

Rural Transformation Grant Fund Environmental Review Guide

The North Carolina Department of Commerce, Rural Economic Development Division (REDD), prepared this Environmental Review Guide (Guide) to ensure that grantees are aware that federal environmental laws may apply to projects approved for Rural Transformation Grant Fund (RTGF) grants. Grantee must comply with the requirements of the [North Carolina State Environmental Policy Act](#).

This Guide lists federal environmental laws that may impact the planning and implementation of an approved Rural Transformation Grant Fund (RTGF) project. However, this Guide is not intended to be an exhaustive catalog of all potentially relevant federal environmental laws and regulations.

The following questions will assist grantees in identifying the federal environmental laws that may apply. However, the grantee must perform the proper due diligence to ensure its project complies with all applicable laws. Grantees must submit a copy of this Guide with their responses to the questions, via the REDD Rural Connect Portal, prior to requesting RTGF funds. Additionally, grantees must retain records, permits, and documentation necessary to verify compliance with all environmental requirements.

COASTAL AREA MANAGEMENT ACT (CAMA) and COASTAL BARRIER RESOURCES ACT (CBRA)

- 1) Will the proposed activity occur in or near the [state's designated coastal zone](#)?
Yes No

- 2) Is the activity likely to have reasonably foreseeable effects on any land or water use or natural resource of the designated coastal zone?
Yes No

- 3) Is the project located within a coastal barrier designated on an official [Coastal Barrier Resources Act \(CBRA\) map of the Coastal Barrier Resources System](#)?
Yes No

If the answer to any of these questions is "yes," contact the North Carolina [Department of Environmental Quality, Division of Coastal Management](#).

FEDERAL ENDANGERED SPECIES ACT (ESA)

- 1) Review the list of rare plant and animals, natural communities, and important animal assemblages provided by the [North Carolina Natural Heritage Program Online Data Search](#). Is the project likely to affect any state or federally listed or proposed endangered or threatened species or critical habitats?
Yes No

If the answer to the question is “yes,” consult with the [Southeast Regional Office of the U.S. Fish and Wildlife Service](#). Please keep records of the consultation.

FEDERAL CLEAN WATER ACT (CWA)

A permit may be required from the U.S. Army Corps of Engineers (USACE) for the disposal of dredge or fill material in the Nation’s waters, including wetlands.

1) Will the proposed activity result in any disposal of dredge or fill material to the Nation’s waters or wetlands?

Yes No

If the answer to this question is “yes,” contact the Regulatory Program of the nearest [District Office of the USACE](#) for further guidance on Section 404 permits.

A Water Quality Certification (Section 401) is required for activities that may result in a discharge into waters of the United States, including wetlands, watercourses, and natural or man-made ponds. A National Pollution Discharge Elimination System (NPDES) permit may also be required for such discharges.

1) Will the proposed activity result in any discharge to waters of the United States?

Yes No

If the answer to this question is “yes,” contact the [North Carolina Department of Environmental Quality, Division of Water Resources, Water Quality Permitting Section](#) for guidance. Additional information concerning Section 401 or NPDES requirements can be found at: <https://www.epa.gov/cwa-401/overview-cwa-section-401-certification> and <https://www.epa.gov/npdes/npdes-permit-basics>.

CLEAN AIR ACT

1) Will the proposed activity result in any direct or indirect emissions within a non-attainment area (<https://www.epa.gov/green-book>)?

Yes No

If the answer to this question is "yes," contact the [North Carolina Department of Environmental Quality Division of Air Quality](#).

NATIONAL HISTORIC PRESERVATION ACT (NHPA)

1) Is the property listed on the [National Register of Historic Places](#)?

Yes No

2) Is the property a contributing or non-contributing property located within or directly adjacent to an historic district listed on the [National Register of Historic Places](#)?

Yes No

If the answer to any of these questions is “yes,” consult with the [State Historic Preservation Office](#) (SHPO) for historic and/or cultural resources review.

WILD AND SCENIC RIVERS ACT

- 1) Is the project located on and/or will it affect a Wild and Scenic River or a river in the [Nationwide Rivers](#) inventory, or its tributaries?
Yes No

If the answer to this question is “yes,” consult with the [Southeast Regional Office of the U.S. Fish and Wildlife Service](#). Please keep records of the consultation.

RIVERS AND HARBORS ACT

- 1) Will the project involve any work, including the construction of any structure, in, over, or under any navigable water of the United States, including dredging or disposal of dredged material, excavation, filling, rechannelization, or any other modification of such navigable water?
Yes No

If the answer to this question is “yes,” contact the Regulatory Program of the nearest [District Office of the USACE](#) for further guidance on Section 10 permits.

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

- 1) Will the proposed activity include the long-term storage of hazardous materials or petroleum products?
Yes No

If the answer to this question is “yes,” contact the [North Carolina Department of Environmental Quality Hazardous Waste Section](#) for further guidance on RCRA compliance.

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA)

- 1) Will the proposed activity involve a known [Superfund site](#)?
Yes No

If the answer to this question is “yes,” contact the nearest [Regional Office of the U.S. Environmental Protection Agency](#) for further guidance on CERCLA requirements or contact the [North Carolina Department of Environmental Quality Superfund Section](#).

BROWNFIELDS PROPERTY REUSE ACT (BPRA)

1) Will the proposed activity involve a known Brownfield Site?

Yes NO

If the answer to this question is “yes,” contact the [NC Department of Environmental Quality Brownfields Program](#) for further guidance.

SAFE DRINKING WATER ACT (SDWA)

2) Will the proposed activity impact the quality of above ground or underground water supply sources that are in use or designated for use by public water systems to provide drinking water?

Yes No

3) If the answer to the above question is “yes,” will the proposed activity involve underground injection which may impact drinking water sources?

Yes No

If the answer to one or both of the above questions is “yes,” contact the [North Carolina Department of Environmental Quality, Division of Water Resources](#), for more information.

FARMLAND PROTECTION POLICY ACT (FPPA)

1) Is the proposed activity for new construction, acquisition of undeveloped land, or a change in use of land or property?

Yes No

If the answer to the question is “yes,” contact the local [United States Department of Agriculture Natural Resource Conservation Service District Conservationist](#).

FLOODPLAIN MANAGEMENT

1) Is the project located in a designated floodplain or does it have the potential to affect or be affected by a floodplain on a [National Flood Insurance Program map](#)?

Yes No

If the answer to this question is “yes,” contact the NC Floodplain Mapping Program (<https://flood.nc.gov/ncflood/index.html>) or your local Floodplain Manager or Administrator for further guidance.

WETLAND PROTECTION

1) Is any portion of the proposed activity in wetlands?

Yes

No

If the answer to this question is “yes,” maintain documentation in the grant file demonstrating that: (1) there is no practicable alternative, and (2) the project includes all practicable measures to minimize harm to wetlands.

ENVIRONMENTAL JUSTICE

1) Will the proposed activity have disproportionately high and adverse human health or environmental effects on minority or low-income populations?

Yes

No

If the answer to this question is “yes,” please see information from the [North Carolina Department of Environmental Quality, Environmental Justice Program](#), and contact staff for further guidance.