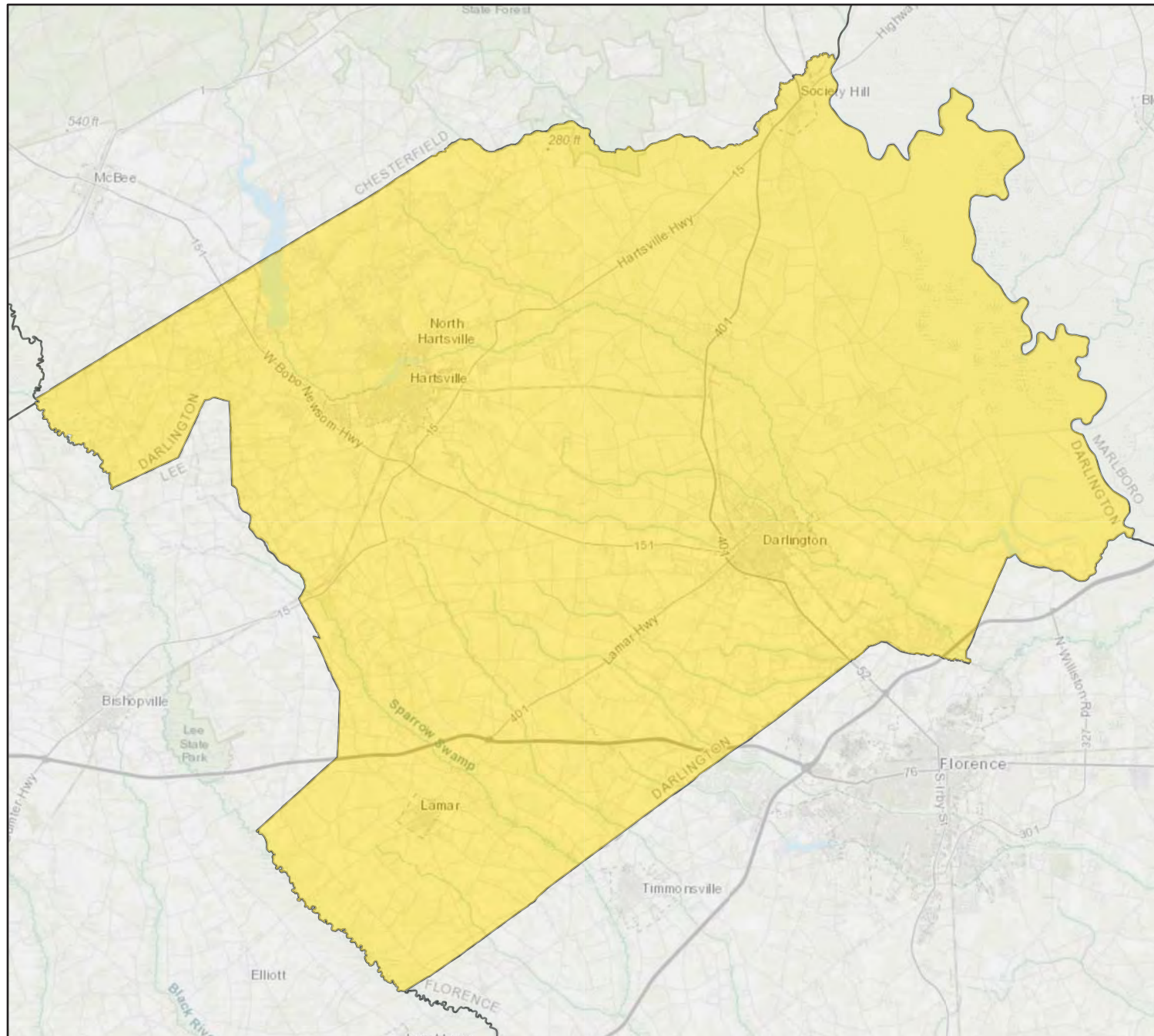
**Lead and asbestos removal are not covered under Section 176; see Contamination and Toxic Substances.*

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.

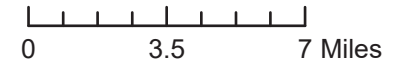
EPA Radon Zones - Darlington County

Hurricane Florence Single-Family Housing Program



EPA Radon Zones

- Zone 1
- Zone 2
- Zone 3



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

Coastal Zone Management

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

Regulatory Agencies Consulted

SC Dept. of Health and Environmental Control, Coastal Services Division

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.

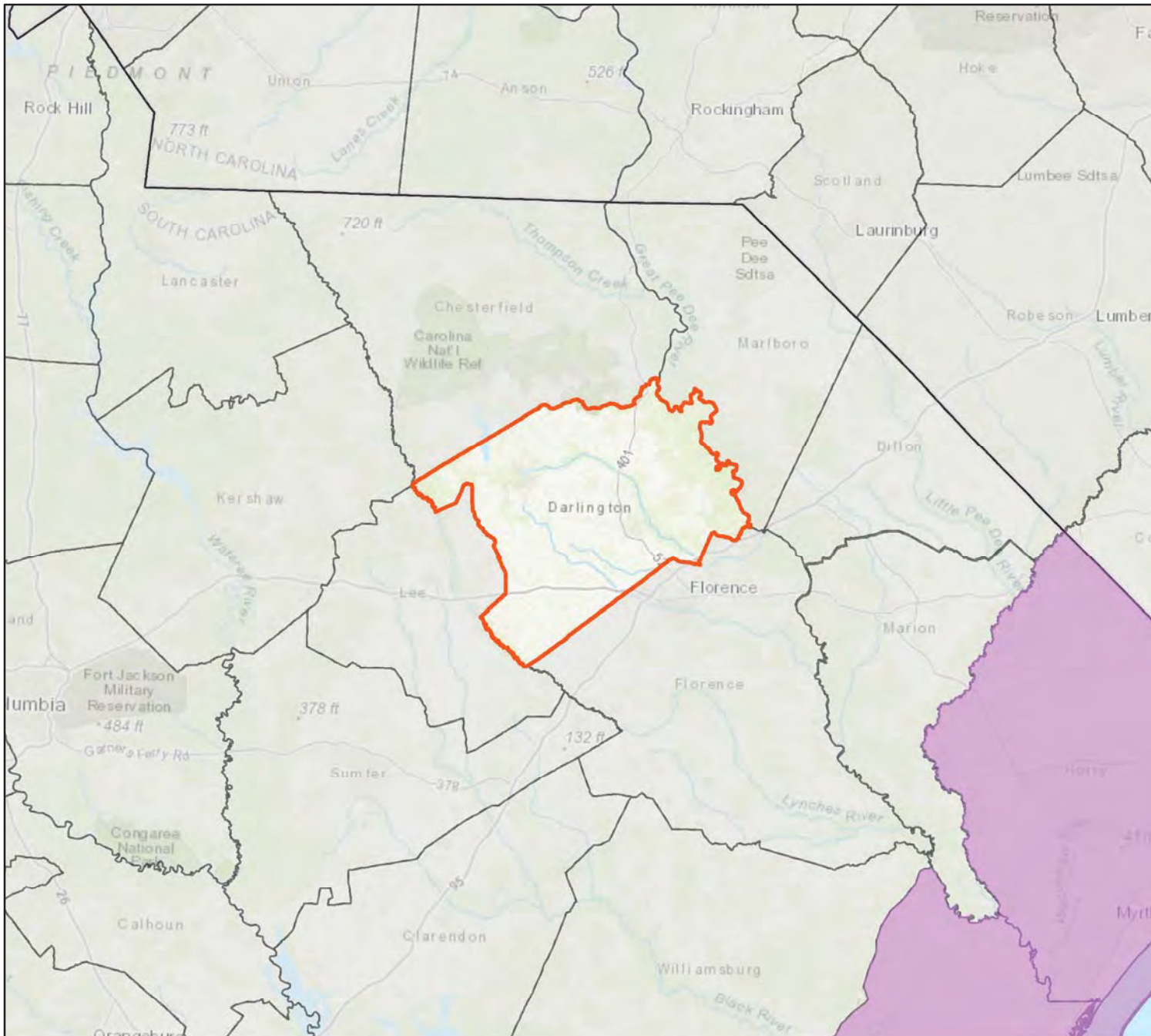
The project area is not within the South Carolina Coastal Zone and is therefore, not subject to the Coastal Zone Plan. The review of Coastal Zone Management is concluded.




Site Specific Review Process

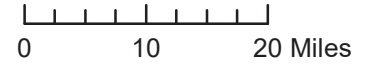
Darlington County is not within the South Carolina Coastal Zone; therefore, review at the site-specific level is not required. The site-specific review checklist will document that the review was concluded at the Tier I level.

Coastal Zone Management - Darlington County

Hurricane Florence Single-Family Housing Program



-  County Boundary
-  CZMA Boundary
-  Federal Consistency Boundary



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

Contamination and Toxic Substances

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

Regulatory Agencies Consulted

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

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

Hazardous Site Category	Source
3,000 feet	
<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
2,640 feet (0.5 miles)	
<input type="checkbox"/> Industrial and Hazardous Waste Corrective Action (IHWCA)	EPA Envirofacts
<input type="checkbox"/> Resource Conservation and Recovery Act CORRACTS	EPA Envirofacts
500 feet	
<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
Property/Adjoining Properties	
<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

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.

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.

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 Program

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, it is 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 ¼ 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 ¼ 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.

“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 outline 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.

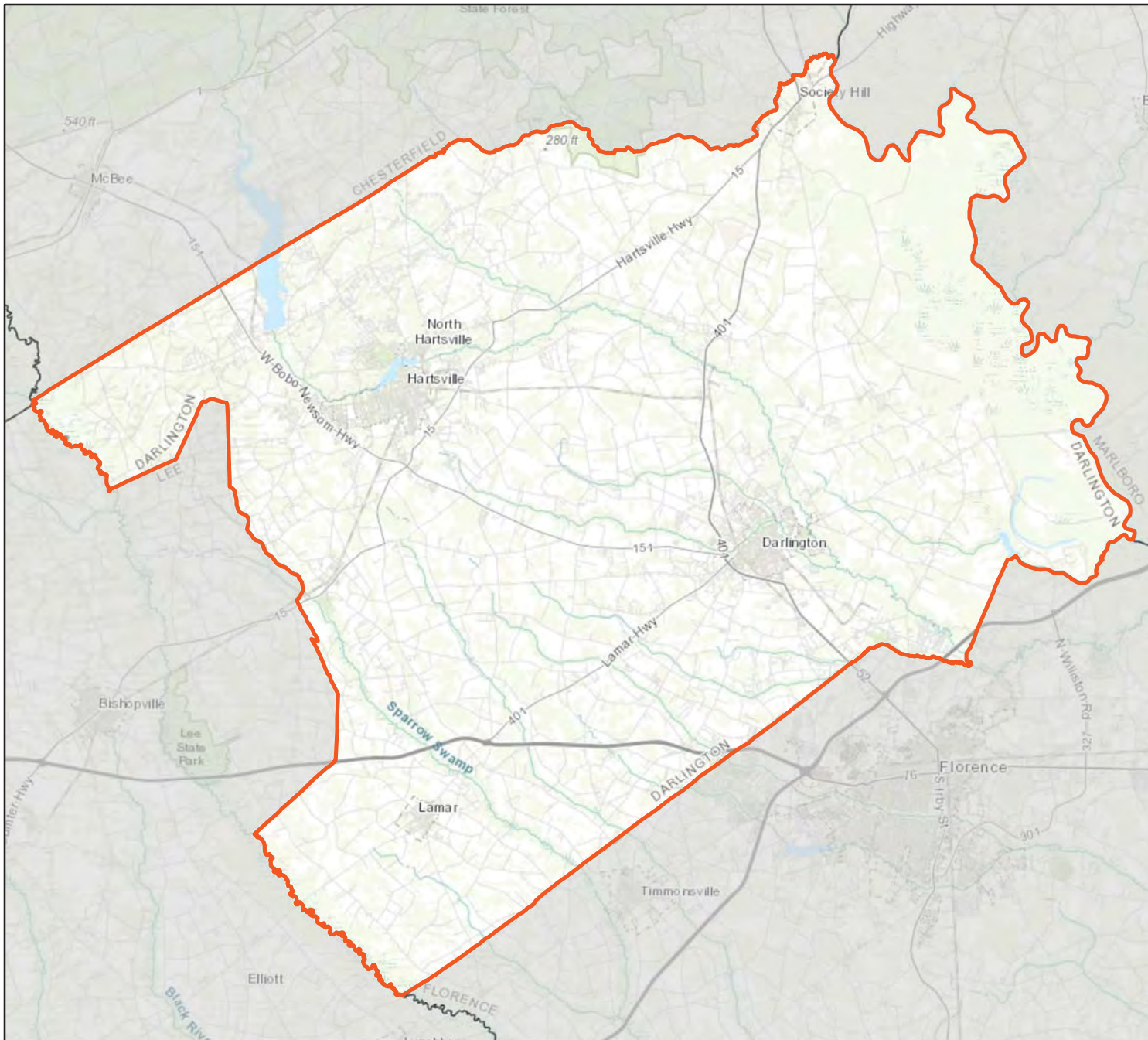
Note: Obligations under the ESA must be reconsidered if: (1) new information reveals impacts of this identified action may affect any listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner which was not considered in this assessment;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

Site Specific Review Process

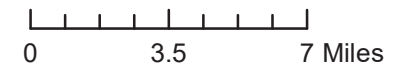
SCDRO has determined that the proposed project activities will have no effect or impact to federally protected species or designated critical habitat. No further action is required under section 7 of the ESA. The site-specific review checklist will document that the review was concluded at the Tier I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

Critical Habitat - Darlington County

Hurricane Florence Single-Family Housing Program

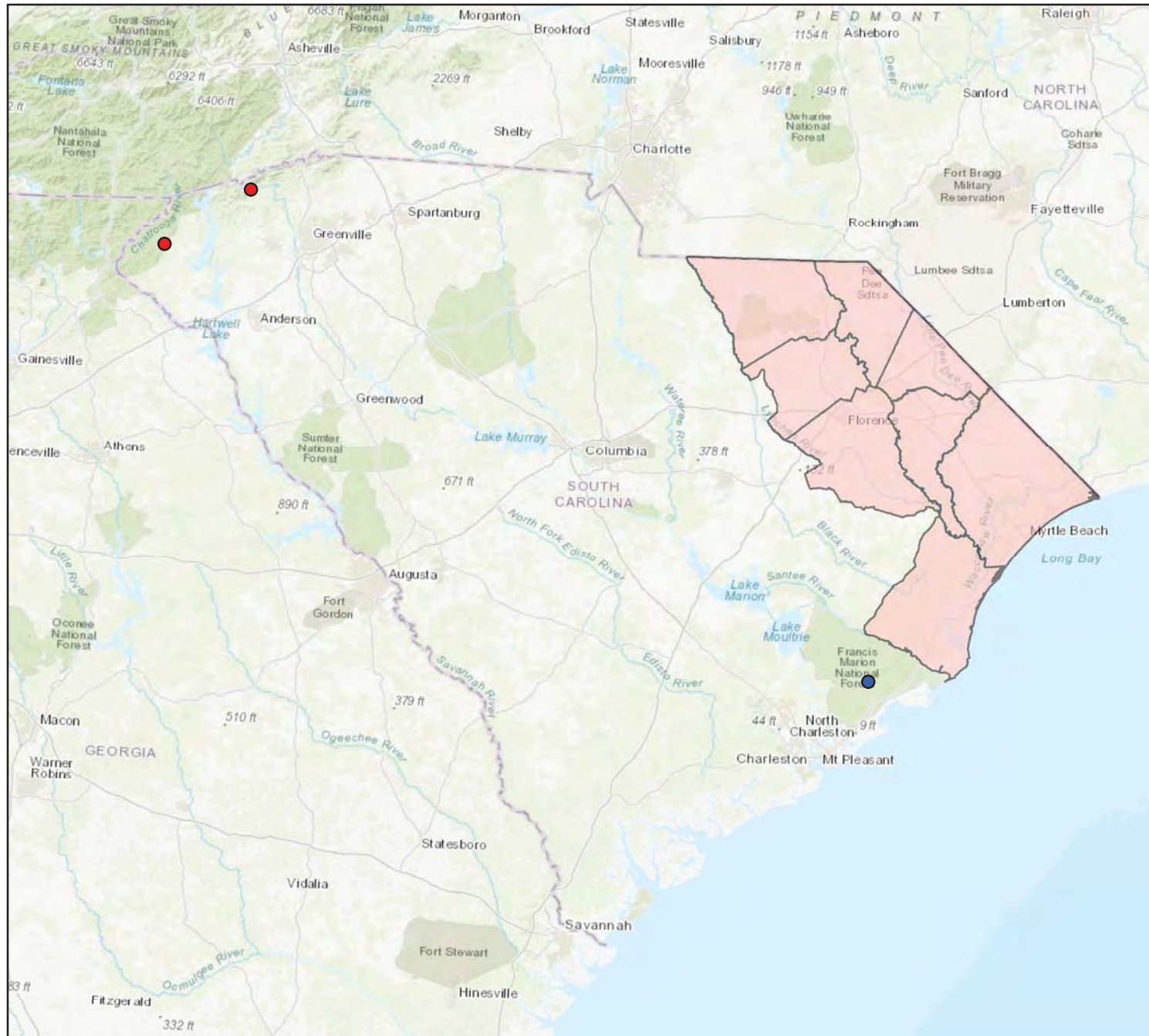


- County Boundary
- Critical Habitat
- Proposed Critical Habitat

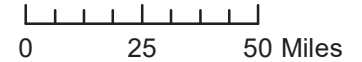


Sources: Critical Habitat data obtained from the US Fish and Wildlife Service; ESRI Imagery Basemap service.

Northern Long Eared Bat Critical Habitat Hurricane Florence Single-Family Housing Program



- Study Area
- Northern Long Eared Bat Critical Habitat
 - Hibernacula
 - Maternity Roost



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

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 15th to March 31st of any given year.

Clearance to Proceed

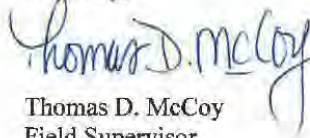
For all of the above listed projects that meet the criteria, have no effect or impact upon federally protected species or designated critical habitat, and, if applicable, meet the requirements of the NLEB 4(d) rule no further coordination with the Service is necessary. This letter may be

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". The signature is written in a cursive style with a large, stylized "T" and "M".

Thomas D. McCoy
Field Supervisor

Karyn Desselle

From: Caldwell, Mark <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

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.

From: Karyn Desselle <Karyn.Desselle@hornellp.com>
Sent: Friday, January 22, 2021 5:50 PM
To: Caldwell, Mark <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 or to your attention, or someone else? Thanks in advance!

Best Regards,

Karyn Dosselle

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 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 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

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 and reference FWS log # 2021-I-0325.

Sincerely,



Thomas D. McCoy
Field Supervisor

TDM/MAC

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.

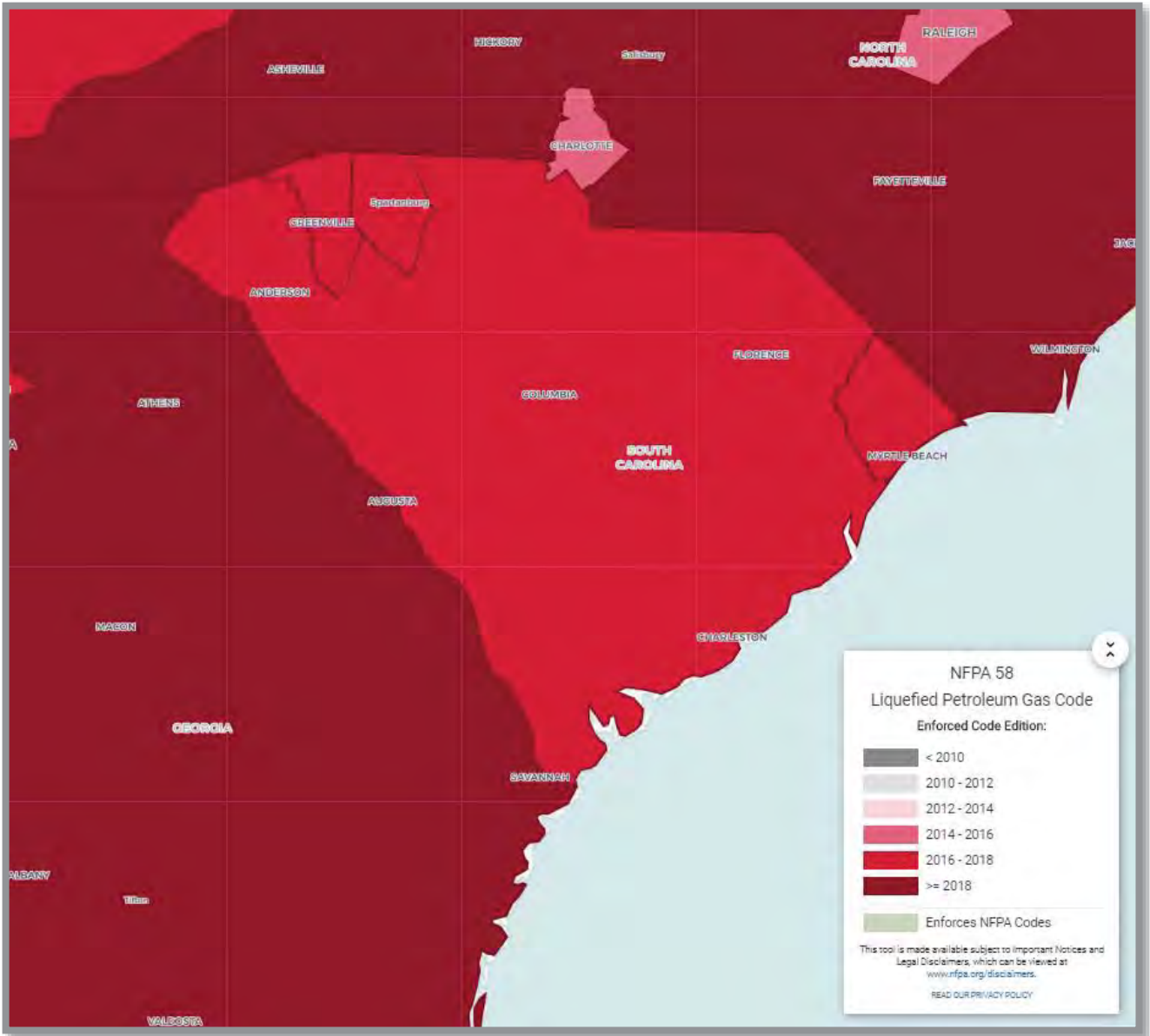
The definition of “HUD-assisted project” at 24 CFR 51.201 is predicated on whether the project increases the number of people exposed to hazardous operations. Therefore, activities to reconstruct, rehabilitate, or replace housing that existed prior to the disaster, where the number of dwelling units 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) 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

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 sufficiently 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.”

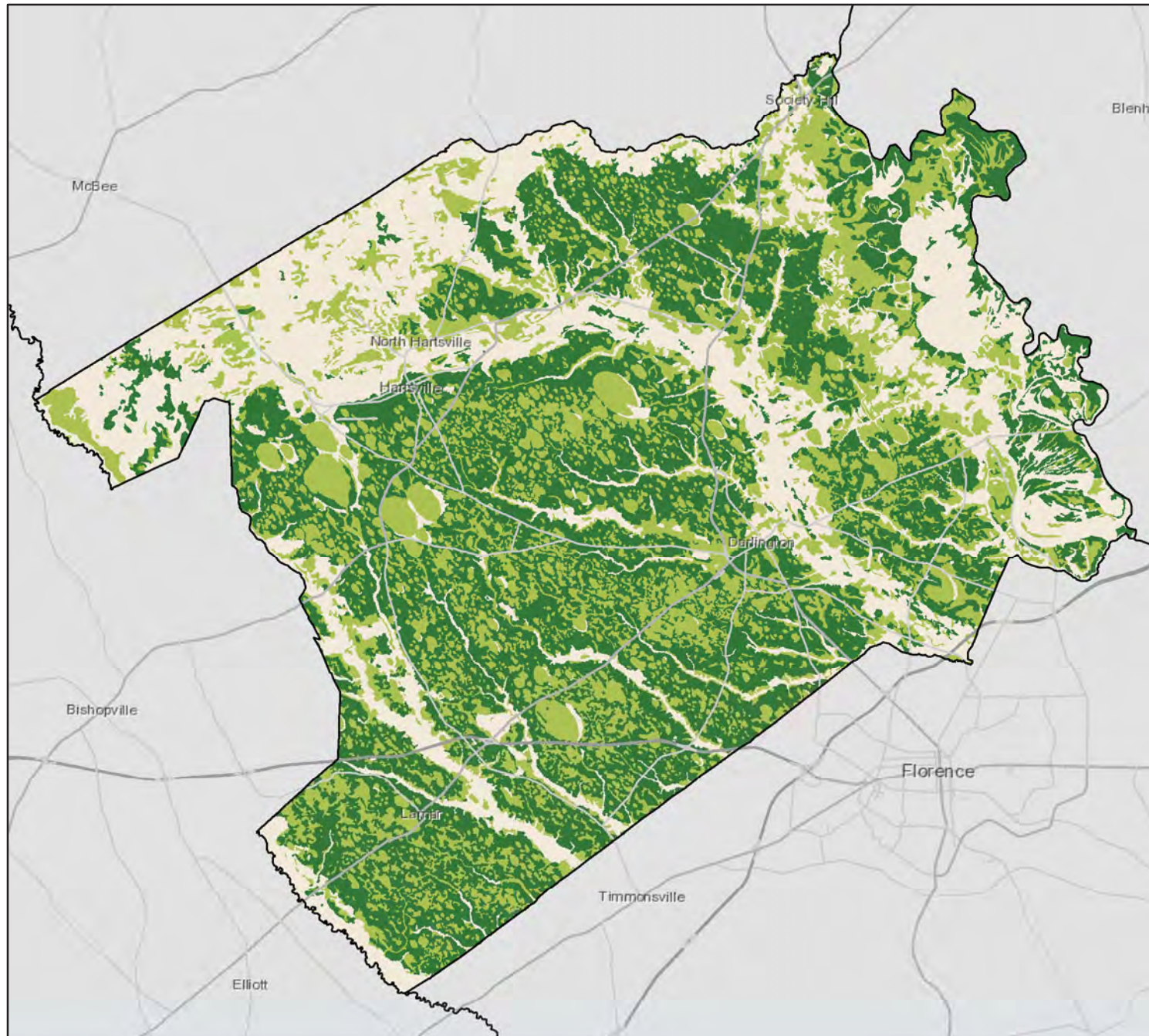
The Farmland Protection review is concluded at the Tier I Broad Environmental Review Level.

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



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.

Historic Preservation

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

Regulatory Agencies Consulted

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

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 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).

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).

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

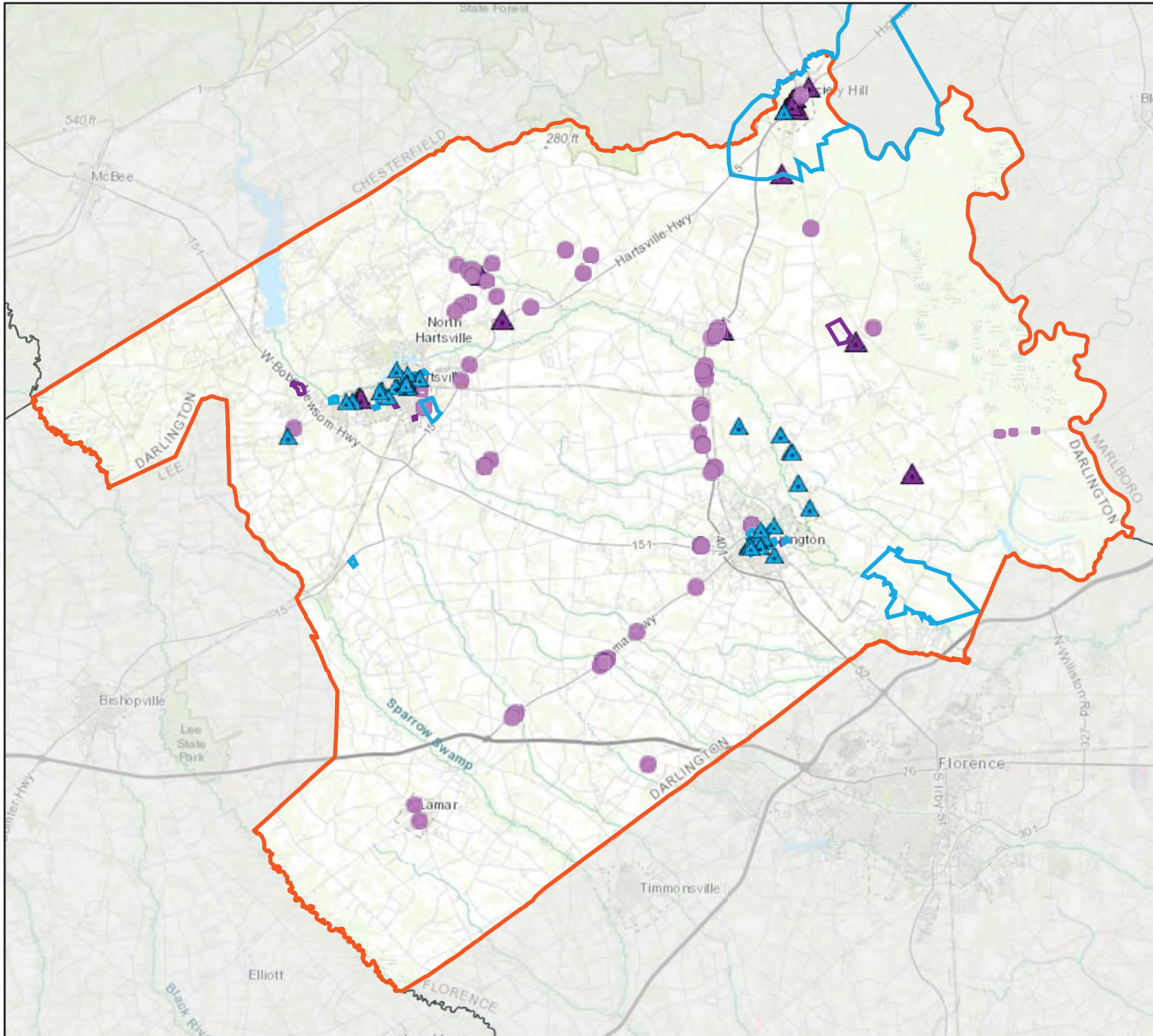
and concur or object to the finding. for their review and response, within the designated review period. All agency correspondence will be placed into the ERR and any required mitigation measures will be entered onto the SSC.

Native American Tribal Consultation

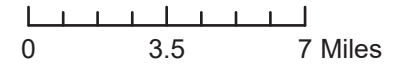
Consultation with the tribes participating as invited signatories will occur when proposed activities touch or are within the boundaries of a known prehistoric site, are located on tribal lands, or unanticipated discoveries occur that include but are not limited to human remains and funerary objects. 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



- County Boundary
- ▲ NRHP Structures
- NRHP Areas
- Historic Structures**
- Not Eligible/Requires Evaluation
- ▲ Eligible
- Historic Areas**
- Not Eligible/Requires Evaluation
- Significant Resource



Sources: Historic Preservation Data obtained from the State of North Carolina GIS Portal; ESRI Imagery Basemap service.

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.

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).

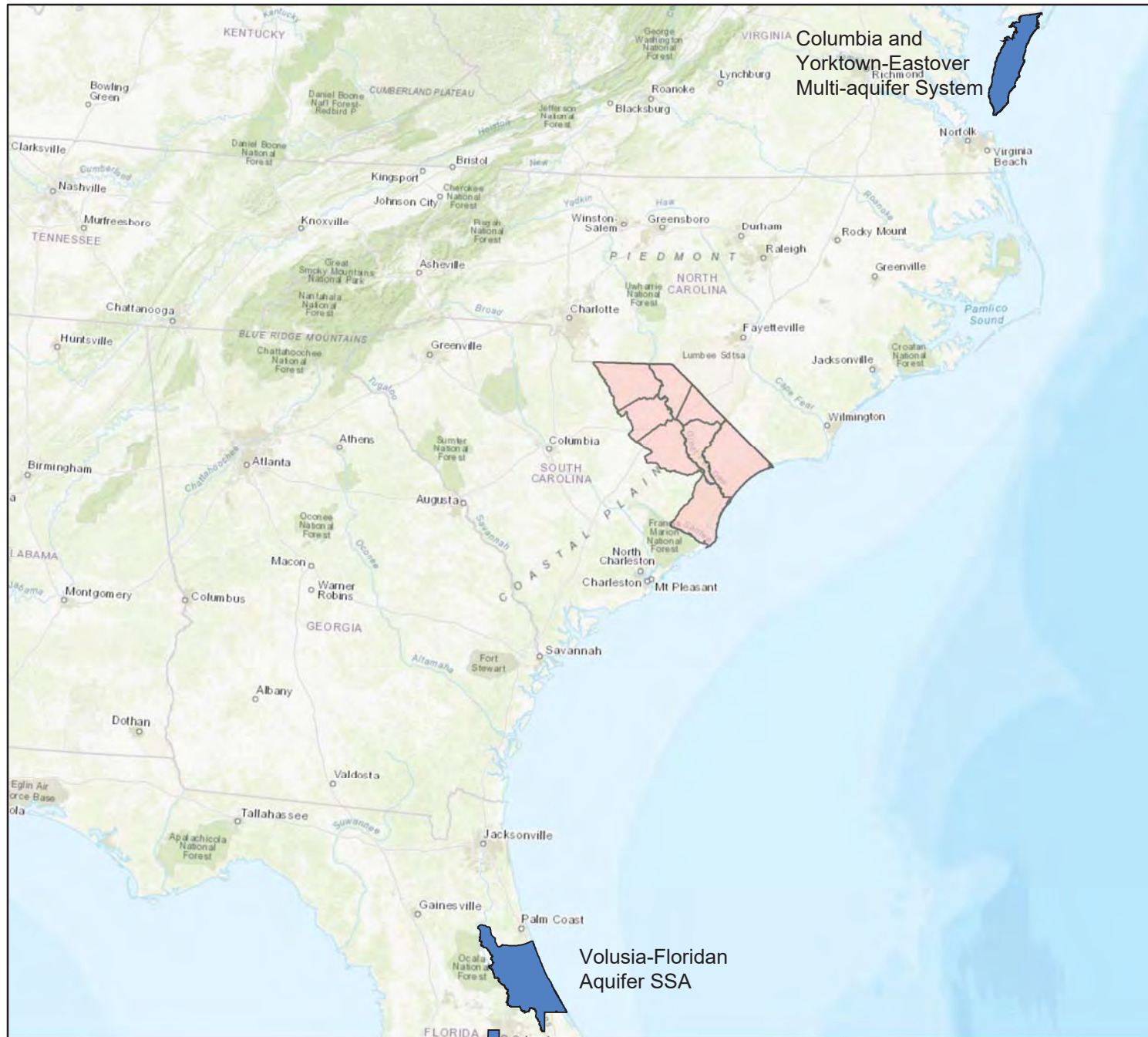
A review of the EPA regional Sole Source Aquifer (SSA) maps determined that the project area is not within the boundaries of a designated SSA. There are no sole source aquifers located in South Carolina. The review for SSA is concluded at the Tier I Broad Environmental Review level.

Site Specific Review Process

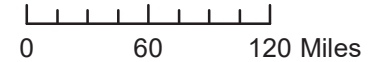
There are no sole source aquifers in South Carolina. The Tier II Site-Specific Review Checklist will document that the review was concluded at the Tier I level.

Sole Source Aquifers

Hurricane Florence Single-Family Housing Program



- Study Area
- Sole Source Aquifers



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. Fish and Wildlife Service, Coastal Program

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))

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.

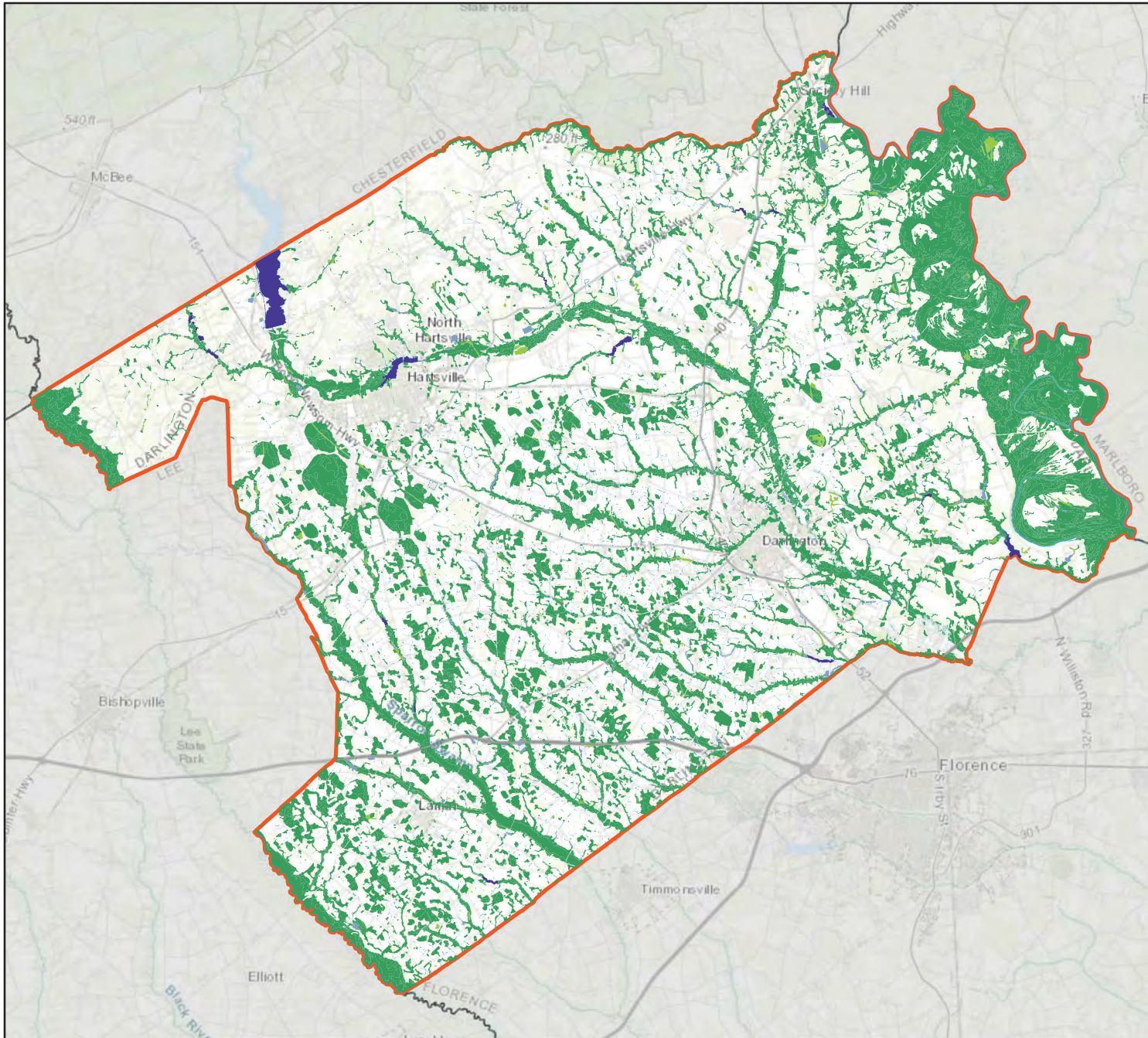
If the desktop review, site inspection, agency coordination and/or aquatic features delineation study ascertain that a jurisdictional water / wetland is present or adjacent to the proposed construction work area then this finding will be recorded through a memorandum or letter report from a professional 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.

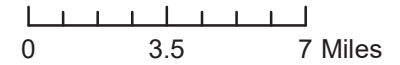
All relevant findings for each application will be documented on the Tier II Site-Specific Review Checklist and kept on file in the final ERR.

National Wetlands Inventory - Darlington County

Hurricane Florence Single-Family Housing Program



- 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

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	<p>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.</p> <p>Wild — 41.6 miles; Scenic — 2.5 miles; Recreational — 14.6 miles; Total — 58.7 miles</p>
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STUDY RIVERS

OREGON	Cave, Lake, No Name and Panther Creeks	<p>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.</p> <p>8.3 miles</p>
CONNECTICUT	Housatonic River	<p>November 11, 2016 (Section 2(a)(ii) Application by Governor Malloy). From the Massachusetts/Connecticut border downstream to Boardman Bridge in New Milford, Connecticut.</p> <p>41.0 miles</p>
MAINE	York River	<p>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.</p> <p>11.3 miles plus tributaries</p>

National Rivers Inventory (within Program Counties)

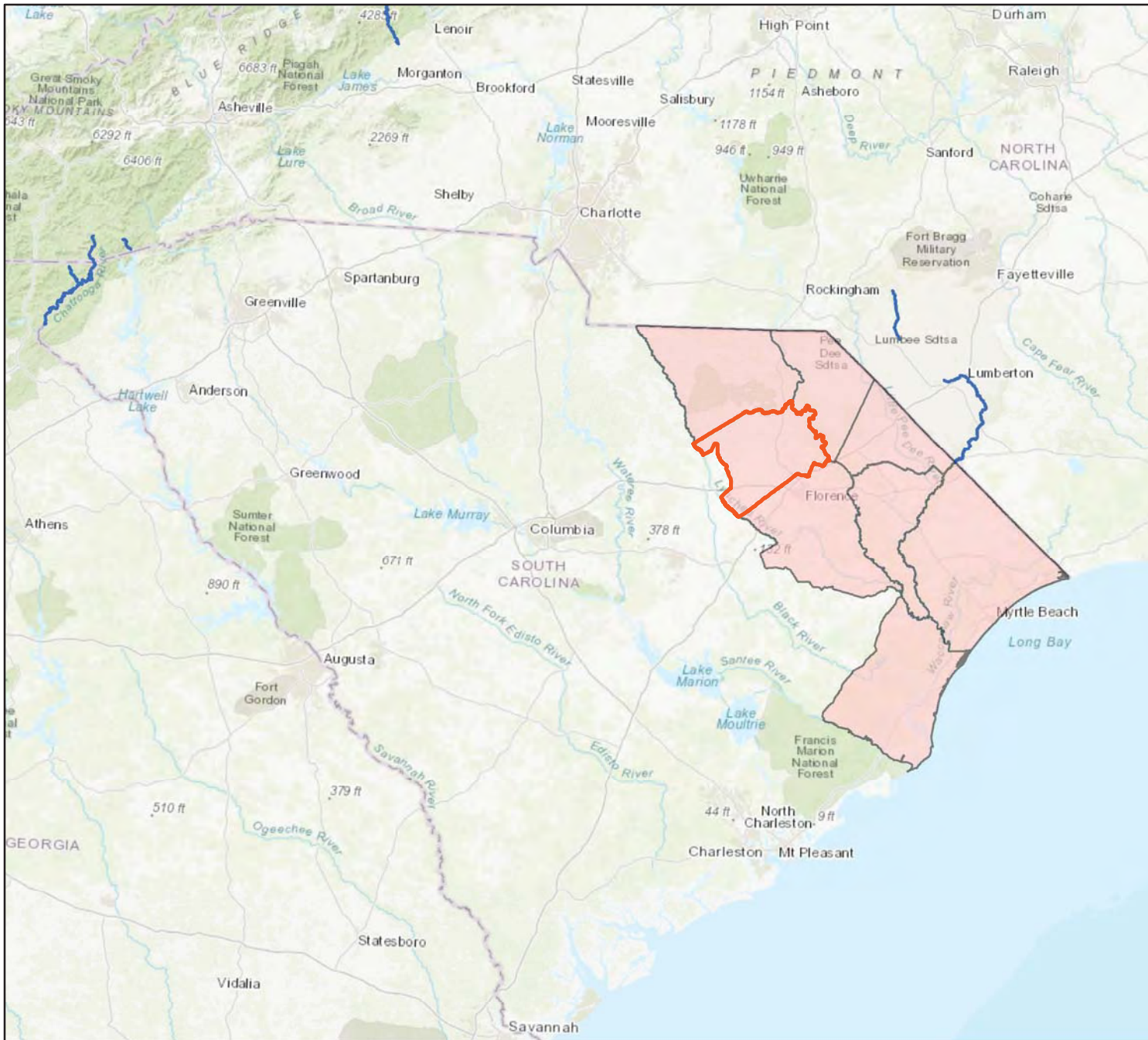
River	County	Reach	Length (miles)	Description	ORVs	Water-shed (HUC Code 8)	Year Listed / Updated
LITTLE PEE DEE RIVER	Marion, Horry, Dillon	SC 57 bridge to confluence with Pee Dee River	118	Low country blackwater river with many reaches of remote swampland and pristine cypress forests; sandy beaches;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




LUMBER RIVER	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
PEE DEE RIVER	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
LYNCHES RIVER	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
NORTH SANTEE RIVER	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
SANTEE RIVER	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
SAVANNAH RIVER	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

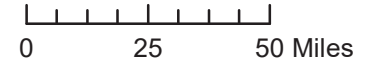
SOUTH SANTEE RIVER	Charleston, Georgetown, Berkeley, Williamsburg, Clarendon	Confluence with Santee River to Atlantic Ocean	16	Slow moving shallow swamp stream with natural corridor exhibiting a diversity of flora and fauna; numerous historical and archaeological sites	Cultural, Fish, Geologic, Historic, Recreational, Scenic, Wildlife	Santee	1982
WACCAMAW RIVER	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
BLACK RIVER	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



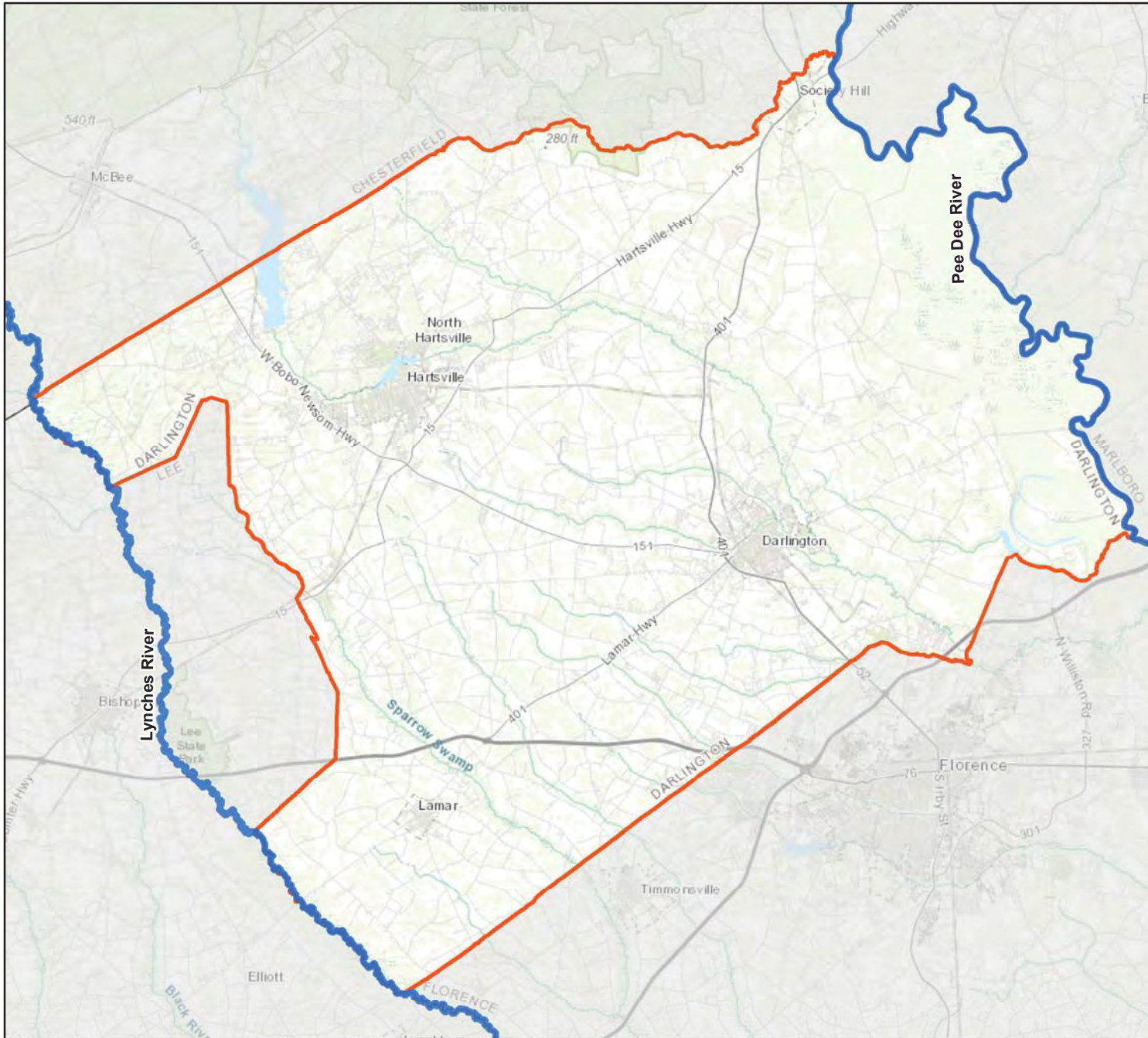
-  County Boundary
-  Study Area
-  National Wild and Scenic River





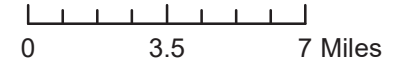
Sources: National Wild and Scenic Rivers compiled by the US Forest Service, National Park Service, Bureau of Land Management, and US Fish and Wildlife Service; ESRI Imagery Basemap service.

National Rivers Inventory - Darlington County

Hurricane Florence Single-Family Housing Program



-  County Boundary
-  National Rivers Inventory



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

Environmental Justice

Executive Order 12898

Regulatory Agencies Consulted

U.S. Fish and Wildlife Service, Coastal Program

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

Summary of ACS Estimates		2013 - 2017		
Population		67,572		
Population Density (per sq. mile)		120		
People of Color Population		30,398		
% People of Color Population		45%		
Households		26,861		
Housing Units		30,631		
Housing Units Built Before 1950		3,723		
Per Capita Income		21,225		
Land Area (sq. miles) (Source: SF1)		561.15		
% Land Area		99%		
Water Area (sq. miles) (Source: SF1)		5.66		
% Water Area		1%		
		2013 - 2017 ACS Estimates	Percent	MOE (±)
Population by Race				
Total		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		1,165	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		1,069	2%	399
Population by Sex				
Male		31,915	47%	100
Female		35,657	53%	100
Population by Age				
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 (±)
Population 25+ by Educational Attainment			
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
Population Age 5+ Years by Ability to Speak English			
Total	63,626	100%	45
Speak only English	62,268	98%	227
Non-English at Home ¹⁺²⁺³⁺⁴	1,358	2%	213
¹ Speak English "very well"	749	1%	177
² Speak English "well"	247	0%	90
³ Speak English "not well"	243	0%	120
⁴ Speak English "not at all"	119	0%	78
³⁺⁴ Speak English "less than well"	362	1%	140
²⁺³⁺⁴ Speak English "less than very well"	609	1%	164
Linguistically Isolated Households*			
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
Households by Household Income			
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
Occupied Housing Units by Tenure			
Total	26,861	100%	455
Owner Occupied	18,431	69%	568
Renter Occupied	8,430	31%	630
Employed Population Age 16+ Years			
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: 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)
 *Households in which no one 14 and over speaks English "very well" or speaks English only.

Tier II Site Specific Environmental Review Checklist

Original Tiered Environmental Broad Review



Flooding in Dorchester County on October, 2015

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

Hurricane Matthew

B-16-1DL-45-0001

TIER I DARLINGTON COUNTY
SINGLE FAMILY HOMEOWNER REHABILITATION & RECONSTRUCTION PROGRAM



CERTIFICATION OF CONTINUED ENVIRONMENTAL COMPLIANCE

Re-evaluation in accordance to 24 CFR Part 58.47

**The South Carolina Disaster Recovery Office (SCDRO)
of the South Carolina Department of Commerce**

Grantee Name: The South Carolina Department of Commerce, Disaster Recovery Office (SCDRO)

Grant Number: B-16-DH-45-0001

Program Name: Single Family Rehabilitation and Reconstruction Program

Tier 1 County: Darlington County

Original Level of Finding: Finding of No Significant Impact – The project will not result in a Significant Impact on the Quality of Human Environment.

Date of Environmental Determination: 11/21/2016

Date of Notice of Intent (NOI-RROF) Published: 11/30/2016

Date Request for Release of Funds Submitted to HUD: 12/16/2016

Date of Authority to Use Grant Funds (AUGF): 01/01/2017

Project Description:

- 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 wetland.
- Replacement of Damaged Manufactured Housing Units (MHUs) and Modular Units Deemed Unrepairable through a Feasibility Review. The replacement of damaged MHUs and Modular Units will be replaced on the original site.

Re-evaluation of the Tier 1 for Hurricane Matthew

Grantee Name: The South Carolina Department of Commerce, Disaster Recovery Office

Grant Number: B-16-DL-45-0001

Program Name: Single Family Rehabilitation and Reconstruction Program

Tier 1 County: Darlington County

In accordance to 24 CFR 58.47 Re-evaluation of environmental assessments and other environmental findings.

- (a) A responsible entity must re-evaluate its environmental findings to determine if the original findings are still valid, when:
- (1) The recipient proposes substantial changes in the nature, magnitude or extend 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 proposed the selection of an alternative not in the original finding.

Hurricane Matthew Description of Project:

South Carolina Disaster Recovery Office (SCDRO) proposes to provide Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to individual homeowner whose homes were damaged by Hurricane Matthew in October of 2016.

- 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 wetland.
- Replacement of Damaged Manufactured Housing Units (MHUs) and Modular Units Deemed Unrepairable through a Feasibility Review. The replacement of damaged MHUs and Modular Units will be replaced on the original site.

In reviewing the original Tier 1 for Darlington County as it related to the housing disaster work for the floods of 2015 and the activities for housing disaster work for Hurricane Matthew the only change is the new funding that became available from Housing and Urban Development. The activities remain the same and it is expected that the results of the original Tier 1 would receive the same responses from interested parties. For the original Tier 1 it was estimated that 1,500 units would be repaired or replaced with HUD (CDBG-DR) funds. These additional Hurricane Matthew funds would allow an estimated 1,040 units to be repaired or replaced with the HUD CDBG-DR funds. The intent and level of each activity has not changed and neither of these programs are completing new development. Each activity is to repair or replace an existing unit that was damaged or destroyed by the floods or by Hurricane Matthew.

In accordance with the provisions of 24 CFR Part 58.47, it is the finding of the Certifying Officer of the above referenced grantee that:

The scope, scale, nature, magnitude and location of the project are substantially unchanged from that originally reviewed and approved; further, no new circumstances or environmental conditions which

may affect the project or have a bearing on its impact, such as concealed or unexpected conditions, have been discovered; and the selection of an alternative not in the original finding is not proposed, reevaluation of the project under 58.47 is therefore not required. The same conditions that previously applied to the project remain unchanged.

I certify that the above statements accurately reflect the revisions to the project scope of work and that such revisions do not alter the basis under which the project received its original environmental status determination.

Signature of RE Certifying Officer:

A handwritten signature in blue ink, appearing to read "Eric Fosmire", is written over a horizontal line.



Eric Fosmire
Certifying Officer

Title: Attorney, South Carolina Disaster Recovery Office (SCDRO)

Date: 08/02/17

Address: 632 Rosewood Drive, Columbia, SC 29201

Environmental Review Record Project Summary	
Responsible Entity:	The South Carolina Disaster Recovery Office (SCDRO), of the South Carolina Department of Commerce
Certifying Officer:	Eric Fosmire, Attorney, SCDRO
Program Name:	Single Family Rehabilitation and Reconstruction for Lee County, South Carolina
Federal Agency:	U.S. Department of Department of Urban Development (HUD)
Project Sponsor:	The South Carolina Department of Commerce
Program Name:	Single Family Rehabilitation and Reconstruction Program
Project Site Address:	Scattered Sites throughout Darlington County, SC
Project County:	Darlington County, South Carolina
Estimated Total Program Cost:	\$96,827,000
Estimated Total Darlington County Funds:	\$3,000,000.00
Project Sponsor Address:	632 Rosewood Drive, Columbia, SC 29201
Primary Contact Name:	Eric Fosmire
Email:	Eric.Fosmire@scdr.sc.gov
Telephone Number:	(803) 922-8500
Project NEPA Classification:	24 CFR 58.36 Environmental Assessment
ENVIRONMENTAL FINDING:	<input checked="" type="checkbox"/> Finding of NO Significant Impact – The project will not result in a Significant Impact on the Quality of Human Environment. <input type="checkbox"/> Finding of Significant 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: 11-3-16



**U.S. Department of Housing and Urban
Development**

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

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

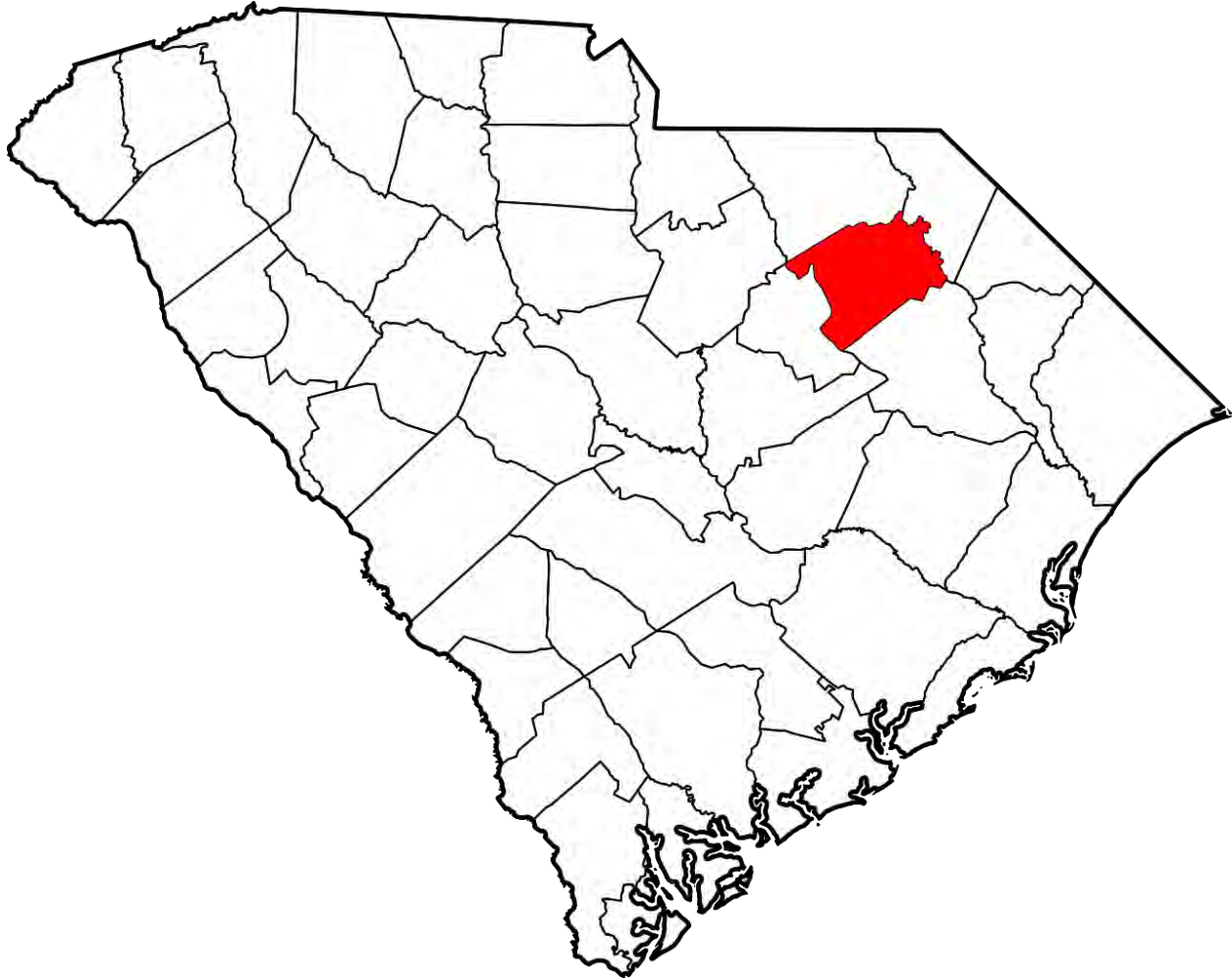
Grant Recipient: South Carolina Department of Commerce

Consultant: Ardurra Group, LLC

Direct Comments to: Eric Fosmire, Attorney, SCDRO
632 Rosewood Drive,
Columbia, SC 29201
Eric.Fosmire@scdr.sc.gov
(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 km²), of which 561 square miles (1,453 km²) is land and 5.7 square miles (15 km²) (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 proposed 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

Grant Number	HUD Program	Funding Amount
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.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	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. HUD will not fund new construction or substantial rehabilitation activities in Runway Clear Zones or Protection Zones. Please refer to the Site-Specific Checklist for each individual property for compliance documentation.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	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. 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." 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.</p> <p>See Appendix A for compliance documentation.</p> <p>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</p>
<p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>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).</p> <p>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5</p>		
<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<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, & 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 Appendix B for Agency Consultation.</p> <p>No further assessment necessary.</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<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 5th, 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 Appendix C for compliance documentation. Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 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>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</p>
<p>Endangered Species</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&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. 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 Appendix D for Agency Consultation and General Concurrence Letter.</p> <p>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<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>No further assessment is required.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<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 Appendix E.</p> <p>No further assessment is required.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<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>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<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 Appendix F.</p> <p>Please refer to the Site-Specific Checklist for each individual property for compliance documentation.</p>
<p>Noise Abatement and Control</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 No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<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>No further assessment is required.</p>
<p>Sole Source Aquifers</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Pre-determined by HUD and the EPA. There are no sole source aquifers in South Carolina.</p>

Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149		No further assessment necessary.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	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. 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. Please refer to the Site-Specific Checklist for each individual property for compliance documentation.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	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". See Appendix G for compliance documentation. No further assessment necessary.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	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. Please refer to the Site-Specific Checklist for each individual property for compliance documentation.

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.

TIER I DARLINGTON COUNTY
SINGLE FAMILY HOMEOWNER REHABILITATION & RECONSTRUCTION PROGRAM

- (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
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	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.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>Soil Suitability: 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>Slope: 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>Erosion: 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>Storm Water: 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	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

		is determined to have hazardous materials, mitigation measures would be implemented to minimize the exposure of workers and the public. The presence or absence of hazards and nuisances are discussed on a site-specific basis.
Energy Consumption	1	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 serve 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.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	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.
Demographic Character Changes, Displacement	2	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.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	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. There will be no significant adverse effects on educational facilities as new residences are not being added only existing structures being repaired.
Commercial Facilities	1	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.
Health Care and Social Services	2	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.
Solid Waste Disposal / Recycling	3	The proposed project would create remodeling, demolition and construction waste and may cause a slight increase in long-term generation of municipal solid waste.
Waste Water / Sanitary Sewers	2	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

		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 serve 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
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	<p>Water Resources: 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>Unique Natural Features: 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>

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 http://www.fws.gov/charleston/pdf/Regulatory/20120509_HUD_No_Effect_LTR.pdf) 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/
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
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
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
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
www.fws.gov/charleston/ EPA Region IV Sole Source, Internet Website: epa.gov/pesticides/region4/water/groundwater/web/html/r4ssa.ht
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

TIER I DARLINGTON COUNTY

SINGLE FAMILY HOMEOWNER REHABILITATION & RECONSTRUCTION PROGRAM

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

Certifying Officer Signature: Eric 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

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THIS ENVIRONMENTAL ASSESSMENT FORM MUST BE KEPT IN INDIVIDUAL CLIENT FILE

HUD Grant Number: B-16-DH-45-0001			
SC Submittal date:		Application #:	
Date of field inspection:		Date review initiated:	
Inspector name:		Reviewer name:	
Name of Program: South Carolina Disaster Recovery Office (SCDRO) Single-Family Rehabilitation and Reconstruction Program			
Property address:			
County:	Fairfield	Census tract:	
Block:		Lot:	
Target building site(s):	N/A	GPS Coordinates (Lat/Long):	Latitude: - Longitude: -
Attachments: A-Floodplain/Maps; B-Environmental Questionnaire Sheet; C-Photographs;			

Project Description:

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 (SCRRs). 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 [Click here to enter a date.](#) for [Choose a County.](#)

- The proposed project involves rehabilitation activities on an existing residential property with the above-listed address, where the home site **is not** 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.
- The proposed project involves rehabilitation 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. Activities would be limited to the disturbed area of the previously developed residential site.
- 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).
- 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).
- 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.
- 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 in 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.



Tier II: Site-Specific Environmental Assessment Form

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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

*Intended for use following CEST and EA level Tier I Environmental Review
conducted for South Carolina (SC) Single-Family Rehabilitation and Reconstruction Program

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

HUD Grant Number: B-16-DH-45-0001			
SC Submittal date:	Error! Reference source not found.	Application #:	Error! Reference source not found.
Date of field inspection:		Date review initiated:	
Inspector name:		Reviewer name:	
Name of applicant: SC Single-Family Rehabilitation and Reconstruction			
Property address:	Error! Reference source not found.		
County:	Fairfield	Census tract:	Error! Reference source not found.
Block:		Lot:	
Target building site(s):	N/A	GPS Coordinates (Lat/Long):	Latitude: Longitude: -
<p>The following environmental mitigation measures and conditions shall be complied with for the subject project:</p> <ul style="list-style-type: none"> - Floodplain Management: <i>If in the 100-year floodplain add; "The project is required to comply with the local floodplain ordinance, and participate in the National Flood Insurance Program."</i> - Lead-based Paint: Must adhere to Federal, State and local lead-based paint regulations. - Historic: Add Necessary Historic Mitigation Measures (If applicable) - Wetlands: Add Necessary Wetland Mitigation Measures (If applicable) - Asbestos: <i>to include only if site is suspect for ACMs</i> <ul style="list-style-type: none"> - Contractor must mitigate according to federal, state and local regulations. - 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. - Lead Paint: <i>to include only if site is suspect for lead-based paint</i> <ul style="list-style-type: none"> - Contractor must mitigate according to federal, state and local regulations. - 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. <p style="text-align: center;"><i>Add any necessary mitigation measures as called for in the document above</i></p> <p>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.</p>			

APPENDICES

APPENDIX A:

Coastal Barrier Resources Act/ Coastal Barrier Improvement



South Carolina Disaster Management Office
632 Rosewood Dr., Columbia, SC 29201
(t) 225.954.5136
www.ardurragroup.com

Oct. 11th 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 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 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]

Sent: Friday, November 4, 2016 9:23 AM

To: Derek Galose <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 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.

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



South Carolina Disaster Management Office
632 Rosewood Dr., Columbia, SC 29201
(t) 225.954.5136
www.ardurragroup.com

Oct. 11th 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

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
 - 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



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:

- o **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.
- o **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.

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.

Sincerely,



L. Nelson Roberts, Jr., Manager
Air Programs Implementation and Mobile Sources Section
Bureau of Air Quality

cc: Mark Harvley, BEHS Greenwood Office, harvlema@dhec.sc.gov
Sabrina Prince, BEHS Greenville Office, kprincesa@dhec.sc.gov
Johnny Hall, BEHS Spartanburg Office, halljc@dhec.sc.gov
Ben Buchanan, Midlands BEHS Columbia Office, buchanbr@dhec.sc.gov
Brian Baxley, Pee Dee BEHS Florence Office, baxleybc@dhec.sc.gov
Regie Watts, Pee Dee BEHS Sumter Office wattsrj@dhec.sc.gov
Jay Cox, Pee Dee BEHS Myrtle Beach Office, coxmj@dhec.sc.gov
Wendy Boswell, Lowcountry EQC McMillan Office boswelwm@dhec.sc.gov
Neshia Wright, Lowcountry EQC Beaufort Office, wrightnm@dhec.sc.gov
Melinda Washington, BEHS Orangeburg Office, washinmk@dhec.sc.gov

From: Roberts, Nelson <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

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

From: Derek Galose <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

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



APPENDIX C:
Coastal Zone Management



South Carolina Disaster Management Office
632 Rosewood Dr., Columbia, SC 29201
(t) 225.954.5136
www.ardurragroup.com

Oct. 11th 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 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 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

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

Connect: www.scdhec.gov [Facebook](#) [Twitter](#)



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



From: Martin, Holli [mailto:martinhd@dhec.sc.gov]
Sent: Friday, October 28, 2016 10:48 AM
To: Joyner, Curtis <JOYNERCM@dhec.sc.gov>; Derek Galose <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>

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



From: Derek Galose

Sent: Tuesday, October 11, 2016 6:38 PM

To: 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 Manger

Cell (225) – 954 – 5136





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
Manager, Coastal Zone Consistency Section, SCDHEC OCRM
1362 McMillan Avenue, Suite 400
Charleston, SC 29405
843-953-0205
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



South Carolina Disaster Management Office
632 Rosewood Dr., Columbia, SC 29201
(t) 225.954.5136
www.ardurragroup.com

Oct. 11th 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 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 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

Please visit our Web Page for information about our office: 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.

From: Derek Galose [mailto:dgalose@ardurragroup.com]
Sent: Tuesday, October 11, 2016 6:08 PM
To: 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 Manger

Cell (225) – 954 – 5136



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. **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.

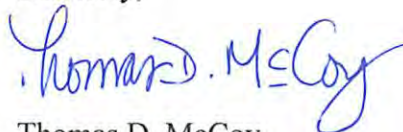
Clearance to Proceed

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



South Carolina Disaster Management Office
632 Rosewood Dr., Columbia, SC 29201
(t) 225.954.5136
www.ardurragroup.com

Oct. 11th 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 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.

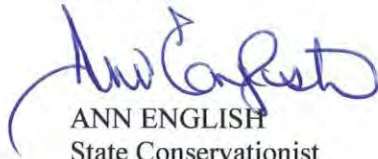
We understand that you are proposing to use CDBG-DR funds to assist homeowners in specific disaster declared counties in South Carolina to achieve safe and code compliant housing, which meets minimum property standards through rehabilitation, reconstruction and replacement of manufactured homes. The 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



South Carolina Disaster Management Office
632 Rosewood Dr., Columbia, SC 29201
(t) 225.954.5136
www.ardurragroup.com

Oct. 11th 2016

Dr. W. Eric Emerson
SHPO DEPARTMENT OF ARCHIVES & HISTORY
8301 PARKLANE ROAD COLUMBIA, SC 29223-4905
Email: 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 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>

From: Derek Galose [<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



From: Sylvest, John [<mailto:JSylvest@scdah.sc.gov>]

Sent: Thursday, October 13, 2016 11:49 AM

To: Derek Galose <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>

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



1
2 **PROGRAMMATIC AGREEMENT AMONG**
3 **THE FEDERAL EMERGENCY MANAGEMENT AGENCY,**
4 **THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICE,**
5 **THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION,**
6 **AND TRIBES PARTICIPATING AS INVITED SIGNATORIES**
7

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
24

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
32

33 **WHEREAS**, FEMA, the Advisory Council on Historic Preservation (ACHP) 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
40

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

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WHEREAS, this Agreement conforms to the FEMA Prototype Agreement as designated by the ACHP on December 17, 2013 and therefore does not require the participation or signature of the ACHP; and

WHEREAS, in order to implement its Programs, FEMA will provide assistance to the State of South Carolina (Grantee) that may provide monies and other assistance to eligible subgrantees, and as such, the South Carolina Emergency Management Division that is typically responsible for administering funds provided under these Programs has participated in this consultation, and FEMA has invited the South Carolina Emergency Management Division to execute this Agreement as an Invited Signatory; and

WHEREAS, FEMA also may directly perform its own Undertakings pursuant to this Agreement; and

WHEREAS, in anticipation or in the immediate aftermath of an event, impacted communities and the State of South Carolina, and affected Tribes, may conduct critical preparedness, response and recovery activities to safeguard public health and safety and/or to restore vital community services and functions before, during, and or following an event. Some of these activities may become Undertakings requiring Section 106 review subject to the terms of this Agreement, and FEMA shall coordinate the appropriate review as warranted; and

WHEREAS, FEMA has determined that its Programs may result in Undertakings with the potential to affect historic properties having religious and cultural significance to Tribes, including sites that may contain human remains and/or associated cultural items; and

WHEREAS, FEMA recognizes that the Catawba Indian Nation, Cherokee Nation of Oklahoma, Eastern Band of Cherokee Indians, Eastern Shawnee Tribe of Oklahoma, Seminole Nation of Oklahoma, Seminole Tribe of Florida, Shawnee Tribe, Thlopthlocco Tribal Town, and United Keetoowah Band of Cherokee Indians Tribes may have sites of religious and cultural significance on or off Tribal lands [as defined in 36 CFR § 800.16(x)], and in meeting its Federal trust responsibility, FEMA has engaged in government-to-government consultation with the Tribe(s), and pursuant to 36 CFR § 800.2 (c)(2)(ii)(E) has invited the Tribe(s) to enter into an agreement that specifies how FEMA and the Tribe(s) will carry out Section 106 responsibilities, including the confidentiality of information; and

WHEREAS, the Catawba Indian Nation has assumed the responsibilities of the SHPO in its/their Tribal lands through appointment of a Tribal Historic Preservation Officer (THPO) in accordance with Section 101 of the NHPA, and FEMA shall consult with the THPO in lieu of the SHPO for Undertakings occurring on or affecting its/their Tribal lands; and

WHEREAS, notwithstanding the aforementioned invitation to enter into an agreement, FEMA has invited the Catawba Indian Nation, Cherokee Nation of Oklahoma, Eastern Band of Cherokee Indians, Eastern Shawnee Tribe of Oklahoma, Seminole Nation of Oklahoma, Seminole Tribe of Florida, Shawnee Tribe, Thlopthlocco Tribal Town, and United Keetoowah Band of Cherokee

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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, Thlopthlocco 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

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126 To the extent of its legal authority, and in coordination with other Signatories, FEMA shall ensure
127 that the following measures are implemented:

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I. GENERAL

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A. Applicability

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1. The execution of this Agreement supersedes the terms of the previously executed Programmatic Agreement in the State of South Carolina dated May 12, 2004.
2. For FEMA Undertakings that also are within the jurisdiction of the Federal Communications Commission (FCC) and within the scope of its Section 106 Programmatic Agreements for communication facilities, FEMA defers Section 106 review in accordance with the ACHP Program Comment of October 23, 2009. The approval of funding for the FEMA Undertaking shall be conditioned upon the compliance of the sub-grantee with FCC's applicable Section 106 review, including any required consultation with Tribes. FEMA shall notify the SHPO/THPO when it applies the ACHP Program Comment to an Undertaking. FEMA remains responsible for any FEMA Undertakings it determines are outside the jurisdiction of FCC.
3. In the event of a Stafford Act major disaster or emergency declaration (Declaration), State, Tribal and local governments may lack the capability to perform or to contract for emergency work, and instead request that the work be accomplished by a Federal agency. Through a mission assignment (MA), FEMA may direct appropriate Federal agencies to perform the work. This Agreement shall apply to such Federal assistance undertaken by or funded by FEMA pursuant to Titles IV and V of the Stafford Act and 44 CFR Part 206.
4. FEMA may utilize this Agreement to fulfill its Section 106 responsibilities and those of other Federal agencies that designate FEMA as the lead Federal agency pursuant to 36 CFR § 800.2(a)(2) with appropriate notification to the other Signatories and the ACHP regarding Undertakings that fall within the scope of this Agreement. When FEMA is not designated as the lead Federal agency, all Federal agencies, including FEMA, remain individually responsible for their compliance with Section 106.
5. If another Federal program or Federal agency has concluded Section 106 consultation review and approved an Undertaking within the past five years, FEMA has no further requirement for Section 106 review regarding that Undertaking provided that FEMA:
 - a. adopts the findings and determinations of the previous agency;
 - b. confirms that the scope and effect [as defined by 36 CFR § 800.16(i)] of its Undertaking are the same as that of the Undertaking reviewed by the previous agency, and;
 - c. determines that the previous agency complied with Section 106 appropriately.FEMA shall document these findings in its project file in order to confirm that the requirements of Section 106 have been satisfied. Should FEMA, in consultation with SHPO and participating Tribes, determine that the previous Section 106 review was 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.

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- c. Granting of variances, and actions to enforce Federal, State, or local codes, standards or regulations.
 - d. Monitoring, data gathering, and reporting in support of emergency and disaster planning, response and recovery, and hazard activities.
 - e. Research and development of hazard warning systems, hazard mitigation plans, codes and standards, and education/public awareness programs.
 - f. Assistance provided for planning, studies, design and engineering costs that involve no commitment of resources other than staffing and associated funding.
 - g. Assistance provided for training, management and administration, exercises, and mobile/portable equipment purchases; with the exception of potential ground-disturbing activities and modification of existing structures.
 - h. Community Disaster Loans for funding to perform governmental functions for any eligible jurisdiction in a designated disaster area that has suffered a substantial loss of tax and other revenue.
 - i. Funding the administrative action of acquisition or lease of existing facilities where planned uses conform to past use or local land use requirements.
 - j. Funding the administrative action of acquiring properties in acquisition projects, including the real estate transaction.
 - k. Labor, equipment and materials used to provide security in the Declaration area, including lease, rental, purchase or repair of equipment or vehicles and payment for staff and contract labor.
 - l. Application of pesticides to reduce adverse public health effects, including aerial and truck-mounted spraying.
 - m. Unemployment assistance.
 - n. Distribution of food coupons.
 - o. Legal services.
 - p. Crisis counseling.
8. Any FEMA Programs authorized by the United States Congress in the future may be included in this Agreement in accordance with Stipulation IV.A, Amendments. Any change in the FEMA name, Programs, or organizational structure shall not affect this Agreement.

261 B. Roles and Responsibilities of the Signatories

262
263 I. FEMA:

- 264
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.
271
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.
278
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.
289
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.
298
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.
304

- 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
- 324 a. SHPO shall review FEMA’s determination of the Areas of Potential Effects
325 (APE), National Register eligibility determinations, and FEMA’s effect findings
326 and respond within timeframes required by this Agreement.
327
- 328 b. Upon request, the SHPO shall provide FEMA and/or its designee(s) with available
329 information about historic properties (such as access to online systems or site files,
330 GIS data, survey information, geographic areas of concern). Such data sharing
331 may be memorialized in an agreement. Only Qualified FEMA staff and/or
332 designee(s) shall be afforded access to protected historic property information.
333
- 334 c. The SHPO shall identify staff or consultants to assist FEMA staff with their
335 Section 106 responsibilities, and identify, in coordination with FEMA, those
336 activities within the Section 106 review process that SHPO may perform for
337 specific Undertakings as agreed in writing with FEMA.
338
- 339 d. As requested, SHPO staff shall be reasonably available as a resource and for
340 consultation through site visits, written requests, telephone conversations or
341 electronic media. In those instances where consultation with SHPO has occurred,
342 FEMA shall provide a written summary via e-mail or regular mail to SHPO,
343 including any decisions that were reached.
344
- 345 e. The SHPO may delegate some or all of its responsibilities under this Agreement to
346 one or more Liaisons to serve as a dedicated point of contact for consultation with
347 FEMA. The SHPO shall confer with FEMA about the selection of any Liaisons,

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

- 399
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
420 1. FEMA recognizes that the views of the public are essential to informed decision
421 making throughout the Section 106 consultation process. FEMA shall notify the public
422 of proposed Undertakings in a manner that reflects the nature, complexity, significance
423 of historic properties likely affected by the Undertaking, the likely public interest
424 given FEMA's specific involvement, and any confidentiality concerns of Tribes,
425 private individuals and businesses.
426
427 2. FEMA may consult with the Grantee(s), subgrantee, SHPO, participating Tribes, and
428 other consulting parties to determine if there are individuals or organizations with a
429 demonstrated interest in historic properties that should be included as a consulting
430 party for the Undertaking in accordance with 36 CFR § 800.2(c)(5). If such parties are
431 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.
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- 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.

494 **II. PROJECT REVIEW**

495 **A. Programmatic Allowances**

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- 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
- 536 b. If the emergency Undertaking meets one or more of the Allowances in Appendix B
537 of this Agreement, FEMA shall complete the Section 106 review process pursuant
538 to Stipulation II.A.1, Programmatic Allowances.
- 539
- 540 c. If FEMA determines that the emergency Undertaking would adversely affect a
541 historic property during this expedited review period:
- 542
- 543 i. To the extent practicable, FEMA will propose treatment measures that would
544 address adverse effects during implementation, and request the comments of
545 the SHPO and participating Tribes within 3 days of receipt of this information
546 unless FEMA determines the nature of the emergency warrants a shorter time
547 period.
- 548
- 549 ii. FEMA may provide this information through written requests, telephone
550 conversations, meetings, or electronic media. In all cases, FEMA shall clarify
551 that an “expedited review” is being requested for the Undertaking.
- 552
- 553 iii. FEMA shall take into account any timely comments provided by SHPO and/or
554 participating Tribes in making a decision on how to proceed.
- 555

- 556 iv. Should the SHPO and/or participating Tribes not comment within 3 days,
557 FEMA shall complete Section 106 consultation for the Undertaking based on
558 the available information.
559
560 v. FEMA shall notify the SHPO and participating Tribes of the final decision,
561 indicating how any comments received were considered in reaching that
562 decision.
563

564 C. Standard Project Review: For Undertakings not exempt from further Section 106 review,
565 FEMA shall ensure that the following standard project review steps are implemented. In
566 the interest of streamlining, FEMA may combine some or all of these steps during
567 consultation in accordance with 36 CFR § 800.3(g).
568

569 1. Consulting Parties: FEMA shall consider all written requests of individuals and
570 organizations to participate as consulting parties, and consult with the SHPO and
571 participating Tribes to identify any other parties that meet the criteria to be
572 consulting parties and invite them to participate in the Section 106 process. FEMA
573 may invite others to participate as consulting parties as the Section 106 consultation
574 proceeds. FEMA shall invite any individual or organization that will assume a
575 specific role or responsibility outlined in an MOA or Programmatic Agreement to
576 participate as an invited signatory to the agreement.
577

578 2. Area of Potential Effects:
579

580 a. For standing structures not adjacent to or located within the boundaries of a
581 National Register listed or eligible district, Qualified staff may define the APE as
582 the individual structure when the proposed Undertaking is limited to its repair or
583 rehabilitation (as defined in 36 CFR § 68.3(b)).
584

585 b. For all other Undertakings, Qualified staff shall determine the APE in consultation
586 with the SHPO and participating Tribes. FEMA may consider information
587 provided by other parties, such as local governments and the public, when
588 establishing the APE.
589

590 3. Identification and Evaluation: Qualified staff shall determine, in consultation with the
591 SHPO and participating Tribes if the APE contains historic properties, including
592 properties of religious and cultural significance. This may include the review of
593 documentation provided by the Grantee(s) or subgrantee in coordination with the
594 SHPO.
595

596 a. Level of Effort: FEMA shall make a reasonable and good faith effort to identify
597 historic properties in accordance with 36 CFR § 800.4(b)(1). FEMA may consult
598 with the SHPO to determine the level of effort and methodology necessary to
599 identify and evaluate a variety of historic property types. For properties of
600 religious and cultural significance to affected Tribe(s), FEMA shall consult with

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.
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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.

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- i. If the objection is resolved, FEMA either may proceed with the Undertaking in accordance with the resolution or reconsider effects on the historic property by applying the criteria of adverse effect pursuant to Stipulation II.C.5, Application of the Criteria of Adverse Effect, below.
 - ii. If FEMA is unable to resolve the disagreement, it will forward the finding and supporting documentation to the ACHP and request that the ACHP review FEMA's finding in accordance with 36 CFR § 800.4(d)(1)(iv)(A) through 36 CFR § 800.4(d)(1)(iv)(C). FEMA shall consider the ACHP's recommendation in making its final determination. If FEMA's final determination is to reaffirm its "no historic properties affected" finding, the Section 106 review of the Undertaking will have concluded. Otherwise, FEMA will proceed to Stipulation II.C.5., below.
- 5. Application of the Criteria of Adverse Effect: If FEMA finds an Undertaking may affect historic properties in the APE, including those of religious or cultural significance to affected Tribe(s), FEMA shall apply the criteria of adverse effect to historic properties within the APE(s), taking into account the views of the consulting parties and the public concerning effects in accordance with 36 CFR § 800.5(a).
 - a. If FEMA determines that an Undertaking does not meet the adverse effect criteria, FEMA shall propose a finding of "no adverse effect" in accordance with 36 CFR § 800.5(b).
 - i. FEMA shall notify the SHPO, participating Tribes, and all other consulting parties of its finding and provide supporting documentation pursuant to 36 CFR §800.11(e).
 - ii. Unless a consulting party objects within the applicable timeframe outlined in Stipulation I.E, Timeframes and Communications, FEMA will proceed with its "no adverse effect" determination and conclude the Section 106 review.
 - iii. If a consulting party objects to a finding of "no adverse effect," FEMA will consult with the objecting party to resolve the disagreement.
 - 1) If the objection is resolved, FEMA shall proceed with the Undertaking in accordance with the resolution, or;
 - 2) If the objection cannot be resolved, FEMA shall request that the ACHP review the findings in accordance with 36 CFR § 800.5(c)(3)(i)-(ii) and submit the required supporting documentation. FEMA shall consider the ACHP's comments in making its final determination.

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- b. If FEMA finds the Undertaking may adversely affect historic properties, FEMA shall request through the Grantee(s) that the subgrantee revise the scope of work to substantially conform to the *Standards* for standing structures, or avoid or minimize adverse effects for National Register listed or eligible archaeological properties.
 - i. If the subgrantee modifies the scope of work to avoid the adverse effect, FEMA shall notify the SHPO, participating Tribes, and all other consulting parties, and provide supporting documentation. Unless a consulting party makes a timely objection in accordance with the applicable timeframe outlined in Stipulation I.E, Timeframes and Communications, FEMA shall proceed with its “no adverse effect” determination, including any conditions, and conclude the Section 106 review.
 - ii. If an Undertaking is not modified to avoid the adverse (effects), FEMA shall initiate consultation to resolve the adverse effect(s) in accordance with Stipulation II.C.6, Resolution of Adverse Effects.
- 6. Resolution of Adverse Effects: If FEMA determines that an Undertaking may adversely affect a historic property, it shall resolve the effects of the Undertaking in consultation with the SHPO, Grantee(s), subgrantee, participating Tribes, the ACHP, if participating, and other consulting parties, by one of the following methods depending upon the severity of the adverse effect(s) as well as determination of the historic property’s significance on a local, state or national level. When FEMA determines an Undertaking will adversely affect an NHL, FEMA shall notify and invite the Secretary and ACHP to participate in consultation in accordance with 36 CFR § 800.10. When the ACHP participates in consultation related to an NHL, the ACHP shall report the outcome of the consultation to the Secretary and the FEMA Administrator.
 - a. Abbreviated Consultation Process: After taking into consideration the significance of the historic properties affected, the severity of the adverse effect(s) and avoidance or minimization of the adverse effect(s), FEMA may propose in writing to the consulting parties to resolve the adverse effects of the Undertaking through the application of one or more Treatment Measures outlined in Appendix C as negotiated with the SHPO, participating Tribes, and other consulting parties. The use of these Treatment Measures shall not require the execution of a Memorandum of Agreement (MOA) or Programmatic Agreement.
 - i. In consultation with the SHPO, participating Tribe(s), and other consulting parties, FEMA shall propose in writing the implementation of a specific Treatment Measure, or combination of Treatment Measures, with the intent of expediting the resolution of adverse effects, and provide documentation as required by 36 CFR § 800.11(e) and subject to the confidentiality provisions of 36 CFR § 800.11(c)). Unless a consulting party or the ACHP objects within 15 days of receipt of FEMA’s proposal, FEMA shall proceed with the

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
796 B. Unexpected Discoveries, Previously Unidentified Properties, or Unexpected Effects:

797
798 1. Upon notification by a subgrantee of an unexpected discovery, or if it appears that a
799 Undertaking has affected a previously unidentified property or affected a known
800 historic property in an unanticipated manner, in accordance with Stipulation I.B.3(e),
801 Grantee(s) Roles and Responsibilities, the Grantee(s) shall immediately notify FEMA
802 and require the subgrantee to:

803
804 a. Immediately stop construction activities in the vicinity of the discovery.

805
806 b. Take all reasonable measures to avoid or minimize harm to the property until
807 FEMA has completed consultation with the SHPO, participating Tribes, and any
808 other consulting parties. Upon notification by the Grantee of a discovery, FEMA
809 shall immediately notify the SHPO, participating Tribes, and other consulting
810 parties that may have an interest in the discovery, previously unidentified property
811 or unexpected effects, and consult to evaluate the discovery for National Register
812 eligibility and/or the effects of the undertaking on historic properties.

813
814 c. If human remains are discovered, notify the local law enforcement office and
815 coroner/medical examiner in accordance with applicable State statutes, and protect
816 the remains from any harm. Discoveries of human remains on Federal or Tribal
817 lands shall be subject to the Native American Graves Protection and Repatriation
818 Act (NAGPRA) (25 U.S.C. §3001-3013, 18 U.S.C. § 1170) and ARPA, as
819 applicable.

820
821 d. Assist FEMA in completing the following actions, as required:

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- i. FEMA shall consult with the SHPO, participating Tribes, and other consulting parties in accordance with the consultation process outlined in Stipulation II, Project Review, to develop a mutually agreeable action plan with timeframes to identify the discovery or previously unidentified property, take into account the effects of the Undertaking, resolve adverse effects if necessary, and ensure compliance with applicable Federal, State, and local statutes.
- ii. FEMA shall coordinate with the Grantee(s) and the subgrantee regarding any needed modification to the scope of work for the Undertaking necessary to implement recommendations of the consultation and facilitate proceeding with the Undertaking.
- iii. In cases where discovered human remains are determined to be American Indian, FEMA shall consult with the appropriate Tribal representatives and SHPO. In addition, FEMA shall follow the guidelines outlined in the ACHP's *Policy Statement Regarding the Treatment of Burial Sites, Human Remains, and Funerary Objects* (2007) and any state-specific policies that may be in force.

C. Curation

- 1. In cases where archaeological survey and testing are conducted on private land, any recovered collections remain the property of the land owner. In such instances, FEMA and the Grantee(s), in coordination with the SHPO and affected Tribes, shall encourage land owners to donate the collection(s) to an appropriate public or Tribal entity. In cases where the property owner wishes to transfer ownership of the collection(s) to a public or Tribal entity, and in the case of artifacts recovered from public lands, FEMA and the Grantee(s) shall ensure that recovered artifacts and related documentation are curated in a suitable repository as agreed to by FEMA, SHPO, and affected Tribes, and following *South Carolina Standards and Guidelines for 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
873 1. In accordance with Section 110(k) of the NHPA, FEMA shall not grant assistance to a
874 subgrantee who, with intent to avoid the requirements of this Agreement or Section
875 106 of the NHPA, has intentionally significantly and adversely affected a historic
876 property to which the assistance would relate, or having legal power to prevent it,
877 allowed an adverse effect to occur. However, if after consultation with the SHPO,
878 appropriate Tribes, and ACHP, FEMA determines that extraordinary circumstances
879 justify granting assistance despite the adverse effect created or permitted by the
880 subgrantee, FEMA shall complete consultation for the Undertaking pursuant to the
881 terms of this Agreement.

882
883 2. FEMA shall specifically advise the Grantee(s) and shall require that the Grantee(s)
884 advise its subgrantees in writing that they may jeopardize Federal funding if work is
885 performed without all required local, State, and Federal licenses, permits, and/or
886 approvals, including the completion of the Section 106 process. FEMA also shall
887 document this requirement in its Record of Environmental Consideration, as
888 applicable, as well as all project approval documents specifying the project scope and
889 limits, and containing all conditions and caveats.

890
891 3. In circumstances where FEMA determines a subgrantee has initiated an Undertaking
892 without willful intent to avoid the requirements of this Agreement or Section 106 of
893 NHPA, FEMA shall proceed as follows:
894

- 895 a. Determine if the Undertaking is of a type for which FEMA has no further Section
896 106 responsibilities, namely:
897
898 i. An Undertaking listed in Stipulation I.A.8; or
899
900 ii. An immediate rescue and salvage operation in accordance with 36 CFR §
901 800.12(d); or
902
903 iii. A Programmatic Allowance as described under Stipulation II.A.
904
905 b. In any such cases listed in Stipulation III.D.3.a., above, FEMA shall document this
906 determination in the project files, and consider the Undertaking Section 106
907 compliant.
908
909 c. If FEMA determines the Undertaking would have required Section 106 review,
910 FEMA shall coordinate with the SHPO and appropriate Tribes to determine if
911 consultation is feasible.
- 912 i. If after coordination with the SHPO and appropriate Tribes, FEMA determines
913 that consultation is feasible, FEMA shall review the Undertaking in accordance
914 with Stipulation II.C, Standard Project Review.
- 915 ii. If after coordination with the SHPO and appropriate Tribes, FEMA determines
916 that review is infeasible, FEMA shall document the outcome to the Section 106
917 review process, and the applicable FEMA program shall take the outcome into
918 account before making a decision whether to fund the Undertaking. FEMA
919 shall provide written notification of its funding decision to the SHPO,
920 appropriate Tribes, and the ACHP.
- 921
922 4. FEMA shall ensure that all Undertakings considered for after the fact review in
923 accordance with this stipulation are included in the annual report.
924

925 **IV. IMPLEMENTATION OF AGREEMENT**

926 **A. Amendments**

- 927
928
929 1. If any Signatory determines that an amendment to the terms of this Agreement must be
930 made, the Signatories shall consult for no more than 30 days to seek amendment of the
931 Agreement.
932
933 2. An amendment to this Agreement, exclusive of the appendices, shall be effective only
934 when it has been signed by all the Signatories. An amendment shall be effective for
935 Undertakings occurring on or affecting historic properties on Tribal lands only when
936 the Tribe has signed the Agreement and its amendment.
937

SC HP PA
Executed

- 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
942 a. FEMA, on its own behalf or on behalf of another Signatory, shall notify the
943 Signatories of the intent to modify the current Appendix or Appendices and shall
944 provide a draft of the updated Appendix or Appendices to all Signatory parties.
945
946 b. If no other Signatory objects in writing within 30 days of receipt of FEMA's
947 proposed modification, FEMA shall date and sign the amended Appendix and
948 provide a copy of the amended Appendix to the other Signatories. Such an
949 amendment shall go into effect on the date FEMA transmits the amendment to the
950 other Signatories.

951
952 **B. Dispute Resolution**

- 953
954 1. Should any Signatory object in writing to the terms of this Agreement, FEMA shall
955 consult with the objecting party for not more than 30 days to resolve the objection.
956
957 2. If the objection is resolved within 30 days, FEMA shall proceed in accordance with
958 the resolution.
959
960 3. If FEMA determines within 30 days that the objection cannot be resolved, FEMA shall
961 forward to ACHP all documentation relevant to the objection, including FEMA's
962 proposed resolution. Within 30 days of receipt, ACHP will:
963
964 a. Concur in FEMA's proposed resolution; or
965
966 b. Provide FEMA with recommendations, which FEMA shall take into account in
967 reaching a final decision regarding the objection; or
968
969 c. Notify FEMA that the objection will be referred for comment in accordance with
970 36 CFR § 800.7(a)(4), and proceed to do so.
971
972 4. FEMA shall take into account any ACHP recommendations or comments, and any
973 comments from the other Signatories, in reaching a final decision regarding the
974 objection. FEMA shall provide in writing to the ACHP and Signatories a summary of
975 its final decision before authorizing any disputed action to proceed. The Signatories
976 shall continue to implement all other terms of this Agreement that are not subject to
977 objection.
978
979 5. Should ACHP not respond within 30 days, FEMA may assume ACHP has no
980 comment and proceed with its proposed resolution to the objection after providing the
981 ACHP and Signatories a written summary of its final decision.
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C. Severability and Termination

1. In the event any provision of this Agreement is deemed by a Federal court to be contrary to, or in violation of, any applicable existing law or regulation of the United States of America, only the conflicting provision(s) shall be deemed null and void, and the remaining provisions of the Agreement shall remain in effect.

2. FEMA, the SHPO, ACHP, or Grantee(s) may terminate this Agreement by providing 30 days written notice to the other Signatories, provided that the Signatories consult during this period to seek amendments or other actions that would prevent termination. If this Agreement is terminated, FEMA shall comply with Section 106 through other applicable means pursuant to 36 CFR Part 800. Upon such determination, FEMA shall provide all other Signatories and the ACHP with written notice of the termination of this Agreement.

3. A participating Tribe may notify the other Signatories that it is fully withdrawing from participation in the Agreement. Following such a withdrawal, FEMA shall review undertakings that may affect historic properties of religious and cultural significance to the Tribe, and Undertakings that occur on the Tribal lands of the relevant Tribe, in accordance with 36 CFR §§ 800.3 through 800.7, 36 CFR § 800.8(c), or an applicable alternative under 36 CFR § 800.14. Withdrawal from this Agreement by a Tribe does not terminate the Agreement. At any time that this Agreement remains in effect, a Tribe that has withdrawn from the Agreement may notify FEMA, the Grantee(s), and SHPO in writing that it has rescinded its notice withdrawing from participation in the Agreement.

4. This Agreement may be terminated by the implementation of a subsequent Agreement, pursuant to 36 CFR § 800.14(b), that explicitly terminates or supersedes this Agreement, or by FEMA's implementation of Alternate Procedures, pursuant to 36 CFR § 800.14(a).

D. Duration and Extension

1. This Agreement shall remain in effect from the date of execution for a period not to exceed 7 years unless otherwise extended pursuant to Stipulation IV.D.2 below or terminated pursuant to Stipulation IV.C.2 or IV.C.4, Severability and Termination. The Agreement shall remain in effect for Declarations made prior to expiration of the Agreement in order to minimize delays in delivery of FEMA assistance.

2. The Signatories may collectively agree to extend this Agreement to cover additional calendar years, or portions thereof, through an amendment per Stipulation IV.A., provided that the original Agreement has not expired.

E. Execution and Implementation

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1. This Agreement may be executed in counterparts, with a separate page for each Signatory, and shall become effective on the date of the final signature of FEMA and the SHPO/THPO.
2. The Agreement shall go into effect regarding Undertakings occurring, or affecting historic properties, on Tribal lands when the relevant Tribe has signed the Agreement.
3. FEMA shall ensure that each Signatory is provided with a complete copy of the Agreement, including an original set of signatures.
4. Execution and implementation of this Agreement evidence that FEMA has afforded ACHP a reasonable opportunity to comment on FEMA's administration of all referenced Programs, and that FEMA has satisfied its Section 106 responsibilities for all individual Undertakings of its referenced Programs.

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**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

6/16/14
Date

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AND TRIBES PARTICIPATING AS INVITED SIGNATORIES**

South Carolina State Historic Preservation Office



W. Eric Emerson, Ph.D.
State Historic Preservation Officer

10-14-14
Date

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THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION,
AND TRIBES PARTICIPATING AS INVITED SIGNATORIES**

South Carolina Emergency Management Division



Kim Stenson
Director

8 OCT 14

Date

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THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICE,
THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION,
AND TRIBES PARTICIPATING AS INVITED SIGNATORIES**

United Keetoowah Band of Cherokee Indians



George Wickliffe
Chief

1-9-15

Date

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**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
Chief

5/22/15
Date



Wenonah Aire
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 HMGP 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.

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Flood Mitigation Assistance Program (FMA)

The FMA program provides grants to States, Territories, Tribal entities, and communities to assist in their efforts to reduce or eliminate the risk of repetitive flood damage to buildings and structures insurable under the National Flood Insurance Program (NFIP).

Assistance to Firefighters Grant Program

The AFG program provides funding for purchase of equipment and retrofit or construction of fire stations to improve first responder capabilities.

State Homeland Security Program (SHSP)

This core assistance program provides funds to build capabilities at the state and local levels and to implement the goals and objectives included in state homeland security strategies and initiatives in the State Preparedness Report.

Urban Areas Security Initiative (UASI) Program

The Urban Areas Security Initiative (UASI) program focuses on enhancing regional preparedness in major metropolitan areas. The UASI program directly supports the National Priority on expanding regional collaboration in the National Preparedness Guidelines and is intended to assist participating jurisdictions in developing integrated regional systems for prevention, protection, response and recovery.

Metropolitan Medical Response System (MMRS) Program

The MMRS program supports the integration of emergency management, health, and medical systems into a coordinated response to mass casualty incidents caused by any hazard. Successful MMRS grantees reduce the consequences of a mass casualty incident during the initial period of a response by having augmented existing local operational response systems before the incident occurs.

Citizen Corps Program (CCP)

The Citizen Corps mission is to bring community and government leaders together to coordinate community involvement in emergency preparedness, planning, mitigation, response and recovery.

State Homeland Security Program Tribal (SHSP Tribal)

To provide supplemental funding to directly eligible tribes to help strengthen the nation against risks associated with potential terrorist attacks. Pursuant to the 9/11 Act, "a directly eligible tribe applying for a grant under section 2004 [SHSP] shall designate an individual to serve as a tribal liaison with [DHS] and other Federal, state, local, and regional government officials concerning preventing, preparing for, protecting against and responding to acts of terrorism."

Nonprofit Security Grant Program (NSGP)

NSGP provides funding support for target-hardening activities to nonprofit organizations that are at high risk of a terrorist attack and are located within one of the specific UASI-eligible urban areas.

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

1230 *Transit Security Grant Program (TSGP)*

1231 The TSGP provides grant funding to the nation's key high-threat urban areas to enhance security
1232 measures for their critical transit infrastructure including bus, ferry and rail systems.

1233

1234 *Freight Rail Security Grant Program (FRSGP)*

1235 The FRSGP funds security training for frontline employees, the completion of vulnerability
1236 assessments, the development of security plans within the freight rail industry and GPS tracking
1237 systems for railroad cars transporting toxic inhalation materials.

1238

1239 *Intercity Passenger Rail (Amtrak)*

1240 The purpose of the Intercity Passenger Rail (IPR) is to create a sustainable, risk-based effort to
1241 protect critical surface transportation infrastructure and the traveling public from acts of terrorism,
1242 major disasters and other emergencies within the Amtrak rail system.

1243

1244 *Port Security Grant Program (PSGP)*

1245 The PSGP provides grant funding to port areas for the protection of critical port infrastructure
1246 from terrorism. PSGP funds are primarily intended to assist ports in enhancing maritime domain
1247 awareness, enhancing risk management capabilities to prevent, detect, respond to and recover
1248 from attacks involving improvised explosive devices (IEDs), weapons of mass destruction
1249 (WMDs) and other non-conventional weapons, as well as training and exercises and
1250 Transportation Worker Identification Credential (TWIC) implementation.

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1252 *Intercity Bus Security Grant Program (IBSGP)*

1253 The IBSGP provides funding to create a sustainable program for the protection of intercity bus
1254 systems and the traveling public from terrorism. The program seeks to assist operators of fixed-
1255 route intercity and charter bus services in obtaining the resources required to support security
1256 measures such as enhanced planning, facility security upgrades and vehicle and driver protection.

1257

1258 *Trucking Security Program (TSP)*

1259 TSP funding will be awarded to eligible applicants to implement security improvement measures
1260 and policies deemed valuable by DHS as indicated in the *Security Action Items* publication of
1261 June 26, 2008. These items are primarily focused on the purchase and installation or enhancement
1262 of equipment and systems related to tractor and trailer tracking systems. Additionally, the TSP
1263 will provide funding to develop a system for DHS to monitor, collect and analyze tracking
1264 information; and develop plans to improve the effectiveness of transportation and distribution of
1265 supplies and commodities during catastrophic events.

1266

1267 *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

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1314 This list of Programmatic Allowances enumerates FEMA funded activities that based on FEMA
1315 experience have no or minimal effect on historic properties if implemented as specified in this
1316 Appendix and will not require review by the SHPO and participating Tribes.

1317
1318 The Programmatic Allowances consist of two tiers – First Tier and Second Tier. Staff may apply
1319 First Tier allowances whether or not they meet professional historic preservation qualification
1320 standards, while only staff meeting the applicable SOI Professional Qualifications Standards in
1321 accordance with Stipulation I.B(1)(a) of this Agreement may apply Second Tier allowances.

1322
1323 When referenced in the Programmatic Allowances, “in-kind” shall mean that it is either the same
1324 or a similar material, and the result shall match all physical and visual aspects, including form,
1325 color, and workmanship. The in-kind repair provided for in both First and Second Tier
1326 allowances in Appendix B should be limited to pre-existing architectural features and physical
1327 components of buildings and structures.

1328
1329 When referenced in the allowances, “previously disturbed soils” shall refer to soils that are
1330 not likely to possess intact and distinct soil horizons and have the reduced likelihood of
1331 possessing historic properties within their original depositional contexts in the area and to
1332 the depth to be excavated.

1333

I. First Tier Allowances

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1336 A. **GROUND DISTURBING ACTIVITIES AND SITE MODIFICATION**, when
1337 proposed activities described below substantially conform to the original footprint and/or
1338 are performed in previously disturbed soils, including the area where the activity is staged.

1339 1. Debris and Snow Removal

1340 a. Debris removal and collection, including removal of snow, uprooted trees, limbs
1341 and branches from public rights of way and public areas and areas as well as the
1342 transport and disposal of such waste to existing licensed waste facilities or
1343 landfills. This includes the temporary establishment and expansion of non-
1344 hazardous debris staging, reduction, and disposal areas at licensed transfer stations,
1345 or existing hard-topped or graveled surfaces (e.g. parking lots, roads, athletic
1346 courts) but not the creation of new or temporary access roads.

1347 b. Removal of debris from private property provided that buildings are not affected,
1348 ground disturbance is minimal and in-ground elements, such as driveways,
1349 walkways or swimming pools are left in place.

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1351 c. Chipping and disposal of woody debris by broadcasting within existing rights-of-
1352 way.

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- d. Sediment removal from man-made drainage facilities, including retention/detention basins, ponds, ditches, and canals, in order to restore the facility to its pre-disaster condition. The sediment may be used to repair eroded banks or disposed of at an existing licensed or permitted spoil site.
 - e. Dewatering flooded developed areas by pumping.
2. Temporary Structures and Housing
- a. Installation and removal of temporary structures for use as school classrooms, offices, or temporary shelters for essential public service agencies, such as police, fire, rescue and medical care, as well as temporary housing for disaster personnel and survivors at the following types of locations:
 - i. Single units on private residential sites when all utilities are installed above ground or tie into pre-existing utility lines.
 - ii. Existing RV/Mobile Home Parks and campgrounds with pre-existing utility hookups;
 - iii. Paved areas, such as parking lots and paved areas at such facilities as conference centers, shopping malls, airports, industrial port facilities business parks, and military bases when all utilities are installed above ground or tie into pre-existing utility lines.
 - iv. Sites that have been previously prepared for planned construction, such as land being developed for public housing, office buildings, city parks, ball fields, schools, etc. when all utilities are installed above-ground or tie into pre-existing utility lines.
 - v. Areas previously filled to depths of at least six feet so that subsurface utilities can be installed.
3. Recreation and Landscaping
- a. Installation of temporary removable barriers.
 - b. In-kind repairs, installation, or replacement, and minor upgrades/mitigation of bollards and associated protective barriers when in previously disturbed areas.
- B. BUILDINGS AND STRUCTURES**
- 1. Repair or retrofit of buildings less than 45 years old.
 - 2. Removal of water by physical or mechanical means.

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3. Installation of exterior security features and early warning devices on existing light poles or other permanent utilities.
- C. TRANSPORTATION FACILITIES**, when proposed activities substantially conform to the original footprint and/or performed in previously disturbed soils, including any staging areas.
1. Roads and Roadways
 - a. Paving and repair of roads to pre-disaster geometric design standards and conditions using in-kind materials, shoulders medians, clearances, curbs, and side slopes. This allowance does not include improvement to existing roadways and appurtenances.
 - b. Repairs to road slips and landslides that do not require grading of undisturbed soils on the up-hill side of the slip
 - c. Re-establishment, armoring, and/or upgrading of existing roadway ditches.
 - d. In-kind repair or replacement of traffic control devices such as traffic signs and signals, delineators, pavement markings, traffic surveillance systems.
 - e. Installation and removal of temporary traffic control devices, including pre-formed concrete barriers and fencings.
 - f. In-kind repair or replacement of roadway safety elements such as barriers, guardrails, and impact-attenuation devices. In the case of guardrails, the addition of safety end treatments is permitted.
 2. Airports
 - a. In-kind repair or replacement of existing runway surfaces and features (e.g. asphalt, concrete, gravel, and dirt) and associated air transportation safety components and systems (e.g. lighting bars, beacons, signage and weather sensors).
 3. Rail Systems
 - a. In-kind repair or replacement of safety components.
 - b. In-kind repair or replacement of existing track system and passenger loading areas.

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D. FEES AND SERVICES

- 1. Reimbursement of a subgrantee's insurance deductible, not to exceed \$2,500.

II. Second Tier Allowances

A. GROUND DISTURBING ACTIVITIES AND SITE WORK, 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.

- 1. Footings, Foundations, Retaining Walls, Slopes, and Slope Stabilization Systems
 - a. In-kind repair, replacement, and reinforcement of footings, foundations, retaining walls, slopes, and slope stabilization systems (e.g., gabion baskets, crib walls, soldier pile and lag walls) if related ground disturbing activities are within the boundary of previously disturbed soils.
 - b. Installation of perimeter drainage (e.g. French drains) when performed in previously disturbed soils.
- 2. Recreation and Landscaping
 - a. In-kind repairs or replacement, and minor upgrades to recreational facilities and features (e.g. playgrounds, campgrounds, fire pits, dump stations and utility hook-ups, swimming pools, athletic fields and signage, batting cages, basketball courts, swing sets, pathways, simple wooden/wire stream crossings).
 - b. In-kind repair, replacements, and minor upgrades to landscaping elements (e.g., fencing, free standing walls, paving, planters, irrigation systems, lighting elements, signs, flag poles, ramps, steps).
- 3. Piers, Docks, Boardwalks, Boat Ramps, and Dune Crossovers
 - a. In-kind repair and replacement and minor upgrades to existing piers, docks, boardwalks, boat ramps and dune crossovers in areas of previously disturbed soils.
- 4. Cemeteries
 - a. Removal of woody debris such as branches and limbs, from cemeteries, provided that heavy equipment and other machinery are not operated or staged on areas potentially containing human remains.
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B. BUILDINGS AND STRUCTURES

1. Interior Work: Floors, Walls, Stairs, Ceilings and Trim
 - a. In-kind repair of floors, walls, stairs, ceilings and/or trim. In-kind replacement of floors, walls, stairs, ceilings, and/or trim that are damaged and/or deteriorated beyond repair. The allowance does not apply to decorative finishes, including murals, glazed paint, gold leaf, or ornamental plaster.
 - b. Interior cleaning of surfaces using a weak solution of household bleach and water, mold remediation, or mold removal. The allowance applies to interior finishes, including plaster and wallboard, provided the cleaning is restricted to damaged areas and does not affect adjacent materials.
 - c. Non-destructive or concealed testing for hazardous materials (e.g., lead paint, asbestos) or for assessment of hidden damages.
2. Building Contents
 - a. Repair or replacement of building contents including furniture, movable partitions, computers, cabinetry, supplies, and equipment and any other moveable items which are not character defining features of a historic property.
3. Utilities and Mechanical, Electrical, and Security Systems
 - a. In-kind repair or replacement, or limited upgrading of interior utility systems, including mechanical (e.g., heating, ventilation, air conditioning), electrical, and plumbing systems. This allowance does not provide for the installation of new exposed ductwork.
 - b. Elevation of heating, ventilation, and air conditioning system (HVAC) and mechanical equipment as long as it is placed or located where it is not visible from the street.
 - c. Installation or replacement of interior fire detection, fire suppression, or security alarm systems. The allowance does not apply to surface mounted wiring, conduits, piping, etc., unless previously existing, provided that installation of the system hardware does not damage or cause the removal of character-defining architectural features and can be easily removed in the future.
 - d. Installation of communication and surveillance security systems, such as cameras, closed-circuit television, alarm systems, and public address systems, provided that installation of the system hardware does not damage or cause the removal of 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

1544 c. Replacement of exterior, utilitarian, non-character-defining metal doors and frames
1545 leading into non character-defining spaces with metal blast resistant doors and
1546 frames.
1547

1548 d. Installation of security bars over windows on rear elevations.
1549

1550 5. Exterior Walls, Cornices, Porches, and Foundations

1551 a. In-kind repainting of surfaces, provided that destructive surface preparation
1552 treatments are not used, such as water blasting, sandblasting, power sanding and
1553 chemical cleaning.
1554

1555 b. In-kind repair of walls, porches, foundations, columns, cornices, siding,
1556 balustrades, stairs, dormers, brackets, trim, and their ancillary components or in-
1557 kind replacement of severely deteriorated or missing or lost features, as long as the
1558 replacement pieces match the original in detail and material. Any ground
1559 disturbance will be limited to previously disturbed soils.
1560

1561 c. In-kind repair or replacement of signs or awnings.
1562

1563 d. Installation of temporary stabilization bracing or shoring, provided such work does
1564 not result in additional damage.
1565

1566 e. Anchoring of walls to floor systems, provided the anchors are embedded and
1567 concealed from exterior view.
1568

1569 f. In-kind repair of concrete and masonry walls, columns, parapets, chimneys, or
1570 cornices or limited in-kind replacement of damaged and/or deteriorated beyond

- 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
- 1597 7. Weatherproofing and Insulation
- 1598 a. Caulking and weather-stripping to complement the color of adjacent surfaces or
 1599 sealant materials.
- 1600 b. In-kind repair or replacement of insulation systems, provided that existing interior
 1601 plaster, woodwork, exterior siding, or exterior architectural detail is not altered.
 1602
- 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.

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- f. Construction of temporary emergency access roads in previously disturbed soils to allow for passage of emergency vehicles
2. Bridges
- a. Installation of a temporary (Bailey-type) bridge over an existing structure or at a previously disturbed location, such as a former bridge location, to allow passage of emergency vehicles.
 - b. In-kind repair or replacement of bridges and bridge components (e.g. abutments, wing walls, piers, decks, and fenders) in previously disturbed soils.
- D. UTILITIES, COMMUNICATIONS SYSTEMS AND TOWERS**, when proposed activities substantially conform to the original footprint and/or performed in previously disturbed soils, including the area where the activity is staged.
1. General
- a. In-kind repair or replacement, or minor upgrading, small scale realignment, and elevation of utilities and associated features and structures within previously disturbed soils of rights-of-way or utility corridors.
 - b. Installation of new utilities and associated features within existing rights-of-way.
 - c. Directional boring of new/replacement service line and related appurtenances involving boring or silt trenches within previously disturbed soils of rights-of-way or utility corridors.
 - d. In-kind repair or replacement, or minor upgrade of water towers provided activities take place within previously disturbed soils. Ground-level facilities may be added or expanded in previously disturbed areas. This allowance does not apply to masonry water towers.
2. Generators and Utilities
- a. In-kind repair or replacement, or minor upgrades, elevation, and/or installation of generators, HVAC systems, and similar equipment provided activities occur within previously disturbed soils and any roof mounted equipment is not visible from the ground level.
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
- 1705 b. The collocation of communication and security equipment on existing towers and
- 1706 buildings/structures less than 45 year in age, provided that the work does not
- 1707 increase existing tower height or footprint by more than 10% and occurs within
- 1708 previously disturbed soils.
- 1709
- 1710 c. Enhancement, repair or replacement of existing communication towers and
- 1711 antenna structures provided the work does not increase existing tower height or
- 1712 footprint by more than 10% and occurs within previously disturbed soils.
- 1713
- 1714 d. Installation of new temporary (not to exceed 12 months) communications towers
- 1715 and antenna structures provided that the work occurs does not require modification
- 1716 of buildings/structures 45 years or older and occurs within previously disturbed
- 1717 soils.
- 1718
- 1719 e. Installation of new communication towers, less than 200 feet tall, in previously
- 1720 developed urban complexes when the work does not require modification of
- 1721 buildings/structures 45 years or older, occurs within previously disturbed soil, and
- 1722 is not within a half mile feet of the boundaries of a historic property.
- 1723

E. WATER RESOURCE MANAGEMENT AND CONTROLS, when proposed activities substantially conform to the original footprint and/or performed in previously disturbed soils, including the area where the activity is staged.

- 1724 1. Canal Systems
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- 1726 a. In-kind repairs or replacement to canal systems and associated elements.
- 1727
- 1728 2. Breakwaters, Seawalls, Revetments, and Berms
- 1729
- 1730 a. In-kind repair or replacement of breakwaters, seawalls, and revetments, provided
- 1731 the work occurs in previously disturbed soils.
- 1732
- 1733 3. Dams, Levees, and Floodwalls
- 1734
- 1735 a. In-kind repair of dams, levees, floodwalls and related features, including spillways,
- 1736 tide gates, and fuse plugs, provided the work occurs in previously disturbed soils.
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- 1738 4. Fish Hatcheries
- 1739
- 1740 a. In-kind repair or replacement of fish hatcheries and fish ladders.
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5. Waste-Water Treatment Lagoon Systems
- a. In-kind repair or replacement, or minor upgrades of waste-water treatment lagoon systems.

Appendix C: Treatment Measures

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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.

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2. 35mm Black and White Photography Package: Prior to project implementation, the designated responsible party shall oversee the successful delivery of a 35 mm film black and white film photography package prepared by staff or contractors meeting the Secretary's Professional Qualifications for Architectural History, History, Architecture, or Historic Architecture, as appropriate.
 - a. The 35 mm film black and white film 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 35 mm film black and white film photography package shall include one (1) full set of 35mm film black and white photographs printed on acid free paper, the corresponding 35mm film negatives in acid free sleeves, a completed state architectural inventory form, and a written site history of the historic property.
 - c. The designated responsible party shall submit the 35 mm black and white film photography package the SHPO and/or 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.
3. Large Format Photography Package: Prior to project implementation, the designated responsible party shall oversee the successful delivery of a large format photography package prepared by staff or contractors meeting the Secretary's Professional Qualifications for Architectural History, History, Architecture, or Historic Architecture, as appropriate.
 - a. The large format 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 large format film photography package shall include one (1) full set of 4 x 5 or 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.

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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.

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B. Public Interpretation

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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.

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D. Historical Context Statements and Narratives

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1860 Prior to project implementation, FEMA, the Grantee(s), and subgrantee shall work with
1861 the SHPO and participating Tribes to determine the topic and framework of a historic
1862 context statement or narrative the designated responsible party shall be responsible for
1863 completing. The statement or narrative may focus on an individual property, a historic
1864 district, a set of related properties, or relevant themes as identified in the statewide
1865 preservation plan. Once the topic of the historic context statement or narrative has been
1866 agreed to, the designated responsible party shall continue to coordinate with the SHPO
1867 and participating Tribes through the drafting of the document and delivery of a final
1868 product. The designated responsible party shall use staff or contractors that meet the
1869 Secretary's Professional Qualifications for the appropriate discipline.

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E. Oral History Documentation

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1873 Prior to project implementation, FEMA, the Grantee(s), and subgrantee shall work with
1874 the SHPO and/or participating Tribes to identify oral history documentation needs and
1875 agree upon a topic and list of interview candidates. Once the parameters of the oral history
1876 project have been agreed upon, the designated responsible party shall continue to
1877 coordinate with the SHPO and/or participating Tribes through the data collection, drafting
1878 of the document, and delivery of a final product. The designated responsible party shall
1879 use staff or contractors that meet the Secretary's Professional Qualifications for the
1880 appropriate discipline.

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F. Historic Property Inventory

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Prior to project implementation, FEMA, the Grantee(s), and subgrantee shall work with the SHPO and/or participating Tribes to establish the appropriate level of effort to accomplish a historic property inventory. Efforts may be directed toward the resurvey of previously designated historic properties and/or districts which have undergone change or lack sufficient documentation, or the survey of new historic properties and/or districts that lack formal designation. Once the boundaries of the survey area have been agreed upon, the designated responsible party shall continue to coordinate with the SHPO and/or participating Tribes through the data collection process. The designated responsible party shall use SHPO and/or participating Tribes' standards for the survey of historic properties and SHPO and/or participating Tribes' forms as appropriate. The designated responsible party shall prepare a draft inventory report, according to SHPO and/or participating Tribes' templates and guidelines, and work with the SHPO and/or participating Tribes until a final property inventory is approved. The designated responsible party shall use staff or contractors that meet the Secretary's Professional Qualifications for the appropriate discipline.

G. National Register and National Historic Landmark Nominations

Prior to project implementation, FEMA, the Grantee(s), and subgrantee shall work with the SHPO and/or participating Tribes to identify the individual properties that would benefit from a completed National Register or National Historic Landmark nomination form. Once the parties have agreed to a property, the designated responsible party shall continue to coordinate with the SHPO and/or participating Tribes through the drafting of the nomination form. The SHPO and/or participating Tribes shall provide adequate guidance to the designated responsible party during the preparation of the nomination form and shall formally submit the final nomination to the Keeper for inclusion in the National Register. The designated responsible party shall use staff or contractors that meet the Secretary's Professional Qualifications for the appropriate discipline.

H. Geo-References of Historic Maps and Aerial Photographs

Prior to project implementation, FEMA, the Grantee(s), and subgrantee shall work with the SHPO and/or participating Tribes to identify the historic maps and/or aerial photographs for scanning and geo-referencing. Once a list of maps and/or aerial photographs have been agreed upon, the designated responsible party shall continue to coordinate with the SHPO and/or participating Tribes through the scanning and geo-referencing process and shall submit drafts of paper maps and electronic files to the SHPO and/or participating Tribes for review. The final deliverable produced by the designated responsible party shall include a paper copy of each scanned image, a geo-referenced copy of each scanned image, and the metadata relating to both the original creation of the paper maps and the digitization process.

Appendix D: Tribal Areas of Interest within the State of South Carolina

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Tribe Name

Counties included within Area of Interest:

Project Types of Interest:

Any Excluded Project Types:

Preferred Method of Communication



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.

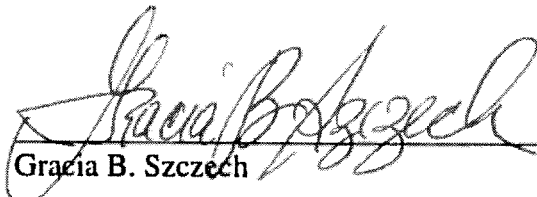
DURATION AND EXTENSION, This Addendum to the Agreement will remain in effect for currently open disaster declarations and subsequent disaster declarations in the state of South Carolina; however, the Addendum will not exceed the expiration date of the Agreement. Signatories may collectively agree to 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

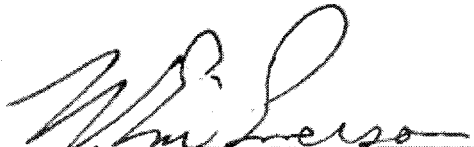
 _____ Date: 11/16/16

Gracia B. Szczech
Regional Administrator
Region IV

ADDENDUM
to
PROGRAMMATIC AGREEMENT AMONG
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
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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



_____ Date: 11-4-16
W. Eric Emerson, Ph.D.

State Historic Preservation Officer

ADDENDUM
to
PROGRAMMATIC AGREEMENT AMONG
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
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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
Director

Date: 4 Nov 16

ADDENDUM
to
PROGRAMMATIC AGREEMENT AMONG
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
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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: _____

George Wickliffe

Chief

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

INVITED SIGNATORIES:

CATAWBA INDIAN NATION

_____ Date: _____
William Harris
Chief

_____ Date: _____
Wenonah Haire
Tribal Historic Preservation Officer

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

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
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GOVERNMENT

PARTICIPATING UNITS OF GENERAL LOCAL GOVERNMENT

[City/County]

_____ Date: _____
[name]
[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
- 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. 11th 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 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> 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 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.

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	Fairfield <i>Cheshaw</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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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**

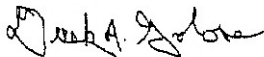
CDBG-DR Project No: B-16-DH-45-0001

Dear Mr. Caldwell,

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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

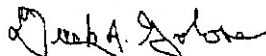
CDBG-DR Project No: B-16-DH-45-0001

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
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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	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. 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**

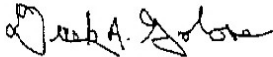
CDBG-DR Project No: B-16-DH-45-0001

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**

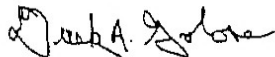
CDBG-DR Project No: B-16-DH-45-0001

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

Account Number

2267621

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 SIGNFICANT 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

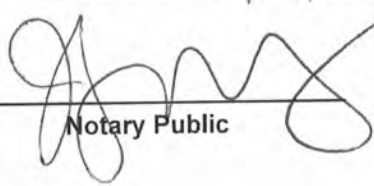
The First insertion being given ... 11/30/2016

Newspaper reference: 0001006379

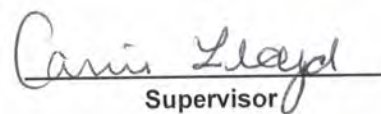
Sworn to and subscribed before me this



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>	<u>Blind Box</u>
Amount Due	\$212.82	0	0	1		

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
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 November 11/30/2016			
NOTICEOFFINDINGOFNOSIGNIFICANTIMPACTANDNOTICEOFINTENTTOREQUESTRELEASEOFFUNDSDARLINGTONNOVEMBER30/2016			
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 November 11/30/2016, 12/1/2016, 12/2/2016, 12/3/2016, 12/4/2016, 12/5/2016, 12/6/2016			
NOTICEOFFINDINGOFNOSIGNIFICANTIMPACTANDNOTICEOFINTENTTOREQUESTRELEASEOFFUNDSDARLINGTONNOVEMBER30/2016			

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

X 

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

X

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: 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

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

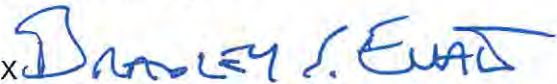
U.S. Department of Housing and Urban Development
Office of Community Planning and Development

To: (name & address of Grant Recipient & name & title of Chief Executive Officer) Eric Fosmire, Attorney South Carolina Disaster Recovery Office 632 Rosewood Drive Columbia, South Carolina 29201	Copy To: (name & address of SubRecipient)
---	--

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
---	--	---------------------------------