



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 WETLAND

PRINCEVILLE 53-ACRE SITE REDEVELOPMENT 53-ACRE SITE ALONG U.S. HIGHWAY 64 WEST BETWEEN SOUTH MAIN STREET AND SOUTH SHILOH FARM ROAD; AND 1029 LYNCH DRIVE, PRINCEVILLE, EDGECOMBE COUNTY, NC 27886

December 23, 2023

To: All interested Agencies, Groups and Individuals

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

Pursuant to 24 CFR 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 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 \$9,929,000.00 for the Princeville 53-Acre Site Redevelopment Project (Proposed Activity) located at a 53-acre site along U.S. Highway 64 West between S. Main Street (U.S. Highway 64 Alternate East) and S. Shiloh Farm Road (Parcel IDs #474714756400 and 474724794700); and 0.32-acre parcel at 1029 Lynch Drive in Princeville, Edgecombe County, NC 27886 (Parcel ID #474725155200) (Subject Property). There will also be work in the public rights-of-way for stormwater infrastructure; water and sanitary sewer connections; ingress/egress access points and turn lanes on S. Main Street (U.S. Hwy 64 Alt. East) and S. Shiloh Farm Road; water line and road connections to Lynch Drive; and outlet structures

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connecting to 30-inch reinforced concrete pipe (RCP) along U.S. Hwy 64 West. The Proposed Activity is anticipated to have a total cost of \$11,429,000.00 for the Phase One construction of water, sewer, electrical, stormwater, and road infrastructure. This is Phase One of a multi-phase project with a current estimated total cost of \$32,308,536.00 (including Phase One) which will ultimately redevelop the vacant 53-acre site with critical town facilities (such as police and fire stations, public works facility, and Town Hall Annex), offices and commercial buildings, single- and multi-family housing (Apartments [unit #s to be determined], Townhouses [22 units], and Single-Family Homes [15 units]), a stormwater retention pond, and community open space. The 53-acre site will have roads, sidewalks, ADA ramps, parking areas, and street signs throughout the site with direct access points (including temporary gravel construction entrances) and turn lanes on S. Main Street (U.S. Hwy 64 Alt. East) and S. Shiloh Farm Road. Phase One includes potential acquisition of a northern adjacent parcel located at 1029 Lynch Drive that will link the 53-acre site to Lynch Drive in the Southern Terrace neighborhood by a two-lane collector road and to the existing water line in Lynch Drive and provide parking areas. The Proposed Activity includes engineering designs, site surveys, and geotechnical investigations; construction of roads, parking areas, and site infrastructure, including installation of water piping, sewer force mains, sewer lift station, gravity sewer piping, backflow preventers, electrical conduit and service, fiber optic cable, fire hydrants, stormwater collection systems, and connections to existing infrastructure; potential land acquisition for a two-lane collector road, water line connection and parking areas; relocation of utility poles; and landscaping. Stormwater collection systems include proposed wet and dry ponds with forebays, various-sized RCP with grate inlets and headwalls throughout the site, and outlet structures connecting to 30-inch RCP along U.S. Hwy 64 West.

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, a large majority of the 2,357 Town residents were displaced by floodwaters due in part to the location of the Town along the Tar River. According to the Coastal Resilience Center, approximately 450 homes were destroyed during the hurricane and subsequent flooding, and an estimated 80 percent of the Town was underwater. Many of the Town's commercial and municipal facilities were also damaged or displaced, severely limiting the extent and reliable delivery of those services. The purpose and intent of the Proposed Activity is to relocate the Town's residents, municipal facilities, and commercial enterprises that are affected hardest by flooding and storm surge out of the Tar River floodplain and floodway. There has been widespread community and Town leadership support for the Proposed Activity.

PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A WETLAND

NCORR has conducted an evaluation as required by Executive Order (EO) 11990, in accordance with HUD regulations at 24 CFR 55 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. As designed, the proposed construction will not encroach into the wetland. The Proposed Activity will result in no direct or indirect, temporary or permanent impacts to an approximately 0.75-acre U.S. Army Corps of Engineers (USACE) verified, delineated Freshwater Forested/ Shrub Wetland (PFO1A) located on the Subject Property. There are no other wetlands located on the Subject Property. The NC Department of Environmental Quality (DEQ) Division of Water Resources (DWR) reviewed two onsite ephemeral streams and determined them to not be at least intermittent or not present. The NC DEQ DWR determined that the Proposed Activity is not subject to the CWA Section 401 permit and

Tar-Pamlico River Riparian Buffer Authorization. The USACE confirmed the delineation for avoidance, minimization and permitting purposes.

NCORR has considered the alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values. This Proposed Activity involves utilizing the Subject Property located outside of 100-year floodplain for development, and project designs have been completed in accordance with agency input to minimize impacts to the wetland, environment and community. The Town-owned 53-acre site contains a wetland but provides the most logical and cost-effective site for relocation of residents and commercial and municipal facilities within Town limits. Numerous alternative and concerted projects have been considered to address Princeville's historic flooding over the years. Additionally, several plans and studies have evaluated various strategies to understand and address the flood damage prevention and recovery effort in Princeville. In August 2017, a five-day design community workshop was conducted on strategies for the 53-acre site including the relocation of select public facilities and development of replacement housing outside of the 100-year floodplain. A full discussion of alternatives is in the EO 11990 Protection of Wetlands Determination available for public viewing.

According to the Princeville Recovery Plan, there are three main alternatives including 1) Individual Actions (residential buyout and elevation), 2) Internal Shift (Proposed Activity), and 3) Community-wide Relocation ("new town" location out of floodplain may include expansion of 53-acre site) and FEMA's seven alternatives (elevation only, rebuild with elevation, buyout with demolition, multiple strategies, strategic retreat, no action, and relocation [Proposed Activity]). The evaluation of identified alternatives included their ability to address displaced residents, interrupted municipal services, business development, cost-effectiveness, ease of implementation, financial and economic costs, and overall flood hazard protection. The Proposed Activity best meets these needs and retains the most population within the Town. Relocation of the Town's critical facilities, businesses, and residents to the 53-acre site located outside of the 100-year floodplain and areas of frequent flooding would reduce property damage and the threat to public health and safety while providing enhanced, uninterrupted municipal services to the residents during future storm events. Thus, the Town of Princeville has selected the Proposed Activity to assist its residents, municipal and commercial facilities, and community to be protected from future storm damage and flooding.

The Subject Property was chosen as the most suitable for the Proposed Activity due to its location outside of 100-year floodplain, close proximity to the historic town center, existing nearby infrastructure and utility connections, suitability for mixed-use development with U.S. Hwy 64 frontage, community support, and that the Town owns the 53-acre site. A different project location is not feasible since it would most likely require additional funding for the acquisition of a new site. With the "No Action" Alternative, the Town would have to endure the continued threat to the public health and safety and property damage to residences and commercial and municipal facilities from future storm events and repetitive flooding. Thus, the "No Action" Alternative is not feasible in relation to the desired objective of creating the Town's plan and vision for a safer and more sustainable and successful "Greater Princeville."

Wetlands are beneficial by providing diverse wildlife habitat, flood and erosion control, surface water quality maintenance, groundwater recharge, and educational, scientific, cultural, and recreational opportunities. Wetlands have unique natural characteristics that play an integral role in the ecology of the watershed. The Proposed Activity has been designed to avoid construction in the only wetland located on the Subject Property. Best management practices for erosion and sedimentation control such as silt fencing will be utilized during construction, green open spaces incorporated, native plants used in landscaping, and a stormwater retention pond installed. Since the Proposed Activity will avoid the wetland and incorporate these measures, no indirect wetland impacts or negative impacts to wetland functions and values are anticipated. Since no direct or indirect, temporary or permanent wetland impacts are proposed, Clean Water Act Section 404 and 401 permits, a Tar-Pamlico Riparian Buffer Authorization, and mitigation are not required. The proposed activities will be completed in accordance with all applicable federal, State, and local laws, regulations, and permit requirements and conditions. Required permits such as the NC DEMLR Erosion and Sediment Control Permit and NPDES Construction Stormwater Permit (NCG010000) shall be obtained before commencing work. The Proposed Activity and site location are the most suitable, feasible option selected by the Town after a lengthy process to assist its residents and community to be protected from future storm events; the “No Action” alternative would not effectively address the Town’s numerous concerns; no construction is proposed in wetland; and best management practices are incorporated.

Since the action will include new construction on a parcel containing incidental wetland, EO 11990 requires that the Proposed Activity not be supported if there are practicable alternatives to wetland impacts. NCORR has reevaluated the alternatives to new construction on a parcel containing wetland, and has determined that it has no practicable alternative. The 8-step process has been further documented in the 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 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 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 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 Proposed Activity 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 11990 Protection of Wetlands Determination is available online at <https://www.rebuild.nc.gov/about/plans-policies-reports/environmental-reviews>. Documents may also be viewed in person by appointment only at: NCORR, 200 Park Offices Drive, Durham, NC 27709. Call (984) 833-5350 to make an appointment.

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

Public Comments on the Proposed Activity within Wetland, FONSI and/or NOIRROF: Any individual, group or agency may submit written comments on the Proposed Activity. The public is hereby advised to specify in their comments which “notice” their comments address. Comments should be submitted via email, in the proper format, on or before January 8, 2024 at publiccomments@rebuild.nc.gov. Written comments may also be submitted by mail, in the proper format, to be received on or before January 8, 2024, and addressed to: Laura Hogshead, Director, NCORR, ATTN: Princeville 53-Acre Site Redevelopment Project, P.O. Box 110465, Durham, NC 27709. All comments must be received on or before January 8, 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 January 9, 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 Proposed Activity under the North Carolina CDBG-MIT Infrastructure Recovery Program.

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

Objections 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.

Laura H. Hogshead
Certifying Officer
December 23, 2023