**FINDING OF NO SIGNIFICANT IMPACT**

Based upon 24 CFR 570.604, grantees receiving a Community Block Development Grant must undergo an environmental review in accordance with the regulations found in 24 CFR Part 58. If the proposed project related to infrastructure exceeds the criteria found in 24 CFR 58.35(a)(1) or will result in a potentially significant impact under 24 CFR 58.5 and 58.6, then an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) must be completed.

|  |  |
| --- | --- |
| **Project Responsible Entity:** | [Insert name of Responsible Entity.] |
| **Recipient Name (if different from above):** | [Insert name of Project Applicant or the applicant is the same as the Responsible Entity.] |
| **Recipient Address:** | [Enter Recipient Address.] |
| **Project Description:** | [Insert a brief project description.] |
| **Grant Number:** | [Insert CDBG Grant Number.] |
| **Total Project Cost:** | [Insert total project cost.] |
| **Grant Amount:** | [Insert grant amount.] |
| **Other Funding Type(s):** | [Insert type of other funding.] |
| **Other Funding Amount(s):** | [Insert amount of other funding.] |
| **Date:** | [Insert Date.] |

The public comment period will be from [Insert start date of public comment period.] to [Insert end date of public comment period.]. Comments may be submitted to:

[Insert contact person name.]

[Insert name of Responsible Entity.]

[Insert Address of Responsible Entity.]

[Insert City of Responsible Entity.], NC [Insert Zip Code of Responsible Entity.]

Or via e-mail at [Insert Contact’s e-mail address.].

Based upon a review of the existing conditions and potential impacts, I certify that no significant adverse impacts will occur so long as the mitigative measures described within the attached Environmental Assessment are implemented. Additionally, the requirements related to 24 CFR 58.5 and 58.6 have been fulfilled. This FONSI completes the Environmental Review Record, and its Notice will be either published for public review and/or prominently posted in accordance with 24 CFR 58.43(a).

Additionally, I certify that no participants will commit choice limiting actions[[1]](#footnote-1) until all public comments have been addressed and the signed Authority to Use Grant Funds has been received.

Sincerely,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Enter name of Certifying Officer under signature.] [Date]

[Enter title of Certifying Officer.]

**ENVIRONMENTAL ASSESSMENT**

**A. Proposed Facilities and Actions**

[Insert a detailed description of the project based upon the information provided in the Environmental Information Document related to project description. Keep the description to a maximum of five paragraphs.]

**B. Funding Sources**

[Provide a paragraph discussing the total cost of the project, the amount funded by the CDBG grant, and the sources of funding and related amounts for the balance of the project.]

**C. Existing Environment**

*Soils and Topography*

[Describe in a paragraph the existing soils and topography, including the physiographic province (e.g., Coastal Plain, Piedmont, Mountains), the maximum and minimum elevations of the project area, and a basic description of the terrain (e.g., rolling hills, flat plains). For soils descriptions, include the soil series and **brief** descriptions of the characteristics of each series.]

*Land Use*

[Describe in a paragraph the current land use of both the project site and project area (e.g., single family residential, industrial uses, institutional uses, open space.)]

*Community Features*

[Describe in a paragraph the features, including socioeconomic features (e.g., racial and income make-up) and important landmarks (e.g., the project area is within 3 miles of an airport, the project area contains a library and several churches and other places of worship.)]

*Surface Water*

[In a paragraph, provide information related to the river basin and sub-basin where the project is located. Name any major water bodies and provide their classification. Mention if there are any wetlands and streams within the project site and project area.]

*Water Supply*

[In a paragraph, discuss the waterbody where residents obtain their drinking water (e.g., groundwater, surface water such as the Cape Fear River). Mention the local government unit that supplies the drinking water or whether the residents obtain their drinking water from private wells (e.g., the Town of Anytown provides drinking water for the majority of its residents, and the remainder obtain their drinking water from private wells).]

**D. Existing Water and/or Wastewater Facilities**

[In a paragraph, discuss the existing water (for projects that will involve drinking water infrastructure or both drinking water and wastewater infrastructure) or wastewater (for projects that will involve wastewater infrastructure or both drinking water and wastewater infrastructure) where the project occurs. If both water and wastewater projects are involved, please provide a paragraph for each.]

**E. Purpose and Need of Proposed Project**

[In a paragraph, discuss the purpose and need for the project. This information should reflect the information provided in the Engineering Report/Environmental Information Document.]

**F. Alternatives Analysis**

[In this section, provide a title and a description of the alternatives that were considered. The Title should be succinct but descriptive. Information must be limited to a paragraph and be based on the information related to alternatives found in the Engineering Report/Environmental Information Document. Each paragraph should contain a detailed description of the alternative considered (e.g., length, capacity, quantity, materials); a brief, qualitative description (for Preferred Alternative) or comparison of environmental impacts to the Preferred Alternative (for rejected alternatives), a cost, and rationale for acceptance (Preferred Alternative) or rejection (rejected alternatives).]

*No-Action Alternative*

[This alternative **must** be discussed.]

*Alternative [Name Rejected Alternative.]*

[Describe this alternative in a paragraph.]

*Alternative [Name Rejected Alternative.]*

[Describe this alternative in a paragraph.]

*Alternative [Name Rejected Alternative.]*

[Describe this alternative in a paragraph.]

[Use as many alternatives as needed, but the number should be kept to a reasonable amount. There must be at least one rejected alternative to show consideration given to all options.]

*Preferred Alternative*

[This alternative **must** be discussed.]

**G. Environmental Consequences and Mitigative Measures**

**Natural Environment**

*Topography and Soils*

[**Briefly**, discuss any impacts **and/or** benefits to topography, including slope. According to the information presented in the Environmental Information Document, define whether the impacts will be potentially adverse and/or require mitigation. Mitigative measures should be **briefly** summarized.] Supporting information related to the documentation of these impacts and mitigative measures is located in the Environmental Information Document on file with the Responsible Entity.

*Prime and Unique Farmlands [24 CFR 58.5(h)]*

[Select **one** of four options below.]

Based upon consultation with the [Insert name of county where the project is located.] soil survey, prime and unique farmlands soils listing, and current land use map, it has been determined that the proposed project area contains no soil types associated with prime and unique farmland. Therefore, further compliance with the requirements of the Farmland Protection Policy Act of 1981 is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon consultation with the [Insert name of county where the project is located.] soil survey, prime and unique farmlands soils listing, and current land use map, it has been determined that the proposed project area contains [Insert acreage.] acres of soil types related to prime and unique farmlands; however, these soils are committed to urban development or water storage. Therefore, further compliance with the requirements of the Farmland Protection Policy Act of 1981 is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon consultation with the [Insert name of county where the project is located.] soil survey, prime and unique farmlands listing, and current land use map, it has been determined that the proposed project area contains [Insert acreage.] acres of soil types related to prime and unique farmland, and these soils are not committed to urban development or water storage. The soils will be impacted by [**Briefly** describe the type of impacts]. Based upon completion of the Farmland Impact Analysis Rating process, including consultation with the Natural Resources Conservation Service ([Insert date.], [Insert reference number, if applicable.]), it has been determined that no mitigation is required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon consultation with the [Insert name of county where the project is located.] soil survey, prime and unique farmlands soils listing, and current land use map, it has been determined that the proposed project area contains [Insert acreage.] acres of soil types related to prime and unique farmlands, and these soils are not committed to urban development or water storage. The soils will be impacted by [**Briefly** describe the type of impacts]. Based upon completion of the Farmland Impact Analysis Rating process, including consultation with the Natural Resources Conservation Service ([Insert date.], [Insert reference number, if applicable.]), it has been determined that the following mitigation is required: [Insert a **brief** description of the mitigative measures.]. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

*Floodplain Management [24 CFR 58.5(b)(1)]*

[Select **one** of the three options below.]

Based upon a review of the appropriate data sources identified at 24 CFR 55.2(b)(1) the proposed project area[[2]](#footnote-2)† does not contain a coastal high hazard area, 100-year floodplain (including the floodway), or for a critical action [as defined at 24 CFR 55.2(b)(3)] 500-year floodplain. Therefore further compliance with the requirements of Executive Order 11988, as implemented at 24 CFR Part 55, is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon review of the appropriate data sources identified at 24 CFR 55.2(b)(1) the proposed project area[[3]](#footnote-3)† contains an incidental coastal high hazard area, 100-year floodplain (including the floodway), or for a critical action [as defined at 24 CFR 55.2(b)(3)] 500-year floodplain, no construction will occur in the floodplain or hazard area, and a permanent covenant or comparable restriction that precludes future development will be placed on the floodplain or hazard area. Therefore further compliance with the requirements of Executive Order 11988, as implemented at 24 CFR Part 55, is not required. Supporting documentation related to this statement and the decision-making process is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon review of the appropriate data sources identified at 24 CFR 55.2(b)(1), the proposed project will impact the 100-year floodplain or for a critical action [as defined at 24 CFR 55.2(b)(3)] 500-year floodplain. Through the decision-making process required in 24 CFR 55.20, it was determined that the best practicable alternative remains located within the 100-year floodplain, or for a critical action [as defined at 24 CFR 55.2(b)(3)] 500-year floodplain. The impact will be mitigated by [**briefly** describe mitigative measures that shall be implemented.]. Therefore, the requirements of Executive Order 11988 have been fulfilled. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.[[4]](#footnote-4)‡

*Water Resources*

[**Briefly** discuss any impacts **and/or** benefits to water resources, including groundwater and surface water. According to the information presented in the Environmental Information Document, define whether the impacts will be potentially adverse and/or require mitigation. Mitigative measures should be **briefly** summarized.] Supporting information related to the documentation of these impacts and mitigative measures is located in the Environmental Information Document on file with the Responsible Entity.

*Wetland Protection [24 CFR 58.5(b)(2)]*

[Select **one** of the four options below.]

Based upon a review of the National Wetlands Inventory, NRCS Soil Survey, and a field visit that occurred on [Insert date.], the proposed project area[[5]](#footnote-5)† contains no Executive Order 11990, wetlands. Therefore, further compliance with the requirements of Executive Order 11990, as implemented at 24 CFR Part 55, is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon a review of the National Wetlands Inventory mapping, NRCS Soil Survey and a field visit that occurred on [Insert date.], the proposed project area[[6]](#footnote-6)† contains incidental Executive Order 11990 wetlands. No new construction[[7]](#footnote-7)⃰ will occur in the wetland, and a permanent covenant or comparable restriction that precludes future development will be placed on the wetland. Therefore further compliance with the requirements of Executive Order 11990, as implemented at 24 CFR Part 55, is not required.

**OR**

Based upon a review of the National Wetlands Inventory, NRCS Soil Survey, and a field visit that occurred on [Insert date.], the proposed project area[[8]](#footnote-8)† contains incidental Executive Order 11990 wetlands, no new construction[[9]](#footnote-9)⃰ will be in the wetland, and a permanent covenant or comparable restriction that precludes future development will be placed on the wetland. Therefore, further compliance with the requirements of Executive Order 11990, as implemented at 24 CFR Part 55, is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon a review of the National Wetlands Inventory, NRCS Soil Survey and a field visit that occurred on [Insert date.], the proposed project area[[10]](#footnote-10)† contains Executive Order 11990 wetlands that will be impacted by new construction[[11]](#footnote-11)⃰. Through the decision-making process required in 24 CFR 55.20, it was determined that the best practicable alternative remains located within wetlands. The impact will be mitigated by [**Briefly** describe mitigative measures that will be implemented.]. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

*Sole Source Aquifers [24 CFR 58.5(d)]*

No sole source aquifers are located within North Carolina. Therefore, further compliance is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

*Wildlife and Natural Vegetation*

[**Briefly** discuss any impacts **and/or** benefits to wildlife and natural resources, including both terrestrial and aquatic environments and forest resources. According to the information presented in the Environmental Information Document, define whether the impacts will be potentially adverse **and/or** require mitigation. Mitigative measures should be **briefly** summarized.] Supporting information related to the documentation of these impacts and mitigative measures is located in the Environmental Information Document on file with the Responsible Entity.

*Endangered Species Act [24 CFR 58.5(e)]*

[Select **one** of the three options below.]

Based upon a review of federally listed threatened and endangered (T&E) species data and informal consultation with the US Fish and Wildlife Service or, if marine species could be impacted, National Marine Fisheries Service, it has been determined that the proposed project will not pose a threat to either T&E species or T&E species habitat, and a finding of No Effect has been made. Therefore further compliance with the requirements of the Endangered Species Act is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon a review of federally listed threatened and endangered (T&E) species data and informal consultation with the US Fish and Wildlife Service (USFWS) or, if marine species could be impacted, National Marine Fisheries Service (NMFS), it has been determined that the proposed project has the potential to affect on- or off-site T&E species or their habitats. The project will [**Briefly** describe impact.]. Through consultation with USFWS, or, if marine species could be impacted, NMFS, the project will not adversely affect the T&E species ([Insert date.], [Insert reference number.]). Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon a review of federally listed threatened and endangered (T&E) species data and informal consultation with the US Fish and Wildlife Service (USFWS) or, if marine species could be impacted, National Marine Fisheries Service (NMFS), it has been determined that the proposed project has the potential to affect on- or off-site T&E species or their habitats. The project will [**Briefly** describe impact.]. Through consultation with the USFWS or, if marine species could be impacted, NMFS, a Biological Opinion of “Not Likely to Jeopardize the Existence of” the subject T&E species was received on [Insert date.] ([Insert reference number.]). [**Briefly** describe the mitigative measures outlined the Biological Opinion.]. These mitigative measures shall be implemented as part of the project. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

*Wild and Scenic Rivers [24 CFR 58.5(f)]*

[Select **one** of the three options below.]

Based upon a review of appropriate data sources, the proposed project area is not located within one mile of a listed wild and scenic river and, as a result, will have no impact on wild and scenic rivers. Therefore further compliance with the requirements of the Wild and Scenic Rivers Act is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon a review of appropriate data sources, the proposed project area is located within one mile of a listed wild and scenic river. The [Insert the name of the managing Federal agency.], the managing Federal agency, was consulted on [Insert date.] ([Insert reference number, if applicable.]), and it was determined that the project will have no impact on [Insert the name of the wild and scenic river.]. Therefore further compliance with the requirements of the Wild and Scenic Rivers Act is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon a review of appropriate data sources, the proposed project area is located within one mile of a listed wild and scenic river. The [Insert the name of the managing federal agency.], which is the managing Federal Agency, was consulted on [Insert date.] ([Insert reference number, if applicable.]), and it was determined that the project will have the following impact on [Insert the name of the wild and scenic river.]: [**Briefly** describe the impact]. To mitigate the impact, the following measures shall be implemented: [**Briefly** describe the mitigative measures.]. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

*Coastal Zone Management Act [24 CFR 58.5(c)]*

[Select **one** of the three options below.]

The proposed project area is located in a non-coastal county. Therefore further compliance with the requirements of the Coastal Zone Management Act of 1972 is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project area is located in a coastal county. Therefore, compliance with the Coastal Zone Management Act of 1972 has been triggered, and the project cannot be converted to Exempt. The North Carolina Department of Environment and Natural Resources, Division of Coastal Management (DCM) was consulted. On [Insert date.], the DCM responded that the project is consistent with the approved North Carolina Coastal Zone Management Plan and that no mitigation is required (see [Insert reference number, if applicable.]). Therefore, the requirements of the Coastal Zone Management Act of 1972 have been fulfilled. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project is located in a coastal county. The North Carolina Department of Environment and Natural Resources, Division of Coastal Management (DCM) was consulted. On [Insert date.], the DCM responded that the project will require the following mitigation to remain consistent with the approved North Carolina Coastal Zone Management Plan ([Insert reference number, if applicable.]): [**Briefly** describe mitigation measures.]. Therefore, the requirements of the Coastal Zone Management Act of 1972 have been fulfilled. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

*Coastal Barrier Resources Act/Coast Barrier Improvement Act of 1990 [24 CFR 58.6(c)]*

[Select **one** of two options below.]

The proposed project is located in a non-coastal county. Therefore, the statutes and regulations listed at 24 CFR 58.6(c) related to the Coastal Barrier Resources Improvement Act of 1990 do not apply. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

In accordance with the statutes and regulations listed at 24 CFR 58.6(c) related to the Coastal Barriers Resources Act, the proposed project is located in a coastal county but not located in a coastal barrier resources area. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**Human Environment**

*Land Use and Zoning*

[**Briefly** describe whether any changes to land use at the project site and the project area will occur as a result of the proposed project. Additionally, state whether the proposed project is in conformance with the zoning (if present) of the project site and area and if the proposed project will be compatible. If in an urban area, describe any impacts to the area.] Supporting information related to the documentation of impacts is located in the Environmental Information Document on file with the Responsible Entity.

*Hazards and Nuisances, including Site Safety*

[**Briefly** describe any hazards that may occur related to the proposed project **and/or** there will be any benefits related to hazards (e.g., rehabbing a WWTP may remove chlorinination/ dechlorination from service. State whether these impacts are potentially adverse **and/or** require mitigation. Particularly, examine the potential introduction of toxic substances due to construction and operation of the proposed project and **briefly** describe any mitigative measures to be implemented beyond that currently stated.] Any accidental spills of toxic substances will be cleaned up in accordance with local, State, and Federal rules. Supporting information related to the documentation of these impacts and mitigative measures is located in the Environmental Information Document on file with the Responsible Entity.

*Energy Consumption*

[**Briefly** describe whether or not the proposed project will impact **and/or** benefit energy consumption (e.g., removal of pump station will reduce energy consumption by x%) based upon information provided in the Environmental Information Document. State whether or not these impacts are particularly adverse **and/or** may require mitigation. If mitigation is required, then **briefly** describe the mitigation discussed in the Environmental Information Document.] Supporting information related to the documentation of impacts and mitigative measures is located in the Environmental Information Document on file with the Responsible Entity.

*Demographics and Displacements*

[**Briefly** describe any impacts **and/or** benefits (e.g., water may be installed in minority community that has contaminated wells) that may occur to the demographics and displacements that may occur due to the proposed project and based upon information provided in the Environmental Information Document. State whether or not these impacts are potentially adverse **and/or** requires mitigation. If mitigation is required, then **briefly** describe the mitigation discussed in the Environmental Information Document.] Supporting information related to the documentation of impacts and mitigative measures is located in the Environmental Information Document on file with the Responsible Entity.

*Employment and Income Patterns*

[Briefly describe any impacts **and/or** benefits (e.g., the installation of sewer will allow commercial development and bring X jobs to an area of high unemployment) based upon the information provided in the Environmental Information Document. State whether these impacts may be potentially adverse **and/or** require mitigation. If mitigation is required, then **briefly** describe the mitigation discussed in the Environmental Information Document.] Supporting information related to the documentation of impacts and mitigative measures is located in the Environmental Information Document on file with the Responsible Entity.

*Environmental Justice [24 CFR 58.5(j)]*

[Select **one** of the three options below.]

Based upon a review of Census 2010 population data, it has been determined that there are no minority or low-income populations that will be impacted or benefitted by the proposed project. Therefore, further compliance with the requirements of Executive Order 12898 is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon a review of the Census 2010 population data, it has been determined that there are minority and low-income populations that may be impacted or benefitted by the proposed project. These impacts or benefits are [Provide a **brief** description of the impacts **and/or** benefits.]. Based upon a review of these impacts and/or benefits, it has been determined that they will not create a disproportionately high and adverse human and environmental impact on minority and low-income populations because [Insert a **brief** description as to why these impacts will not be disproportionately high and adverse on EJ populations.]. Therefore, further compliance with the requirements of Executive Order 12898 is not required. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon a review of the Census 2010 population data, it has been determined that there are minority and low-income populations that will be impacted by the proposed project. These impacts are [Provide a **brief** description of the impacts.]. Based upon a review of these impacts, it has been determined that they will create a disproportionately high and adverse human and environmental impact on minority and low-income populations because [Insert a **brief** description as to why these impacts will be disproportionately high and adverse on EJ populations.]. To mitigate these impacts, the following measures have been proposed: [Insert a **brief** description of mitigative measures.]. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

*Community Facilities and Services*

[**Briefly** describe any impacts **and/or** benefits that would occur to educational facilities, commercial facilities, health care facilities, social services, solid waste, wastewater, stormwater, water supply, police, fire, emergency medical, open space, recreation, cultural facilities, and/or transportation facilities.]. State whether these impacts may be potentially adverse **and/or** require mitigation. If mitigation is required, **briefly** describe the mitigative measures.] Supporting information related to the documentation of impacts and mitigative measures is located in the Environmental Information Document on file with the Responsible Entity.

*Historic Preservation [24 CFR 58.5(a)(1)]*

[Select **one** of the three options below.]

Consultation with the North Carolina Department of Cultural Resources (DCR), Catawba Indian Nation, and, in applicable counties, Eastern Band of Cherokee Indian Nation or Tuscarora Indian Nation found that no National Register eligible or listed properties will be affected ([Insert Record Number(s) for each agency consulted if record numbers are provided.]). Therefore, further compliance with the requirements of the National Historic Preservation Act of 1966, particularly sections 106 and 110, is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Consultation with the North Carolina Department of Cultural Resources (DCR), Catawba Indian Nation, and, in applicable counties, Eastern Band of Cherokee Indian Nation or Tuscarora Indian Nation found that National Register eligible or listed properties located in the project area will *not* be adversely affected ([Insert Record Number(s) for each agency consulted if record numbers are provided.]). Maintenance of the adverse effect will require adherence to the following conditions: [**Briefly** describe the conditions that allowed for the finding of no adverse effect (e.g. Strict adherence to local historic preservation codes]. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Consultation with the North Carolina Department of Cultural Resources (DCR), Catawba Indian Nation, and, in applicable counties, Eastern Band of Cherokee Indian Nation or Tuscarora Indian Nation found that National Register eligible or listed properties will be adversely affected ([Insert Record Number(s) for each agency consulted if record numbers are provided.]). A Memorandum of Agreement outlining agreed upon mitigation has been filed with the Advisory Council on Historic Preservation, in fulfillment to the requirements of the National Historic Preservation Act, particularly sections 106 and 110. [**Briefly** describe the mitigative measures that shall be implemented.]. Supporting documentation related to this statement and the mitigative measures is located in the Environmental Information Document on file with the Responsible Entity.

*Air Quality*

[**Briefly** describe the impacts **and/or** benefits related to air quality, including sources of emissions. **Briefly** describe whether the impacts are potentially adverse **and/or** any mitigative measures utilized to address these impacts.]. Supporting documentation related to these impacts and mitigative measures is located in the Environmental Information Document on file with the Responsible Entity.

*Clean Air Act [24 CFR 58.5(g)]*

[Select **one** of the three options below.]

Based upon consultation with the North Carolina Department of Environment and Natural Resources, Division of Air Quality (DAQ) on [Insert date.], the DAQ indicated that the proposed project is not located in a non-attainment or maintenance area. Therefore further compliance with the requirements of the Clean Air Act as amended in 1990 is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon consultation with the North Carolina Department of Environment and Natural Resources, Division of Air Quality (DAQ) on [Insert date.], the DAQ indicated that the proposed project is located in a non-attainment or maintenance area. Based upon consultation with the DAQ, the project is in conformance with the State Implementation Plan, and no further action is needed. Therefore, further compliance with the requirements of the Clean Air Act as amended in 1990 is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon consultation with the North Carolina Department of Environment and Natural Resources, Division of Air Quality (DAQ) on [Insert date.], the DAQ indicated that the proposed project is located in a non-attainment or maintenance area. Based upon consultation with the DAQ, the project is not in conformance with the State Implementation Plan (SIP). The DAQ recommends that [Insert a **brief** description of mitigative measures.]. Once these actions are completed, the project will be in conformance with the SIP. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

*Noise*

[**Briefly** describe any impacts **and/or** benefits related to noise. Note whether any impacts may be potentially adverse **and/or** if any mitigative measures are required. If mitigative measures are required, **briefly** describe them.] Supporting documentation related to these impacts and mitigative measures may be found in the Environmental Information Document on file with the Responsible Entity.

*Noise Abatement and Control [24 CFR Part 51, Subpart B, 24 CFR 58.5(i)(1)]*

[Choose **one** of the five options below.]

The proposed project does not directly support the construction of a noise sensitive development. Therefore, further compliance with the requirements of 24 CFR Part 51, Subpart B is not required.

**OR**

The proposed project directly supports the construction of a noise sensitive development and, based upon a review of the location of potentially major sources of noise, there are no civilian airports, military airfields, railroads, highways, or sites that produce loud impulsive sounds (e.g., certain Department of Defense installations) that will potentially impact the proposed project. Therefore, further compliance with the requirements of 24 CFR Part 51, Subpart B is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project directly supports the construction of a noise sensitive development, and based upon a review of the location of potentially major sources of noise, there is/are [Insert **all** that apply: civilian airport, military airfield, railroads, highways, Department of Defense installation.] located near the proposed noise sensitive development. A noise assessment, which meets HUD Noise Assessment Guidelines, indicated that the noise levels at the noise sensitive development site are “acceptable” (65 DNL or less). Therefore, further compliance with the requirements of 24 CFR Part 51, Subpart B is not required. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project directly supports the construction of a noise sensitive development, and based upon a review of the location of potentially major sources of noise, there is/are [Insert **all** that apply: civilian airport, military airfield, railroads, highways, Department of Defense installation.] located near the proposed noise sensitive development. A noise assessment, which meets HUD Noise Assessment Guidelines, indicated that the noise sensitive development site is exposed to “normally unacceptable” noise levels [Choose **one**: 65 to 70 DNL or 70 to 75 DNL]. Furthermore, all noise-sensitive uses must have a minimum of [Choose **one**: 5 dB of additional sound attenuation or 10 dB of additional sound attenuation.] in accordance with 24 CFR Part 51, Subpart B. Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project directly supports the construction of a noise sensitive development and, based upon a review of the location of potentially major sources of noise, there is/are [Insert **all** that apply: civilian airport, military airfield, railroads, highways, Department of Defense installation.] located near the proposed noise sensitive development. A noise assessment, which meets HUD Noise Assessment Guidelines, indicated that noise sensitive development site is exposed to “unacceptable” noise levels (greater than 75 DNL). Supporting documentation related to this statement is located in the Environmental Information Document on file with the Responsible Entity.

*Environmental Design*

[**Briefly** describe the impacts **and/or** benefits related to the visual quality, coherence, diversity, compatible use, and scale that will result from the proposed project. State whether the impacts will be potentially adverse **and/or** whether mitigation will be required. If mitigation is required, **briefly** describe those mitigative measures.] Supporting documentation related to the impacts and/or mitigative measures is located in the Environmental Information Document on file with the Responsible Entity.

*Explosive and Flammable Operations [24 CFR Part 51, Subpart C, 24 CFR 58.5(i)(1)]*

[Choose **one** of three options below.]

The proposed project does not directly support construction of an activity intended for residential, institutional, recreational, commercial or industrial use; rehabilitation/modernization that will increase the number of people using a building; or a rehabilitation/modernization that will make a vacant building habitable. Therefore, further compliance with the requirements of 24 CFR Part 51, Subpart C is not required.

**OR**

The proposed project directly supports construction of an activity intended for residential, institutional, recreational, commercial or industrial use; rehabilitation/modernization that will increase the number of people using a building; or a rehabilitation/modernization that will make a vacant building habitable. A thermal/explosive hazard analysis, which meets HUD Acceptable Separation Distance review guidelines, indicated that the supported project exceeds the acceptable separation distance of any 100+ gallon above ground storage tanks (ASTs) storing common liquid industrial fuels, or any capacity ASTs storing hazardous liquids or gases that are not common liquid industrial fuels. Therefore, further compliance with the requirements of 24 CFR Part 51, Subpart C is not required. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project directly supports construction of an activity intended for residential, institutional, recreational, commercial or industrial use; rehabilitation/modernization that will increase the number of people using a building, or a rehabilitation/modernization that will make a vacant building habitable A thermal/explosive hazard analysis, which meets HUD Acceptable Separation Distance review guidelines, indicated that the supported project is within the acceptable separation distance of a 100+ gallon above ground storage tank (AST) storing common liquid industrial fuels, or any capacity AST storing hazardous liquids or gases that are not common liquid industrial fuels. To mitigate the impact, the following measures shall be implemented: [**Briefly** describe the mitigative measures.]. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

*Toxic Chemicals and Radioactive Materials [24 CFR 58.5(i)(2)]*

[Choose **one** of eight options.]

The proposed project does not directly support rehabilitation or construction of an activity intended for residential, institutional, recreational, commercial or industrial use, and based upon a letter of finding made by [Insert the name of the local planning agency], the project site is not listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; is not located within 3,000 feet of a toxic or solid waste landfill site; does not have an underground storage tank which is not a residential fuel tank; and is not known or suspected of being contaminated by toxic chemicals or radioactive materials. Therefore, further compliance with the requirements of 24 CFR 58.5(i)(2) is not required. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project does not directly support rehabilitation or construction of an activity intended for residential, institutional, recreational, commercial or industrial use and based upon a letter of finding made by [Insert the name of the local planning agency], the project site is listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; is located within 3,000 feet of a toxic or solid waste landfill site; has an underground storage tank which is not a residential fuel tank; or is known or suspected of being contaminated by toxic chemicals or radioactive materials. Based upon the findings of an ASTM Phase I Environmental Site Assessment, no Recognized Environmental Conditions are present in the project site, or based upon the findings of a Phase II Environmental Site Assessment, no hazardous substances, petroleum, or petroleum products are present, above actions levels, in the project site. Therefore, further compliance with the requirements of 24 CFR 58.5(i)(2) is not required. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project does not directly support rehabilitation or construction of an activity intended for residential, institutional, recreational, commercial or industrial use, and based upon a letter of finding made by [Insert the name of the local planning agency], the project site is listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; is located within 3,000 feet of a toxic or solid waste landfill site; has an underground storage tank which is not a residential fuel tank; or is known or suspected of being contaminated by toxic chemicals or radioactive materials. Based upon the findings of a Phase II Environmental Site Assessment, hazardous substances, petroleum, or petroleum products are present above action levels in the project site. To mitigate the impact, the following measures shall be implemented: [**Briefly** describe the mitigative measures.]. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project directly supports a single family (1-4 unit) rehabilitation or construction activity, and based upon a letter of finding made by [Insert the name of the local planning agency], the project area is not listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; is not located within 3,000 feet of a toxic or solid waste landfill site; does not have an underground storage tank which is not a residential fuel tank; and is not known or suspected of being contaminated by toxic chemicals or radioactive materials. Therefore, further compliance with the requirements of 24 CFR 58.5(i)(2) is not required. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project directly supports a single family (1-4 unit) rehabilitation or construction activity, and based upon a letter of finding made by [Insert the name of the local planning agency], the project area is listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; is located within 3,000 feet of a toxic or solid waste landfill site; has an underground storage tank which is not a residential fuel tank; or is known or suspected of being contaminated by toxic chemicals or radioactive materials. Based upon the findings of an ASTM Phase I Environmental Site Assessment, no Recognized Environmental Conditions are present in the project area, or based upon the findings of a Phase II Environmental Site Assessment, no hazardous substances, petroleum, or petroleum products are present, above actions levels, in the project area. Therefore, further compliance with the requirements of 24 CFR 58.5(i)(2) is not required. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project directly supports a single family (1-4 unit) rehabilitation or construction activity, and based upon a letter of finding made by [Insert the name of the local planning agency], the project area is listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; is located within 3,000 feet of a toxic or solid waste landfill site; has an underground storage tank which is not a residential fuel tank; or is known or suspected of being contaminated by toxic chemicals or radioactive materials. Based upon the findings of a Phase II Environmental Site Assessment, hazardous substances, petroleum, or petroleum products are present above actions levels in the project area. To mitigate the impact, the following measures shall be implemented: [**Briefly** describe the mitigative measures.]. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project directly supports a multifamily (5 or more unit) or non-residential rehabilitation activity, and based upon the findings of an ASTM Phase I Environmental Site Assessment, no Recognized Environmental Conditions are present in the project area, or based upon the findings of a Phase II Environmental Site Assessment, no hazardous substances, petroleum, or petroleum products are present, above actions levels, in the project area. Therefore, further compliance with the requirements of 24 CFR 58.5(i)(2) is not required. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

The proposed project directly supports a multifamily (5 or more unit) or non-residential rehabilitation activity and based upon the findings of a Phase II Environmental Site Assessment hazardous substances, petroleum, or petroleum products are present, above actions levels, in the project area. To mitigate the impact, the following measures shall be implemented: [**Briefly** describe the mitigative measures.]. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

*Airport Projection Zones/Clear Zones and Accident Potential Zones [24 CFR Part 51, Subpart D, 24 CFR 58.6(d)]*

[Choose **one** of the three options below.]

Based upon a review of mapping and/or other appropriate documentation, it has been determined that the proposed project area is not located within 2,500 feet of the end of a civil airport runway or 15,000 feet of the end of a military airfield runway. Therefore, further compliance with the requirements of 24 CFR Part 51, Subpart D is not required. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon a review of mapping and/or other appropriate documentation, it has been determined that the proposed project area is located within 2,500 feet of the end of a civil airport runway or 15,000 feet of the end of a military airfield runway. The operator of the [Insert name of the appropriate civil airport or military airfield.] has stated that the project area is not located within a [Insert **one** of the two options: runway projection zone/clear zone for a civil airport **OR** runway projection zone/clear zone or accident potential zone for a military airfield.]. Therefore, further compliance with the requirements of 24 CFR Part 51, Subpart D is not required. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**OR**

Based upon a review of mapping and/or other appropriate documentation, it has been determined that the proposed project area is located within 2,500 feet of the end of a civil airport runway or 15,000 feet of the end of a military airfield runway. The operator of the [Insert name of the appropriate civil airport or military airfield.] has stated that the project area is located within a [Insert **one** of the two options: runway projection zone/clear zone at a civil airport **OR** runway projection zone/clear zone or accident potential zone at a military airfield.]. The project does not directly support an activity to rehabilitate or construct a facility that will be frequently used or occupied by people, and for projects in runway projection zones/clear zones, the airport operator has provided written assurance to the effect that there are no plans to purchase the land involved with the project site ([Insert Record Number, if available.]); or for projects in accident potential zones the project has been found to be compatible with the Airport Instillation Compatibility Use Zone. Supporting documentation is located in the Environmental Information Document on file with the Responsible Entity.

**H. Public Involvement and Sources Consulted**

As part of this FONSI, the public will have an opportunity to comment on the project. [Describe if any additional public involvement occurred. Include public involvement related to floodplains and wetlands issues if it occurred.]

Sources consulted about this project for information or concurrences included:

1) [Insert **all** sources consulted, including the Responsible Entity, Recipient (if different from the Responsible Entity), NCDENR agencies, including Division of Water Infrastructure, any Federal agencies consulted, and any other agencies.]

**[Note: A 8.5” x 11” project location map (e.g., the project location map required in the ER/EID] must be provided as an attachment to this document.]**

1. i.e., Choice –limiting actions are defined as expenditure of funds or entrance into legally binding contracts for acquisition, demolition, movement, conversion, repair or construction. Choice-limiting actions also include soliciting bids for demolition, movement, conversion, repair or construction. [↑](#footnote-ref-1)
2. † Project area is the broad area that may include the project construction site, any functionally dependent activity, and any additional regulatory area. Project site is where the actual construction of the infrastructure occurs. [↑](#footnote-ref-2)
3. † Project area is the broad area that may include the project construction site, any functionally dependent activity, and any additional regulatory area. Project site is where the actual construction of the infrastructure occurs. [↑](#footnote-ref-3)
4. ‡ Note that neither sewer nor water lines may be constructed in floodways or coastal high hazard areas, as they are not functionally dependent uses [see 24 CFR 55.1(c)]. [↑](#footnote-ref-4)
5. † Project area is the broad area that may include the project construction site, any functionally dependent activity, and any additional regulatory area. [↑](#footnote-ref-5)
6. † Project area is the broad area that may include the project construction site, any functionally dependent activity, and any additional regulatory area. [↑](#footnote-ref-6)
7. ⃰ New construction, as defined in Executive Order 11990, includes draining and other actions in wetlands, thus actions not covered under the Clean Water Act must be addressed. [↑](#footnote-ref-7)
8. † Project area is the broad area that may include the project construction site, any functionally dependent activity, and any additional regulatory area. [↑](#footnote-ref-8)
9. ⃰ New construction, as defined in Executive Order 11990, includes draining and other actions in wetlands, thus actions not covered under the Clean Water Act must be addressed. [↑](#footnote-ref-9)
10. † Project area is the broad area that may include the project construction site, any functionally dependent activity, and any additional regulatory area. [↑](#footnote-ref-10)
11. ⃰ New construction, as defined in Executive Order 11990, includes draining and other actions in wetlands, thus actions not covered under the Clean Water Act must be addressed. [↑](#footnote-ref-11)