

PUBLIC NOTICE

The United States Department of Homeland Security's Federal Emergency Management Agency (FEMA) will be receiving subgrant applications from the State of North Carolina for acquisition and demolition or mitigation reconstruction and/or elevation of residential and commercial properties. Pursuant to Executive Order (EO) 11988 and 44 Code of Federal Regulations (CFR) Part 9.12, FEMA hereby gives final notice of the intent to provide statewide funding for these projects under the Hazard Mitigation Grant Program (HMGP) as a result of Tropical Storm Helene.

A cumulative Initial Public Notice was published and posted on October 5, 2024, and an amended Initial Public Notice posted on October 17, 2024, for DR-4827-NC located at: <https://www.fema.gov/disaster-federal-register-notice/4827-dr-nc-public-notice-amendment-003-0>. Comments and other information received were fully evaluated by FEMA along with evaluation of social, economic, environmental, and safety considerations. This serves as a cumulative Final Public Notice for FEMA's funding action for Hazard Mitigation Assistance (HMA) HMGP expedited activities that may be located within, affect, or be affected by floodplains or wetlands.

The purpose of acquisition projects is to permanently eliminate the risk of future flood or other hazard damages and to prevent health and safety risks for property owners. The proposed scope of work for acquisition and demolition may include the following: On a completely voluntary basis which property owners may opt out of, a County may acquire a property within its jurisdiction. If a property owner opts out of a county acquisition, the property owner may proceed with elevation, or reconstruction and elevation, depending on the extent of damage to the property. Should a County enter into a voluntary agreement with a property owner to acquire a property, all structures on the property will be demolished. Demolition activities include removal of foundations, removal or capping of utilities, removal or filling of septic tanks, and/or removal of ancillary buildings such as barns, garages, fencing, etc. Management and disposal of all associated debris shall adhere to all North Carolina Department of Environmental Quality Division of Waste Management requirements and adhere to all North Carolina General Statutes. The property will be converted into open space and deed restricted as set forth in the FEMA program requirements concerning the acquisition of property for open space at 44 CFR 206.434 (e).

Structure elevation and mitigation reconstruction projects aim to significantly reduce potential future flood damage to structures, enhancing resilience and ensuring the safety of their occupants. The proposed scope of work for mitigation reconstruction projects may include the following. Mitigation reconstruction will entail demolition of the existing primary living structure on the property and rebuilding a new code-compliant structure, possibly on a new foundation, with the first floor elevated to the highest elevation required among local, state, and federal floodplain management and flood risk reduction requirements. Activities may include site preparation, disconnection of utilities, and elevation of electrical and mechanical equipment located outside the structure. Any enclosed space at grade level shall have hydrostatic vents and can only be used for storage or parking. The square footage of the newly constructed and elevated structure shall be no more than ten percent greater than the original square footage. The project shall be designed and constructed in compliance with the North Carolina Building Code, ASCE 24-14 or latest edition, the Federal Flood Risk Management Standards (FFRMS), National Flood Insurance Program (NFIP) standards in 44 CFR Part 60, applicable floodplain ordinances, and all other applicable local regulations. Management and disposal of all associated debris shall adhere to all North Carolina Department of Environmental Quality Division of Waste Management requirements and adhere to all North Carolina General Statutes.

Structure elevation projects aim to significantly reduce potential future flood damage to structures, enhancing resilience and ensuring the safety of their occupants. The proposed scope of work for projects that involve only elevation may include the following. Elevate the existing, primary living structure on the property such that the first floor is elevated to the highest elevation required among local, state, and federal floodplain management and flood risk reduction requirements. Activities may include site preparation, disconnection of utilities, and elevation of electrical and mechanical equipment located outside the structure. Any enclosed space at grade level shall have hydrostatic vents and can only be used for storage or parking. The square footage of the newly constructed and elevated structure shall be no more than ten percent greater than the original square footage. The project shall be designed and constructed in compliance with the North Carolina Building Code, ASCE 24-14 or latest edition, the FFRMS, NFIP standards in 44 CFR Part 60, applicable floodplain ordinances, and all other applicable local regulations. Management and disposal of all associated debris shall adhere to all North Carolina Department of Environmental Quality Division of Waste Management requirements and adhere to all North Carolina General Statutes.

Under the National Environmental Policy Act, federal actions must be reviewed and evaluated for feasible alternatives and for social, economic, historic, environmental, legal, and safety considerations. EO 11988 and EO 11990 require FEMA to consider alternatives and provide a public notice of any proposed actions in or affecting floodplains or wetlands. EO 12898 requires FEMA to provide the opportunity for public participation in the planning process and to consider potential impacts to minority and low-income populations. This notice may also fulfill requirements under Section 106 of the National Historic Preservation Act.

President Biden issued new Executive Orders 13985, 13990 and 14008 in January 2021 to further address the need to achieve environmental justice and equity across the federal government and to tackle the ongoing climate crisis. Additionally, President Biden issued Executive Order (EO) 14096 in April 2023, advance the nation's implementation and enforcement of environmental justice. The issuance of the new executive orders indicates the administration's directive to federal agencies to renew their energy, effort, resources and attention to environmental justice and climate change.

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Executive Order 14030, Climate-Related Financial Risk (May 20, 2021), reinstated Executive Order 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input (January 30, 2015), which established the Federal Flood Risk Management Standard (FFRMS). To implement the FFRMS, FEMA Issued FEMA Policy 206-24-005, effective for federal disaster declarations occurring on or after September 9, 2024. FEMA will determine FFRMS Floodplains and associated design standards using the Climate Informed Science Approach (CISA), Freeboard Value Approach (FVA), and 0.2-Percent-Annual-Chance Flood Approach (0.2PFA) according to the process detailed in the FFRMS Policy. For all FEMA programs and project types, if a state, local, tribal, or territorial government has its own higher elevation standard, FEMA requires use of the higher standard. FEMA program policies also reference additional consensus codes and standards, such as ASCE-24-14, that incorporate additional elevation requirements beyond the base flood elevation. More information about the FFRMS can be found at: <https://www.fema.gov/floodplain-management/intergovernmental/federal-flood-risk-management-standard>.

FEMA has determined that the only practicable alternative is to fund these mitigation projects as quickly as possible to provide relief to the socioeconomic challenges property owners are experiencing before, during, and after disasters. The three alternatives proposed; as described above, are deemed practicable based on the variables of the property such as existing conditions of structures, topography, property owners' decision, and other environmental and socioeconomic factors or constraints. The no action alternative has been quickly dismissed due to the need to be proactive and not reactive to multi-hazard threats to property owners in the State of North Carolina.

For the above stated actions, this will be the final public notice from FEMA. Other activities and those involving facilities that do not meet the criteria described above are required to undergo more detailed review including the study of alternative locations. Subsequent project-specific final public notice(s) regarding such projects will be published, if necessary, as more specific information becomes available.

Comments: Interested persons may submit comments, questions, or request a map of this specific project by writing to the Federal Emergency Management Agency, Region 4, 3005 Chamblee-Tucker Road, Atlanta, Georgia 30341, or by emailing FEMA-R4EHP@fema.dhs.gov. Comments should be sent in writing or email with the subject line "HELENE NC HMA EXPEDITED" at the above addresses within 15 days of the date of this notice.