

LEGEND ROAD WATER TANK

EO 11988 Floodplain Management and EO
11990 Wetlands Protection Determination

Legend Road Water Tank Project

EO 11988 Floodplain Management and EO 11990 Protection of Wetlands Determination Infrastructure Recovery Program

February 9, 2024

Introduction & Overview

The purpose of Executive Order (EO) 11988 Floodplain Management is “to avoid to the extent possible the long- and short-term adverse impacts associated with occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” The purpose of EO 11990 Protection of Wetlands is “to avoid to the extent possible the long- and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative.” This determination contains the analysis prescribed by 24 CFR Part 55.

The North Carolina Office of Recovery and Resiliency (NCORR) has received an application from Robeson County to use U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant – Mitigation (CDBG-MIT) funding under 24 CFR 58 from the Infrastructure Recovery Program to implement the Legend Road Water Tank Project (“proposed action”) located at 176 Legend Road, Lumberton, Robeson County, NC 28358. The analysis that follows focuses on floodplain and wetland impacts, as there are incidental floodplain and wetland areas located on the Subject Property. Based on the proposed activities, type of land use, necessity, design, and other case characteristics described herein, it is concluded that there is a reasonable basis to proceed with funding for this proposed action within a floodplain and wetland. The CDBG-MIT funding is administered through the NCORR Infrastructure Recovery Program which is developing sustainable and resilient communities. Thus, alternatives preventing or impeding the development of sustainable and resilient communities are not considered reasonable alternatives.

Description of Proposed Action & Land Use

The State of North Carolina was adversely impacted by the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). During the Hurricane Matthew storm event, water delivery systems throughout Robeson County were adversely impacted by widespread outages, particularly the public facilities located along Legend and Sanchez Roads. The public facilities served by this proposed action include the Robeson County Emergency Operations Center, Sheriff’s Office and Jail, EMS, Water Department, and Public Utilities buildings and the adjacent NC Department of Corrections’ Lumberton Correctional Institution. During and immediately following the storm event, potable water had to be transported to these facilities, both by truck and through individual bottled servings. The NC Department of Environmental Quality (DEQ) Division of Water Resources’ (DWR) Public Water Supply (PWS) section requires all water systems to maintain a minimum pressure of 30 psi for normal conditions and 20 psi for fire flow. These numbers are attainable with the proposed action’s installation of an elevated water storage tank on this parcel containing the water treatment plant and in close proximity of these Robeson County public facilities and the adjacent NC Department of Corrections’ Lumberton Correctional Institution. It is critical for public health and safety that these facilities, including the Emergency Operations Center, have adequate water supply during emergencies and future storm events. This proposed action will construct a 500,000-gallon elevated water storage tank, altitude valve vault, fire hydrant, water mains, gravel access drive, and associated improvements to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events. The County has selected the proposed action to assist its residents, employees, and community to be protected from water service

interruptions at this location during future storm events which can also adversely impact operations at the Emergency Operations Center during critical times. Therefore, funding for the proposed action will be provided in part by the HUD CDBG-MIT North Carolina Infrastructure Recovery Program for Hurricanes Matthew and Florence storm recovery activities in North Carolina.

This proposed action will utilize HUD CDBG-MIT funding to construct a 500,000-gallon elevated water storage tank, altitude valve vault, fire hydrant, water mains, gravel access drive, and associated improvements to prevent future water service interruptions as experienced during Hurricane Matthew. The proposed action's installation of an elevated water storage tank in the vicinity of the Robeson County Emergency Operations Center, Sheriff's Office and Jail, Emergency Medical Services (EMS), Water Department, and Public Utilities buildings will avoid water pressure loss at these County public facilities and the adjacent NC Department of Corrections' Lumberton Correctional Institution. The proposed action includes procurement of architectural and engineering services, soils testing, boundary surveys, and construction of improvements. Construction will involve extensive land clearing and excavation, trenching, placement of concrete foundations, installation of a 500,000-gallon elevated water storage tank and piping, and connections to the existing 12-inch water main on Legend Road and the existing 8-inch water main that ties into Sanchez Road. The foundations shall be a mat or ring wall foundation with a depth not to exceed 10 feet below finish grade or pilings to a depth of not more than 65 feet. Two hundred feet of ductile iron pipe with neoprene gaskets will be installed where the water main passes within 100 feet of an existing underground fuel storage tank. Two 6-inch steel bollards will be installed at the proposed fire hydrant. There is an existing chain link fence and gate around the proposed action development area where the elevated water storage tank, altitude valve vault and gravel access drive will be located. An 8-inch to 12-inch PVC water main, associated valves and a fire hydrant will be installed in the paved parking area and gravel driveway/unnamed road running east-west to Legend Road between the fenced-in proposed tank and existing Sanchez Drive Water Treatment Plant and the Public Utilities buildings and Robeson County Ambulance Service/ EMS. There will be an estimated 0.20 acre of ground disturbance for the proposed action.

The proposed action will not result in direct impacts to 100-year floodplain or wetlands.

Applicable Regulatory Procedure Per EO 11988 and EO 11990

The proposed action corresponds with a noncritical action not excluded under 24 CFR §55.12. Funding is permissible for use at a parcel with incidental floodplain and wetland if the proposed action is processed under §55.20 and the findings of the determination are affirmative to suggest that the project may proceed.

In accordance with 24 CFR 55, the proposed action involves installation of an elevated water storage tank, altitude valve vault fire hydrant, water mains, gravel access drive, and associated improvements in the City of Lumberton, North Carolina (370203K) which is a participating community in good standing in the regular program of the National Flood Insurance Program (NFIP). Substantial Improvement/ Substantial Damage calculations do not apply to this proposed action of new construction. Based on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel 3710938000K, effective 12/6/2019, and Preliminary FIRM (PFIRM) dated 8/29/2014, the proposed action development area is located in Zone X, outside of a Special Flood Hazard Area (SFHA). However, the Subject Property contains incidental floodplain (**Appendix 1**). As such, the full eight-step floodplain determination process in §55.20 is required, and the following analysis examines each step in an EO 11988 Floodplain Management Determination process.

Based on information from the U.S Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) Map, there will be “new construction” on a parcel containing incidental wetlands (**Appendix 1**). Based on the USFWS NWI map, site visit, and U.S. Army Corps of Engineers (USACE) correspondence, the proposed action development area is not located in or adjacent to a wetland or riverine. However, the Subject Property does contain incidental wetlands. Due to the use of HUD funds, compliance with EO 11990 through completion of the eight-step process under 24 CFR 55.20 is required for projects with potential wetland impacts. Thus, in accordance with the decision-making process set forth in 24 CFR Part 55, the following analysis examines each step in an EO 11990 Protection of Wetlands Determination process.

Step 1. Determine Whether the Proposed Action is Located in the 100-year Floodplain (500-year for Critical Actions) or results in New Construction in Wetlands.

Based on the FEMA FIRM panel 3710938000K effective on 12/6/2019 and PFIRM dated 8/29/2014, the proposed action development area is located in Zone X, outside of a SFHA (**Appendix 1**). This 60.96-acre County-owned parcel contains approximately 38.21 acres of 500-year floodplain and 0.61 acre of 100-year floodplain (Zone AE). There is no FEMA-designated regulatory floodway on the Subject Property. The proposed action’s limit of disturbance (LOD) will occur approximately 50 feet from the 500-year floodplain, 0.24-mile from 100-year floodplain (Zone AE), and 0.25-mile from floodway (off-site). The proposed action will not result in any direct or indirect impacts to 500-year floodplain, 100-year floodplain or floodway. The proposed action involves installing an elevated water storage tank, altitude valve vault, water mains, and associated improvements. These are not insurable structures according to the NFIP Flood Insurance Manual effective October 1, 2022, and they are located in Zone X. Therefore, flood insurance is not required for the proposed action. As such, the full eight-step floodplain determination process in §55.20 is required, and the following analysis examines each step in an EO 11988 Floodplain Management Determination process.

There are USFWS NWI-mapped riverines and potential wetlands located on the Subject Property. Based on the USFWS NWI map, site visit, and USACE correspondence, the proposed action development area is not located in or adjacent to a wetland or riverine. The closest onsite USFWS NWI-mapped riverine (R5UBH) and potential wetland is approximately 250 feet northwest from the proposed action’s LOD. Another NWI-mapped riverine (R4SBC) and potential wetland connects north to Little Jacob Swamp. These potential wetland areas encompass approximately 5 acres of the Subject Property. The Little Jacob Swamp riverine is located north of the parcel boundary approximately 0.25-mile from the proposed action’s LOD and will not be adversely impacted by the proposed action. Therefore, the full eight-step wetlands determination process in §55.20 is required, and the following analysis examines each step in an EO 11990 Protection of Wetlands Determination process.

The proposed action will comply with all applicable federal, State and local laws, regulations, and permit requirements and conditions. According to the USACE and NC DWR, there are no NC DWR buffers and Clean Water Act Section 404 and 401 permits are not required. Best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction to prevent off-site sedimentation impacts and native plants used in site restoration. According to the NC DEQ Division of Energy, Mineral, and Land Resources (DEMLR) comment, “the project is less than one acre and will not require a Sedimentation and Erosion Control Plan nor coverage under the NPDES Construction Stormwater General Permit NCG010000.” However, Robeson County and/or its contractors shall install and maintain appropriate sedimentation and erosion control measures per the Sedimentation Pollution Control Act to prevent off-site sedimentation impacts (*see Attachment 20: SCH Draft EA Comments in the Legend Road Water Tank Project Environmental Assessment [EA] environmental review record [ERR]*). All necessary

permits will be identified and obtained prior to commencing work and appended to the *Legend Road Water Tank Project EA ERR* when received from the permitting agencies.

Step 2. Initiate Public Notice for Early Review of Proposal.

Because the proposed action is located on a parcel containing floodplain and wetlands, NCORR published an “Early Notice” and posted supporting documentation that allowed for public and agency input on the decision to provide funding for construction and development activities. Supporting documentation incorporated into the Early Notice (“Early Notice Floodplain and Wetlands Maps”) was posted for public review to the NCORR ReBuild NC website at <https://www.rebuild.nc.gov/about/plans-policies-reports/environmental-reviews> and included the proposed action location maps showing parcel boundary; Robeson County parcel information; site plans; FEMA FIRM and Preliminary FIRM showing parcel boundary, distance and total acreage; NFIP Community Status Book Report; USFWS NWI Maps showing parcel boundary, distance and total acreage; USACE LIDAR map; USACE and NC DWR correspondence; and other documentation. The early public notice and 15-day comment period is complete. No new, substantive public comments were received.

The Early Notice and corresponding 15-day public comment period started on January 20, 2024 with the "*Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland*" being published in The Robesonian newspaper, with the 15-day period expiring on February 5, 2024. The notice targeted local residents within the community. The Early Notice was also posted to the NCORR ReBuild NC website at <https://www.rebuild.nc.gov/about/plans-policies-reports/environmental-reviews> and sent via Federal Express and email to the following federal and State agencies on January 20, 2024: HUD NC Field Office; Federal Emergency Management Agency (FEMA); U.S. Environmental Protection Agency (EPA); USFWS; USACE; and NC State Environmental Clearinghouse. The Early Notice was also sent to Robeson County and the City of Lumberton. Project information was sent to the NC State Historic Preservation Office (SHPO) and Catawba Indian Nation for review and comment under Section 106 of the National Historic Preservation Act of 1966 (NHPA) and a project notification letter was sent to the Lumbee Tribe of North Carolina (*see Legend Road Water Tank Project EA ERR*). (*See Appendix 2* for the Early Notice distributed to these agencies, the newspaper publication affidavit, and distribution documentation).

Step 3. Identify and Evaluate Practicable Alternatives to Locating the Proposed Action in a 100-year Floodplain or Wetland.

The North Carolina Infrastructure Recovery Program empowers the State’s most impacted communities with the technical expertise needed to develop thorough and implementable reconstruction plans to build physically, socially, and economically resilient and sustainable communities.

The North Carolina Resilient Redevelopment Planning (NCRRP) program as part of the 2016 Disaster Recovery Act relied upon stakeholder engagement and public involvement as an essential component. Meetings were held on strategies for resilient redevelopment in Robeson County with local officials on March 2, March 23, and April 17, 2017. Each meeting incorporated a public open house and an in-depth working session with county officials, subject matter experts, and county and municipal planners (Hurricane Matthew Resilient Redevelopment Plan - Robeson County [HMRRP-RC] dated May 2017, pg. 1-3). North Carolina Emergency Management (NCEM) utilized data, resources, and technical expertise from State agencies, the private sector, and the University of North Carolina system to determine innovative best practice strategies (HMRRP-RC, pg. 1-4). According to the HMRRP-RC, the “Robeson County Water System, add Elevated Water Tank” project (proposed action) was identified as a high priority infrastructure strategy with a #1 overall ranking according to the HMRRP-RC (pg. 4-1).

The Subject Property was chosen as ideal because it is currently County-owned and is located close to the existing water treatment plant and the Robeson County government complex enabling the water system to maintain a minimum pressure of 30 psi for normal conditions and 20 psi for fire flow which is a NC DWR PWS section requirement. The Robeson County government complex was crippled by water service interruptions during Hurricane Matthew including the Robeson County Emergency Operations Center, Sheriff's Office and Jail, EMS, Water Department, and Public Utilities buildings, and the adjacent NC Department of Corrections' Lumberton Correctional Institution. The location was shown in the HMRRP-RC along Sanchez Drive closer to the Robeson County Water Department (pg. 4-32). However, its current proposed location provides adequate space and close proximity to the Sanchez Drive Water Treatment Plant. The elevated water storage tank, altitude valve vault, outlet structure, gravel access drive, water main, and associated piping and improvements will be constructed on a previously-cleared, fenced-in portion of this large County parcel situated east of the Methodist Home for Children's parcel and north of several Robeson County public facilities. The proposed action development area that is fenced-in currently contains the existing well, aeration basin, high service pumps, equalization basin, generator, and water treatment plant. An 8-inch to 12-inch PVC water main, associated valves and a fire hydrant will be installed in the paved parking area and gravel driveway/unnamed road running east-west to Legend Road between the fenced-in proposed tank and Sanchez Drive Water Treatment Plant and the Public Utilities buildings and Robeson County Ambulance Service/ EMS. The proposed action development area is located outside of wetland and floodplain in a fenced-in area with easy connections to existing water mains. In addition, since the County currently owns this parcel, no real property acquisition is required. The proposed action's designs have been completed in accordance with agency input to minimize impacts to the floodplain, wetlands, environment and community. The County has selected the proposed action to assist its residents, employees, and community to be protected from water service interruptions at this location during future storm events which can also adversely impact operations at the Emergency Operations Center during critical times. There were no additional alternatives, other than "No Action" Alternative, for the proposed action.

The "No Action" Alternative is not considered feasible since continuous water service to the Robeson County government complex is essential for operations and public health and safety. The Hurricane Matthew storm event caused water delivery systems throughout Robeson County to be adversely impacted by widespread outages, particularly the public facilities located along Legend and Sanchez Roads. The public facilities served by this proposed action include the Robeson County Emergency Operations Center, Sheriff's Office and Jail, EMS, Water Department, and Public Utilities buildings and the adjacent NC Department of Corrections' Lumberton Correctional Institution. During and immediately following the storm event, potable water had to be transported to these facilities, both by truck and through individual bottled servings. It is critical for public health and safety that these facilities have adequate water supply during emergencies and future storm events. In addition, water pressure loss can adversely impact operations at the Emergency Operations Center during critical times. This proposed action will construct a 500,000-gallon elevated water storage tank, altitude valve vault, fire hydrant, water mains, gravel access drive, and associated improvements on a County-owned parcel to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events. There is no identifiable benefit from not completing the proposed action. The "No Action" Alternative would provide no protection to these facilities from water service interruptions during future storm events. Thus, the "No Action" Alternative is not feasible in relation to the desired objective of increasing resiliency in Robeson County from future storm events.

The above-identified alternatives will be re-evaluated in response to public comments received.

Step 4. Identify and Evaluate Potential Direct and Indirect Impacts Associated with the Occupancy or Modification of 100-year Floodplain and Wetland and the Potential Direct and Indirect Support of Floodplain and Wetland Development that Could Result from Proposed Action.

The focus of floodplain evaluation should be on adverse impacts to lives and property, and on natural and beneficial floodplain values. Natural and beneficial values include consideration of potential for adverse impacts on water resources such as natural moderation of floods, water quality maintenance, and groundwater recharge.

According to the FEMA Report - A Unified National Program for Floodplain Management, the two definitions commonly used in evaluating actions in floodplain are “structural” and “non-structural” activities. Per the report, structural activity is usually intended to mean adjustments that modify the behavior of floodwaters through the use of measures such as public works dams, levees, and channel work. Non-structural is usually intended to include all other adjustments (e.g., regulations, insurance, etc.) in the way society acts when occupying or modifying a floodplain. These definitions are used in describing impacts that may arise in association with potential advancement of this case.

Natural Moderation of Floods, Water Quality Maintenance, and Groundwater Recharge

Natural floodplains and wetlands provide natural moderation of floods and flood risk reduction benefits by slowing runoff and storing flood water. Based on the FEMA FIRM panel 3710938000K effective on 12/6/2019 and PFIRM dated 8/29/2014, the proposed action development area is located in Zone X, outside of a SFHA. This 60.96-acre County-owned parcel contains approximately 38.21 acres of 500-year floodplain and 0.61 acre of 100-year floodplain. There is no FEMA-designated regulatory floodway on the Subject Property. The proposed action’s LOD will occur approximately 50 feet from the 500-year floodplain, 0.24-mile from 100-year floodplain (Zone AE), and 0.25-mile from floodway (off-site). There has been previous, significant site modification including fill and development for the existing fenced-in water treatment plant and roads where site disturbance is planned. Thus, there will be no direct modification or construction in floodplain or SFHA. The proposed action will not result in any direct or indirect impacts to wetlands, 500-year floodplain, 100-year floodplain or floodway.

Natural floodplains and wetlands provide important functions for water quality maintenance and groundwater recharge. The proposed action’s designs have been completed in accordance with agency input to minimize impacts to the floodplain, wetlands, environment and community. The proposed action will comply with all applicable federal, State and local laws, regulations, and permit requirements and conditions. According to the USACE and NC DWR, there are no NC DWR buffers and Clean Water Act Section 404 and 401 permits are not required. Best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction to prevent off-site sedimentation impacts and native plants used in site restoration. According to the NC DEQ DEMLR comment, “the project is less than one acre and will not require a Sedimentation and Erosion Control Plan nor coverage under the NPDES Construction Stormwater General Permit NCG010000.” However, Robeson County and/or its contractors shall install and maintain appropriate sedimentation and erosion control measures per the Sedimentation Pollution Control Act to prevent off-site sedimentation impacts (*see Attachment 20: SCH Draft EA Comments in the Legend Road Water Tank Project EA ERR*). All necessary permits will be identified and obtained prior to commencing work and appended to the *Legend Road Water Tank Project EA ERR* when received from the permitting agencies. Due to current land use and conditions, design plans, and BMPs, the proposed action is not anticipated to have an adverse effect on the floodplain or wetlands including their ability to provide natural moderation of floods, water quality maintenance, and groundwater recharge.

Living Resources such as Flora and Fauna

For this proposed action, the USFWS Raleigh Ecological Services' online 10-step project review process was completed. There will be *no tree clearing* to affect any potential habitat for the Tricolored Bat, Red-cockaded Woodpecker, and Wood Stork. The proposed action's development area does not include suitable habitat for the American Alligator. Due to regular mowing, habitat at the proposed action's development area is considered poor to unsuitable for Monarch Butterflies and Michaux's Sumac. The proposed action was determined to have "no effect" on the proposed, threatened, endangered, or candidate species and proposed or designated critical habitat under USFWS jurisdiction, and a "no Eagle Act permit required" determination for the Bald Eagle. A self-certification letter and online project review certification package were completed and submitted to the USFWS Raleigh Field Office (FO) on May 24, 2023. (See **Attachment 8** in the *Legend Road Water Tank Project EA ERR* for full details.)

The proposed action's designs have been completed in accordance with agency input to minimize impacts to the floodplain, wetlands, environment and community. The proposed action will comply with all applicable federal, State and local laws, regulations, and permit requirements and conditions. According to the USACE and NC DWR, there are no NC DWR buffers and Clean Water Act Section 404 and 401 permits are not required. Best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction to prevent off-site sedimentation impacts and native plants used in site restoration. According to the NC DEQ DEMLR comment, "the project is less than one acre and will not require a Sedimentation and Erosion Control Plan nor coverage under the NPDES Construction Stormwater General Permit NCG010000." However, Robeson County and/or its contractors shall install and maintain appropriate sedimentation and erosion control measures per the Sedimentation Pollution Control Act to prevent off-site sedimentation impacts (*see Attachment 20: SCH Draft EA Comments in the Legend Road Water Tank Project EA ERR*). All necessary permits will be identified and obtained prior to commencing work and appended to the *Legend Road Water Tank Project EA ERR* when received from the permitting agencies. The proposed action has been determined to have "no effect" on proposed, threatened, endangered, or candidate species and proposed or designated critical habitat. Thus, as designed, the proposed action will have no or minimal impacts to living resources, such as flora and fauna, during construction and operation as an elevated water storage tank system.

Impacts to Property and Lives

The State of North Carolina was adversely impacted by the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). During the Hurricane Matthew storm event, water delivery systems throughout Robeson County were adversely impacted by widespread outages, particularly the public facilities located along Legend and Sanchez Roads. The public facilities served by this project include the Robeson County Emergency Operations Center, Sheriff's Office and Jail, EMS, Water Department, and Public Utilities buildings and the adjacent NC Department of Corrections' Lumberton Correctional Institution. During and immediately following the storm event, potable water had to be transported to these facilities, both by truck and through individual bottled servings. The NC DWR's PWS section requires all water systems to maintain a minimum pressure of 30 psi for normal conditions and 20 psi for fire flow. These numbers are attainable with the proposed action's installation of an elevated water storage tank on this parcel containing the water treatment plant and in close proximity of these Robeson County public facilities and Lumberton Correctional Institution. It is critical for public health and safety that these facilities have adequate water supply during emergencies and future storm events.

This proposed action will construct a 500,000-gallon elevated water storage tank, altitude valve vault, fire hydrant, water mains, gravel access drive, and associated improvements to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events. The proposed action is necessary to have optimally functioning public facilities, including the Robeson County Emergency Operations Center, during and after future storm events. The Robeson County Emergency Operations Center hosts County officials and State and federal agencies working towards a fast and effective recovery following storm events. The proposed action will ensure emergency personnel have a continuous potable water supply during critical times which will benefit emergency operations throughout the community. The proposed action will enable the Emergency Operations Center and other facilities, such as the Robeson County Ambulance Service/ EMS, to maintain water pressure which will allow for uninterrupted operations during and in the aftermath of future storm events for the benefit of the entire County population. The County has selected the proposed action to assist its residents, employees, and community to be protected from water service interruptions at this location during future storm events which can also adversely impact operations at the Emergency Operations Center during critical times. Therefore, the proposed action is not anticipated to have adverse impacts to property and lives, but rather aims to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events in effect protecting the public health and safety of the residents, employees and entire County population.

Cultural Resources such as Archaeological, Historic and Recreational Aspects

Based on the site visit and National Register of Historic Places (NRHP) and NC SHPO HPOWEB maps review, there are no publicly recorded historic properties which are locally designated or listed in or eligible for inclusion in the State or National Register of Historic Places located on or adjacent to the Subject Property. As part of this review, the NC SHPO, Chief and Tribal Historic Preservation Offices (THPO) of all applicable Tribes, Nations, and Communities were consulted regarding any historic properties of religious and cultural significance in the area that could be affected by the proposed action. On May 31, 2023, NCORR submitted the proposed action to the NC SHPO for review and concurrence of a preliminary finding of “No Historic Properties Affected” pursuant to 36 CFR 800.4(d)(1). On July 3, 2023, Ms. Renee Gledhill-Earley, Environmental Review Coordinator with the State Historic Preservation Office, responded that “[w]e have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.”

According to the HUD Tribal Directory Assessment Tool (TDAT), the Catawba Indian Nation is the only federally-recognized tribe with interests in Robeson County, North Carolina. On May 12, 2023, NCORR consulted with the Catawba Indian Nation for discussion of historic properties in the proposed action area that may have religious and cultural significance. The Section 106 review packages were sent to the Catawba Indian Nation’s Chief Bill Harris and THPO Dr. Wenonah G. Haire. On June 15, 2023, Ms. Caitlin Rogers responded for THPO Dr. Haire that “[t]he Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. **However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.**” The proposed action is in compliance with Section 106. On July 12, 2023, NCORR Director Ms. Laura Hogshead sent a notification letter for the proposed action to the Lumbee Tribe of North Carolina Chairman John Lowery, and no response has been received. A response has not been received but will be included in the *Legend Road Water Tank Project EA ERR* when received. The SHPO and Catawba Indian Nation Section 106 review and consultation documentation is included in the *Legend Road Water Tank Project EA ERR* along with the Lumbee Tribe of NC project notification letter.

There are no parks located in an approximately three mile area surrounding the Subject Property. The Robeson County Fairgrounds is the closest recreational facility located northeast of the Subject Property. The proposed action will not introduce new development that would generate demand for parks, open spaces or recreational areas or impede their access. As such, the proposed action will not have an adverse effect on existing parks, open spaces or recreational areas.

Agricultural, Aquacultural, and Forestry Resources

The Subject Property is a large, County-owned parcel containing the Robeson County Emergency Operations Center, Sheriff's Office and Jail, EMS, Water Department, and Public Utilities buildings. The NC Department of Corrections' Lumberton Correctional Institution is located across Legend Road to the west. The elevated water storage tank, altitude valve vault, outlet structure, gravel access drive, water main, and associated piping and improvements will be constructed on a previously-cleared, fenced-in portion of this large County parcel situated east of the Methodist Home for Children's parcel and north of several Robeson County public facilities. The proposed action development area that is fenced-in currently contains the existing well, aeration basin, high service pumps, equalization basin, generator, and water treatment plant. An 8-inch to 12-inch PVC water main, associated valves and a fire hydrant will be installed in the paved parking area and gravel driveway/unnamed road running east-west to Legend Road between the fenced-in proposed tank and Sanchez Drive Water Treatment Plant and the Public Utilities buildings and Robeson County Ambulance Service/ EMS.

The United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey soil groups for the proposed action area included: WaB - Wagram loamy sand, 0 to 6 percent slopes (*Farmland of statewide importance*), Pm - Plummer and Osier soils (*Not prime farmland*), Pt - Portsmouth loam (*Prime farmland if drained*), and FaB - Faceville fine sandy loam, 2 to 6 percent slopes (*All areas are prime farmland*). However, the Subject Property is *already committed to urban development*. Projects are subject to Farmland Protection Policy Act (FPPA) requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency. "Farmland" does not include land already in or committed to urban development or water storage." According to the USDA NRCS Resource Soil Scientist, Ms. Laurie Muzzy, the "area in question is **not** subject to FPPA regulation, since the project as proposed is located in an area that is already developed." There has been previous, significant site modification including fill and development for the existing fenced-in water treatment plant and roads where site disturbance is planned. It is anticipated that due to the proposed action site conditions no trees will be removed. Thus, the proposed action is not expected to have an adverse impact on agricultural or forestry resources.

The proposed action was designed to avoid floodplain and wetlands. Based on the USFWS NWI map, site visit, and USACE correspondence, the proposed action development area is not located in or adjacent to a wetland or riverine. The closest onsite USFWS NWI-mapped riverine (R5UBH) and potential wetland is approximately 250 feet northwest from the proposed action's LOD. Another NWI-mapped riverine (R4SBC) and potential wetland connects north to Little Jacob Swamp. These potential wetland areas encompass approximately 5 acres of the parcel. The Little Jacob Swamp riverine is located north of the parcel boundary approximately 0.25-mile from the proposed action's LOD and will not be adversely impacted by the proposed action. Therefore, the proposed action is not expected to have an adverse impact on aquacultural resources.

The proposed action's designs have been completed in accordance with agency input to minimize impacts to the floodplain, wetlands, environment and community. The proposed action will comply with all applicable federal, State and local laws, regulations, and permit requirements and conditions. According to the USACE and NC DWR, there are no NC DWR buffers and Clean Water Act Section 404 and 401 permits

are not required. Best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction to prevent off-site sedimentation impacts and native plants used in site restoration. According to the NC DEQ DEMLR comment, “the project is less than one acre and will not require a Sedimentation and Erosion Control Plan nor coverage under the NPDES Construction Stormwater General Permit NCG010000.” However, Robeson County and/or its contractors shall install and maintain appropriate sedimentation and erosion control measures per the Sedimentation Pollution Control Act to prevent off-site sedimentation impacts (*see Attachment 20: SCH Draft EA Comments in the Legend Road Water Tank Project EA ERR*). All necessary permits will be identified and obtained prior to commencing work and appended to the *Legend Road Water Tank Project EA ERR* when received from the permitting agencies. Overall, due to current land use and conditions, design plans, and BMPs, the proposed action is not expected to have an adverse impact on agriculture, aquaculture or forestry resources.

Wetland Evaluation

The purpose of wetland evaluation is to consider factors relevant to a proposed action’s effect on the survival and quality of any wetlands to be disturbed. These factors should include public health (including water supply and water quality), maintenance of natural systems, cost increases attributed to construction in wetland, and other uses of wetland in the public interest. While there are USFWS NWI-mapped riverines and potential wetlands located on the Subject Property, the proposed action development area is not located in or adjacent to a wetland or riverine. The closest onsite USFWS NWI-mapped riverine (R5UBH) and potential wetland is approximately 250 feet northwest from the proposed action’s LOD. Another NWI-mapped riverine (R4SBC) and potential wetland connects north to Little Jacob Swamp. These potential wetland areas encompass approximately 5 acres of the parcel. The Little Jacob Swamp riverine is located north of the parcel boundary approximately 0.25-mile from the proposed action’s LOD and will not be adversely impacted by the proposed action.

The proposed action has been designed to avoid wetlands and incorporate BMPs, thus, there are no anticipated indirect or direct impacts on the natural and beneficial functions and values of the wetlands. The proposed action’s designs have been completed in accordance with agency input to minimize impacts to the floodplain, wetlands, environment and community. The proposed action will comply with all applicable federal, State and local laws, regulations, and permit requirements and conditions. According to the USACE and NC DWR, there are no NC DWR buffers and Clean Water Act Section 404 and 401 permits are not required. Best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction to prevent off-site sedimentation impacts and native plants used in site restoration. According to the NC DEQ DEMLR comment, “the project is less than one acre and will not require a Sedimentation and Erosion Control Plan nor coverage under the NPDES Construction Stormwater General Permit NCG010000.” However, Robeson County and/or its contractors shall install and maintain appropriate sedimentation and erosion control measures per the Sedimentation Pollution Control Act to prevent off-site sedimentation impacts (*see Attachment 20: SCH Draft EA Comments in the Legend Road Water Tank Project EA ERR*). All necessary permits will be identified and obtained prior to commencing work and appended to the *Legend Road Water Tank Project EA ERR* when received from the permitting agencies. Thus, measures will be implemented to ensure the proposed action will have no indirect or direct impacts to wetlands during construction or operation as an elevated water storage tank system.

Public Health, Safety, and Welfare, Including Water Supply, Quality, Recharge, and Discharge; Pollution; Flood and Storm Hazards and Hazard Protection; and Sediment and Erosion

Wetlands have unique natural characteristics that play an integral role in the ecology of the watershed. The natural and beneficial functions and values related to hydrology and water quality include slowing down stormwater runoff, providing surface and subsurface retention, and filtering out pollutants. The proposed action has been designed to avoid wetlands and incorporate BMPs, thus, there are no anticipated impacts on the natural and beneficial functions and values of the wetlands.

The State of North Carolina was adversely impacted by the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). During the Hurricane Matthew storm event, water delivery systems throughout Robeson County were adversely impacted by widespread outages, particularly the public facilities located along Legend and Sanchez Roads. The public facilities served by this project include the Robeson County Emergency Operations Center, Sheriff's Office and Jail, EMS, Water Department, and Public Utilities buildings and the adjacent NC Department of Corrections' Lumberton Correctional Institution. During and immediately following the storm event, potable water had to be transported to these facilities, both by truck and through individual bottled servings. The NC DWR's PWS section requires all water systems to maintain a minimum pressure of 30 psi for normal conditions and 20 psi for fire flow. These numbers are attainable with the proposed action's installation of an elevated water storage tank on this parcel containing the water treatment plant and in close proximity of these Robeson County public facilities and the Lumberton Correctional Institution. It is critical for public health and safety that these facilities have adequate water supply during emergencies and future storm events.

This proposed action will construct a 500,000-gallon elevated water storage tank, altitude valve vault, fire hydrant, water mains, gravel access drive, and associated improvements to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events. The proposed action is necessary to have optimally functioning public facilities, including the Robeson County Emergency Operations Center, during and after future storm events. The Robeson County Emergency Operations Center hosts County officials and State and federal agencies working towards a fast and effective recovery following storm events. The proposed action will ensure emergency personnel have a continuous potable water supply during critical times which will benefit emergency operations throughout the community. The proposed action will enable the Emergency Operations Center and other facilities, such as the Robeson County Ambulance Service/ EMS, to maintain water pressure which will allow for uninterrupted operations during and in the aftermath of future storm events for the benefit of the entire County population. The County has selected the proposed action to assist its residents, employees, and community to be protected from water service interruptions at this location during future storm events which can also adversely impact operations at the Emergency Operations Center during critical times. Therefore, the proposed action is not anticipated to have adverse impacts to property and lives, but rather aims to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events in effect protecting the *public health, safety and welfare* of the residents, employees and entire County population.

The proposed action will not increase demand for water, except as needed during short-term construction. The proposed action development area that is fenced-in currently contains the existing well, aeration basin, high service pumps, equalization basin, generator, and water treatment plant. The Subject Property was chosen as ideal because it is currently County-owned and is located close to the existing water treatment plant and the Robeson County government complex enabling the water system to maintain a minimum pressure of 30 psi for normal conditions and 20 psi for fire flow which is a NC DWR PWS section requirement. It is critical for public health and safety that these facilities have adequate water supply during emergencies and future storm events. This proposed action will construct a 500,000-gallon elevated water storage tank, altitude valve vault and associated improvements to prevent future water service interruptions

and allow for continued operation of these critical public facilities during and following future storm events.

According to NC DWR's PWS section, plans and specifications need to be submitted and approved for an Authorization to Construct before construction starts for the proposed action. The design plans must meet Title 15A Subchapter 18C15A NCAC 18C Section .1531 Siting Requirements. The NC DWR PWS section also commented that plan approval is required for the construction, expansion, or alteration of a public water system per 15A NCAC 18C .0300 et seq. and any relocation of existing water lines during construction. All public water supply systems must comply with State and federal drinking water monitoring requirements (*see Attachment 20: SCH Draft EA Comments in the Legend Road Water Tank Project EA ERR*). Abandonment of any wells, if required must be in accordance with Title 15A Subchapter 2C .0100. The proposed action activities will be completed in accordance with all applicable federal, State, and local laws, regulations, and permit requirements and conditions. Permits required for this proposed action shall be obtained before commencing work and appended to the ERR when received from the permitting agencies. The proposed action is anticipated to have a beneficial impact on *water supply access and service* in the area particularly during and following future storm events.

The proposed action will not introduce any new development that would generate waste water. Mitigative measures such as BMPs will be utilized during construction to prevent soil and/ or debris from being washed offsite. The proposed action is not anticipated to cause the discharge of sewer to surfaces of the Subject Property or surrounding properties. The proposed action will not create waste water or affect waste water service in the area. Any additional waste water generated during construction activities would be temporary. The NC DEQ commented that a permit is needed to construct and operate wastewater treatment facilities, non-standard sewer system extensions and sewer systems that do not discharge into state surface waters and a permit is needed to construct and operate sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system. Additionally, an NPDES permit to discharge into surface water and/ or permit to operate and construct wastewater facilities discharging into State surface waters might be required. The proposed action activities will be completed in accordance with all applicable federal, State, and local laws, regulations, and permit requirements and conditions. Thus, the proposed action is not anticipated to have an impact on local waste water/ sanitary sewers that could adversely affect *water quality*.

The proposed action's designs have been completed in accordance with agency input to minimize impacts to the floodplain, wetlands, environment and community. The proposed action will comply with all applicable federal, State and local laws, regulations, and permit requirements and conditions. According to the USACE and NC DWR, there are no NC DWR buffers and Clean Water Act Section 404 and 401 permits are not required. Best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction to prevent off-site sedimentation impacts and native plants used in site restoration. According to the NC DEQ DEMLR comment, "the project is less than one acre and will not require a Sedimentation and Erosion Control Plan nor coverage under the NPDES Construction Stormwater General Permit NCG010000." However, Robeson County and/or its contractors shall install and maintain appropriate sedimentation and erosion control measures per the Sedimentation Pollution Control Act to prevent off-site sedimentation impacts (*see Attachment 20: SCH Draft EA Comments in the Legend Road Water Tank Project EA ERR*). All necessary permits will be identified and obtained prior to commencing work and appended to the *Legend Road Water Tank Project EA ERR* when received from the permitting agencies. Overall, due to current land use and conditions, design plans, and BMPs, *flood storm and hazard protection including floodwater storage and conveyance, water supply and quality, groundwater recharge and discharge, and sediment and erosion control* are not anticipated to be impacted indirectly or directly by the proposed action.

Maintenance of Natural Systems, Including Conservation and Long-Term Productivity of Existing Flora and Fauna; Species and Habitat Diversity and Stability; Natural Hydrologic Function; Wetland Type; Fish; Wildlife; Timber; and Food and Fiber Resources

For this proposed action, the USFWS Raleigh Ecological Services' online 10-step project review process was completed. There will be *no tree clearing* to affect any potential habitat for the Tricolored Bat, Red-cockaded Woodpecker, and Wood Stork. The proposed action's LOD/ development area does not include suitable habitat for the American Alligator. Due to regular mowing, habitat at the proposed action's LOD/ development area is considered poor to unsuitable for Monarch Butterflies and Michaux's Sumac. The proposed action was determined to have "no effect" on the proposed, threatened, endangered, or candidate species and proposed or designated critical habitat under USFWS jurisdiction, and a "no Eagle Act permit required" determination for the Bald Eagle. A self-certification letter and online project review certification package were completed and submitted to the USFWS Raleigh Field Office (FO) on May 24, 2023. (See **Attachment 8** in the *Legend Road Water Tank Project EA ERR* for full details.)

The proposed action's designs have been completed in accordance with agency input to minimize impacts to the floodplain, wetlands, environment and community. The proposed action will comply with all applicable federal, State and local laws, regulations, and permit requirements and conditions. According to the USACE and NC DWR, there are no NC DWR buffers and Clean Water Act Section 404 and 401 permits are not required. Best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction to prevent off-site sedimentation impacts and native plants used in site restoration. According to the NC DEQ DEMLR comment, "the project is less than one acre and will not require a Sedimentation and Erosion Control Plan nor coverage under the NPDES Construction Stormwater General Permit NCG010000." However, Robeson County and/or its contractors shall install and maintain appropriate sedimentation and erosion control measures per the Sedimentation Pollution Control Act to prevent off-site sedimentation impacts (*see Attachment 20: SCH Draft EA Comments in the Legend Road Water Tank Project EA ERR*). All necessary permits will be identified and obtained prior to commencing work and appended to the *Legend Road Water Tank Project EA ERR* when received from the permitting agencies. The proposed action has been determined to have "no effect" on proposed, threatened, endangered, or candidate species and proposed or designated critical habitat. Thus, as designed, the proposed action will have no or minimal impacts to the *maintenance of natural systems, including conservation and long-term productivity of existing flora and fauna, and species and habitat diversity and stability* during construction and operation as an elevated water storage tank system.

Based on the USFWS NWI map, site visit, and USACE correspondence, the proposed action development area is not located in or adjacent to a wetland or riverine. The closest onsite USFWS NWI-mapped riverine (R5UBH) and potential wetland is approximately 250 feet northwest from the proposed action's LOD. Another NWI-mapped riverine (R4SBC) and potential wetland connects north to Little Jacob Swamp. These potential wetland areas encompass approximately 5 acres of the parcel. The Little Jacob Swamp riverine is located north of the parcel boundary approximately 0.25-mile from the proposed action's LOD and will not be adversely impacted by the proposed action. The proposed action has been designed to avoid wetlands and incorporate BMPs, thus, there are no anticipated impacts on the natural and beneficial functions and values of the wetlands including *natural hydrologic function and fish/aquatic species/wildlife and habitat*.

The Subject Property is a large, County-owned parcel containing the Robeson County Emergency Operations Center, Sheriff's Office and Jail, EMS, Water Department, and Public Utilities buildings. The NC Department of Corrections' Lumberton Correctional Institution is located across Legend Road to the west. The Subject Property is not ideal for timber or agriculture due to its currently developed land use. There has been previous, significant site modification including fill and development for the existing fenced-in water treatment plant and roads where site disturbance is planned. It is anticipated that due to the

proposed action site conditions no trees will be removed. Overall, due to current land use and conditions, design plans, and BMPs, the proposed action is not expected to have an adverse impact on *timber, food, or fiber resources*.

Cost Increases Attributed to Wetland-Required New Construction and Mitigation Measures to Minimize Harm to Wetlands that May Result from Such Use

The proposed action is designed to avoid floodplain and wetlands. There are no identifiable costs attributable to wetlands being located on or adjacent to the Subject Property. Instead, since the County currently owns this parcel, no real property acquisition is required. The closest onsite USFWS NWI-mapped riverine (R5UBH) and potential wetland is located approximately 250 feet northwest from the proposed action's LOD. Another NWI-mapped riverine (R4SBC) and potential wetland connects north to Little Jacob Swamp. These potential wetland areas encompass approximately 5 acres of the parcel and no activities are proposed in wetland. The Little Jacob Swamp riverine is located north of the parcel boundary approximately 0.25-mile from the proposed action's LOD and will not be adversely impacted by the proposed action. Since there is no impact to wetlands, no compensatory mitigation is required. According to USACE and NC DWR, there are no NC DWR buffers and Clean Water Act Section 404 and 401 permits are not required. Standard best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction to prevent off-site sedimentation impacts and native plants used in site restoration. According to the NC DEQ DEMLR comment, "the project is less than one acre and will not require a Sedimentation and Erosion Control Plan nor coverage under the NPDES Construction Stormwater General Permit NCG010000." However, Robeson County and/or its contractors shall install/maintain appropriate sedimentation and erosion control measures per the Sedimentation Pollution Control Act to prevent off-site sedimentation impacts (*see Attachment 20: SCH Draft EA Comments in the Legend Road Water Tank Project EA ERR*). All necessary permits will be identified and obtained prior to commencing work and appended to the *Legend Road Water Tank Project EA ERR* when received from the permitting agencies. Thus, standard measures will be implemented to ensure the proposed action will have no impacts to wetlands during construction and operation as an elevated water storage tank system.

Other Uses of Wetland in the Public Interest, Including Recreational, Scientific, and Cultural Uses

The potential wetlands and riverines located on and adjacent to the Subject Property have no identifiable recreational, scientific, or cultural uses that would be impacted by the proposed action. The proposed action is designed to avoid floodplain and wetlands. The Little Jacob Swamp riverine is located north of the parcel boundary approximately 0.25-mile from the proposed action's LOD and will not be adversely impacted by the proposed action. The closest onsite USFWS NWI-mapped riverine (R5UBH) and potential wetland is located approximately 250 feet northwest from the proposed action's LOD. Another NWI-mapped riverine (R4SBC) and potential wetland connects north to Little Jacob Swamp. These potential wetland areas encompass approximately 5 acres of the parcel and no activities are proposed in wetland. The Subject Property is a large, County-owned parcel containing the Robeson County Emergency Operations Center, Sheriff's Office and Jail, EMS, Water Department, and Public Utilities buildings. The NC Department of Corrections' Lumberton Correctional Institution is located across Legend Road to the west. There is an existing chain link fence and gate around the proposed action development area where the elevated water storage tank, altitude valve vault, and gravel access drive will be located. An 8-inch to 12-inch PVC water main, associated valves and a fire hydrant will be installed in the paved parking area and gravel driveway/unnamed road running east-west to Legend Road between the fenced-in existing water treatment plant and the Public Utilities buildings and Robeson County Ambulance Service/ EMS. There will be an estimated 0.20 acre of ground disturbance.

As part of the 24 CFR 58 environmental review, the NC SHPO and Chief Bill Harris and the THPO of the Catawba Indian Nation were consulted regarding any historic, culturally significant, or tribal resources in the area that could be affected by the proposed action. On July 3, 2023, the SHPO responded that the proposed action will have no effect on historic resources. On June 15, 2023, the Catawba Indian Nation's THPO responded that "[t]he Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. **However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.**" On July 12, 2023, NCORR Director Ms. Laura Hogshead sent a notification letter for the proposed action to the Lumbee Tribe of North Carolina Chairman John Lowery. A response has not been received but will be included in the *Legend Road Water Tank Project EA ERR* when received. The SHPO, Catawba Indian Nation, and Lumbee Tribe of NC documentation is included in the *Legend Road Water Tank Project EA ERR*. Thus, due to current land use and conditions, design plans, and BMPs, the proposed action is not expected to have an adverse impact on recreational, scientific, or cultural uses.

Step 5. Where Practicable, Design or Modify the Proposed Action to Minimize the Potential Adverse Impacts to and from the 100-Year Floodplain and the Wetland and to Restore and Preserve its Natural and Beneficial Functions and Values.

The proposed action has been designed to avoid wetlands and floodplain, thus, there are no anticipated impacts on the natural and beneficial functions and values of the 100-Year Floodplain or wetlands. The proposed action's construction is wholly located in Zone X, an area of minimal flood hazard (outside of floodplain). Based on the USFWS NWI map, site visit, and USACE correspondence, the proposed action development area is not located in or adjacent to a wetland or riverine. The closest onsite USFWS NWI-mapped riverine (R5UBH) and potential wetland is approximately 250 feet northwest from the proposed action's LOD. Another NWI-mapped riverine (R4SBC) and potential wetland connects north to Little Jacob Swamp. These potential wetland areas encompass approximately 5 acres of the parcel. The Little Jacob Swamp riverine is located north of the parcel boundary approximately 0.25-mile from the proposed action's LOD and will not be adversely impacted by the proposed action. There has been previous, significant site modification including fill and development for the existing fenced-in water treatment plant and roads where site disturbance is planned. The Subject Property was chosen as ideal because it is currently County-owned and is located close to the existing water treatment plant and the Robeson County government complex enabling the water system to maintain a minimum pressure of 30 psi for normal conditions and 20 psi for fire flow which is a NC DWR PWS section requirement. Thus, due to current land use and conditions, design plans, and BMPs, the proposed action is not expected to have any direct or indirect impacts to wetlands, 500-Year Floodplain, 100-Year Floodplain or Floodway and their natural and beneficial functions and values.

Step 6. Reevaluate the Alternatives and Proposed Action.

The proposed action has been designed to avoid wetlands and floodplain. The proposed action's construction is wholly located in Zone X, an area of minimal flood hazard (outside of floodplain) and outside of wetlands. There has been previous, significant site modification including fill and development for the existing fenced-in water treatment plant and roads where site disturbance is planned. The proposed action designs have been completed in accordance with agency input to minimize impacts to the floodplain, wetlands, environment and community.

Robeson County identified the proposed action as a high priority infrastructure strategy after a series of public meetings on resiliency strategies in 2017 as part of the NC Resilient Redevelopment Planning Program. The main alternative is the “No Action” Alternative which is not considered feasible since continuous water service to the Robeson County government complex is essential for operations. The Subject Property was chosen as ideal because it is currently County-owned and is located close to the existing water treatment plant and the Robeson County government complex enabling the water system to maintain a minimum pressure of 30 psi for normal conditions and 20 psi for fire flow which is a NC DWR PWS section requirement. It is critical for public health and safety that these facilities, including the Emergency Operations Center, have adequate water supply during emergencies and future storm events. The “No Action” Alternative would provide no protection to these facilities from water service interruptions during future storm events. The proposed action and location are the most ideal, feasible options selected by the County; the “No Action” Alternative would not effectively address water service interruptions during and after storm events, the project design avoids floodplain and wetlands, and native plants will be used in site restoration.

Implementation of the proposed action will abide by all applicable federal, State and local laws, regulations, and permit requirements and conditions. Permits required for this proposed action shall be obtained before commencing work and appended to the *Legend Road Water Tank Project EA ERR* when received from the permitting agencies. The impacts of these alternatives will be re-evaluated in response to any public comments received.

Step 7. Issue Findings and Public Explanation.

It is the finding of this report that there is no better alternative than to provide funding for the Legend Road Water Tank Project. The County has selected the proposed action to assist its residents, employees, and community to be protected from water service interruptions at this location during future storm events which can also adversely impact operations at the Emergency Operations Center during critical times.

A final notice, formally known as “*Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain and Wetland*” (Final Notice) is being published in accordance with 24 CFR 55. However, this notice was combined with the *Notice of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOI-RROF)* for a 15-day comment period. The 15-day comment period starts with the combined notice publishing in The Robesonian newspaper on February 10, 2024 and ends on February 26, 2024. The notice will be posted at <https://www.rebuild.nc.gov/about/plans-policies-reports/environmental-reviews> and sent via Federal Express and email to the following state and federal agencies on or before February 10, 2024: HUD NC Field Office; FEMA; EPA; USFWS; USACE; and NC State Environmental Clearinghouse. The notice will also be sent to Robeson County and the City of Lumberton. Project information was sent to the NC SHPO and Catawba Indian Nation for review and comment under Section 106 of the NHPA and a project notification letter was sent to the Lumbee Tribe of North Carolina (see *Legend Road Water Tank Project EA ERR*). (See **Appendix 3** for the final notice distributed to these agencies).

Supporting documentation, including this EO 11988 Floodplain Management and EO 11990 Protection of Wetlands Determination, incorporated into the Final Notice was posted for public review to the NCORR ReBuild NC website at <https://www.rebuild.nc.gov/about/plans-policies-reports/environmental-reviews> and included the Early Notice documentation (proposed action location maps showing parcel boundary; Robeson County parcel information; site plans; FEMA FIRM and Preliminary FIRM showing parcel boundary, distance and total acreage; NFIP Community Status Book Report; USFWS NWI Maps showing parcel boundary, distance and total acreage; USACE LIDAR map; USACE and NC DWR correspondence; and other documentation) and additional appendices noted herein. The EA was also posted to the NCORR

ReBuild NC website allowing for public and agency input on the decision to provide funding for construction and development activities. Any substantive comments received will be addressed, and incorporated into the EA prior to proceeding with the submission of a request for release of funds.

Step 8. Implementation and Continuing Responsibility of the Responsible Entity and Recipient.

NCORR is the responsible entity and will provide educational materials, when available. It is acknowledged there is a continuing responsibility by the responsible entity to ensure, to the extent feasible and necessary, compliance with the Steps herein.

APPENDIX 1

EARLY NOTICE FLOODPLAIN AND WETLANDS MAPS




- **Proposed Project Location Maps, Robeson County Parcel Information, and Site Plans**
- **FEMA FIRM and Preliminary FIRM Showing Parcel Boundary, Distance from Proposed Activity's Limit of Disturbance, Total Acreage Amounts, and NFIP Community Status Book Report**
- **USFWS National Wetlands Inventory (NWI) Maps Showing Parcel Boundary, Distance from Proposed Activity's Limit of Disturbance, and Total Acreage Amounts, and LIDAR Map from USACE**
- **USACE and NC DEQ DWR Correspondence**

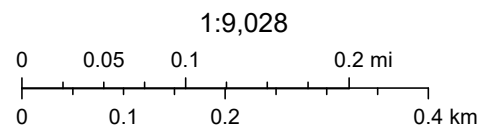
**Proposed Project Location Maps, Robeson
County Parcel Information, and Site Plans**

Legend Road Water Tank - Aerial Map



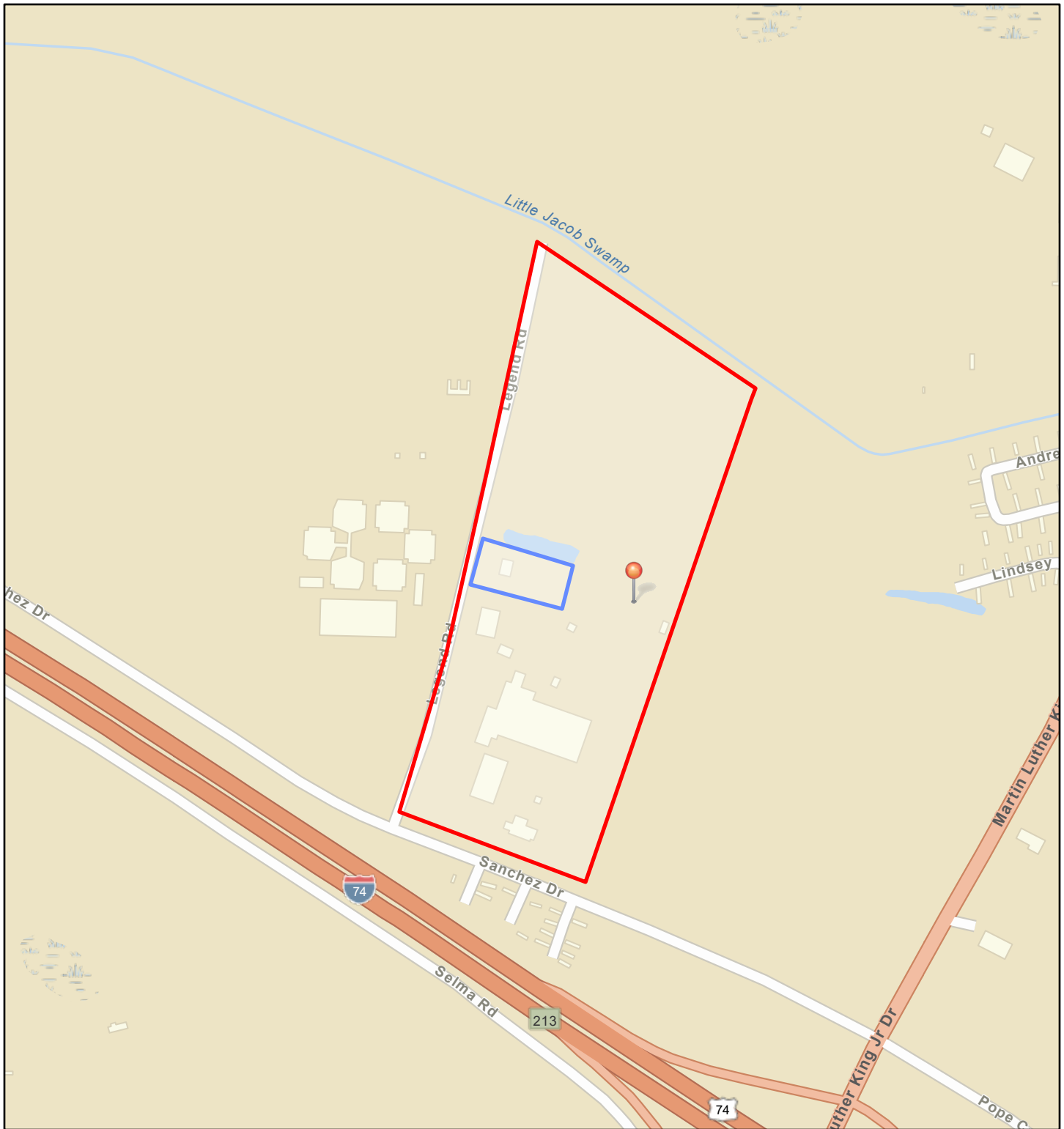
January 16, 2024

-  Legend Road Water Tank
-  Proposed Water Tank
-  Excluded Parcel



NC CGIA, Maxar, Esri Community Maps Contributors, State of North Carolina DOT, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Legend Road Water Tank - Street Map



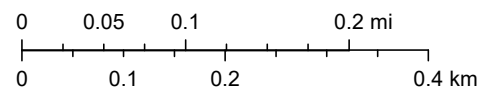
January 16, 2024

1:9,028

 Legend Road Water Tank

 Proposed Water Tank

 Excluded Parcel





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Legend Road Water Tank - Topographic Map

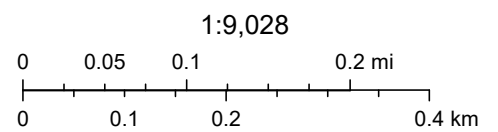


January 16, 2024

 Legend Road Water Tank

 Proposed Water Tank

 Excluded Parcel



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Robeson County
Ambulance Service

N.C.
Dept of
Corrections

Proposed 12'
Water Main

R.C.
Public
Utilities

Proposed Elevated
Tank

Existing
Well
Treatment

R.C.
Sheriffs
Office

R.C. Jail

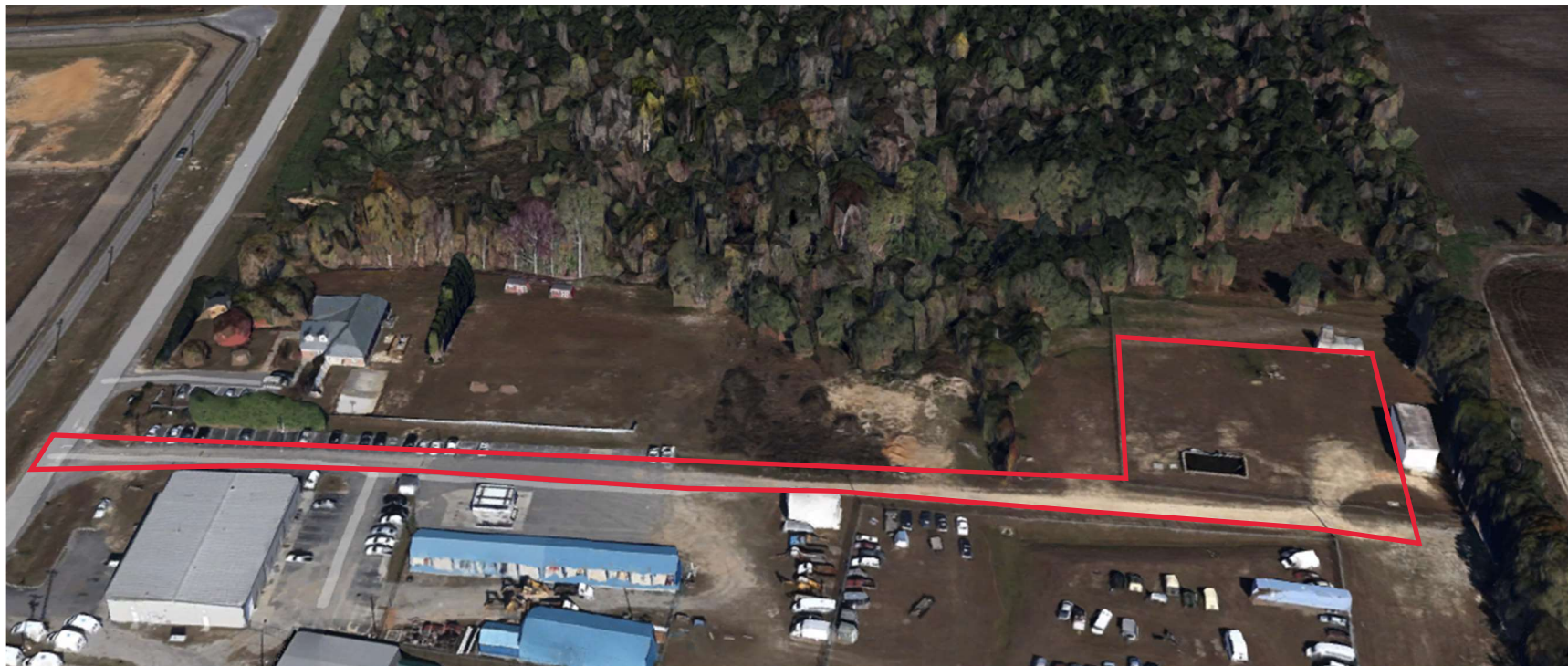
Robeson County
Emergency
Operations

R.C.
Water
Dept.

1 inch = 200 feet



Legend Road Water Tank – Action Area



Legend Road Water Tank – Google Earth





Robeson County Government

PROPERTY REPORT - PRINT

Property Owner	Owner's Mailing Address	Property Location Address
COUNTY OF ROBESON C/O FINANCE	550 N CHESTNUT ST 4TH FLOOR LUMBERTON , NC 283580000	120 LEGEND RD

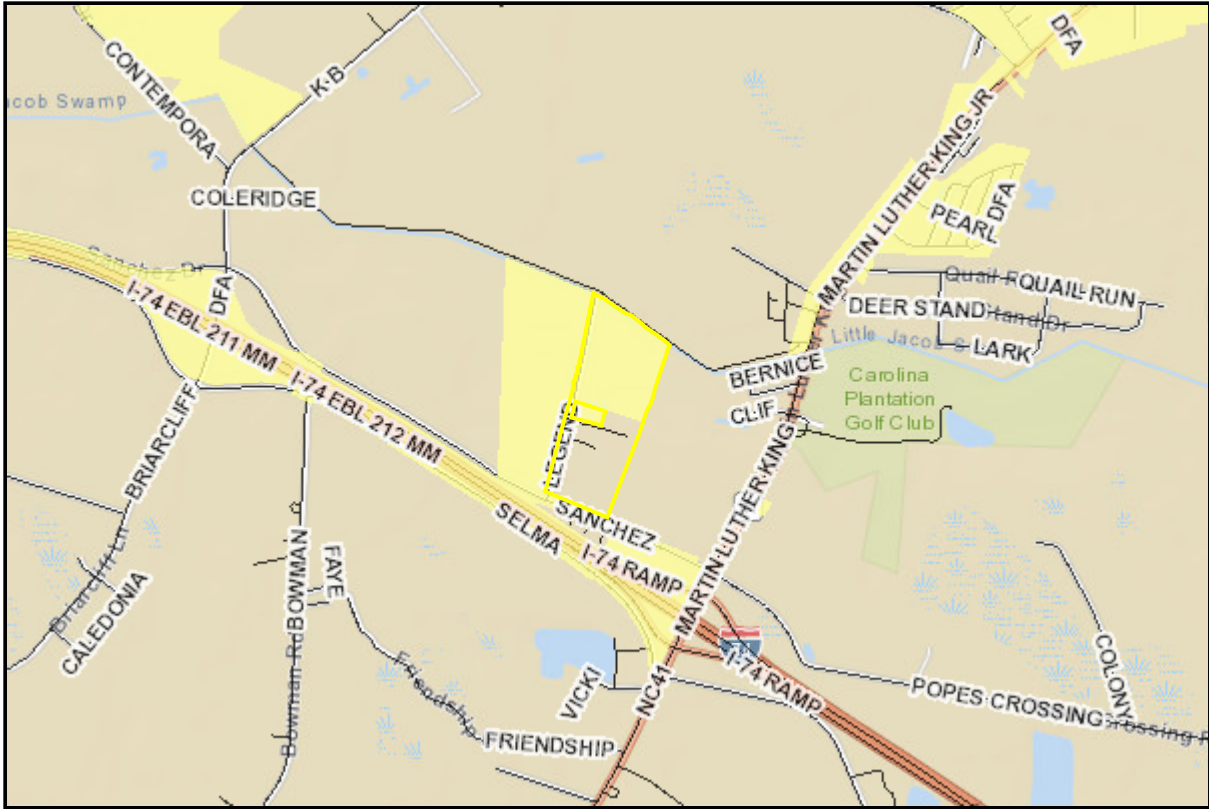
Administrative Data	Administrative Data	Valuation Information
Parcel Ref No. 02090100501 PIN Account No. 46904033 Tax District TOWN LUMBERTON Land Use Code E-12 Land Use Desc COUNTY PROPERTY W/ASSESTS Subdiv Code Subdiv Desc Neighborhood 32C30	Legal Desc AC N/S SR 2316 JAIL SITE Deed Bk/Pg / Plat Bk/Pg / Sales Information Grantor Sold Date 2005-01-01 Sold Amount \$ 0	Market Value \$ 8,421,000 Market Value - Land and all permanent improvements, if any, effective January 1, 2010, date of County's most recent General Reappraisal Assessed Value \$ 8,421,000 If Assessed Value not equal Market Value then subject parcel designated as a special class -agricultural, horticultural, or forestland and thereby eligible for taxation on basis of Present-Use and/or reduction from a formal appeal procedure
		Land Supplemental
		Map Acres 60.96 Tax District Note JACOB SWAMP MAINTENANCE Present-Use Info

Improvement Detail	
(1st Major Improvement on Subject Parcel)	
Year Built	1992
Built Use/Style	CORRECTIONAL
Current Use	B /
* Percent Complete	100
Heated Area (S/F)	62,840
** Bathroom(s)	0 Full Bath(s) 0 Half Bath(s)
** Bedroom(s)	0
Fireplace (Y/N)	N
Basement (Y/N)	N
Attached Garage (Y/N)	N
*** Multiple Improvements	005
* Note - As of January 1 ** Note - Bathroom(s), Bedroom(s), shown for description only *** Note - If multiple improvements equal "MLT" then parcel includes additional major improvements	

Improvement Valuation (1st Major Improvement on Subject Parcel)	
* Improvement Market Value \$	** Improvement Assessed Value \$
7,616,200	7,616,200
* Note - Market Value effective Date equal January 1, 2010, date of County's most recent General Reappraisal ** Note - If Assessed Value not equal Market Value then variance resulting from formal appeal procedure	

Land Value Detail (Effective Date January 1, 2010, date of County's most recent General Reappraisal)		
Land Market Value (LMV) \$	Land Present-Use Value (PUV) \$ **	Land Total Assessed Value \$
804,800	804,800	804,800
** Note: If PUV equal LMV then parcel has not qualified for present use program		

County of Robeson, NC



MAPNO	02090100501
PIN_NUMBER	938035514300
PARCELTYPE	Base Parcel
CONFLICTNOTATION	
DEEDEDACRES	60.96
OWNERTYPE	Private
STATUS	null
OLDMAPNO	0209-01-00501A
NUMMOD	null
LOT	null
NBHD_CODE	32C30
TAX_YEAR	2022
PAR_CODE	
MAP	
SUBMAP	
BLOCK	
PARCEL	
SUBPARCEL	
PHYLOCAT	91832
CITYCODE	
ROUTENUM	0
OWNERID	46904033
CUROWNID	46904033

OWNAM1	COUNTY OF ROBESON
OWNAM2	C/O FINANCE
OWNAM3	
OWADR1	550 N CHESTNUT ST
OWADR2	4TH FLOOR
OWADR3	
OWADR4	
OWCITY	LUMBERTON
OWSTATE	NC
OWZIP	283580000
STNUM	120
STSUFFIX	
STDIR	
STNAME	LEGEND
STTYPE	RD
STDIRSUF	
UNITNO	
DEEDACRE	60.96
MAPACRE	60.96
DISTCODE	52
TOWNCODE	2
PARDESC3	J62
PARDESC1	E-12
NBHCLASS	
NBHCODE	32C30
EXEMCODE	E12
DEEDBOOK	null
DEEDPAGE	null
DEEDYEAR	null
PLATBOOK	null
PLATPAGE	null
DATESOLD	null
LEGDESC1	AC N/S SR 2316 JAIL SITE
LEGDESC2	
LEGDESC3	WATER CUST SVC BLDG
PARDESC4	
GROUPPAR	
REQREVIEW	
PHYSTRADR	120 LEGEND RD
SCHCODE	0
AREACODE	1
LNDASVCUR	804800
IMPASVCUR	7616200
QUALCODE	null

RECTYPE	null
SALEAMT	null
SALEINST	null
DEEDSTMP	null

ROBESON COUNTY COUNTY-WIDE WATER SYSTEM

Legend Road 0.500 MG Elevated Tank

KELLIE BLUE, COUNTY MANAGER
SHELTON HILL, ASSISTANT COUNTY MANAGER
JASON KING, ASSISTANT COUNTY MANAGER

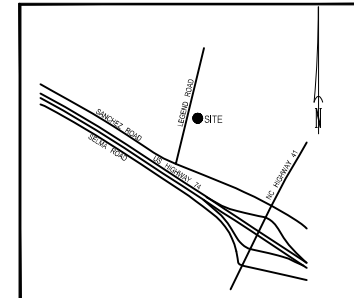
COMMISSIONERS

WIXIE STEPHENS - CHAIRMAN
H. T. (TOM) TAYLOR - VICE CHAIRMAN
PAULINE CAMPBELL
JOHN CUMMINGS
FALINE DAIL
DAVID EDGE
LANCE HERNDON
JUDY SAMPSON

TAMMY FREEMAN, CLERK TO THE BOARD
MYRON NEVILLE, PUBLIC UTILITIES DIRECTOR

Table of Contents

- 1 - Site Plan
- 2 - 12" Water Main Plan & Profile
- 3 - Tank Elevation & Details
- 4 - Altitude Valve & Vault
- D-1 - Detail Sheet



VICINITY MAP



LIMITS OF WORK SHALL INCLUDE ALL AREAS INSIDE WOODROW & EXISTING UTILITIES EASEMENTS AS SHOWN ON PLANS.



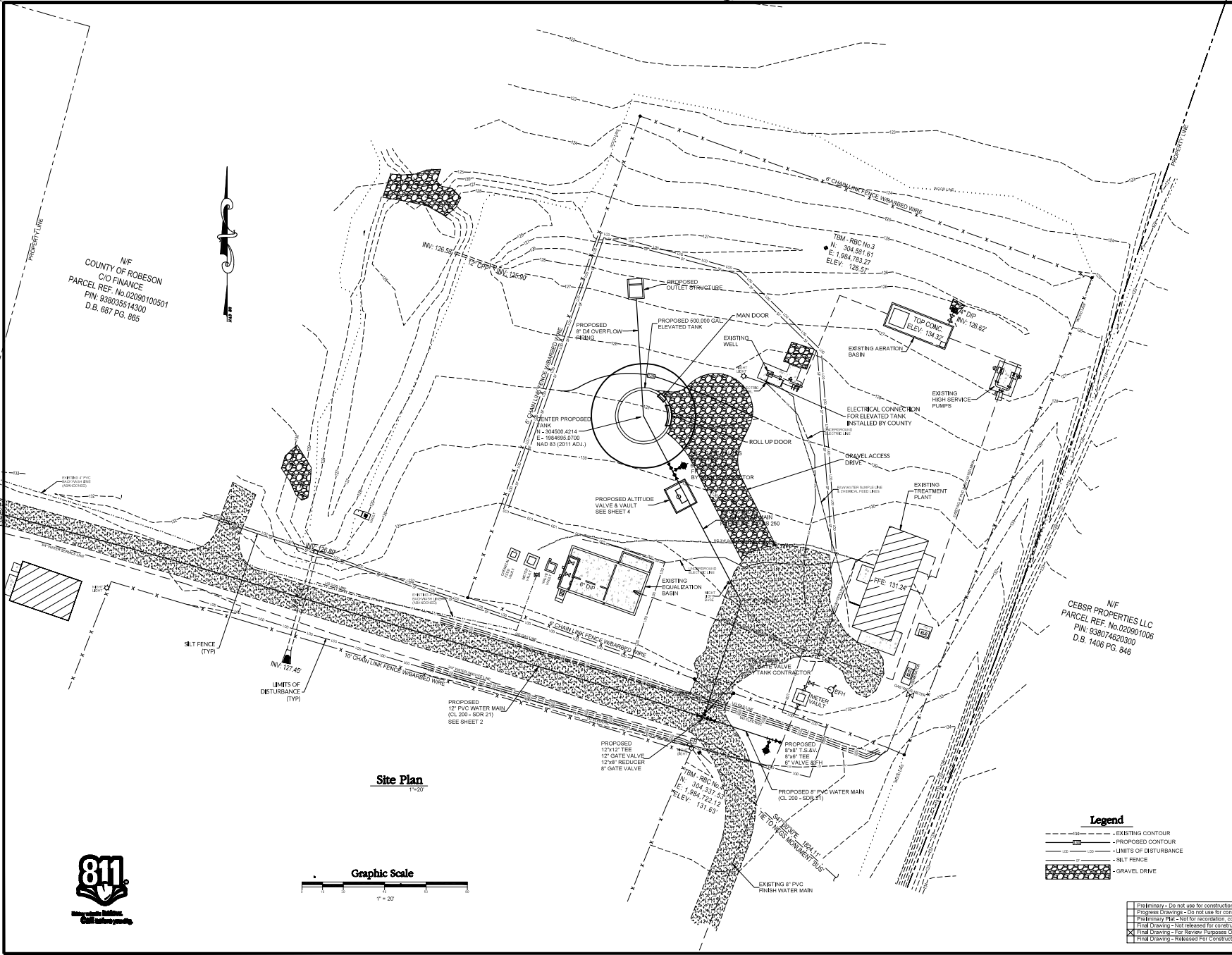
12/12/2021

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<input type="checkbox"/>	Progress Drawings - Do not use for construction
<input type="checkbox"/>	Preliminary Plan - Not for recordation, conveyances, or sales
<input type="checkbox"/>	Final Drawing - Not released for construction
<input checked="" type="checkbox"/>	Final Drawing - For Review Purposes Only
<input type="checkbox"/>	Final Drawing - Released For Construction

WithersRavenel · Engineers · Planners · Surveyors



208 E. 5th Street Lumberton, NC 28358 Phone: 910-738-9376 Fax: 910-738-9378 Email: lmcbryde@withersravenel.com Lic. No.- F-1479



NF
COUNTY OF ROBESON
C/O FINANCE
PARCEL REF. No. 02090100501
PIN: 938035514300
D.B. 687 PG. 865

NF
CEBSR PROPERTIES LLC
PARCEL REF. No. 020901006
PIN: 938074620300
D.B. 1406 PG. 846

Site Plan
1"=20'



Legend

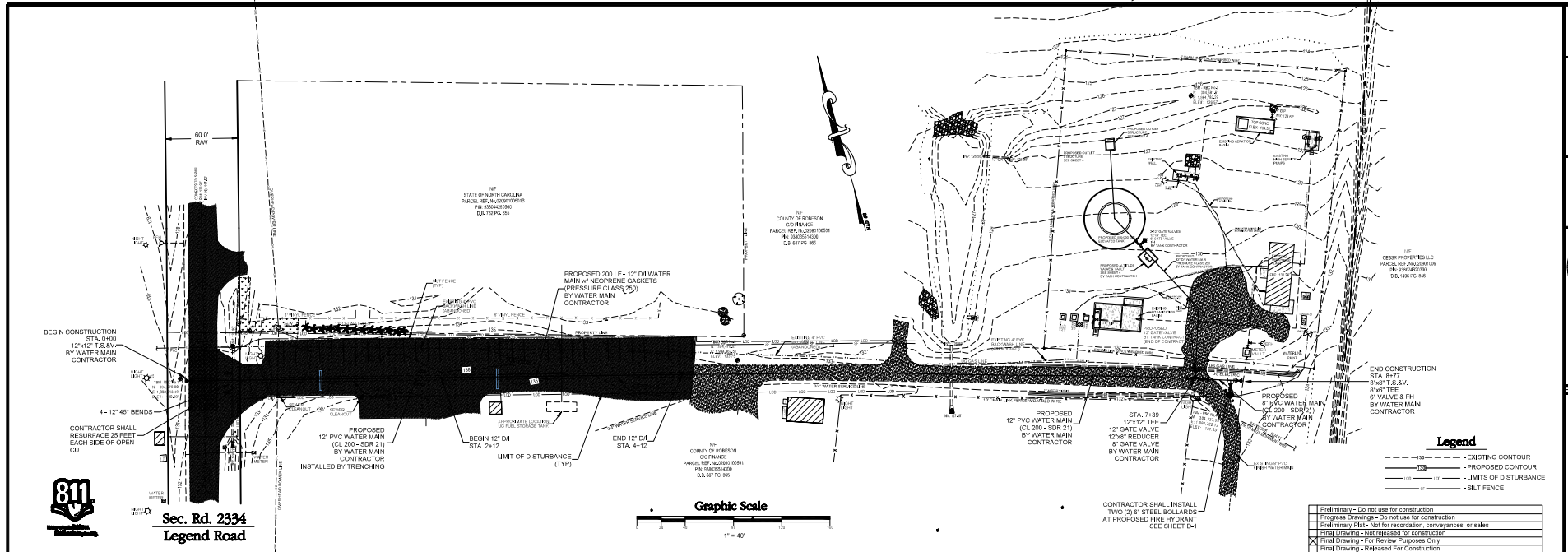
	EXISTING CONTOUR
	PROPOSED CONTOUR
	LIMITS OF DISTURBANCE
	SILT FENCE
	GRAVEL DRIVE

	Proprietary - Do not use for construction
	Progress Drawings - Do not use for construction
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	Final Drawing - Not released for construction
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ROBESON COUNTY COUNTY-WIDE WATER SYSTEM
LEGEND ROAD TANK - SITE PLAN

SHEET NO. **1**
 OF 4



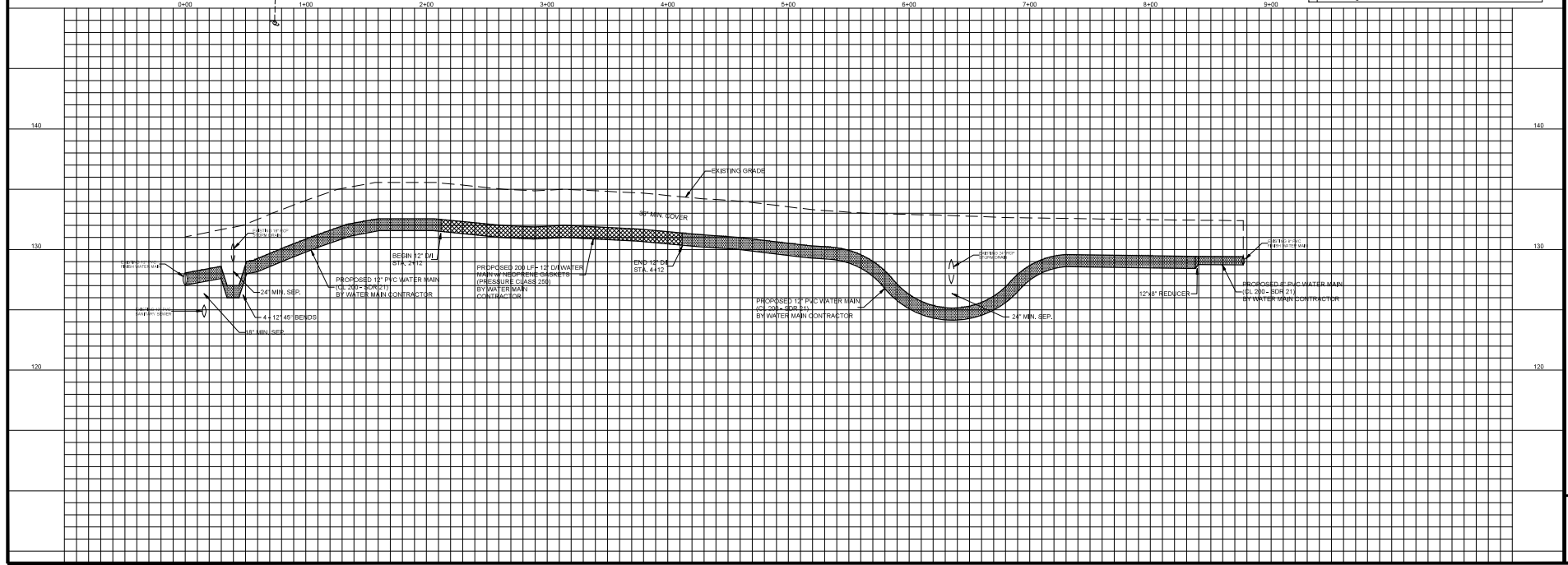
Sec. Rd. 2334
Legend Road



Legend

- - - - - EXISTING CONTOUR
- - - - - PROPOSED CONTOUR
- LIMITS OF DISTURBANCE
- - - - - SILT FENCE

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	Progress Drawing - Do not use for construction
	Preliminary Plan - Not for recordation, conveyances, or sales
	Final Drawing - Not released for construction
	Final Drawing - For Review Purposes Only
	Final Drawing - Released For Construction



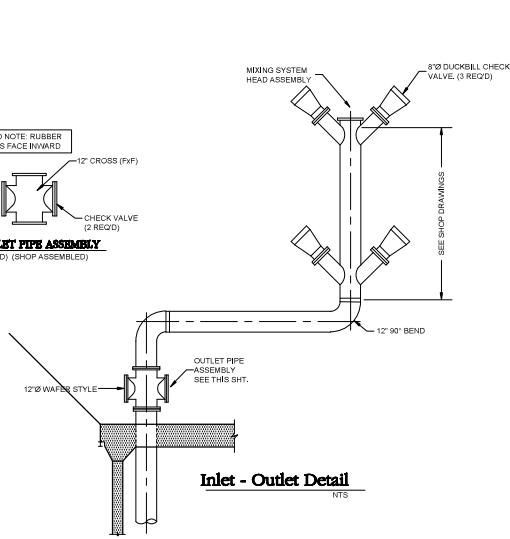
WITHERRAVENEL ENGINEERS PLANNERS SURVEYORS
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ROBESON COUNTY COUNTY-WIDE WATER SYSTEM
LEGEND ROAD TANK SITE - PROPOSED WATER MAIN

SHEET NO. **2**
 OF 4

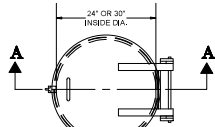
FIELD NOTE: RUBBER FLAPS FACE INWARD



OUTLET PIPE ASSEMBLY
(1 REQ'D) (SHOP ASSEMBLED)

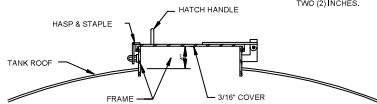


Inlet - Outlet Detail
NTS



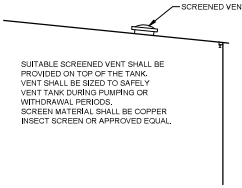
PLAN

NOTE: ROOF HATCH SHALL MEET ALL APPLICABLE REQUIREMENTS OF 15M-NCA-C-18C, 0405(N)(2). THE COVER SHALL EXTEND DOWN AROUND THE FRAME AT LEAST TWO (2) INCHES.

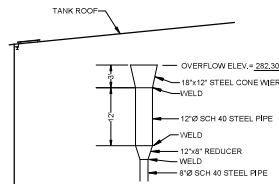


Section A-A

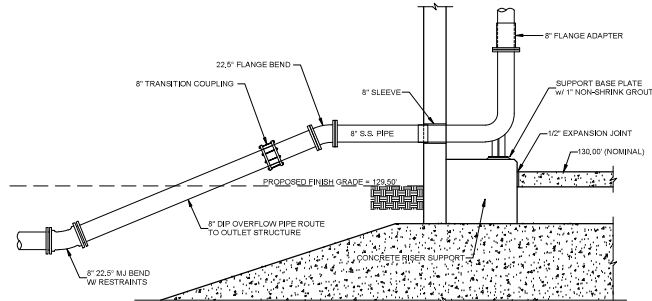
24"Ø or 30"Ø Roof Hatch
NTS



Screened Vent Detail
NTS

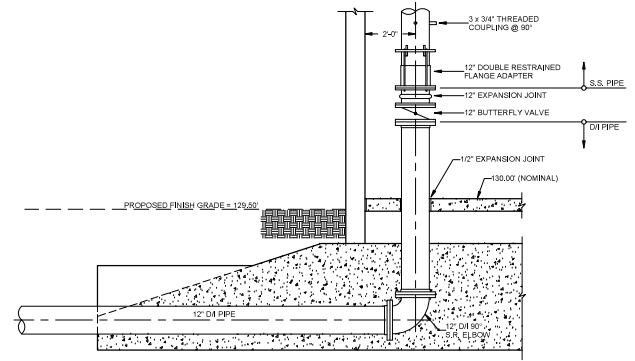


Overflow Inlet
NTS

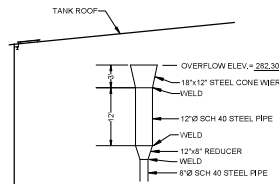


8" Overflow Outlet
NTS

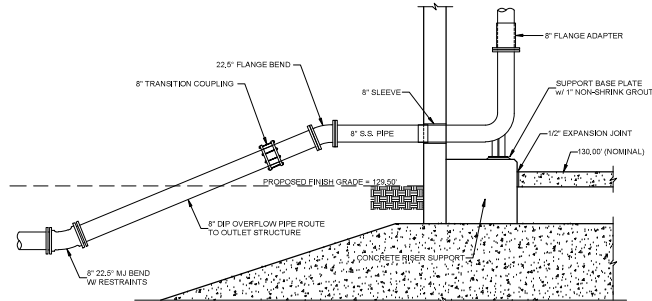
- NOTES:
- TANK CONTRACTOR TO MOUNT DOUBLE OBSTRUCTION LIGHTS ON TOP OF TANK. SEE SPECIFICATIONS FOR DETAILS.
 - TANK CONTRACTOR SHALL INSTALL CONDUIT, LIGHTS, & ELECTRICAL SERVICE PER SPECIFICATIONS & SPECIAL PROVISIONS.
 - ALL CHLORINATED WATER USED FOR ELEVATED TANK DISINFECTION SHALL BE DISCHARGED TO WASTE, AS DIRECTED BY THE ENGINEER. PRIOR TO REFILLING THE ELEVATED TANK FOR BACTERIOLOGICAL TESTING.
 - LADDERS SHALL BE PROVIDED AS REQUIRED BY SPECIFICATIONS.



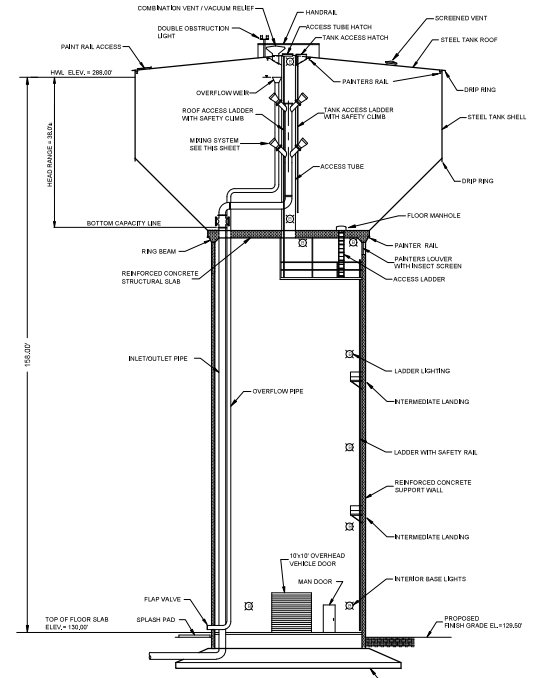
12" Inlet/Outlet Detail
NTS



Overflow Inlet
NTS



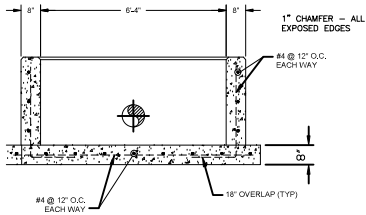
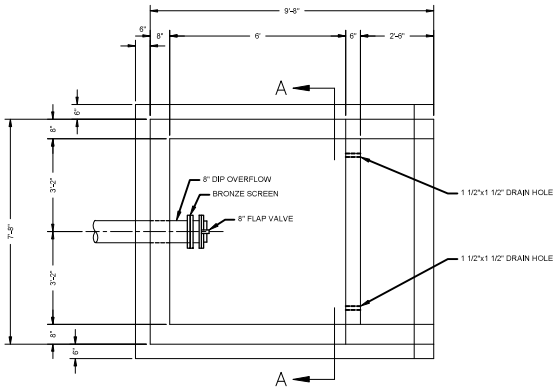
8" Overflow Outlet
NTS



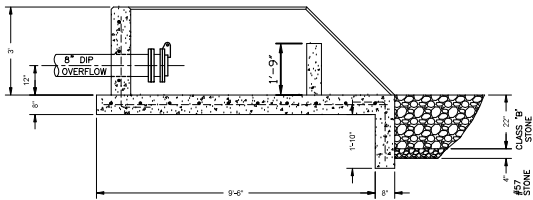
Composite Tank Elevation
NTS

NOTE: FOUNDATION SHALL BE A MATTE OR RINGWALL FOUNDATION WITH A DEPTH NOT TO EXCEED 10 FEET BELOW FINISHED GRADE OR FINISH SHALL BE INSTALLED TO A DEPTH OF NOT MORE THAN 65 FEET.

<input type="checkbox"/>	Preliminary - Do not use for construction
<input type="checkbox"/>	Progress Drawing - Do not use for construction
<input type="checkbox"/>	Preliminary P&ID - Not for recordation, conveyances, or sales
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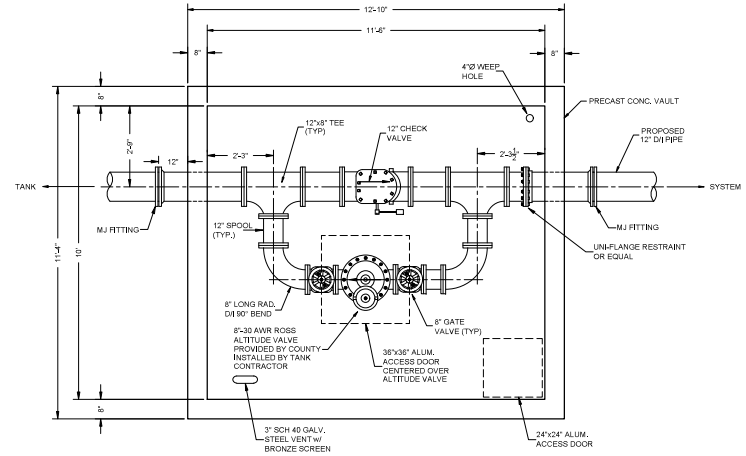


NOTE:
 1. 8" OVERFLOW FLAP VALVES SHALL HAVE #4 STAINLESS STEEL SCREENS BETWEEN PIPES AND VALVE.
 2. CONCRETE SHALL BE 4000 PSI COMP. STRENGTH AT 28 DAYS.



OUTLET STRUCTURE DETAIL

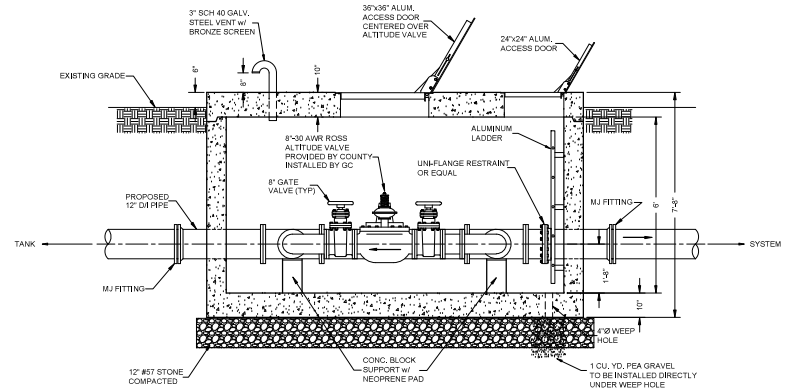
NTS



Plan View

1/2" = 1'-0"

NOTES:
 1. ALL DIP IN VAULT TO BE PAINTED WITH 2 COATS.
 2. ALL BOLTS, WASHERS & NUTS TO BE S.S. INSIDE THE VAULT.



Profile View

1/2" = 1'-0"

ALTITUDE VALVE AND VAULT DETAIL

NTS

<input type="checkbox"/>	Preliminary - Do not use for construction
<input type="checkbox"/>	Progress Drawings - Do not use for construction
<input type="checkbox"/>	Preliminary P&E - Not for reproduction, conveyances, or sales
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SHEET NO.

4

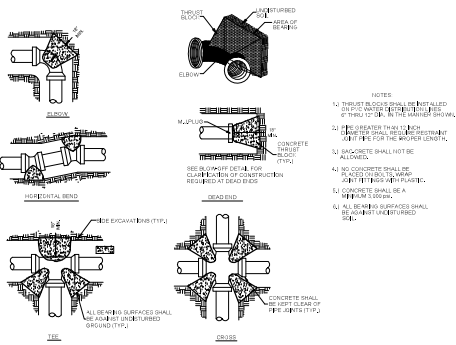
OF 4

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ROBESON COUNTY COUNTY-WIDE WATER SYSTEM
LEGEND ROAD TANK - ALTITUDE VALVE AND VAULT

REVISIONS PER DATE
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: JAN 2023
 FILE NO.: [Number]
 PROJECT NO.: [Number]

10/12/2023

camson@legend Road Tank/NTS/23.04.18

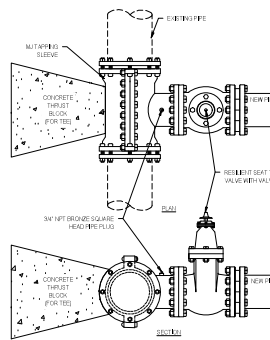


CONCRETE THRUST BLOCK DETAIL
NTS

THRUST BLOCKING SCHEDULE	
PIPE DIA.	THRUST BLOCK AREA AND VOLUME (CY) AND (CU YD)
12"	0.50 (1.35)
14"	0.75 (2.02)
16"	1.00 (2.70)
18"	1.50 (4.05)
20"	2.00 (5.40)
24"	3.00 (8.10)
30"	4.50 (12.15)
36"	6.00 (16.20)
42"	9.00 (24.30)
48"	12.00 (32.40)
54"	18.00 (48.60)
60"	24.00 (64.80)
72"	36.00 (97.20)
84"	48.00 (129.60)
96"	72.00 (194.40)
108"	96.00 (259.20)
120"	144.00 (388.80)

NOTE: Values are based on a standard 150 psi concrete and 2000 psi reinforcing steel. All dimensions are nominal. All dimensions are based on the use of rebar with a minimum of 4 bars.

- NOTES:**
1. ALL EXPOSED SURFACES SHALL BE FINISHED TO THE FINISH GRADE AND SHALL BE PROTECTED FROM DAMAGE.
 2. ALL EXPOSED SURFACES SHALL BE FINISHED TO THE FINISH GRADE AND SHALL BE PROTECTED FROM DAMAGE.
 3. ALL EXPOSED SURFACES SHALL BE FINISHED TO THE FINISH GRADE AND SHALL BE PROTECTED FROM DAMAGE.
 4. ALL EXPOSED SURFACES SHALL BE FINISHED TO THE FINISH GRADE AND SHALL BE PROTECTED FROM DAMAGE.
 5. ALL EXPOSED SURFACES SHALL BE FINISHED TO THE FINISH GRADE AND SHALL BE PROTECTED FROM DAMAGE.
 6. ALL EXPOSED SURFACES SHALL BE FINISHED TO THE FINISH GRADE AND SHALL BE PROTECTED FROM DAMAGE.
 7. ALL EXPOSED SURFACES SHALL BE FINISHED TO THE FINISH GRADE AND SHALL BE PROTECTED FROM DAMAGE.
 8. ALL EXPOSED SURFACES SHALL BE FINISHED TO THE FINISH GRADE AND SHALL BE PROTECTED FROM DAMAGE.
 9. ALL EXPOSED SURFACES SHALL BE FINISHED TO THE FINISH GRADE AND SHALL BE PROTECTED FROM DAMAGE.
 10. ALL EXPOSED SURFACES SHALL BE FINISHED TO THE FINISH GRADE AND SHALL BE PROTECTED FROM DAMAGE.



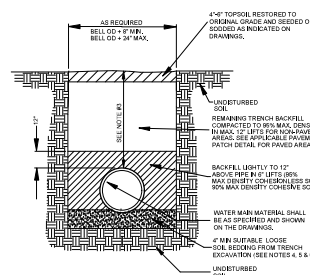
Tapping Sleeve & Valve
NTS

NOTES:

1. SLEEVE SHALL BE MADE OF FIBERGLASS.
2. THE MINOR DIA. TO THE TAPPING SLEEVE MUST HAVE A MINOR DIA. FACTOR FOR PROPER ALIGNMENT OF THE SLEEVE TO THE PIPE.
3. THE SLEEVE SHALL INCLUDE A FIBERGLASS REINFORCED GASKET PROTECTING THE SEAL AROUND THE TAPPING.
4. ALL VALVES SHALL HAVE A GATE OPERATOR THAT IS OPEN TO THE GRADE.
5. VALVE BODY GASKET & GATE SHALL BE IN ACCORDANCE WITH AWWA C900 AND C901.
6. VALVE BODY & GATE SHALL BE COATED WITH AN EPOXY & FIBERGLASS SURFACE WITH A FIBERGLASS REINFORCED GASKET.
7. ALL VALVES OF 24" OR SMALLER SHALL HAVE A SAFE WORKING PRESSURE OF 150 PSI.
8. PIPE SURFACES SHALL BE CLEANED THOROUGHLY TO PERMIT FOR A GOOD SEAL WITH INSTALLATION.
9. EXTERIOR OF TAPPING SLEEVE SHALL BE COATED WITH 2 COATS OF ASPHALT/FLY ASH/GRIT.
10. EDGE OF SLEEVE SHALL BE LOCATED A MINIMUM OF 5' FROM THE EXISTING CURB.

GENERAL NOTES:

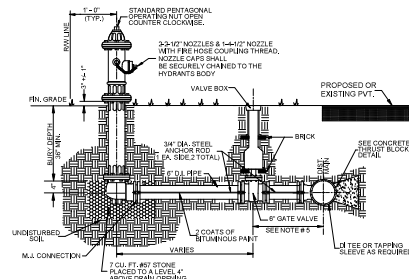
1. THE CONTRACTOR SHALL HAVE A COMPLETE SET OF CONTRACT DOCUMENTS AS WELL AS ALL PERMIT APPROVALS AND EASEMENTS ON THE JOB SITE AT ALL TIMES.
2. ALL SHOP DRAWINGS MUST BE REVIEWED AND APPROVED BY ENGINEER BEFORE EQUIPMENT IS ORDERED.
3. CONTRACTOR IS RESPONSIBLE FOR THE LOCATION OF ALL UNDERGROUND UTILITIES. KNOWN EXISTING UTILITIES HAVE BEEN LOCATED FROM THE INFORMATION AVAILABLE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ACCURATELY LOCATE BOTH HORIZONTAL AND VERTICAL ALL EXISTING UTILITIES PRIOR TO START OF CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE NC ONE CALL CENTER AT 800.552.4343. ALL COSTS ASSOCIATED WITH ANY DAMAGE TO KNOWN OR UNKNOWN EXISTING UTILITIES RESULTING FROM THE CONTRACTOR'S FAILURE TO ADEQUATELY PROTECT THE EXISTING UTILITIES DURING CONSTRUCTION SHALL BE BORNE SOLELY BY THE CONTRACTOR.
4. CONTRACTOR SHALL MAKE EVERY EFFORT TO SAVE PROPERTY IRONS, MONUMENTS, OTHER PERMANENT POINTS AND LINES OF REFERENCE AND CONSTRUCTION STAKES. A RECORDED LAND SURVEYOR AT THE CONTRACTOR'S EXPENSE SHALL REPLACE PROPERTY IRONS, MONUMENTS, AND OTHER PERMANENT POINTS OF REFERENCE DESTROYED BY THE CONTRACTOR.
5. CONTRACTOR SHALL CLEAN AND GRUB ALL UTILITY EASEMENTS AS DIRECTED BY THE OWNER. TO INSTALL NEW UTILITIES, ON ROADWAY RIGHT-OF-WAYS, THE CONTRACTOR SHALL ONLY REMOVE THE TREES MARKED ON THE PLANS AND SHALL MAKE EVERY EFFORT DURING CONSTRUCTION TO PROTECT THE TREES THAT ARE NOT TO BE REMOVED.
6. THE CONTRACTOR SHALL FURNISH, INSTALL, AND MAINTAIN ALL NECESSARY EROSION CONTROL MEASURES WHETHER OR NOT SHOWN ON THE PLANS TO PROTECT ADJACENT CREEKS, RIVERS, ROADWAYS, ETC. FROM SILTATION AND EROSION.
7. THE CONTRACTOR SHALL SUPPORT ALL UTILITY POLES AS NECESSARY. THE CONTRACTOR SHALL COORDINATE UTILITY POLE SUPPORT WITH THE APPROPRIATE UTILITY COMPANIES.
8. CONTRACTOR SHALL RESTORE/REPLACE ALL SIGNS, MAILBOXES, ETC. ENCOUNTERED DURING CONSTRUCTION TO ORIGINAL CONDITION.
9. THE CONTRACTOR SHALL RESTORE ALL DISTURBED AREAS TO THE EXISTING GRADE UNLESS OTHERWISE NOTED ON THE DRAWINGS.
10. ALL DRIVEWAYS SHALL BE REPAIRED AS SOON AS CONSTRUCTION HAS PASSED, A MINIMUM OF 2" OF C&G SHALL BE USED FOR TEMPORARY REPAIR ON ASPHALT AND CONCRETE DRIVEWAYS UNTIL PERMANENT REPAIR CAN BE COMPLETED AND A MINIMUM OF 2" OF C&G SHALL BE USED AS PERMANENT REPAIR ON GRAVEL DRIVEWAYS.
11. CONTRACTOR SHALL REPLACE WITH NEW ALL DRIVEWAY VIBES AND OTHER DRAINAGE PIPE/CULVERTS THAT ARE DISTURBED WHILE INSTALLING THE UTILITIES. ALL PIPE/CULVERTS SHALL MEET THE REQUIREMENTS OF NCDOT.
12. ALL ROADWAY PATCHES DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO PRE-CONSTRUCTION CONDITION OR BETTER AND CONFORM TO NCDOT REQUIREMENTS. ALL PATCHES SHALL BE LINED WITH EROSION CONTROL MATTING UNLESS OTHERWISE NOTED.
13. ALL EXCAVATED MATERIAL SHALL BE PLACED WITHIN THE LIMITS OF DISTURBANCE DURING UTILITY INSTALLATION. THE CONTRACTOR SHALL PROVIDE THE NECESSARY SEDIMENT AND EROSION CONTROL MEASURES TO CONTROL RUN-OFF. ALL EXCESS EXCAVATED MATERIAL SHALL BE REMOVED FROM THE CONSTRUCTION SITE AND DISPOSED OF LEGALLY.
14. HORIZONTAL DATUMS NAVD 83.
15. VERTICAL DATUMS NAVD 88.



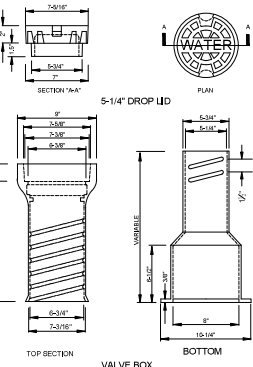
WATER MAIN BEDDING DETAIL
NTS

NOTES:

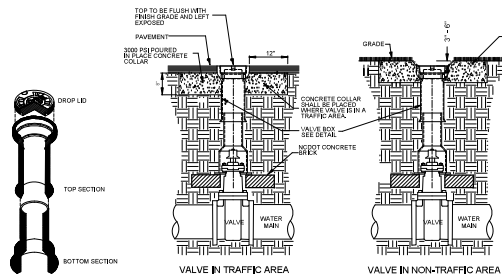
1. ALL VALVES AND HYDRANTS SHALL HAVE ALL CONNECTIONS WITH RUBBER RETAINING GASKETS, RESTRAINT OR ANCHOR LOSS AND 3/4" DIA. STEEL ANCHOR RODS.
2. 3/4" DIA. STEEL RODS AND ALL BURIED SURFACES SHALL BE PAINTED WITH AN EPOXY/FLY ASH/GRIT. BRONZE PAINT, MARRIED OR SCRATCHED SURFACES SHALL BE REPAIRED WITH BRONZE PAINT. SHALL CURE PRIOR TO BACK FILLING TRENCH.
3. FREE HYDRANTS SHALL BE PLACED AS DIRECTED BY THE ENGINEER.
4. HYDRANT BRANCH SHALL NOT BE BACK FILLED UNTIL INSPECTED AND APPROVED BY ENGINEER.
5. HYDRANT EXTENSIONS SHALL BE APPROVED BY ENGINEER.



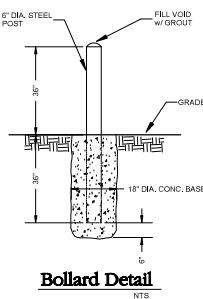
HYDRANT DETAIL
NTS



Valve Box Detail
NTS



Open Cut & Patch Detail
NTS



Bollard Detail
NTS

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ROBESON COUNTY COUNTY-WIDE WATER SYSTEM
LEGEND ROAD TANK - DETAILS

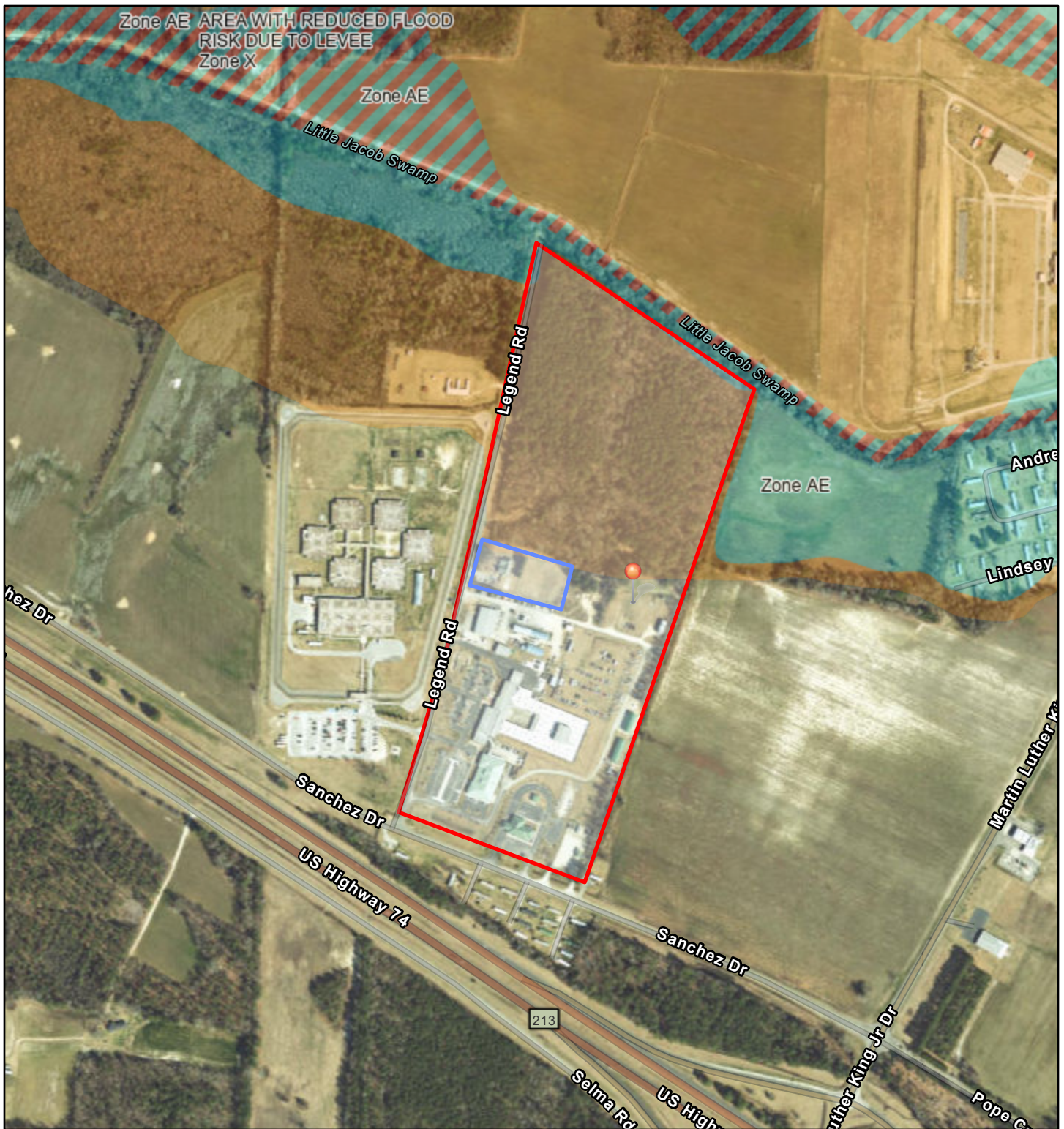
SHEET NO.

D-1

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<input type="checkbox"/> Progress Drawing - Do not use for construction
<input type="checkbox"/> Preliminary P&I - Not for recordation, commodities, or sales
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<input type="checkbox"/> Final Drawing - Released For Construction








**FEMA FIRM and Preliminary FIRM
Showing Parcel Boundary, Distance from
Proposed Activity's Limit of
Disturbance, and Total Acreage
Amounts, and NFIP Community Status
Book Report**

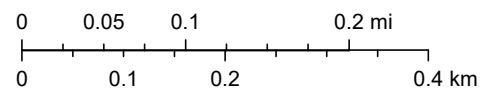
Legend Road Water Tank - FEMA FIRM



January 16, 2024

1:9,028

- | | |
|--|---|
|  Legend Road Water Tank |  Special Floodway |
|  Proposed Water Tank |  Area of Undetermined Flood Hazard |
|  Excluded Parcel |  0.2% Annual Chance Flood Hazard |
| Flood Hazard Zones | |
|  1% Annual Chance Flood Hazard |  Future Conditions 1% Annual Chance Flood Hazard |
|  Regulatory Floodway |  Area with Reduced Risk Due to Levee |
| |  Area with Risk Due to Levee |



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National Flood Hazard Layer FIRMMette



79°3'25"W 34°35'29"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | | |
|------------------------------------|--|--|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE)
<i>Zone A, V, A99</i> |
| | | With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i> |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> |
| | | Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> |
| | | Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> |
| | | Area with Flood Risk due to Levee <i>Zone D</i> |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> |
| | | Effective LOMRs |
| | | Area of Undetermined Flood Hazard <i>Zone D</i> |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance |
| | | 17.5 Water Surface Elevation |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| MAP PANELS | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |
| | | The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location. |



0 250 500 1,000 1,500 2,000 Feet 1:6,000

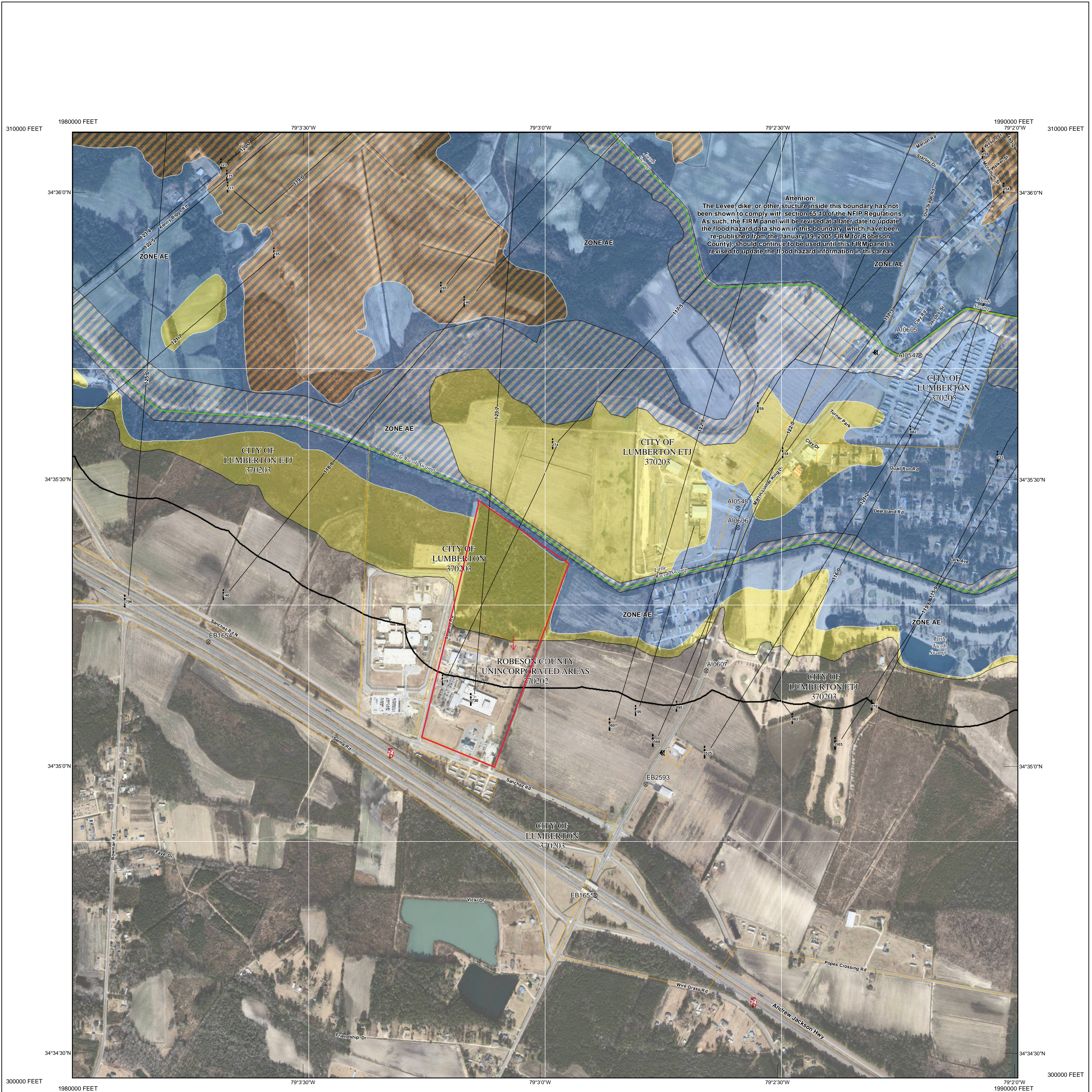
79°2'48"W 34°35'N

Basemap Imagery Source: USGS National Map 2023

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **1/16/2024 at 5:57 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



Attention:
The Levee, dike, or other structure inside this boundary has not been shown to comply with section 65.10 of the NFIP Regulations. As such, the FIRM panel will be revised at a later date to update the flood hazard data shown in this boundary (which have been re-published from the January 19, 2005 FIRM for Robeson County), should continue to be used until this FIRM panel is revised to update the flood hazard information in this area.



This digital Flood Insurance Rate Map (FIRM) was produced through a unique cooperative partnership between the State of North Carolina and the Federal Emergency Management Agency (FEMA). The State of North Carolina has implemented a long term approach to floodplain management to decrease the costs associated with flooding. This is demonstrated by the State's commitment to map flood hazard areas at the local level. As a part of this effort, the State of North Carolina has joined in a Cooperating Technical State agreement with FEMA to produce and maintain this digital FIRM.

FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR ZONE DESCRIPTIONS AND INDEX MAP THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTP://FRIS.NC.GOV/FRIS](http://FRIS.NC.GOV/FRIS)

- SPECIAL FLOOD HAZARD AREAS**
 - Without Base Flood Elevation (BFE)
 - With BFE or Depth Zone AE, AO, AH, VE, AR
 - Regulatory Floodway
 - 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with Average Depth Less Than One Foot or with Drainage Areas of Less Than One Square Mile Zone X
 - Future Conditions 1% Annual Chance Flood Hazard Zone X
 - Area with Reduced Flood Risk due to Levee See Notes Zone X
- OTHER AREAS OF FLOOD HAZARD**
 - Areas Determined to be Outside the 0.2% Annual Chance Floodplain Zone X
- OTHER AREAS**
 - Channel, Culvert, or Storm Sewer
 - Accredited or Provisionally Accredited Levee, Dike, or Floodwall
 - Non-accredited Levee, Dike, or Floodwall
 - North Carolina Geodetic Survey bench mark
 - National Geodetic Survey bench mark
 - Contractor Est. NCFMP Survey bench mark
 - Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
 - Coastal Transect
 - Coastal Transect Baseline
 - Profile Baseline
 - Hydrographic Feature
 - Limit of Study
 - Jurisdiction Boundary
- GENERAL STRUCTURES**
 - Channel, Culvert, or Storm Sewer
 - Accredited or Provisionally Accredited Levee, Dike, or Floodwall
 - Non-accredited Levee, Dike, or Floodwall
 - North Carolina Geodetic Survey bench mark
 - National Geodetic Survey bench mark
 - Contractor Est. NCFMP Survey bench mark
 - Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
 - Coastal Transect
 - Coastal Transect Baseline
 - Profile Baseline
 - Hydrographic Feature
 - Limit of Study
 - Jurisdiction Boundary
- OTHER FEATURES**
 - Channel, Culvert, or Storm Sewer
 - Accredited or Provisionally Accredited Levee, Dike, or Floodwall
 - Non-accredited Levee, Dike, or Floodwall
 - North Carolina Geodetic Survey bench mark
 - National Geodetic Survey bench mark
 - Contractor Est. NCFMP Survey bench mark
 - Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
 - Coastal Transect
 - Coastal Transect Baseline
 - Profile Baseline
 - Hydrographic Feature
 - Limit of Study
 - Jurisdiction Boundary

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Map Service Center website at <http://msc.fema.gov>. An accompanying Flood Insurance Study report, Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA) revising portions of this panel, and digital versions of this FIRM may be available. Visit the North Carolina Floodplain Mapping Program website at <http://www.ncfloodmaps.com> or contact the FEMA Map Service Center.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was provided in digital format by the North Carolina Floodplain Mapping Program (NCFMP). The source of this information can be determined from the metadata available in the digital FLOOD database and in the Technical Support Data Notebook (TSDN).

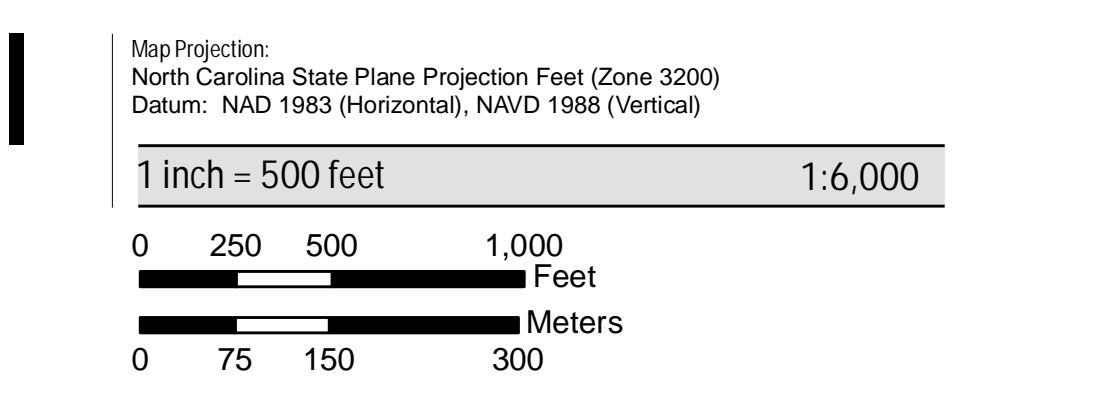
ACCREDITED LEVEE NOTES TO USERS: If an accredited levee note appears on this panel check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at <http://www.fema.gov/business/nfip/index.shtm>.

PROVISIONALLY ACCREDITED LEVEE NOTES TO USERS: If a Provisionally Accredited Levee (PAL) note appears on this panel, check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection. To maintain accreditation, the levee owner or community is required to submit the data and documentation necessary to comply with Section 65.10 of the NFIP regulations. If the community or owner does not provide the necessary data and documentation or if the data and documentation provided indicates the levee system does not comply with Section 65.10 requirements, FEMA will revise the flood hazard and risk information for this area to reflect de-accreditation of the levee system. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at <http://www.fema.gov/business/nfip/index.shtm>.

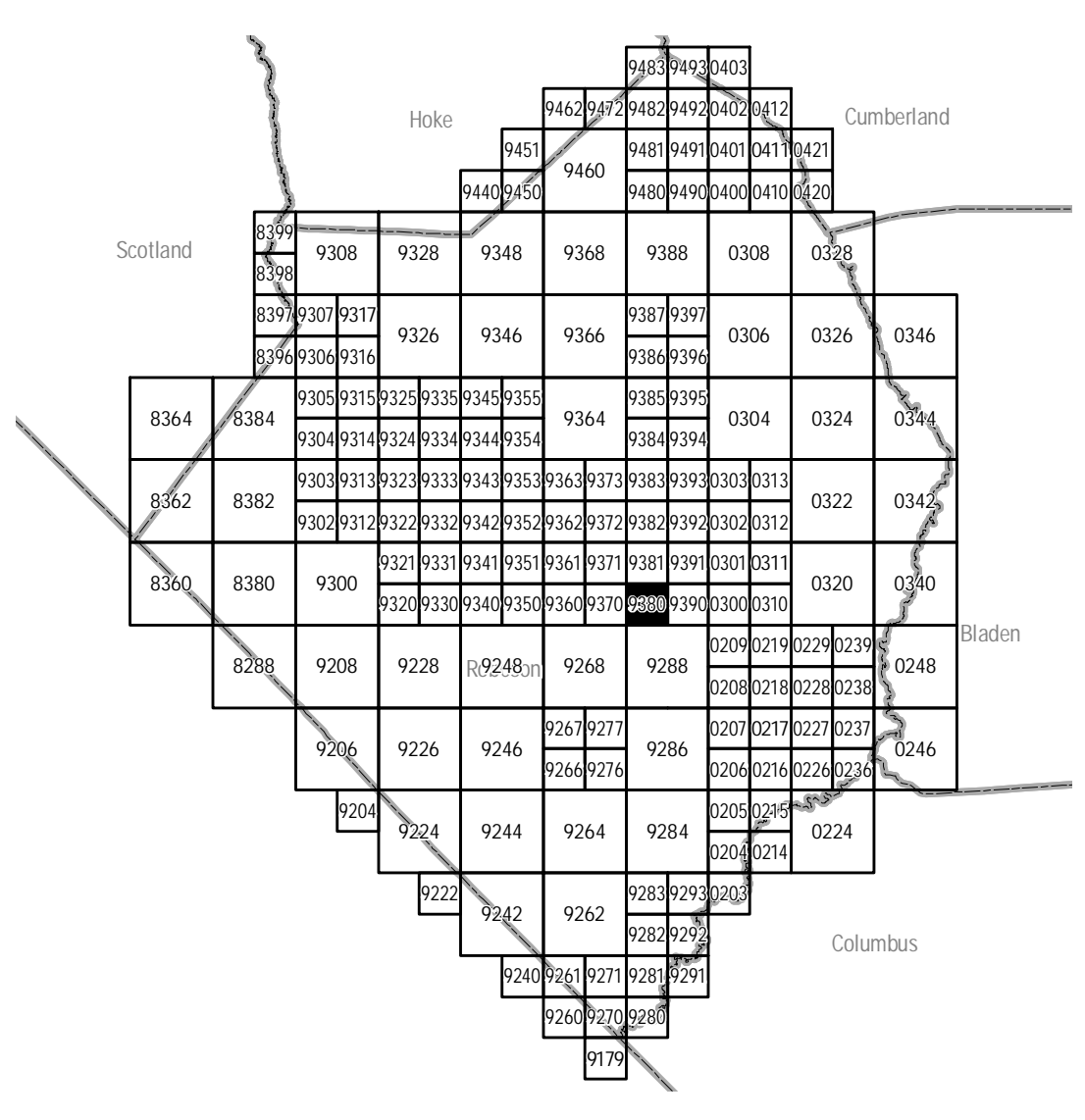
LIMIT OF MODERATE WAVE ACTION NOTES TO USERS: For some coastal flooding zones the AE Zone category has been divided by a Limit of Moderate Wave Action (LMWA). The LMWA represents the approximate landward limit of the 1.5-foot breaking wave. The effects of wave hazards between the VE Zone and the LMWA (or between the shoreline and the LMWA for areas where VE Zones are not identified) will be similar to, but less severe than those in the VE Zone.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) NOTE
This map may include approximate boundaries of the CBRS for informational purposes only. Flood insurance is not available within CBRS areas for structures that are newly built or substantially improved on or after the date(s) indicated on the map. For more information see http://www.fws.gov/habitatconservation/coastal_barrier.htm, the FIS Report, or call the U.S. Fish and Wildlife Service Customer Service Center at 1-800-344-WILD.

SCALE



PANEL LOCATOR



National Flood Insurance Program

NORTH CAROLINA FLOODPLAIN MAPPING PROGRAM
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

NORTH CAROLINA

PANEL 9380

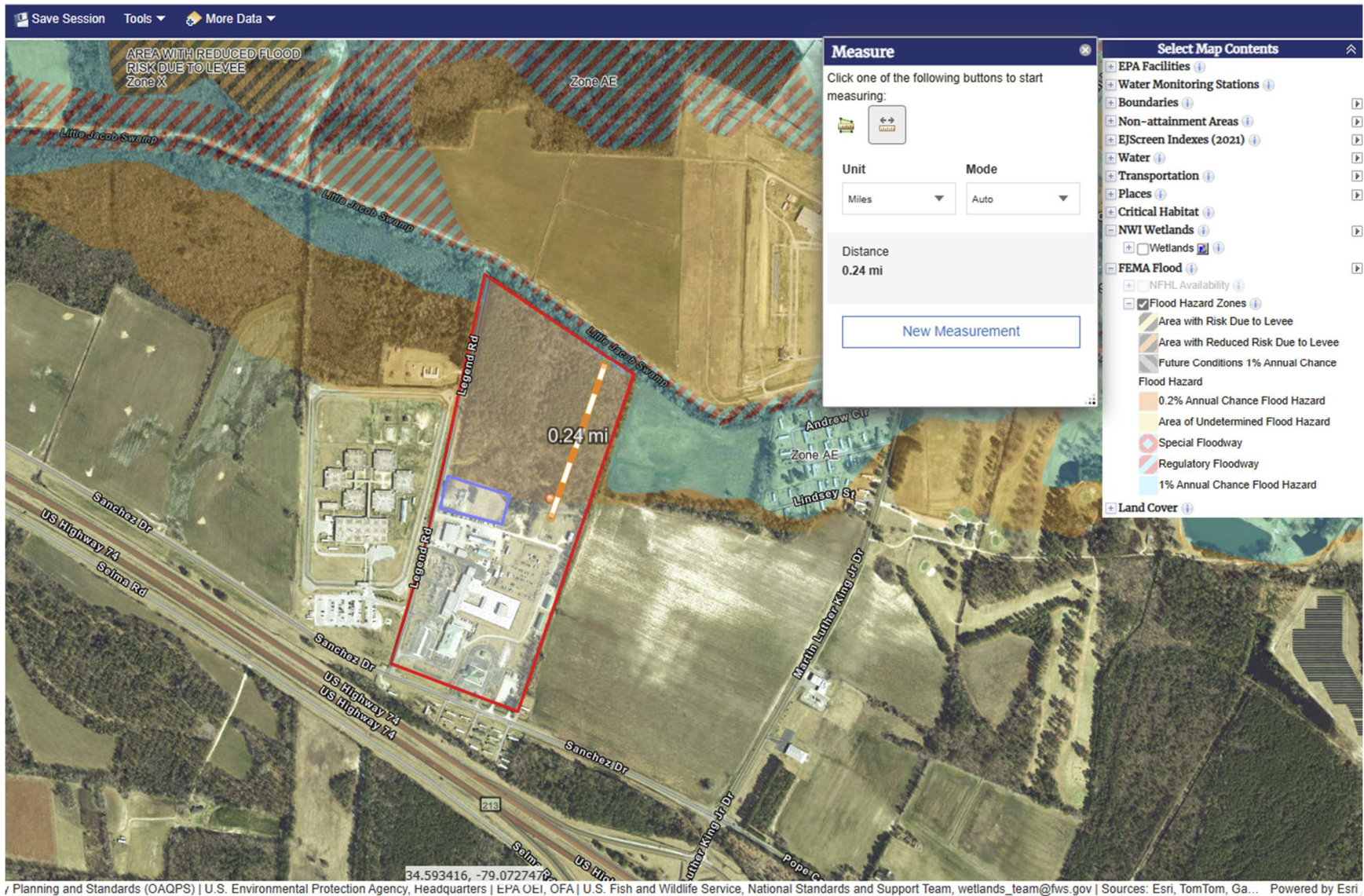
Panel Contains:

COMMUNITY	CID	PANEL	SUFFIX
LUMBERTON, CITY OF	370203	9380	K
ROBESON COUNTY	370202	9380	K

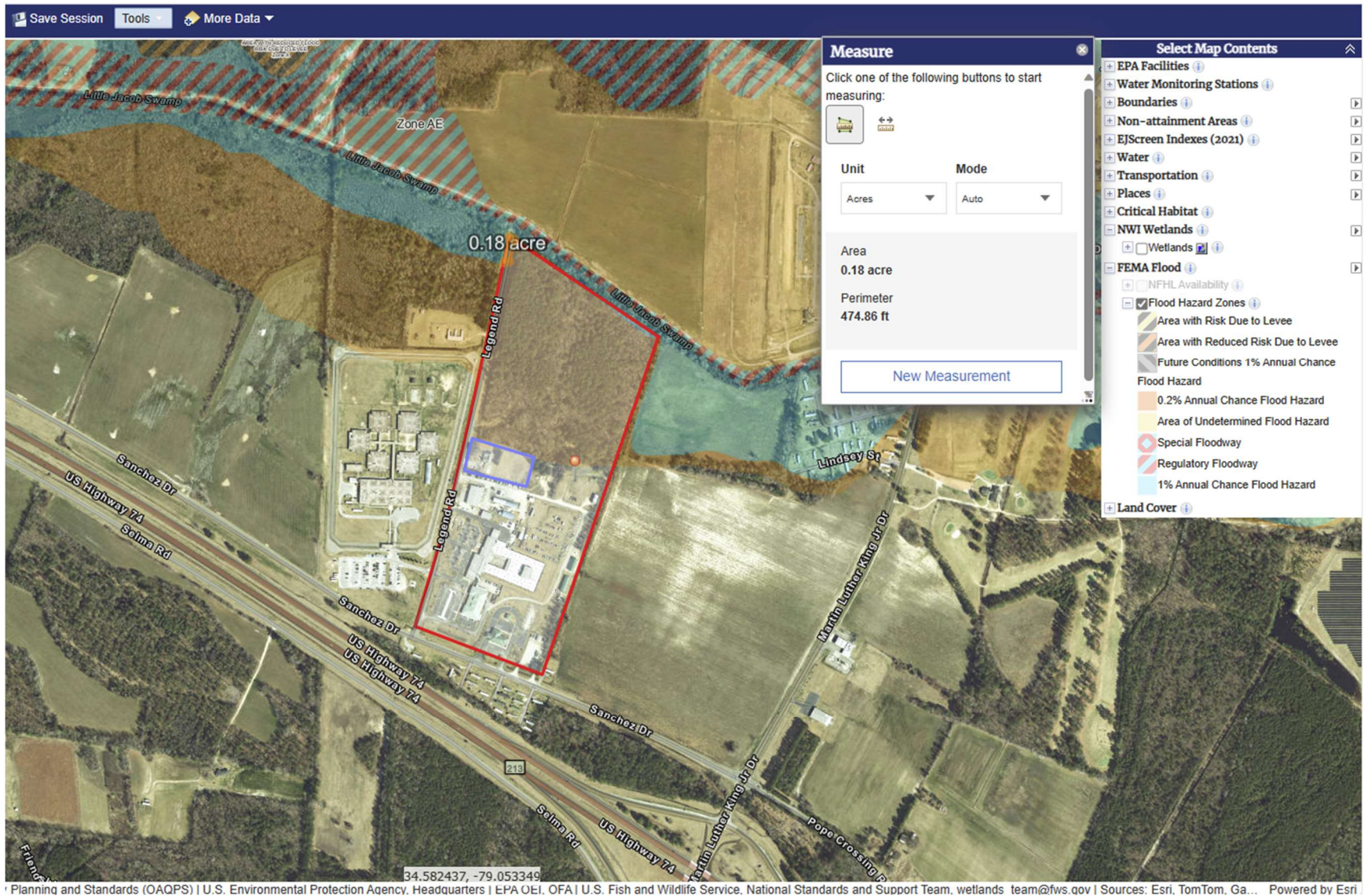
PRELIMINARY
08/29/2014

MAP NUMBER
3710938000K

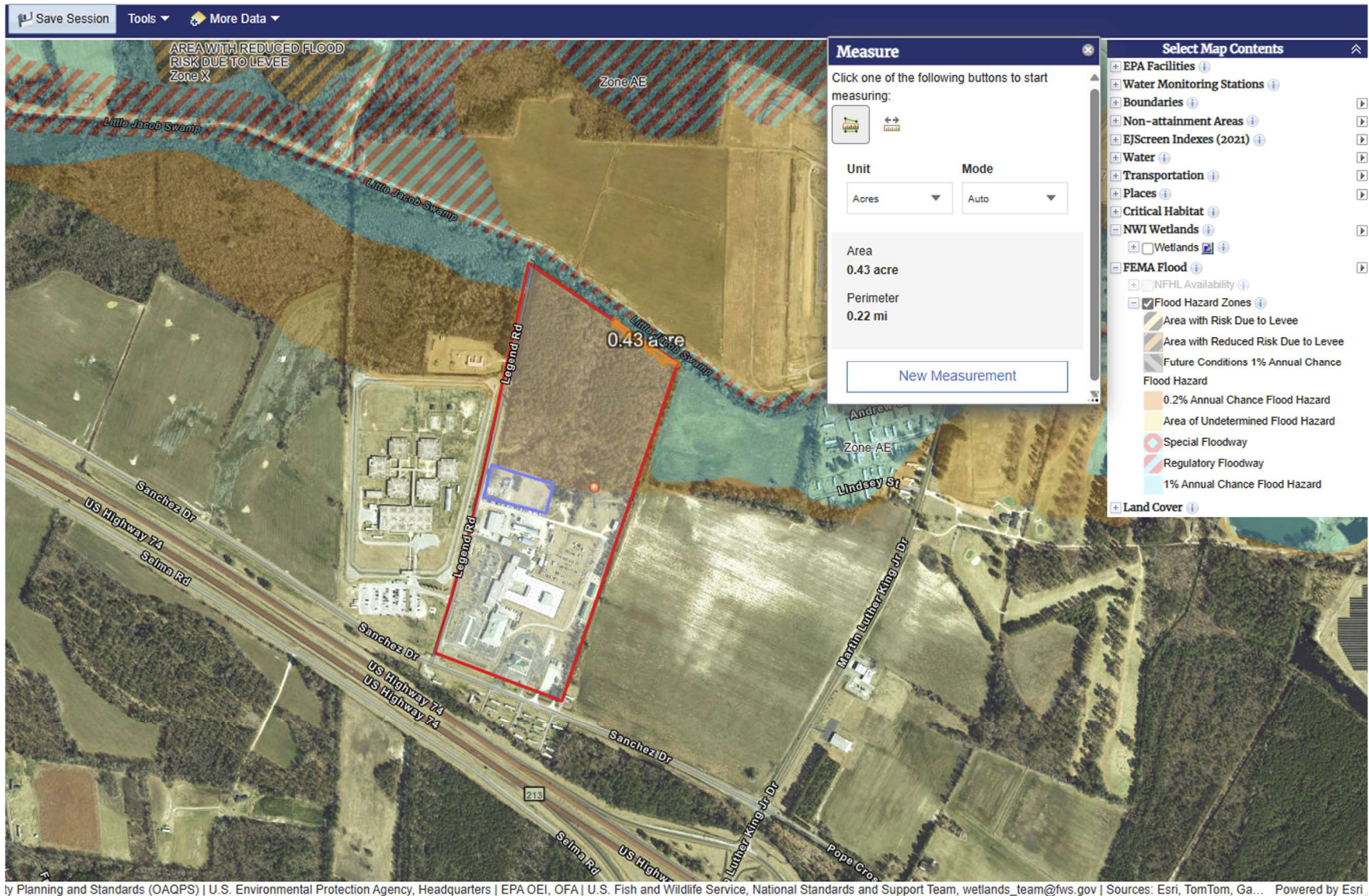
Legend Road Water Tank – Distance to 100-Year Floodplain (Zone AE)



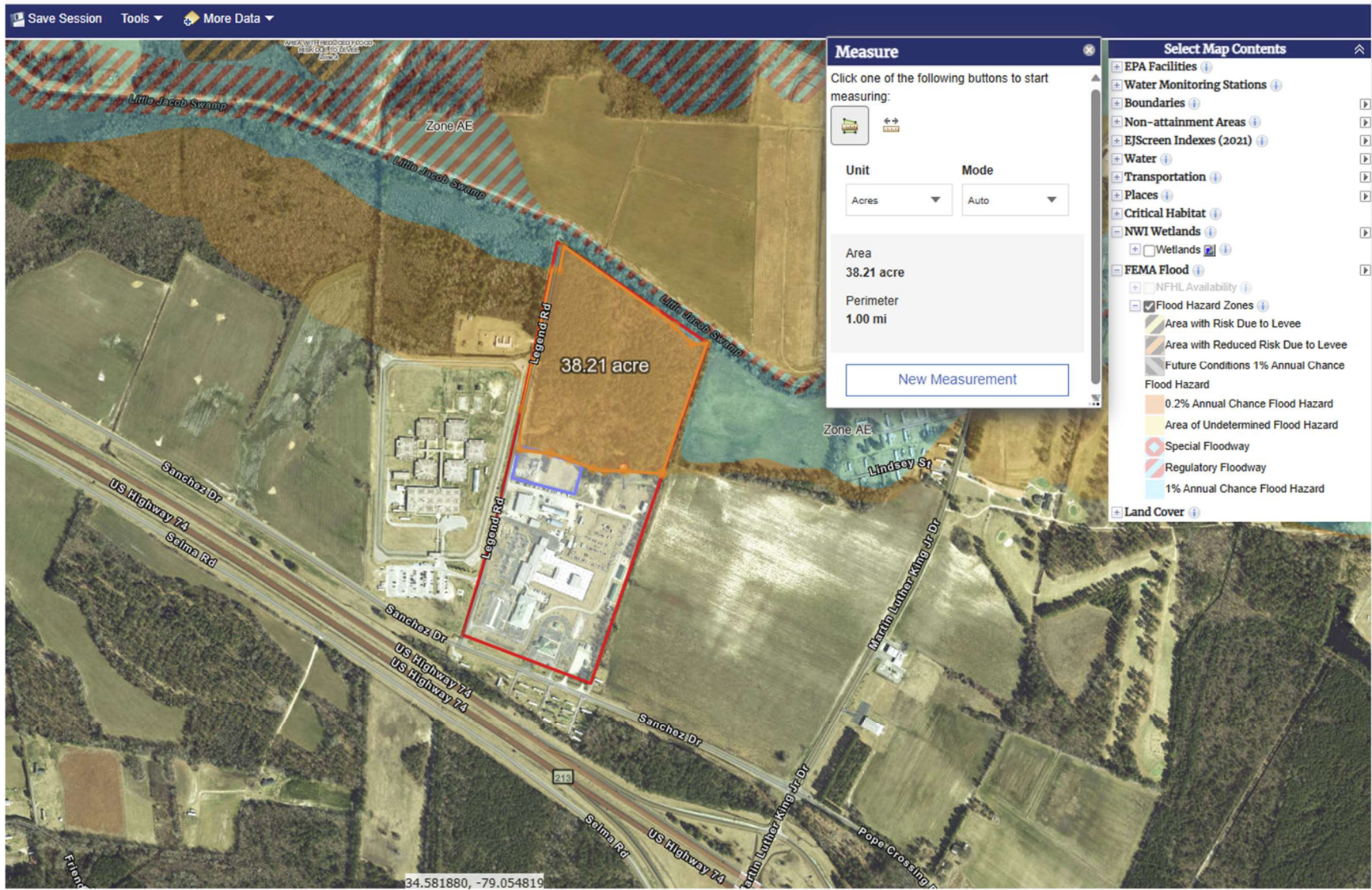
Legend Road Water Tank – 100-Year Floodplain (0.18 Acre)



Legend Road Water Tank –1100-Year Floodplain (0.43 Acre)



Legend Road Water Tank – 500-Year Floodplain (38.21 Acres)





Community Status Book Report

Communities Participating in the National Flood Program



NORTH CAROLINA

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal	CRS Entry Date	Curr Eff Date	Curr Class	% Disc SFHA	% Disc Non SFHA
370323#	LOWELL, CITY OF	GASTON COUNTY	08/15/75	03/05/90	11/04/09	03/05/90	No					
370537#	LUCAMA, TOWN OF	WILSON COUNTY		11/03/04	04/16/13	11/03/04	No					
370203K	LUMBERTON, CITY OF	ROBESON COUNTY	06/28/74	11/05/80	12/06/19	11/05/80	No					
370090K	MACCLESFIELD, TOWN OF	EDGECOMBE COUNTY	12/28/73	03/18/80	06/02/15	03/25/80	No					
370150#	MACON COUNTY *	MACON COUNTY	06/30/78	06/01/01	04/19/10	06/01/01	No					
370152#	MADISON COUNTY *	MADISON COUNTY	07/22/77	09/02/82	01/06/10	09/02/82	No					
370207#	MADISON, TOWN OF	ROCKINGHAM COUNTY	11/22/74	11/16/77	01/02/09	11/16/77	No					
370389#	MAGGIE VALLEY, TOWN OF	HAYWOOD COUNTY	07/08/77	04/17/84	04/03/12	04/17/84	No					
370669#	MAGNOLIA, TOWN OF	DUPLIN COUNTY		02/16/06	02/16/07	07/23/10	No					
370056#	MAIDEN, TOWNSHIP OF	LINCOLN COUNTY/CATAWBA COUNTY	09/20/74	09/03/80	07/07/09	09/03/80	No					
375355K	MANTEO, TOWN OF	DARE COUNTY	01/12/73	01/12/73	06/19/20	01/05/73	No	10/01/91	10/01/21	5	25%	10%
370266#	MARION, CITY OF	MCDOWELL COUNTY	09/10/82	07/15/88	01/06/10	05/01/87	No					
370385#	MARS HILL, TOWN OF	MADISON COUNTY	07/02/76	08/19/87	01/06/10	08/19/87	No					
370154#	MARSHALL, TOWN OF	MADISON COUNTY	06/14/74	05/15/78	01/06/10	05/15/78	No					
370474#	MARSHVILLE, TOWN OF	UNION COUNTY		07/05/94	03/02/09	12/15/09	No					
370155K	MARTIN COUNTY *	MARTIN COUNTY	11/29/74	07/16/91	06/19/20	07/16/91	No					
370514#	MARVIN, VILLAGE OF	UNION COUNTY		01/17/97	02/19/14	12/28/98	No					
370310#	MATTHEWS, TOWN OF	MECKLENBURG COUNTY		02/04/04	02/19/14	02/04/04	No					
370587F	MAXTON, TOWN OF	SCOTLAND COUNTY/ROBESON COUNTY		01/19/05	12/06/19	05/26/20	No					
370208#	MAYODAN, TOWN OF	ROCKINGHAM COUNTY		07/18/77	01/02/09	07/18/77	No					
370330#	MAYSVILLE, TOWN OF	JONES COUNTY		07/02/04	02/16/06	08/19/86	No					
370101#	MCADENVILLE, TOWN OF	GASTON COUNTY	06/21/74	06/01/87	11/04/09	06/01/87	No					
370148#	MCDOWELL COUNTY*	MCDOWELL COUNTY	12/20/74	07/15/88	01/06/10	07/15/88	No					
370390J	MEBANE, CITY OF	ORANGE COUNTY/ALAMANCE COUNTY		11/05/80	11/17/17	11/05/80	No					
370158F	MECKLENBURG COUNTY *	MECKLENBURG COUNTY	10/22/76	06/01/81	11/16/18	06/01/81	No	10/01/91	04/01/21	5	25%	10%
370426L	MESIC, TOWN OF	PAMLICO COUNTY		07/02/04	06/19/20	09/04/85	No	05/01/19	04/01/21	8	10%	05%
370500J	MICRO, TOWN OF	JOHNSTON COUNTY		10/20/00	06/20/18	11/08/16	No					
370445#	MIDDLESEX, TOWN OF	NASH COUNTY		01/20/82	07/07/14	03/19/99	No					
370182L	MIDLAND, TOWN OF	CABARRUS COUNTY	12/27/74	05/05/81	11/16/18	06/01/09	No					
370393#	MIDWAY, TOWN OF	DAVIDSON COUNTY		03/16/09	06/16/09	02/05/19	No					
370529#	MINERAL SPRINGS, TOWN OF	UNION COUNTY		07/18/83	03/02/09	05/17/00	No					
370418K	MINNESOTT BEACH, TOWN OF	PAMLICO COUNTY	03/02/79	08/05/85	06/19/20	09/23/85	No	10/01/92	10/01/21	8	10%	05%
370539E	MINT HILL, TOWN OF	MECKLENBURG COUNTY		02/04/04	11/16/18	12/21/07	No					
370026#	MISENHEIMER, VILLAGE OF	STANLY COUNTY		09/03/08	06/16/09	02/17/10	No					
370161#	MITCHELL COUNTY *	MITCHELL COUNTY	06/30/78	09/04/86	06/02/09	09/04/86	No					
370309#	MOCKSVILLE, TOWN OF	DAVIE COUNTY	07/11/75	06/27/00	06/16/09	09/17/08	No					
370657#	MOMEYER, TOWN OF	NASH COUNTY		11/03/04	(NSFHA)	12/29/05	No					
370236#	MONROE, CITY OF	UNION COUNTY	09/20/74	01/19/83	03/02/09	01/19/83	No					
370336#	MONTGOMERY COUNTY*	MONTGOMERY COUNTY	10/13/78	06/01/81	06/16/09	02/20/97	No					
370476#	MONTREAT, TOWN OF	BUNCOMBE COUNTY		05/06/96	01/06/10	09/19/05	No					
370164H	MOORE COUNTY *	MOORE COUNTY	10/13/78	12/15/89	11/17/17	12/15/89	No					
370314#	MOORESVILLE, TOWN OF	IREDELL COUNTY	04/25/75	05/01/80	06/16/09	05/01/80	No					
370048#	MOREHEAD CITY, TOWN OF	CARTERET COUNTY	02/22/74	02/16/77	11/03/05	02/16/77	No	10/01/92	05/01/20	6	20%	10%
370035#	MORGANTON, CITY OF	BURKE COUNTY	03/22/74	02/19/87	07/07/09	02/19/87	No					
370242K	MORRISVILLE, TOWN OF	WAKE COUNTY	10/29/76	11/01/78	07/19/22	11/01/78	No					
370226B	MOUNT AIRY, CITY OF	SURRY COUNTY	06/28/74	12/01/81	11/18/16	12/01/81	No					
370102L	MOUNT HOLLY, CITY OF	GASTON COUNTY	01/09/74	09/28/79	09/02/15	09/28/79	No					
370369K	MOUNT OLIVE, TOWN OF	DUPLIN COUNTY/WAYNE COUNTY	06/17/77	02/17/82	06/20/18	02/17/82	No					
370470J	MOUNT PLEASANT, TOWN OF	CABARRUS COUNTY		11/02/94	11/16/18	02/24/12	No					
370419#	MURFREESBORO, TOWN OF	HERTFORD COUNTY	11/10/78	06/01/87	08/03/09	06/01/87	No					
370061#	MURPHY, TOWN OF	CHEROKEE COUNTY	03/08/74	07/03/86	04/19/10(M)	07/03/86	No					
375356K	NAGS HEAD, TOWN OF	DARE COUNTY		11/10/72	06/19/20	11/10/72	No	10/01/91	04/01/22	5	25%	10%












**USFWS National Wetlands Inventory
(NWI) Maps Showing Parcel Boundary,
Distance from Proposed Activity's Limit
of Disturbance, and Total Acreage
Amounts, and LIDAR Map from
USACE**

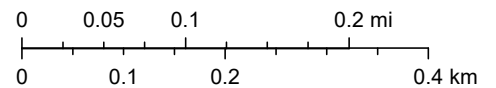
Legend Road Water Tank - NWI Map



January 16, 2024

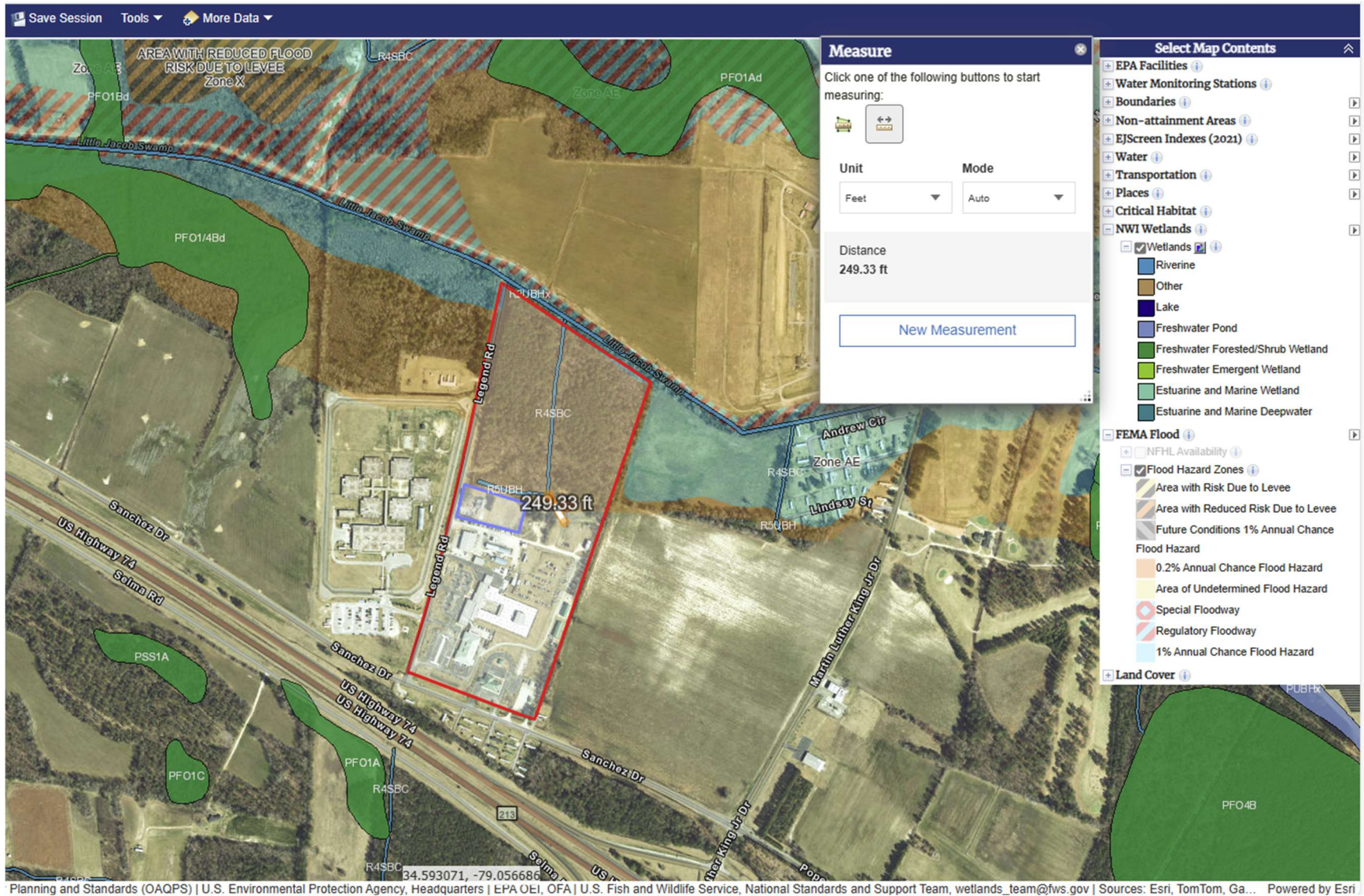
1:9,028

- | | | | |
|--|-----------------------------------|---|---------------------|
|  | Legend Road Water Tank - NWI Map |  | Lake |
| Wetlands | |  | Other |
|  | Estuarine and Marine Deepwater |  | Riverine |
|  | Estuarine and Marine Wetland |  | Proposed Water Tank |
|  | Freshwater Emergent Wetland |  | Excluded Parcel |
|  | Freshwater Forested/Shrub Wetland | | |
|  | Freshwater Pond | | |

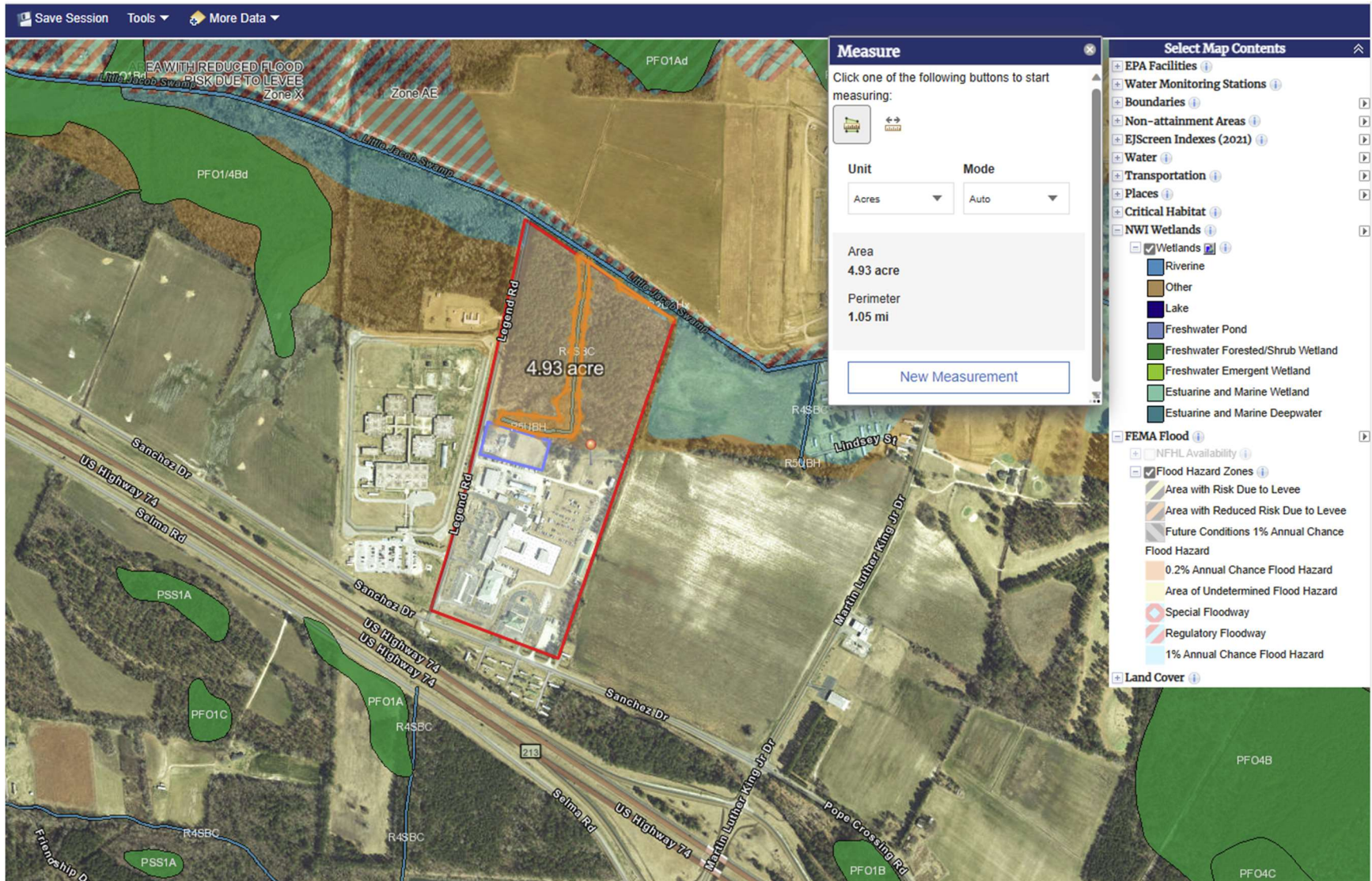


U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands_team@fws.gov, NC CGIA, Maxar, Esri Community Maps Contributors, State of North Carolina DOT, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Legend Road Water Tank – Distance from LOD to Riverine/Wetland

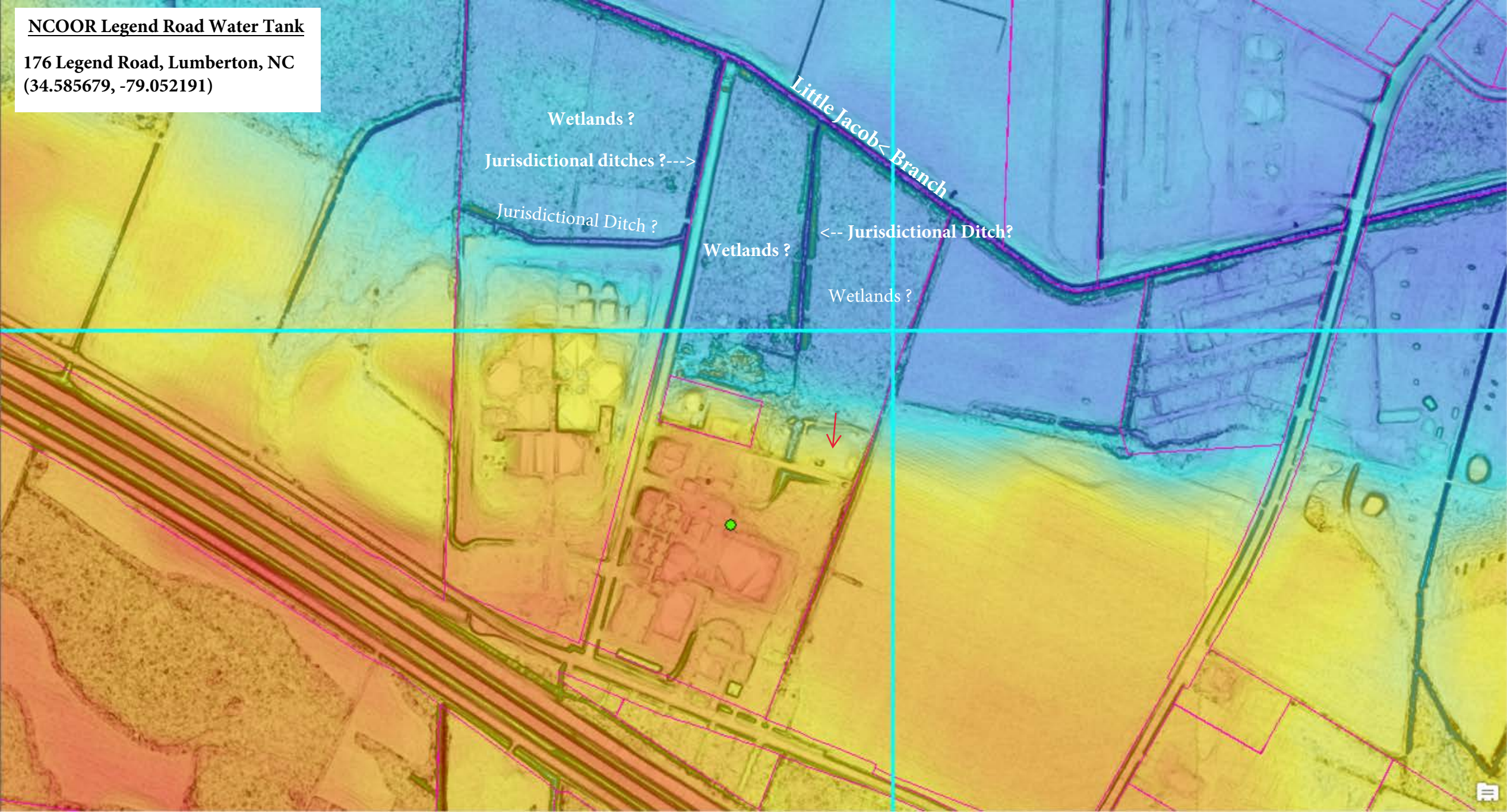


Legend Road Water Tank – Wetlands Estimated Total Acreage



NCOOR Legend Road Water Tank

176 Legend Road, Lumberton, NC
(34.585679, -79.052191)



**USACE and NC DEQ DWR
Correspondence**

Gievers, Andrea

From: Beecher, Gary H CIV USARMY CESAW (USA) <Gary.H.Beecher@usace.army.mil>
Sent: Monday, January 22, 2024 10:41 AM
To: Gievers, Andrea
Cc: Turlington, Chad
Subject: RE: [External] RE: NCORR Legend Rd Water Tank Project - Finalizing Review

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Andrea,

When I lived in Kodiak, Alaska my roommate was from Minnesota. Apparently Minnesota has “VERY” cold and “VERY” long winters.

Based on Lidar maps, Soils maps, project maps and NWI maps the Corps concurs that this proposed water tower project will not impact Wetlands or Waters of the US (WOUS).

Since there will be no WOUS impacts, a Pre-Application Notice (PCN) or permit will not be required.

USACE Project ID:
SAW-2024-00164

This email concludes and closes out the Corps review process. Please let me know if the scope, size or the location of the project changes.

Respectfully,
Gary



**US Army Corps
of Engineers**
Wilmington District



Gary Beecher
USACE Wilmington Field Office
Regulatory Project Manager
Office (910) 251-4694
Cell (910) 473-7045
gary.h.beecher@usace.army.mil

From: Gievers, Andrea <andrea.l.gievers@rebuild.nc.gov>
Sent: Monday, January 22, 2024 9:41 AM
To: Beecher, Gary H CIV USARMY CESAW (USA) <Gary.H.Beecher@usace.army.mil>
Subject: [Non-DoD Source] FW: [External] RE: NCORR Legend Rd Water Tank Project - Finalizing Review

Yes, it is a cold morning up here in New York, but I'm thankful to no longer be in Minnesota, brr. This is the same project for which I sent the Early Notice. Hopefully, everything is included that you need, attached and below. Just let me know if there is anything else you need. Thanks so much! And stay warm!

Sincerely,

Andrea Gievers

From: Gievers, Andrea

Sent: Wednesday, January 17, 2024 11:50 AM

To: Beecher, Gary H CIV USARMY CESAW (USA) <Gary.H.Beecher@usace.army.mil>

Cc: Turlington, Chad <chad.turlington@deq.nc.gov>

Subject: RE: [External] RE: NCORR Legend Rd Water Tank Project - Finalizing Review

Hi Gary:

Just checking in as I am finalizing the review. I had to correct the County GIS boundary with the survey because it was shifted. Chad said no DWR buffers are required. There should be no CWA Section 404 or 401 permits required. The Legend Rd Water Tank project has been designed to *avoid wetlands and floodplain*, thus, there are no anticipated impacts. **There has been previous, significant site modification including fill and development for the existing fenced-in water treatment facility and roads (see below) where site disturbance is planned.** The closest onsite USFWS NWI-mapped riverine (R5UBH) and potential wetland is *approximately 250 feet* northwest from the limit of disturbance. Another NWI-mapped riverine (R4SBC) and potential wetland connects north to Little Jacob Swamp. I have attached the project location maps and site plans along with the NWI maps and the LIDAR map you sent me. Thanks so much for your help and let me know if you need anything else! Hope you both have a fabulous New Year!

Legend Road Water Tank – Action Area



Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM

Environmental SME

Community Development

NC Office of Recovery and Resiliency

Andrea.L.Gievers@Rebuild.NC.Gov

(845) 682-1700

From: Gievers, Andrea

Sent: Thursday, September 28, 2023 12:55 PM

To: Beecher, Gary H CIV USARMY CESAW (USA) <Gary.H.Beecher@usace.army.mil>

Cc: Turlington, Chad <chad.turlington@deq.nc.gov>

Subject: RE: [External] RE: NCORR Legend Rd Water Tank Project - 401 Water Quality Certification Check

Hi Gary:

Please let me know if there are any buffer requirements, etc. for the record. The tank and water main will be installed in previously disturbed land that does not include any wetlands, see email below.

There are USFWS National Wetlands Inventory (NWI) mapped riverines located on the Subject Property. Based on the USFWS NWI maps and site visit, the proposed project development area is not located in or adjacent to a wetland or riverine. Along the northern Subject Property boundary is Little Jacob Swamp which is a riverine (R2UBHx) (approximately 0.24-mile from proposed water tank). Another riverine runs from the Little Jacob Swamp through the center of the Subject Property (R4SBC) then west just north of the excluded Methodist Home for Children's parcel (R5UBH) and is approximately 238 feet from the proposed water tank.



Sincerely,

Andrea Gievers

From: Gievers, Andrea

Sent: Tuesday, September 19, 2023 9:36 AM

To: Beecher, Gary H CIV USARMY CESAW (USA) <Gary.H.Beecher@usace.army.mil>

Cc: Turlington, Chad <chad.turlington@deq.nc.gov>

Subject: RE: [External] RE: NCORR Legend Rd Water Tank Project - 401 Water Quality Certification Check

Thanks, Gary. The water tank will go in the cleared, fenced-in area by the water treatment facility, see red line for proposed water mains and tank locations. I have attached the location maps, site plans, floodplain maps, and NWI map. Let me know if you have any questions. Thank you so much!



Sincerely,

Andrea Gievers

From: Beecher, Gary H CIV USARMY CESAW (USA) <Gary.H.Beecher@usace.army.mil>

Sent: Tuesday, September 19, 2023 8:59 AM

To: Turlington, Chad <chad.turlington@deq.nc.gov>; Gievers, Andrea <andrea.l.gievers@rebuild.nc.gov>

Subject: [External] RE: NCORR Legend Rd Water Tank Project - 401 Water Quality Certification Check

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Andrea,

It looks like there may be wetlands towards the back of the property, and some of those ditches may be jurisdictional Waters.

Do you have a map or plan that shows where the water tank will go?

Thanks,
Gary



**US Army Corps
of Engineers**
Wilmington District



Gary Beecher
USACE Wilmington Field Office
Regulatory Project Manager
Office (910) 251-4694
Cell (910) 473-7045
gary.h.beecher@usace.army.mil

From: Turlington, Chad <chad.turlington@deq.nc.gov>

Sent: Tuesday, September 19, 2023 7:57 AM

To: Gievers, Andrea <andrea.l.gievers@rebuild.nc.gov>

Cc: Beecher, Gary H CIV USARMY CESAW (USA) <Gary.H.Beecher@usace.army.mil>

Subject: [Non-DoD Source] RE: NCORR Legend Rd Water Tank Project - 401 Water Quality Certification Check

Andrea,

There are no Division of Water Resources buffers required at the location of this proposed project. Since a 401 Certification would be linked to any potential 404 permit, the Corps of Engineers should be contacted to determine if there are any Waters of the US present, and if 404/401 permitting would be required. The Corps contact for Robeson County is Gary Beecher at Gary.H.Beecher@usace.army.mil.

Please note that our email addresses are being updated: chad.turlington@deq.nc.gov

Chad Turlington
Environmental Specialist
North Carolina Department of Environmental Quality
Office: (910) 433-3320

chad.turlington@deq.nc.gov



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Gievers, Andrea <andrea.l.gievers@rebuild.nc.gov>
Sent: Friday, September 15, 2023 2:58 PM
To: Turlington, Chad <chad.turlington@deq.nc.gov>
Subject: NCORR Legend Rd Water Tank Project - 401 Water Quality Certification Check

Hello:

The North Carolina Office of Recovery and Resiliency (NCORR) as a recipient of Community Development Block Grant – Mitigation (CDBG-MIT) funds from the United States Department of Housing and Urban Development (HUD) is considering funding this proposed Infrastructure Recovery Program project, Legend Road Water Tank at **176 Legend Road, Lumberton, Robeson County, NC 28358** (see Attachment 1). *Please let us know if there are any 401 Water Quality Certification permit or buffer requirements from your office.* Based on the USFWS NWI maps and site visit, the proposed project development area is not located in or adjacent to a wetland or riverine (see Attachment 13). Along the northern Subject Property boundary is Little Jacob Swamp which is a riverine (R2UBHx) (approximately 0.24-mile from proposed water tank). Another riverine runs from the Little Jacob Swamp through the center of the Subject Property (R4SBC) then west just north of the excluded Methodist Home for Children’s parcel (R5UBH). The elevated water storage tank, altitude valve vault and water main will be constructed on a previously cleared, fenced-in portion of this large County parcel situated east of the Methodist Home for Children’s parcel and north of several Robeson County public facilities. The proposed project development area that is fenced-in currently contains the existing well, aeration basin, high service pumps, equalization basin, generator, and water treatment plant. An 8-inch to 12-inch PVC water main and associated valves will be installed in the paved parking area and gravel driveway/unnamed road running east-west to Legend Road between the fenced-in proposed tank and existing treatment facility and the Public Utilities buildings and Robeson County Ambulance Service/EMS. There are no wetlands in the area where project activities are proposed. Please feel free to contact me if you have any questions. Thank you so much for your time and assistance!

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

APPENDIX 2

- **Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland**
- **Affidavit for Publication of Early Notice**
- **Distribution List to Interested Agencies, Groups and Individuals**
- **Early Notice Comments**



North Carolina Department of Public Safety

Office of Recovery and Resiliency

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

Laura H. Hogshead, Director

EARLY NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

LEGEND ROAD WATER TANK 176 LEGEND ROAD, LUMBERTON, ROBESON COUNTY, NC 28358 January 20, 2024

To: All interested Agencies, Groups and Individuals

This is to give notice that the North Carolina Office of Recovery and Resiliency (NCORR) has received an application from Robeson County to use U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant – Mitigation (CDBG-MIT) funding from the Infrastructure Recovery Program to implement the Legend Road Water Tank project (Proposed Activity) located at 176 Legend Road, Lumberton, Robeson County, NC 28358 which contains 100-year floodplain and wetlands. NCORR is conducting an evaluation as required by Executive Orders 11988 and 11990 in accordance with HUD regulations (24 CFR Part 55). There are three primary purposes for this notice. First, to provide the public an opportunity to express their concerns and share information about the Proposed Activity, including alternative locations outside of the floodplain and wetland. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains and wetlands facilitates and enhances governmental efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the government determines it will participate in actions taking place in floodplain and wetland, it must inform those who may be put at greater or continued risk.

The State of North Carolina was adversely impacted by the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). The Proposed Activity is needed to prevent future water service interruptions as experienced during Hurricane Matthew and to allow for the continued operation of the public facilities located along Legend and Sanchez Roads during future storm events. During and immediately following Hurricane Matthew, potable water had to be transported to these facilities, both by truck and through individual bottled servings. The Proposed Activity's installation of an elevated water storage tank in the vicinity of the Robeson County Emergency Operations Center, Sheriff's Office and Jail, Emergency Medical Services, Water Department, and Public Utilities buildings will avoid system pressure loss at these County facilities and the adjacent NC Department of Corrections' Lumberton Correctional Institution. In addition, the NC Division of Water Resources (DWR) Public Water Supply Section's water systems requirement to maintain a minimum pressure of 30 psi for normal conditions and 20 psi for fire flow will be achieved. It is critical for public health and continued operations that these facilities have adequate water supply during emergencies and future storm events.

Mailing Address:
Post Office Box 110465
Durham, NC 27709



Phone: (984) 833-5350
www.ncdps.gov
www.rebuild.nc.gov

An Equal Opportunity Employer

The Proposed Activity will construct a 500,000-gallon elevated water storage tank, altitude valve vault, fire hydrant, water mains, gravel access drive, and associated improvements. The Proposed Activity includes procurement of architectural and engineering services, soils testing, boundary surveys, and construction. Construction will involve extensive land clearing and excavation, trenching, placement of concrete foundations, installation of a 500,000-gallon elevated water storage tank and piping, and connections to the existing 12-inch water main on Legend Road and the existing 8-inch water main that ties into Sanchez Road. There is an existing chain link fence and gate around the Proposed Activity development area where the elevated water storage tank and altitude valve vault will be located. There will be an estimated 0.20 acre of ground disturbance.

The Proposed Activity will not result in any direct or indirect impacts to wetlands, 500-Year Floodplain, 100-Year Floodplain or Floodway. This 60.96-acre County-owned parcel contains approximately 38.21 acres of 500-Year Floodplain, 0.61 acre of 100-Year Floodplain, and no Floodway. The Proposed Activity's limit of disturbance (LOD) will occur approximately 50 feet from the 500-Year Floodplain, 0.24-mile from 100-Year Floodplain (Zone AE), and 0.25-mile from Floodway. The Little Jacob Swamp riverine is located north of the parcel boundary approximately 0.25-mile from the Proposed Activity's LOD and will not be adversely impacted by the Proposed Activity. The closest onsite USFWS National Wetlands Inventory (NWI)-mapped riverine (R5UBH) and potential wetland is approximately 250 feet northwest from the Proposed Activity's LOD. Another NWI-mapped riverine (R4SBC) and potential wetland connects north to Little Jacob Swamp. These potential wetland areas encompass approximately 5 acres of the parcel. The Proposed Activity will comply with all applicable federal, State and local laws, regulations, and permit requirements and conditions which shall be obtained before commencing work. NC DWR buffers and Clean Water Act Section 404 and 401 permits are not required. Best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction and native plants used in site restoration. Natural floodplains and wetlands provide flood risk reduction benefits by slowing runoff and storing flood water. In addition, floodplains and wetlands are beneficial by providing diverse wildlife habitat, flood and erosion control, surface water quality maintenance, groundwater recharge, and educational, scientific, cultural, and recreational resources. Wetlands have unique natural characteristics that play an integral role in the ecology of the watershed. The Proposed Activity has been designed to avoid wetlands and floodplain, thus, there are no anticipated impacts on the natural and beneficial functions and values of the wetlands or 100-Year Floodplain. There has been previous, significant site modification including fill and development for the existing fenced-in water treatment plant and roads where site disturbance is planned. The Proposed Activity is wholly located in Zone X, an area of minimal flood hazard (outside of floodplain), and will not adversely impact these special areas.

The location maps, site plans, FEMA Flood Insurance Rate Map (FIRM), Preliminary FIRM, USFWS NWI Map, USACE and NC DWR correspondence, and supporting documentation are available for review at <https://www.rebuild.nc.gov/about/plans-policies-reports/environmental-reviews>. A full description of the Proposed Activity may also be viewed in person, by appointment only, at: NCORR, 200 Park Offices Drive, Durham, NC 27709. Call (984) 833-5350 to make an appointment.

Written comments must be received by NCORR at the following address on or before February 5, 2024: Matthew Arlyn, Chief Recovery Officer, NCORR, ATTN: Legend Road Water Tank, P.O. Box 110465, Durham, NC 27709. Comments may also be submitted by email to publiccomments@rebuild.nc.gov with "ATTN: Legend Road Water Tank Comments" in the subject line.

January 20, 2024

AFFP

EARLY NOTICE AND PUBLIC REVIEW

Affidavit of Publication

STATE OF NORTH CAROLINA }
 } SS
COUNTY OF ROBESON }

EARLY NOTICE AND PUBLIC REVIEW OF A
PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

LEGEND ROAD WATER TANK
176 LEGEND ROAD,
LUMBERTON, ROBESON COUNTY, NC 28358
January 20, 2024

Linda Currie, being duly sworn, says:

To: All interested Agencies, Groups and Individuals

That she is Customer Service Clerk of the Robesonian, a daily newspaper of general circulation, printed and published in Lumberton, Robeson County, North Carolina; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following

This is to give notice that the North Carolina Office of Recovery and Resiliency (NCORR) has received an application from Robeson County to use U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant – Mitigation (CDBG-MIT) funding from the Infrastructure Recovery Program to implement the Legend Road Water Tank project (Proposed Activity) located at 176 Legend Road, Lumberton, Robeson County, NC 28358 which contains 100-year floodplain and wetlands. NCORR is conducting an evaluation as required by Executive Orders 11988 and 11990 in accordance with HUD regulations (24 CFR Part 55). There are three primary purposes for this notice. First, to provide the public an opportunity to express their concerns and share information about the Proposed Activity, including alternative locations outside of the floodplain and wetland. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains and wetlands facilitates and enhances governmental efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the government determines it will participate in actions taking place in floodplain and wetland, it must inform those who may be put at greater or continued risk.

January 20, 2024

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That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Customer Service Clerk

Subscribed to and sworn to me this 8th day of February 2024.



Clarissa Jackson, Notary Public, Robeson County, North Carolina

My commission expires: July 23, 2026

The Proposed Activity will construct a 500,000-gallon elevated water storage tank, altitude valve vault, fire hydrant, water mains, gravel access drive, and associated improvements. The Proposed Activity includes procurement of architectural and engineering services, soils testing, boundary surveys, and construction. Construction will involve extensive land clearing and excavation, trenching, placement of concrete foundations, installation of a 500,000-gallon elevated water storage tank and piping, and connections to the existing 12-inch water main on Legend Road and the existing 8-inch water main that ties into Sanchez Road. There is an existing chain link fence and gate around the Proposed Activity development area where the elevated water storage tank and altitude valve vault will be located. There will be an estimated 0.20 acre of ground disturbance.

20141249 01147477 910-671-3010

Tammy Freeman
190-Robeson County Mgr Office
550 N. Chestnut St
Lumberton, NC 28358



The Proposed Activity will not result in any direct or indirect impacts to wetlands, 500-Year Floodplain, 100-Year Floodplain or Floodway. This 60.96-acre County-owned parcel contains approximately 38.21 acres of 500-Year Floodplain, 0.61 acre of 100-Year Floodplain, and no Floodway. The Proposed Activity's limit of disturbance (LOD) will occur approximately 50 feet from the 500-Year Floodplain, 0.24-mile from 100-Year Floodplain (Zone AE), and 0.25-mile from Floodway. The

Little Jacob Swamp riverine is located north of the parcel boundary approximately 0.25-mile from the Proposed Activity's LOD and will not be adversely impacted by the Proposed Activity. The closest onsite USFWS National Wetlands Inventory (NWI)-mapped riverine (R5UBH) and potential wetland is approximately 250 feet northwest from the Proposed Activity's LOD. Another NWI-mapped riverine (R4SBC) and potential wetland connects north to Little Jacob Swamp. These potential wetland areas encompass approximately 5 acres of the parcel. The Proposed Activity will comply with all applicable federal, State and local laws, regulations, and permit requirements and conditions which shall be obtained before commencing work. NC DWR buffers and Clean Water Act Section 404 and 401 permits are not required. Best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction and native plants used in site restoration. Natural floodplains and wetlands provide flood risk reduction benefits by slowing runoff and storing flood water. In addition, floodplains and wetlands are beneficial by providing diverse wildlife habitat, flood and erosion control, surface water quality maintenance, groundwater recharge, and educational, scientific, cultural, and recreational resources. Wetlands have unique natural characteristics that play an integral role in the ecology of the watershed. The Proposed Activity has been designed to avoid wetlands and floodplain, thus, there are no anticipated impacts on the natural and beneficial functions and values of the wetlands or 100-Year Floodplain. There has been previous, significant site modification including fill and development for the existing fenced-in water treatment plant and roads where site disturbance is planned. The Proposed Activity is wholly located in Zone X, an area of minimal flood hazard (outside of floodplain), and will not adversely impact these special areas.

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Written comments must be received by NCORR at the following address on or before February 5, 2024: Matthew Arlyn, Chief Recovery Officer, NCORR, ATTN: Legend Road Water Tank, P.O. Box 110465, Durham, NC 27709. Comments may also be submitted by email to publiccomments@rebuild.nc.gov with "ATTN: Legend Road Water Tank Comments" in the subject line.

EARLY NOTICE FLOODPLAIN AND WETLAND DISTRIBUTION LIST

LEGEND ROAD WATER TANK

176 LEGEND ROAD, LUMBERTON, ROBESON COUNTY, NC 28358

Published in The Robesonian on 1/20/24, comments end 2/5/24

FEDERAL AGENCIES

Agency	Name & Address	Method
HUD NC	Mr. Lenwood E. Smith, II Environmental Protection Specialist HUD, Greensboro Field Office 1500 Pinecroft Road, Suite 401 Greensboro, NC 27407-3838	Lenwood.E.Smith@hud.gov
FEMA, Region IV	Ms. Gracia B. Szczech, Regional Administrator U.S. Dept. of Homeland Security FEMA, Region IV 3003 Chamblee Tucker Road Atlanta, GA 30341	FedEx
FEMA ATTN: 11988/11990	<i>Hard copies may also be mailed to</i> Attn: 11988/11990 NEPA Reviewer (EHP) DHS/FEMA RIV 3003 Chamblee Tucker Road Atlanta, GA 30341	FEMA-R4EHP@fema.dhs.gov with the subject line REVIEW REQUEST: 11988/11990 NEPA
US EPA, Region 4	Ms. Ntale Kajumba, NEPA Coordinator U.S. EPA, Region 4 Laboratory Services & Applied Science Div. 980 College Station Road Athens, GA 30605-2720	Kajumba.ntale@epa.gov
USFWS – Raleigh Field Office	USFWS – Raleigh Field Office ATTN: John Ellis P.O. Box 33726 Raleigh, NC 27636 ph.: 919-856-4520, ext. 26	john_ellis@fws.gov cc: leigh_mann@fws.gov
USACE – Wilmington District	Mr. Gary H. Beecher USACE – Wilmington District 69 Darlington Avenue Wilmington, NC 28403	Gary.H.Beecher@USACE.army.mil

TRIBES, NATIONS AND COMMUNITIES (who asked to be notified)		
Catawba Indian Nation	Dr. Wenonah George Haire, THPO ATTN: THPO Archaeology Dept. Catawba Indian Nation 1536 Tom Steven Road Rock Hill, SC 29730	Does not want Notice
Catawba Indian Nation	Chief Bill Harris Catawba Indian Nation 996 Avenue of the Nations Rock Hill, SC 29730	Does not want Notice
NC STATE AGENCIES		
STATE CLEARING-HOUSE	Ms. Crystal Best North Carolina Department of Administration State Environmental Review Clearinghouse 1301 Mail Service Center Raleigh, North Carolina 27699-1301	State.Clearinghouse@doa.nc.gov cc: crystal.best@doa.nc.gov kadisha.molyneaux@doa.nc.gov
LOCAL AGENCIES		
COUNTY	Kellie Blue Robeson County Manager 550 North Chestnut Street Lumberton, NC 28358 Phone: 910-671-3022	kellie.blue@co.robeson.nc.us
COUNTY	Tammy Freeman Clerk to the Board Robeson County 550 North Chestnut Street Lumberton, NC 28358 Phone: 910-671-3022	tammy.freeman@co.robeson.nc.us
COUNTY	Myron Neville Director of Public Works Robeson County Phone: 910-671-3488	myron.neville@co.robeson.nc.us
COUNTY	Jan Maynor	jmaynor2@nc.rr.com cc: bill.blankenship@rebuild.nc.gov
CITY	M. Brandon Love, AIA Deputy City Manager City of Lumberton P.O. Box 1388 Lumberton, NC 28359 (910) 671-3806	blove@ci.lumberton.nc.us

CITY	Rob Armstrong Director of Public Works City of Lumberton P.O. Box 1388 Lumberton, NC 28359 (910) 671-3851	rarmstrong@ci.lumberton.nc.us
CITY	Laney Mitchell-McIntosh City Clerk City of Lumberton P.O. Box 1388 Lumberton, NC 28359 910-671-3807	lmitchell- mcintosh@ci.lumberton.nc.us

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 11:53 AM
To: Smith, Lenwood E
Subject: Public Notice - Early Notice - Legend Road Water Tank
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

Please find attached the Public Notice for HUD 24 CFR §55.20(b) - *Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland* publishing January 20, 2024 for the NCORR Infrastructure Recovery Program's Legend Road Water Tank proposed project located at 176 Legend Road, Lumberton, Robeson County, NC 28358. Please feel free to contact me if you have any questions. Thank you for your time and assistance.

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 11:55 AM
To: FEMA-R4EHP
Subject: REVIEW REQUEST: 11988/11990 NEPA - Early Notice - Legend Road Water Tank
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

Please find attached the Public Notice for HUD 24 CFR §55.20(b) - *Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland* publishing January 20, 2024 for the NCORR Infrastructure Recovery Program's Legend Road Water Tank proposed project located at 176 Legend Road, Lumberton, Robeson County, NC 28358. Please feel free to contact me if you have any questions. Thank you for your time and assistance.

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 11:56 AM
To: Kajumba, Ntale
Subject: Public Notice - Early Notice - Legend Road Water Tank
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

Please find attached the Public Notice for HUD 24 CFR §55.20(b) - *Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland* publishing January 20, 2024 for the NCORR Infrastructure Recovery Program's Legend Road Water Tank proposed project located at 176 Legend Road, Lumberton, Robeson County, NC 28358. Please feel free to contact me if you have any questions. Thank you for your time and assistance.

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 11:57 AM
To: john_ellis@fws.gov
Cc: Mann, Leigh
Subject: Public Notice - Early Notice - Legend Road Water Tank, Lumberton, NC
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

Please find attached the Public Notice for HUD 24 CFR §55.20(b) - *Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland* publishing January 20, 2024 for the NCORR Infrastructure Recovery Program's Legend Road Water Tank proposed project located at 176 Legend Road, Lumberton, Robeson County, NC 28358. Please feel free to contact me if you have any questions. Thank you for your time and assistance.

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 11:58 AM
To: Beecher, Gary H CIV USARMY CESAW (USA)
Subject: Public Notice - Early Notice - Legend Road Water Tank, Lumberton, NC
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

Please find attached the Public Notice for HUD 24 CFR §55.20(b) - *Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland* publishing January 20, 2024 for the NCORR Infrastructure Recovery Program's Legend Road Water Tank proposed project located at 176 Legend Road, Lumberton, Robeson County, NC 28358. Please feel free to contact me if you have any questions. Thank you for your time and assistance.

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 12:00 PM
To: State Clearinghouse
Cc: Best, Crystal; Molyneaux, Kadisha
Subject: Public Notice - Early Notice - Legend Road Water Tank, Lumberton, NC
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

Please find attached the Public Notice for HUD 24 CFR §55.20(b) - *Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland* publishing January 20, 2024 for the NCORR Infrastructure Recovery Program's Legend Road Water Tank proposed project located at 176 Legend Road, Lumberton, Robeson County, NC 28358. The last day for public comments is **February 5, 2024**. Please feel free to contact me if you have any questions. Thank you for your time and assistance.

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 12:00 PM
To: Blue; Kellie
Subject: Public Notice - Early Notice - Legend Road Water Tank, Lumberton, NC
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

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Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 12:01 PM
To: tammy.freeman@co.robeson.nc.us
Subject: Public Notice - Early Notice - Legend Road Water Tank, Lumberton, NC
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

Please find attached the Public Notice for HUD 24 CFR §55.20(b) - *Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland* publishing January 20, 2024 for the NCORR Infrastructure Recovery Program's Legend Road Water Tank proposed project located at 176 Legend Road, Lumberton, Robeson County, NC 28358. Please feel free to contact me if you have any questions. Thank you for your time and assistance.

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 12:02 PM
To: myron.neville@co.robeson.nc.us
Subject: Public Notice - Early Notice - Legend Road Water Tank, Lumberton, NC
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

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Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 12:03 PM
To: Jan Maynor
Cc: Blankenship, Bill
Subject: Public Notice - Early Notice - Legend Road Water Tank, Lumberton, NC
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

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Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 12:04 PM
To: Love, Brandon
Subject: Public Notice - Early Notice - Legend Road Water Tank, Lumberton, NC
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

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Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 12:05 PM
To: rarmstrong@ci.lumberton.nc.us
Subject: Public Notice - Early Notice - Legend Road Water Tank, Lumberton, NC
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

Please find attached the Public Notice for HUD 24 CFR §55.20(b) - *Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland* publishing January 20, 2024 for the NCORR Infrastructure Recovery Program's Legend Road Water Tank proposed project located at 176 Legend Road, Lumberton, Robeson County, NC 28358. Please feel free to contact me if you have any questions. Thank you for your time and assistance.

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

Gievers, Andrea

From: Gievers, Andrea
Sent: Saturday, January 20, 2024 12:06 PM
To: Mitchell-Mcintosh, Laney
Subject: Public Notice - Early Notice - Legend Road Water Tank, Lumberton, NC
Attachments: NCORR Early Notice Legend Rd Water Tank 1.20.24.pdf

Hello:

Please find attached the Public Notice for HUD 24 CFR §55.20(b) - *Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland* publishing January 20, 2024 for the NCORR Infrastructure Recovery Program's Legend Road Water Tank proposed project located at 176 Legend Road, Lumberton, Robeson County, NC 28358. Please feel free to contact me if you have any questions. Thank you for your time and assistance.

Sincerely,

Andrea

Andrea Gievers, JD, MSEL, ERM
Environmental SME
Community Development
NC Office of Recovery and Resiliency
Andrea.L.Gievers@Rebuild.NC.Gov
(845) 682-1700

1 From Please print and press hard.
 Date **1/20/24** Sender's FedEx Account Number **8950-9899-0**
 Sender's Name **Andrea Gievers** Phone **(845) 682-1700**
 Company **NCORR**
 Address **123 Kings Hill Road** Dept./Floor/Suite/Room
 City **Walden** State **NY** ZIP **12586**

2 Your Internal Billing Reference Legend Rd EN
 First 24 characters will appear on invoice.

3 To
 Recipient's Name **Ms. Gracia Szczech** Phone ()
 Company **FEMA Region 4**
 Address **3003 Chamblee Tucker Rd** Dept./Floor/Suite/Room
 We cannot deliver to P.O. boxes or P.O. ZIP codes.
 Address Use this line for the HOLD location address or for continuation of your shipping address.
 City **Atlanta** State **GA** ZIP **30341**

Hold Weekday
 FedEx location address
 REQUIRED. NOT available for
 FedEx First Overnight.
 Hold Saturday
 FedEx location address
 REQUIRED. Available ONLY for
 FedEx Priority Overnight and
 FedEx 2Day to select locations.

4 Express Package Service * To most locations. Packages up to 150 lbs. For packages over 150 lbs., use the FedEx Express Freight US Airbill.

Next Business Day	2 or 3 Business Days
<input type="checkbox"/> FedEx First Overnight Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless Saturday Delivery is selected.	<input type="checkbox"/> FedEx 2Day A.M. Second business morning.* Saturday Delivery NOT available.
<input type="checkbox"/> FedEx Priority Overnight Next business morning.* Friday shipments will be delivered on Monday unless Saturday Delivery is selected.	<input checked="" type="checkbox"/> FedEx 2Day Second business afternoon.* Thursday shipments will be delivered on Monday unless Saturday Delivery is selected.
<input type="checkbox"/> FedEx Standard Overnight Next business afternoon.* Saturday Delivery NOT available.	<input type="checkbox"/> FedEx Express Saver Third business day.* Saturday Delivery NOT available.

5 Packaging * Declared value limit \$500.

FedEx Envelope* FedEx Pak* FedEx Box FedEx Tube Other

6 Special Handling and Delivery Signature Options Fees may apply. See the FedEx Service Guide.

Saturday Delivery
 NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

No Signature Required
 Package may be left without obtaining a signature for delivery.

Direct Signature
 Someone at recipient's address may sign for delivery.

Indirect Signature
 If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only.

Does this shipment contain dangerous goods?
 One box must be checked.
 No Yes As per attached Shipper's Declaration. Yes Shipper's Declaration not required. Dry Ice Dry Ice, 9, UN 1845 _____ x _____ kg
 Cargo Aircraft Only

Restrictions apply for dangerous goods — see the current FedEx Service Guide.

7 Payment Bill to: Enter FedEx Acct. No. below.

Sender Acct. No. in Section 1 will be billed. Recipient Third Party

FedEx Acct. No. _____

Total Packages _____ Total Weight _____ lbs. Total Declared Value* _____ \$ _____ .00

*Our liability is limited to US\$100 unless you declare a higher value. See back for details. By using this airbill you agree to the service conditions on the back of this airbill and in the current FedEx Service Guide, including terms that limit our liability.
 Rev. Date 3/21 • Part #167002 • ©2012-2021 FedEx • PRINTED IN U.S.A.

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Early Notice Comments



Roy Cooper
Governor

Pamela B. Cashwell
Secretary

February 7, 2024

Andrea Gievers
City of Lumberton
c/o NC Department of Public Safety
Office of Recovery and Resiliency
Durham, NC 27709-

Re: SCH File # 24-E-4600-0198 Proposed project is for the Legend Road Water Tank at 176 Legend Road, Lumberton, NC. Project will construct a 500,000-gallon elevated water storage tank, altitude valve and associated water mains to prevent future water service interruptions and allow for continued operation of these critical facil

Dear Andrea Gievers:

The above referenced environmental impact information has been submitted to the State Clearinghouse under the provisions of the National Environmental Policy Act. According to G.S. 113A-10, when a state agency is required to prepare an environmental document under the provisions of federal law, the environmental document meets the provisions of the State Environmental Policy Act.

Attached to this letter are comments made by the agencies in the review of this document. If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.

If you have any questions, please do not hesitate to contact me at (984) 236-0000.

Sincerely,

KADISHA MOLYNEAUX
State Environmental Review Clearinghouse

Attachments

Mailing
1301 Mail Service Center | Raleigh, NC 27699-1301



ncadmin.nc.gov

Location
116 West Jones St. | Raleigh NC 27603
984-236-0000 T

Control No.: 24-E-4600-0198

Date Received: 1/22/2024

County.: ROBESON

Agency Response: 2/5/2024

Review Closed: 2/5/2024

JINTAO WEN
CLEARINGHOUSE COORDINATOR
DPS - DIV OF EMERGENCY MANAGEMENT

Project Information

Type: National Environmental Policy Act ping

Applicant: City of Lumberton

Project Desc.: Proposed project is for the Legend Road Water Tank at 176 Legend Road, Lumberton, NC. Project will construct a 500,000-gallon elevated water storage tank, altitude valve and associated water mains to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events.

Public Notice for HUD 24 CFR §55.20(b) - Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland publishing January 20, 2024

As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

Reviewed By: JINTAO WEN

Date: 2/5/2024

Control No.: 24-E-4600-0198

Date Received: 1/22/2024

County.: ROBESON

Agency Response: 2/5/2024

Review Closed: 2/5/2024

JESSICA MOSLEY
CLEARINGHOUSE COORDINATOR
DEPT OF TRANSPORTATION

Project Information

Type: National Environmental Policy Act ping

Applicant: City of Lumberton

Project Desc.: Proposed project is for the Legend Road Water Tank at 176 Legend Road, Lumberton, NC. Project will construct a 500,000-gallon elevated water storage tank, altitude valve and associated water mains to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events.

Public Notice for HUD 24 CFR §55.20(b) - Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland publishing January 20, 2024

As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

Reviewed By: JESSICA MOSLEY

Date: 1/26/2024

Control No.: 24-E-4600-0198

Date Received: 1/22/2024

County.: ROBESON

Agency Response: 2/5/2024

Review Closed: 2/5/2024

DAVID RICHARDSON
CLEARINGHOUSE COOR REGION N
LUMBER RIVER COG

Project Information

Type: National Environmental Policy Act ping

Applicant: City of Lumberton

Project Desc.: Proposed project is for the Legend Road Water Tank at 176 Legend Road, Lumberton, NC. Project will construct a 500,000-gallon elevated water storage tank, altitude valve and associated water mains to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events.

Public Notice for HUD 24 CFR §55.20(b) - Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland publishing January 20, 2024

As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

Reviewed By: DAVID RICHARDSON

Date: 1/22/2024

Control No.: 24-E-4600-0198

Date Received: 1/22/2024

County.: ROBESON

Agency Response: 2/5/2024

Review Closed: 2/5/2024

DEVON BORGARDT
CLEARINGHOUSE COORDINATOR
DEPT OF NATURAL & CULTURAL
RESOURCE

Project Information

Type: National Environmental Policy Act ping

Applicant: City of Lumberton

Project Desc.: Proposed project is for the Legend Road Water Tank at 176 Legend Road, Lumberton, NC. Project will construct a 500,000-gallon elevated water storage tank, altitude valve and associated water mains to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events.

Public Notice for HUD 24 CFR §55.20(b) - Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland publishing January 20, 2024

As a result of this review the following is submitted:

No Comment

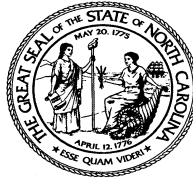
Comments Below

Documents Attached

HPO No Comments ER 23-1356

Reviewed By: DEVON BORGARDT

Date: 1/29/2024



**North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary D. Reid Wilson

Office of Archives and History
Deputy Secretary, Darin J. Waters, Ph.D.

January 29, 2024

MEMORANDUM

TO: Kadisha Molyneaux
North Carolina State Clearinghouse
Department of Administration

kadisha.molyneaux@doa.nc.gov

FROM: Ramona M. Bartos, Deputy
State Historic Preservation Officer

RMB for Ramona M. Bartos

SUBJECT: Construct water tank, 176 Legend Road, Lumberton, Robeson County, 24-E-4600-0198,
ER 23-1356

Thank you for your email of January 22, 2024, concerning the above project.

We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or environmental.review@dncr.nc.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Control No.: 24-E-4600-0198

Date Received: 1/22/2024

County.: ROBESON

Agency Response: 2/5/2024

Review Closed: 2/5/2024

LYN BILES
CLEARINGHOUSE COORDINATOR
DEPT OF ENVIRONMENTAL QUALITY

Project Information

Type: National Environmental Policy Act ping

Applicant: City of Lumberton

Project Desc.: Proposed project is for the Legend Road Water Tank at 176 Legend Road, Lumberton, NC. Project will construct a 500,000-gallon elevated water storage tank, altitude valve and associated water mains to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events.

Public Notice for HUD 24 CFR §55.20(b) - Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland publishing January 20, 2024

As a result of this review the following is submitted:

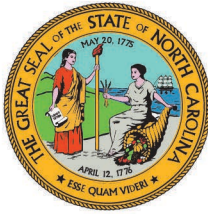
No Comment

Comments Below

Documents Attached

Reviewed By: LYN BILES

Date: 2/5/2024



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

To: Kadisha Molyneaux
State Clearinghouse
NC Department of Administration

From: Lyn Biles
Division of Environmental Assistance and Customer Service
Washington Regional Office

Re: 24-0198
Scoping - Proposed project is for the Legend Road Water Tank at 176 Legend Road, Lumberton, NC. Project will construct a 500,000-gallon elevated water storage tank, altitude valve and associated water mains to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events.
Robeson County

Date: February 5, 2024

The Department of Environmental Quality has reviewed the proposal for the referenced project. Based on the information provided, several of our agencies have identified permits that may be required and offered some valuable guidance. The comments are attached for the applicants review.

The Department will continue to be available to assist the applicant with any questions or concerns.

Thank you for the opportunity to respond.

Attachments



North Carolina Department of Environmental Quality
217 West Jones Street | 1601 Mail Service Center | Raleigh, North Carolina 27699-1601
919.707.8600

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

MICHAEL SCOTT

Director



NORTH CAROLINA
Environmental Quality

MEMORANDUM

TO: Michael Scott, Division Director through Sharon Brinkley

FROM: Amanda Thompson, Environmental Senior Specialist – Solid Waste Section

DATE: February 1, 2024

SUBJECT: Review: SW 24-0198 – Robeson County (Scoping – City of Lumberton – Proposed project is for the construction of a 500,000-gallon elevated water storage tank at 176 Legend Rd. in Lumberton.)

The Division of Waste Management, Solid Waste Section (Section) has reviewed the documents submitted for the subject project in Robeson County, NC. Based on the information provided in this document, the Section at this time does not see an adverse impact on the surrounding communities and likewise knows of no situations in the communities which would affect this project.

For any planned or proposed projects, it is recommended that during any land clearing, demolition, and construction, the City of Lumberton and/or its contractors would make every feasible effort to minimize the generation of waste, to recycle materials for which viable markets exist, and to use recycled products and materials in the development of this project where suitable. **Any waste generated by and of the project that cannot be beneficially reused or recycled as described, may require disposal at a solid waste management facility permitted by the Division. The Section strongly recommends that the City of Lumberton require all contractors to provide proof of proper disposal for all generated waste to permitted facilities.**

Permitted solid waste management facilities are listed on the Division of Waste Management, Solid Waste Section portal site at: <https://deq.nc.gov/about/divisions/waste-management/waste-management-rules-data/solid-waste-management-annual-reports/solid-waste-permitted-facility-list>

And the site locator tool at:

<https://ncdenr.maps.arcgis.com/apps/webappviewer/index.html?id=7dd59be2750b40bebebf49fc383f688>

Questions regarding solid waste management for this project should be directed to Mr. David Powell, Environmental Senior Specialist, Solid Waste Section, at (910) 280-5135.

cc: David Powell, Environmental Senior Specialist





NORTH CAROLINA
Environmental Quality

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

MICHAEL SCOTT

Director

Date: January 24, 2024

To: Michael Scott, Director
Division of Waste Management

Through: Janet Macdonald
Inactive Hazardous Sites Branch

From: Katie C Tatum
Inactive Hazardous Sites Branch

Subject: NEPA Project # 24-0198 City of Lumberton, Robeson County, North Carolina

The Superfund Section has reviewed the proximity of sites under its jurisdiction to the The City of Lumberton project. Proposed project is for the Legend Road Water Tank at 176 Legend Road, Lumberton, NC. Project will construct a 500,000-gallon elevated water storage tank, altitude valve and associated water mains to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events.

No (0) Superfund Section sites and no (0) Brownfields Program Sites were identified within one mile of the project as shown on the attached report.

Please contact Janet Macdonald at 919.707.8349 if you have any questions concerning the Superfund Section review portion of this SEPA/NEPA inquiry.



North Carolina Department of Environmental Quality | Division of Waste Management
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646
919.707.8200

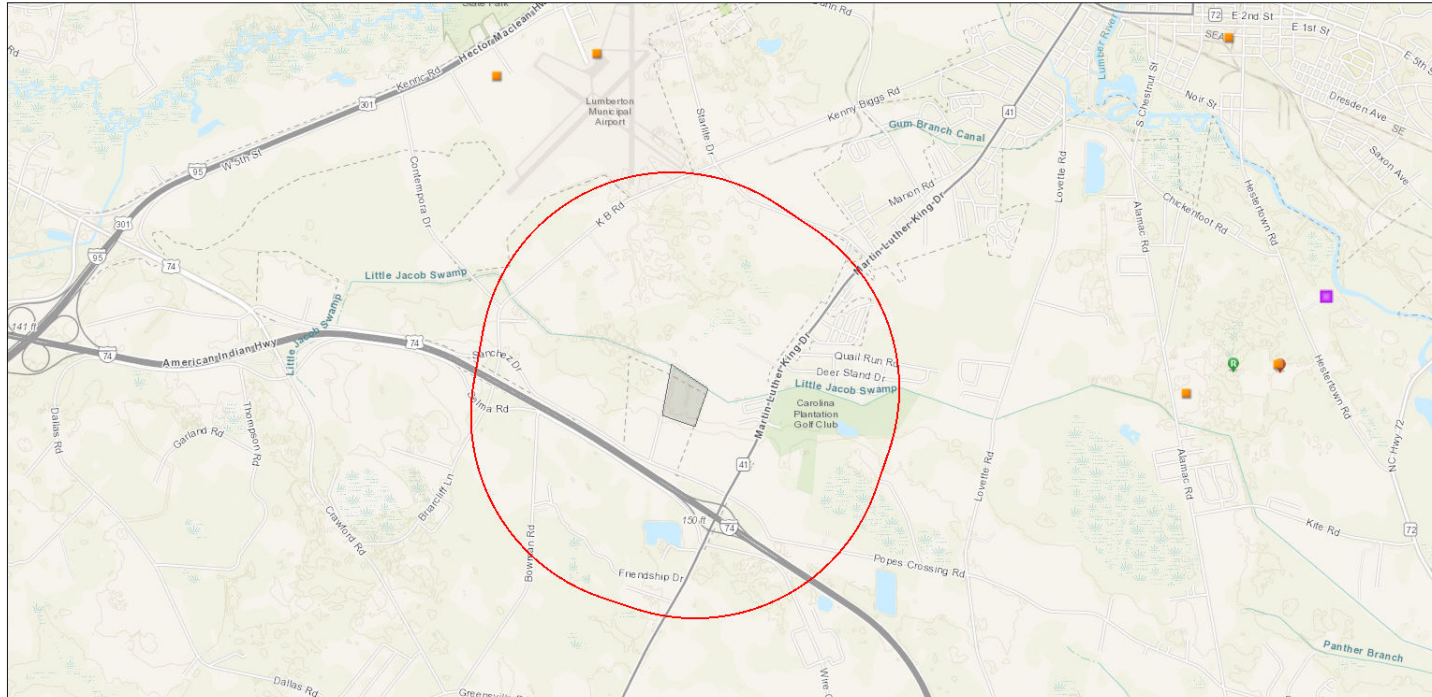
Superfund & Brownfield Sites SEPA/NEPA Review Report





Area of Interest (AOI) Information

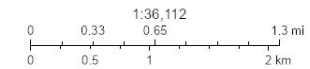
Robeson County NEPA project 24-0198

Area : 2,609.36 acres

Jan 24 2024 14:18:56 Eastern Standard Time



-  Inactive Hazardous Sites
 -  No Further Interest
 -  Recorded
 -  Activity Pending
- NC Brownfields Location_View Pre Regulatory Landfill Sites



State of North Carolina DOT, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

Summary

Name	Count	Area(acres)	Length(mi)
Certified DSCA Sites	0	N/A	N/A
Federal Remediation Branch Sites	0	N/A	N/A
Inactive Hazardous Sites	0	N/A	N/A
Pre-Regulatory Landfill Sites	0	N/A	N/A
Brownfields Program Sites	0	N/A	N/A

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: FRO
 Project Number: 24-0198 Due Date: 02/05/2024
 County: Robeson

After review of this project, it has been determined that the DEQ permit(s) and/or approvals indicated may need to be obtained for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (Statutory time limit)
<input checked="" type="checkbox"/>	Permit to construct & operate wastewater treatment facilities, non-standard sewer system extensions & sewer systems that do not discharge into state surface waters.	Application 90 days before begins construction or award of construction contracts. On-site inspection may be required. Post-application technical conference usual.	30 days (90 days)
<input checked="" type="checkbox"/>	Permit to construct & operate, sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system	Fast-Track Permitting program consists of the submittal of an application and an engineer's certification that the project meets all applicable State rules and Division Minimum Design Criteria.	30 days (N/A)
<input checked="" type="checkbox"/>	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begins activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/>	Water Use Permit	Pre-application technical conference usually necessary.	30 days (N/A)
<input type="checkbox"/>	Well Construction Permit	Complete application must be received, and permit issued prior to the installation of a groundwater monitoring well located on property not owned by the applicant, and for a large capacity (>100,000 gallons per day) water supply well.	7 days (15 days)
<input type="checkbox"/>	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input type="checkbox"/>	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted, and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input checked="" type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input type="checkbox"/>	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950	Please Note - The Health Hazards Control Unit (HHCU) of the N.C. Department of Health and Human Services, must be notified of plans to demolish a building, including residences for commercial or industrial expansion, even if no asbestos is present in the building.	60 days (90 days)
<input type="checkbox"/>	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres are to be disturbed. Plan must be filed with and approved by applicable Regional Office (Land Quality Section) at least 30 days before beginning activity. A NPDES Construction Stormwater permit (NCG010000) is also usually issued should design features meet minimum requirements. A fee of \$100 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		(30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with _____ Local Government's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		Based on Local Program
<input type="checkbox"/>	Compliance with 15A NCAC 04B .0125 – Buffers Zones for Trout Waters shall have an undisturbed buffer zone 25 feet wide or of sufficient width to confine visible siltation within the twenty-five percent (25%) of the buffer zone nearest the land-disturbing activity, whichever is greater.		
<input type="checkbox"/>	Compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program which regulates three types of activities: Industrial, Municipal Separate Storm Sewer System & Construction activities that disturb ≥1 acre.		30-60 days (90 days)
<input type="checkbox"/>	Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs regulate site development and post-construction stormwater runoff control. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.		45 days (90 days)

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: FRO
 Project Number: 24-0198 Due Date: 02/05/2024
 County: Robeson

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (Statutory time limit)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with DEQ Bond amount varies with type mine and number of acres of affected land. Affected area greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to prepare plans, inspect construction, and certify construction is according to DEQ approved plans. May also require a permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage, or the total project cost will be required upon completion.	30 days (60 days)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with DEQ running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to DEQ rules and regulations.	10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with DEQ at least 10 days prior to issue of permit. Application by letter. No standard application forms.	10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property	15-20 days N/A
<input checked="" type="checkbox"/>	401 Water Quality Certification	Compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323.	60 days (130 days)
<input type="checkbox"/>	Compliance with Catawba, Goose Creek, Jordan Lake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required. Buffer requirements: http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program		
<input type="checkbox"/>	Nutrient Offset: Loading requirements for nitrogen and phosphorus in the Neuse and Tar-Pamlico River basins, and in the Jordan and Falls Lake watersheds, as part of the nutrient-management strategies in these areas. DWR nutrient offset information: http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information		
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 - \$475.00 fee must accompany application	75 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$100.00 fee must accompany application	22 days (25 days)
<input checked="" type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.		
<input checked="" type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input checked="" type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq., Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input type="checkbox"/>	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of the _____ water system must be approved through the _____ delegated plan approval authority. Please contact them at _____ for further information.		

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: FRO
 Project Number: 24-0198 Due Date: 02/05/2024
 County: Robeson

Other Comments (attach additional pages as necessary, being certain to comment authority)

Division	Initials	No comment	Comments	Date Review
DAQ	JDC	<input checked="" type="checkbox"/>		1/23/24
DWR-WQROS (Aquifer & Surface)	CCT & CCT	<input type="checkbox"/>	Corps of Engineers has determined that the project would not impact Waters of the US, so no 404/401 necessary &	1/30/24
DWR-PWS	HLC	<input type="checkbox"/>	Plans and Specifications must be submitted to the Public Water Supply Section and an Authorization to Construct issued prior to beginning any construction. Also, note The Rules Governing Public Water Systems, Title 15A Subchapter 18C15A NCAC 18C Section .1531 states "SITING REQUIREMENTS (a) Any person constructing or modifying a public water system shall to the extent practicable, avoid locating all or part of a new or expanded facility at a site which: (1) is subject to a significant risk from earthquakes, floods, fires or other disasters which could cause breakdown of the public water system or a portion thereof; or (2) except for intake structures, is within the floodplain of a 100-year flood or is lower than any recorded high tide where appropriate records exist."	1/23/24
DEMLR (LQ & SW)	MAJ	<input type="checkbox"/>	Submit an erosion and sediment control plan (ESCP) at least 30 days prior to initiating land-disturbing activity that satisfy the one (1) acre regulatory threshold. Additional information pertaining to our ESCP application process may be found at Erosion and Sediment Control NC DEQ Obtain NPDES Construction Stormwater General Permit NCG010000 Certificate of Coverage prior to initiating land-disturbing activity following approval of the ESCP.	1/29/24
DWM – UST	KEC	<input type="checkbox"/>	The UST Section, Fayetteville Regional Office, does not have records of a reported petroleum release in the general area of concern for this project number. However, there are records of three registered USTs (Facility ID #00-0-0000036755) located at 176 Legend Road, Lumberton. Questions regarding UST compliance should be directed to Pam Harrelson, UST Section, (910) 728-8787, pamelah.harrelson@deq.nc.gov DWM Site Locator Tool https://ncdenr.maps.arcgis.com/apps/webappviewer/index.html?id=7dd59be2750b40bebebf49fc383f688 Registered UST Records Search https://xapps.ncdenr.org/wm/docs/WMDocs_Search.jsp	1/23/24
Other Comments		<input type="checkbox"/>		/ /

REGIONAL OFFICES

Questions regarding these permits should be addressed to the Regional Office marked below.

- | | | |
|---|--|--|
| <input type="checkbox"/> Asheville Regional Office
2090 U.S. 70 Highway
Swannanoa, NC 28778-8211
Phone: 828-296-4500
Fax: 828-299-7043 | <input checked="" type="checkbox"/> Fayetteville Regional Office
225 Green Street, Suite 714,
Fayetteville, NC 28301-5043
Phone: 910-433-3300
Fax: 910-486-0707 | <input type="checkbox"/> Mooresville Regional Office
610 East Center Avenue, Suite 301,
Mooresville, NC 28115
Phone: 704-663-1699
Fax: 704-663-6040 |
| <input type="checkbox"/> Raleigh Regional Office
3800 Barrett Drive,
Raleigh, NC 27609
Phone: 919-791-4200
Fax: 919-571-4718 | <input type="checkbox"/> Washington Regional Office
943 Washington Square Mall,
Washington, NC 27889
Phone: 252-946-6481
Fax: 252-975-3716 | <input type="checkbox"/> Wilmington Regional Office
127 Cardinal Drive Ext.,
Wilmington, NC 28405
Phone: 910-796-7215
Fax: 910-350-2004 |

State of North Carolina Department of Environmental Quality
INTERGOVERNMENTAL REVIEW PROJECT COMMENTS



Winston-Salem Regional Office
450 Hanes Mill Road, Suite 300,
Winston-Salem, NC 27105
Phone: 336-776-9800
Fax: 336-776-9797

Department of Environmental Quality Project Review

Project Number: 24-0198

County: Robeson

Date Received: 1-22-2024

Due Date: 2-5-2024

Project Description:

Scoping - Proposed project is for the Legend Road Water Tank at 176 Legend Road, Lumberton, NC. Project will construct a 500,000-gallon elevated water storage tank, altitude valve and associated water mains to prevent future water service interruptions and allow for continued operation of these critical facilities during and following future storm events. Public Notice for HUD 24 CFR §55.20(b) - Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain and Wetland publishing January 20, 2024

This Project is being reviewed as indicated below:

Regional Office	Regional Office Area	In-House Review	
<input type="checkbox"/> Asheville <input checked="" type="checkbox"/> Fayetteville <input type="checkbox"/> Mooresville <input type="checkbox"/> Raleigh <input type="checkbox"/> Washington <input type="checkbox"/> Wilmington <input type="checkbox"/> Winston Salem	<input checked="" type="checkbox"/> Air <input checked="" type="checkbox"/> DWR <input checked="" type="checkbox"/> DWR - Public Water <input checked="" type="checkbox"/> DEMLR (LQ & SW) <input checked="" type="checkbox"/> DWM	<input type="checkbox"/> Air Quality <input checked="" type="checkbox"/> Waste Mgmt <input checked="" type="checkbox"/> Water Resources Mgmt (Public Water, Planning & Water Quality Program) <input type="checkbox"/> DWR-Transportation Unit	<input type="checkbox"/> Coastal Management <input type="checkbox"/> Marine Fisheries <input type="checkbox"/> CC & PS Div. of Emergency Mgmt <input type="checkbox"/> DMF-Shellfish Sanitation <input checked="" type="checkbox"/> Wildlife <u>Gabriela</u> <input type="checkbox"/> Wildlife/DOT

Manager Sign-Off/Region:	Date: 1/25/2024	In-House Reviewer/Agency: DWR/WRM/David Wainwright
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Response (check all applicable)

No objection to project as proposed.
 No Comment

Insufficient information to complete review
 Other (specify or attach comments)

Department of Environmental Quality

Project Review

Project Number: 24-0198

County: Robeson

Date Received: 1-22-2024

Due Date: 2-5-2024

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This Project is being reviewed as indicated below:

Regional Office	Regional Office Area	In-House Review	
Asheville	Air	Air Quality	Coastal Management
Fayetteville	DWR	Waste Mgmt	Marine Fisheries
Mooreville	DWR - Public Water	Water Resources Mgmt (Public Water, Planning & Water Quality Program)	CC & PS Div. of Emergency Mgmt
Raleigh	DEMLR (LQ & SW)		DMF-Shellfish Sanitation
Washington	DWM	DWR-Transportation Unit	Wildlife <u>Gabriela</u>
Wilmington			Wildlife/DOT
Winston Salem			

Manager Sign-Off/Region:	Date: 2/2/24	In-House Reviewer/Agency: Melodi Deaver, DWM Hazardous Waste
--------------------------	-----------------	---

Response (check all applicable)

No objection to project as proposed.
 No Comment

Insufficient information to complete review
 Other (specify or attach comments)

APPENDIX 3

- **Combined FONSI/NOI-RROF/Final Notice and Public Explanation of a Proposed Activity in a 100-year Floodplain and Wetland**
- **Affidavit for Publication of FONSI/NOI-RROF/Final Notice *(to be added)***
- **Distribution List to Interested Agencies, Groups and Individuals**
- **FONSI/NOI-RROF/Final Notice Comments *(to be added)***



North Carolina Department of Public Safety

Office of Recovery and Resiliency

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

Laura H. Hogshead, Director

PUBLIC NOTICE

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

LEGEND ROAD WATER TANK 176 LEGEND ROAD, LUMBERTON, ROBESON COUNTY, NC 28358

February 10, 2024

To: All interested Agencies, Groups and Individuals

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

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

Project Description: NCORR is responsible for the direct administration of the United States Department of Housing and Urban Development (HUD) Community Development Block Grant – Mitigation (CDBG-MIT) program in North Carolina. NCORR proposes to provide CDBG-MIT funding from the Infrastructure Recovery Program of \$1,241,000.00 for the Legend Road Water Tank project (“Proposed Activity”) located at 176 Legend Road, Lumberton, Robeson County, NC 28358 (Parcel ID 02090100501) which contains 100-Year Floodplain and wetlands. The Proposed Activity is anticipated to have a total cost of \$4,334,000.00 for construction of a 500,000-gallon elevated water storage tank, altitude valve vault, fire hydrant, water mains, gravel access drive, and associated improvements. The Proposed Activity construction will include extensive land clearing and excavation, trenching, placement of concrete foundations, installation of a 500,000-gallon elevated water storage tank and piping, and connections to the existing 12-inch water main on Legend Road and the existing 8-inch water main that ties into Sanchez Road. There is an existing chain link fence and gate around the Proposed Activity development area where the

Mailing Address:
Post Office Box 110465
Durham, NC 27709



Phone: (984) 833-5350
www.ncdps.gov
www.rebuild.nc.gov

An Equal Opportunity Employer

elevated water storage tank, altitude valve vault, and gravel access drive will be located. An 8-inch to 12-inch PVC water main, associated valves and a fire hydrant will be installed in the paved parking area and gravel driveway/unnamed road running east-west to Legend Road between the fenced-in existing water treatment plant and the Public Utilities buildings and Robeson County Ambulance Service/ EMS. There will be an estimated 0.20 acre of ground disturbance.

The State of North Carolina was adversely impacted by the landfall of Hurricanes Matthew (October 8, 2016) and Florence (September 14, 2018). The Proposed Activity is needed to prevent future water service interruptions as experienced during Hurricane Matthew and to allow for the continued operation of the public facilities located along Legend and Sanchez Roads during future storm events. During and immediately following Hurricane Matthew, potable water had to be transported to these facilities, both by truck and through individual bottled servings. The Proposed Activity's installation of an elevated water storage tank in the vicinity of the Robeson County Emergency Operations Center, Sheriff's Office and Jail, Emergency Medical Services, Water Department, and Public Utilities buildings will avoid water pressure loss at these County facilities and the adjacent NC Department of Corrections' Lumberton Correctional Institution. The County has selected the Proposed Activity to assist its residents, employees, and community to be protected from water service interruptions at this location during future storm events which can also adversely impact operations at the Emergency Operations Center during critical times.

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

NCORR has conducted an evaluation as required by Executive Orders (EO) 11988 and 11990, in accordance with HUD regulations at 24 CFR 55 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The Proposed Activity will not result in any direct or indirect impacts to wetlands, 500-Year Floodplain, 100-Year Floodplain or Floodway. This 60.96-acre County-owned parcel contains approximately 38.21 acres of 500-Year Floodplain, 0.61 acre of 100-Year Floodplain, and no Floodway. The Proposed Activity's limit of disturbance (LOD) will occur approximately 50 feet from the 500-Year Floodplain, 0.24-mile from 100-Year Floodplain (Zone AE), and 0.25-mile from Floodway. The Little Jacob Swamp riverine is located north of the parcel boundary approximately 0.25-mile from the Proposed Activity's LOD and will not be adversely impacted by the Proposed Activity. The closest onsite USFWS National Wetlands Inventory (NWI)-mapped riverine (R5UBH) and potential wetland is located approximately 250 feet northwest from the Proposed Activity's LOD. Another NWI-mapped riverine (R4SBC) and potential wetland connects north to Little Jacob Swamp. These potential wetland areas encompass approximately 5 acres of the parcel and no activities are proposed in wetland.

NCORR has considered the alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values. The Proposed Activity is designed to avoid floodplain and wetlands. Robeson County identified the Proposed Activity as a high priority infrastructure strategy after a series of public meetings on resiliency strategies in 2017 as part of the NC Resilient Redevelopment Planning Program. The main alternative is the "No Action" Alternative which is not considered feasible since continuous water service to the Robeson County government complex is essential for operations. This parcel was chosen as ideal because it is currently County-owned and is located close to the existing water treatment plant and the

Robeson County government complex enabling the water system to maintain a minimum pressure of 30 psi for normal conditions and 20 psi for fire flow which is a NC Division of Water Resources' (DWR) Public Water Supply section requirement. It is critical for public health and safety that these facilities, including the Emergency Operations Center, have adequate water supply during emergencies and future storm events. The "No Action" Alternative would provide no protection to these facilities from water service interruptions during future storm events.

Natural floodplains and wetlands provide flood risk reduction benefits by slowing runoff and storing flood water. In addition, floodplains and wetlands are beneficial by providing diverse wildlife habitat, flood and erosion control, surface water quality maintenance, groundwater recharge, and educational, scientific, cultural, and recreational resources. Wetlands have unique natural characteristics that play an integral role in the ecology of the watershed. The Proposed Activity has been designed to avoid wetlands and floodplain, thus, there are no anticipated impacts on the natural and beneficial functions and values of the 100-Year Floodplain or wetlands. The Proposed Activity's construction is wholly located in Zone X, an area of minimal flood hazard (outside of floodplain). There has been previous, significant site modification including fill and development for the existing fenced-in water treatment plant and roads where site disturbance is planned.

The Proposed Activity will comply with all applicable federal, State and local laws, regulations, and permit requirements and conditions which shall be obtained before commencing work. According to the U.S. Army Corps of Engineers (USACE) and NC DWR, there are no NC DWR buffers and Clean Water Act Section 404 and 401 permits are not required. Best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction to prevent off-site sedimentation impacts and native plants used in site restoration. The Proposed Activity designs have been completed in accordance with agency input to minimize impacts to the floodplain, wetlands, environment and community. The Proposed Activity and location are the most ideal, feasible options selected by the County; the "No Action" Alternative would not effectively address water service interruptions during and after storm events, the project design avoids floodplain and wetlands, and native plants will be used in site restoration.

Since the action will include new construction on a parcel containing incidental 100-Year Floodplain and wetland, EOs 11988 and 11990 require that the Proposed Activity not be supported if there are practicable alternatives to floodplain and wetland impacts. NCORR has reevaluated the alternatives to construction on this parcel, and has determined that it has no practicable alternative. The 8-step process has been further documented in the EO 11988 Floodplain Management and EO 11990 Wetlands Protection Determination which is available for viewing and copying as described below in Public Review.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and wetlands and those who have an interest in the protection of the natural environment are given an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information and request for public comment about floodplains and wetlands can facilitate and enhance federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government

determines it will participate in actions taking place in floodplains and wetlands, it must inform those who may be put at greater or continued risk.

FINDING OF NO SIGNIFICANT IMPACT

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

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

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

Public Comments on the Proposed Activity within Floodplain and Wetland, FONSI and/or NOI-RROF: Any individual, group or agency may submit written comments on the Proposed Activity. The public is hereby advised to specify in their comments which “notice” their comments address. Comments should be submitted via email, in the proper format, on or before February 26, 2024 at publiccomments@rebuild.nc.gov. Written comments may also be submitted by mail, in the proper format, to be received on or before February 26, 2024, and addressed to: Matthew Arlyn, Chief Recovery Officer, NCORR, ATTN: Legend Road Water Tank Project, P.O. Box 110465, Durham, NC 27709. All comments must be received on or before February 26, 2024 or they will not be considered. If modifications result from public comment, these will be made prior to proceeding with the submission of a request for release of funds.

REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION

On or after February 27, 2024, the NCORR certifying officer will submit a request and certification to HUD for the release of CDBG-MIT funds as authorized by related laws and policies for the purpose of undertaking this project under the North Carolina CDBG-MIT Infrastructure Recovery Program.

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

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

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

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

Matthew Arlyn
Certifying Officer
February 10, 2024

**FONSI/ NOI-RROF/ FINAL NOTICE AND PUBLIC EXPLANATION
FLOODPLAIN AND WETLAND DISTRIBUTION LIST**

LEGEND ROAD WATER TANK

176 LEGEND ROAD, LUMBERTON, ROBESON COUNTY, NC 28358

Published in The Robesonian on 2/10/24, comments end 2/26/24

FEDERAL AGENCIES

Agency	Name & Address	Method
HUD NC	Mr. Lenwood E. Smith, II Environmental Protection Specialist HUD, Greensboro Field Office 1500 Pinecroft Road, Suite 401 Greensboro, NC 27407-3838	Lenwood.E.Smith@hud.gov
FEMA, Region IV	Ms. Gracia B. Szczech, Regional Administrator U.S. Dept. of Homeland Security FEMA, Region IV 3003 Chamblee Tucker Road Atlanta, GA 30341	FedEx
FEMA ATTN: 11988/11990	<i>Hard copies may also be mailed to</i> Attn: 11988/11990 NEPA Reviewer (EHP) DHS/FEMA RIV 3003 Chamblee Tucker Road Atlanta, GA 30341	FEMA-R4EHP@fema.dhs.gov with the subject line REVIEW REQUEST: 11988/11990 NEPA
US EPA, Region 4	Ms. Ntale Kajumba, NEPA Coordinator U.S. EPA, Region 4 Laboratory Services & Applied Science Div. 980 College Station Road Athens, GA 30605-2720	Kajumba.ntale@epa.gov
USFWS – Raleigh Field Office	USFWS – Raleigh Field Office ATTN: John Ellis P.O. Box 33726 Raleigh, NC 27636 ph.: 919-856-4520, ext. 26	john_ellis@fws.gov cc: leigh_mann@fws.gov
USACE – Wilmington District	Mr. Gary H. Beecher USACE – Wilmington District 69 Darlington Avenue Wilmington, NC 28403	Gary.H.Beecher@USACE.army.mil

TRIBES, NATIONS AND COMMUNITIES (who asked to be notified)		
Catawba Indian Nation	Dr. Wenonah George Haire, THPO ATTN: THPO Archaeology Dept. Catawba Indian Nation 1536 Tom Steven Road Rock Hill, SC 29730	Does not want Notice
Catawba Indian Nation	Chief Bill Harris Catawba Indian Nation 996 Avenue of the Nations Rock Hill, SC 29730	Does not want Notice
NC STATE AGENCIES		
STATE CLEARING-HOUSE	Ms. Crystal Best North Carolina Department of Administration State Environmental Review Clearinghouse 1301 Mail Service Center Raleigh, North Carolina 27699-1301	State.Clearinghouse@doa.nc.gov cc: crystal.best@doa.nc.gov kadisha.molyneaux@doa.nc.gov
LOCAL AGENCIES		
COUNTY	Kellie Blue Robeson County Manager 550 North Chestnut Street Lumberton, NC 28358 Phone: 910-671-3022	kellie.blue@co.robeson.nc.us
COUNTY	Tammy Freeman Clerk to the Board Robeson County 550 North Chestnut Street Lumberton, NC 28358 Phone: 910-671-3022	tammy.freeman@co.robeson.nc.us
COUNTY	Myron Neville Director of Public Works Robeson County Phone: 910-671-3488	myron.neville@co.robeson.nc.us
COUNTY	Jan Maynor	jmaynor2@nc.rr.com cc: bill.blankenship@rebuild.nc.gov
CITY	M. Brandon Love, AIA Deputy City Manager City of Lumberton P.O. Box 1388 Lumberton, NC 28359 (910) 671-3806	blove@ci.lumberton.nc.us

CITY	Rob Armstrong Director of Public Works City of Lumberton P.O. Box 1388 Lumberton, NC 28359 (910) 671-3851	rarmstrong@ci.lumberton.nc.us
CITY	Laney Mitchell-McIntosh City Clerk City of Lumberton P.O. Box 1388 Lumberton, NC 28359 910-671-3807	lmitchell- mcintosh@ci.lumberton.nc.us

FONSI/NOI-RROF/Final Notice Comments