

APPENDIX II - REGULATORY CORRESPONDENCE



July 12, 2010

CERTIFIED MAIL – RETURN RECEIPT

North Carolina Division of Coastal Management
127 Cardinal Drive Extension
Wilmington, North Carolina 28405

Attention: Ms. Heather Coats

Subject: REQUEST FOR SITE REVIEW
Proposed Town of Sunset Beach Fire Station No. 2
7149 Old Georgetown Road
Sunset Beach, North Carolina
S&ME Project No. 1064-10-101

Dear Ms. Coats:

S&ME is currently performing a NEPA Review for a proposed Fire Station in Sunset Beach, Brunswick County, North Carolina. Our personnel have recently visited the site in July 2010 to identify Areas of Environmental Concern (AECs) that may be subject to the Coastal Area Management Act (CAMA). During our site visit, no AECs were identified on or near the subject property that would be subject to CAMA and thus would be under the jurisdiction of the Division of Coastal Management. We are requesting that your office review the project location and respond with your comments as to the presence/absence of areas on the property that are subject to CAMA.

PROJECT LOCATION

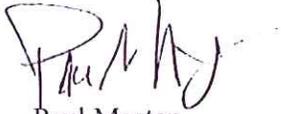
The site consists of a single parcel totaling approximately 1.2-acres located at 7149 Old Georgetown Road, approximately 600 feet east of its intersection with NC Highway 904. The site is relatively flat and contains young growth planted pines. A small pocossin/depressional wetland has been identified in the northeast corner of the site.

A copy of the United States Geologic Survey (USGS) 7.5 Minute Series Topographic Quadrangle for Calabash, North Carolina is attached showing the location of the site (Figure 1). The latitude and longitude coordinates for the approximate center point of the site are 33.917349°N, 78.489044°W. An aerial photograph (Figure 2) and representative photographs of the subject property are also attached.

If you have any questions, please do not hesitate to call me at 910-799-9945. A response via mail or e-mail would be appreciated. My e-mail address is pmasten@smeinc.com.

Sincerely,

S&ME, Inc.



Paul Masten
Project Manager

PAM/jns

Attachments: Figure 1 – Site Vicinity Map (USGS Topographic Quadrangle)
 Figure 2 – Aerial Photograph
 Representative Photographs



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Beverly Eaves Perdue
Governor

James H. Gregson
Director

Dee Freeman
Secretary

July 30, 2010

Mr. Paul Masten
S&ME, Inc.
3006 Hall Waters Drive, Suite 100
Wilmington, NC 28405-8083

Re: Proposed Town of Sunset Beach Fire Station No. 2

Dear Mr. Masten:

Thank you for your letter of July 12, 2010 and the documents pertaining to the proposed Fire Station at 7149 Old Georgetown Road in Sunset Beach, Brunswick County, NC. It appears that the proposed work will not involve any CAMA Areas of Environmental Concern, and therefore will not require a CAMA Permit from this Division.

Please feel free to contact me at (910) 796-7270, if you have any questions, or if I can be of further assistance.

Sincerely,

Debra Wilson
Field Representative



July 12, 2010

CERTIFIED MAIL – RETURN RECEIPT

U. S. Fish and Wildlife Service
Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726

Attention: Mr. John Ellis
Federal Permits and Projects Coordinator

Subject: REQUEST FOR SITE REVIEW
Proposed Town of Sunset Beach Fire Station No. 2
7149 Old Georgetown Road
Sunset Beach, North Carolina
S&ME Project No. 1064-10-101

Dear Mr. Ellis:

S&ME is currently performing a NEPA Review for a proposed Fire Station in Sunset Beach, Brunswick County, North Carolina. Our personnel have recently completed a literature review and field check performed in July 2010. The literature review identified three federally listed species for the Calabash Quadrangle of the United States Geologic Survey (USGS) 7.5 Minute Series Topographic map of North Carolina. Those include the American Alligator, Wood Stork, and West Indian Manatee. During our site visit, no species or suitable habitats were identified. We are requesting that your office review the project location and respond with your comments as to any knowledge or concerns regarding rare, endangered, or threatened species, significant natural heritage areas, or high quality natural communities within the vicinity of the subject property, and provide comments regarding the interests of your agency.

PROJECT LOCATION

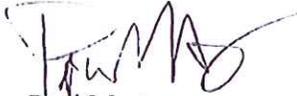
The site consists of a single parcel totaling approximately 1.2 acres located at 7149 Old Georgetown Road, approximately 600 feet east of its intersection with NC Highway 904. The site is relatively flat and contains young growth planted pines. A small wetland has been identified in the northeast corner of the site.

A copy of the United States Geologic Survey (USGS) 7.5 Minute Series Topographic Quadrangle for Calabash, North Carolina is attached showing the location of the site (Figure 1). The latitude and longitude coordinates for the approximate center point of the site are 33.917349°N, 78.489044°W. An aerial photograph (Figure 2) and representative photographs of the subject property are also attached.

If you have any questions, please do not hesitate to call me at 910-799-9945. A response via mail or e-mail would be appreciated. My e-mail address is pmasten@smeinc.com.

Sincerely,

S&ME, Inc.



Paul Masten
Project Manager

PAM/jns

Attachments: Figure 1 – Site Vicinity Map (USGS Topographic Quadrangle)
 Figure 2 – Aerial Photograph
 Representative Photographs



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726

July 27, 2010

Paul Masten
S&ME, Inc.
3006 Hall Waters Drive, Suite 100
Wilmington, NC 28405-8083

Re: Town of Sunset Beach Fire Station No. 2

Dear Mr. Masten:

This letter is to inform you that a list of all federally-protected endangered and threatened species with known occurrences in North Carolina is now available on the U.S. Fish and Wildlife Service's (Service) web page at <http://www.fws.gov/raleigh>. Therefore, if you have projects that occur within the Raleigh Field Office's area of responsibility (see attached county list), you no longer need to contact the Raleigh Field Office for a list of federally-protected species.

Our web page contains a complete and frequently updated list of all endangered and threatened species protected by the provisions of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.)(Act), and a list of federal species of concern¹ that are known to occur in each county in North Carolina.

Section 7 of the Act requires that all federal agencies (or their designated non-federal representative), in consultation with the Service, insure that any action federally authorized, funded, or carried out by such agencies is not likely to jeopardize the continued existence of any federally-listed endangered or threatened species. A biological assessment or evaluation may be prepared to fulfill that requirement and in determining whether additional consultation with the Service is necessary. In addition to the federally-protected species list, information on the species' life histories and habitats and information on completing a biological assessment or evaluation and can be found on our web page at <http://www.fws.gov/raleigh>. Please check the web site often for updated information or changes.

¹ The term "federal species of concern" refers to those species which the Service believes might be in need of concentrated conservation actions. Federal species of concern receive no legal protection and their designation does not necessarily imply that the species will eventually be proposed for listing as a federally endangered or threatened species. However, we recommend that all practicable measures be taken to avoid or minimize adverse impacts to federal species of concern.

If your project contains suitable habitat for any of the federally-listed species known to be present within the county where your project occurs, the proposed action has the potential to adversely affect those species. As such, we recommend that surveys be conducted to determine the species' presence or absence within the project area. The use of North Carolina Natural Heritage program data should not be substituted for actual field surveys.

If you determine that the proposed action may affect (i.e., likely to adversely affect or not likely to adversely affect) a federally-protected species, you should notify this office with your determination, the results of your surveys, survey methodologies, and an analysis of the effects of the action on listed species, including consideration of direct, indirect, and cumulative effects, before conducting any activities that might affect the species. If you determine that the proposed action will have no effect (i.e., no beneficial or adverse, direct or indirect effect) on federally listed species, then you are not required to contact our office for concurrence (unless an Environmental Impact Statement is prepared). However, you should maintain a complete record of the assessment, including steps leading to your determination of effect, the qualified personnel conducting the assessment, habitat conditions, site photographs, and any other related articles.

With regard to the above-referenced project, we offer the following remarks. Our comments are submitted pursuant to, and in accordance with, provisions of the Endangered Species Act.

However, the Service is concerned about the potential impacts the proposed action might have on aquatic species. Aquatic resources are highly susceptible to sedimentation. Therefore, we recommend that all practicable measures be taken to avoid adverse impacts to aquatic species, including implementing directional boring methods and stringent sediment and erosion control measures. An erosion and sedimentation control plan should be submitted to and approved by the North Carolina Division of Land Resources, Land Quality Section prior to construction. Erosion and sedimentation controls should be installed and maintained between the construction site and any nearby down-gradient surface waters. In addition, we recommend maintaining natural, vegetated buffers on all streams and creeks adjacent to the project site.

The North Carolina Wildlife Resources Commission has developed a Guidance Memorandum (a copy can be found on our website at (<http://www.fws.gov/raleigh>) to address and mitigate secondary and cumulative impacts to aquatic and terrestrial wildlife resources and water quality. We recommend that you consider this document in the development of your projects and in completing an initiation package for consultation (if necessary).

We hope you find our web page useful and informative and that following the process described above will reduce the time required, and eliminate the need, for general correspondence for species' lists. If you have any questions or comments, please contact Howard Hall of this office at (919) 856-4520 ext. 27.

Sincerely,

Howard F. Hall

for Pete Benjamin

Field Supervisor

'List of Counties in the Service's Raleigh Field Office Area of Responsibility

Alamance	Perquimans
Beaufort	Person
Bertie	Pitt
Bladen	Randolph
Brunswick	Richmond
Camden	Robeson
Carteret	Rockingham
Caswell	Sampson
Chatham	Scotland
Chowan	Tyrrell
Columbus	Vance
Craven	Wake
Cumberland	Warren
Currituck	Washington
Dare	Wayne
Duplin	Wilson
Durham	
Edgecombe	
Franklin	
Gates	
Granville	
Greene	
Guilford	
Halifax	
Harnett	
Hertford	
Hoke	
Hyde	
Johnston	
Jones	
Lee	
Lenoir	
Martin	
Montgomery	
Moore	
Nash	
New Hanover	
Northampton	
Onslow	
Orange	
Pamlico	
Pasquotank	
Pender	



July 12, 2010

CERTIFIED MAIL – RETURN RECEIPT

North Carolina State Historic Preservation Office
4617 Mail Service Center
Raleigh, North Carolina 27699-4617

Attention: Mr. Peter Sendbeck
Administrator and Deputy State Historic Preservation Officer

Subject: REQUEST FOR SITE REVIEW
Proposed Town of Sunset Beach Fire Station No. 2
7149 Old Georgetown Road
Sunset Beach, North Carolina
S&ME Project No. 1064-10-101

Dear Mr. Sendbeck:

S&ME is currently performing a NEPA Review for a proposed Fire Station in Sunset Beach, Brunswick County, North Carolina. Our personnel have recently completed a Cultural Resources Literature performed in July 2010, a copy of which has been included. We are requesting that your office review this report and the project location, and respond with your comments as to any knowledge or concerns regarding Section 106 cultural resource issues on the referenced site.

PROJECT LOCATION

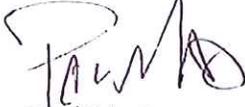
The site consists of a single parcel totaling approximately 1.2-acres located at 7149 Old Georgetown Road, approximately 600 feet east of its intersection with NC Highway 904. The site is relatively flat and contains young growth planted pines. A small wetland has been identified in the northeast corner of the site.

A copy of the United States Geologic Survey (USGS) 7.5 Minute Series Topographic Quadrangle for Calabash, North Carolina is attached showing the location of the site (Figure 1). The latitude and longitude coordinates for the approximate center point of the site are 33.917349°N, 78.489044°W. An aerial photograph (Figure 2) and representative photographs of the subject property are also attached.

If you have any questions, please do not hesitate to call me at 910-799-9945. A response via mail or e-mail would be appreciated. My e-mail address is pmasten@smeinc.com.

Sincerely,

S&ME, Inc.



Paul Masten
Project Manager

PAM/jns

Attachments: Cultural Resources Literature Review
 Figure 1 – Site Vicinity Map (USGS Topographic Quadrangle)
 Figure 2 – Aerial Photograph
 Representative Photographs



July 9, 2010

Mr. Scott Garner, AIA
Garner and Brown Architects
1718 East Boulevard
Charlotte, North Carolina 28203

Reference: **Cultural Resources Literature Review for the
Sunset Beach Fire Station No. 2 Site**
Brunswick County, North Carolina
S&ME Project No. 1064-10-101

Dear Mr. Garner:

S&ME, Inc. (S&ME), on behalf of Town of Sunset Beach, has completed a cultural resource literature review of a proposed 1.6-acre property located in Sunset Beach, North Carolina (Figure 1). This work was carried out in general accordance with S&ME Proposal No. 220-10 Rev. 2, dated July 1, 2010.

Results of Literature Review

On July 8, 2010, a background literature review and records search was conducted at the North Carolina Office of State Archaeology (OSA) and at the North Carolina State Historic Preservation Office (SHPO) in Raleigh. The records examined at SHPO included a review of National Register and survey files for properties listed in or eligible for inclusion in the National Register. Records examined at OSA included master archaeological site maps, state archaeological site files, and associated archaeological reports. The area examined was a 0.5-mile radius around the project tract.

A review of the files and records at OSA indicated there is one previously recorded archaeological site within a 0.5-mile radius of the proposed project area (Figure 1). This site, 31BW82, is a prehistoric midden located approximately 0.25 mile south of the project area. The National Register eligibility of this site was not assessed, but it will not be affected by the proposed project.

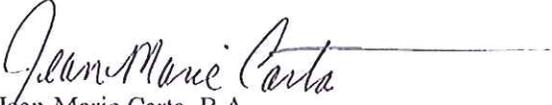
A review of the files and records at SHPO indicated there are no previously recorded historic structures within a 0.5-mile radius of the project area.

Closing

S&ME appreciates the opportunity to provide you with this report. If you have questions about the

report, please do not hesitate to contact Bill Green at (803) 561-9024 or via e-mail at bgreen@smeinc.com.

Sincerely,
S&ME, Inc.


Jean-Marie Carta, B.A.
Field Director/Lab Supervisor


William Green, M.A., RPA
Principal Archaeologist

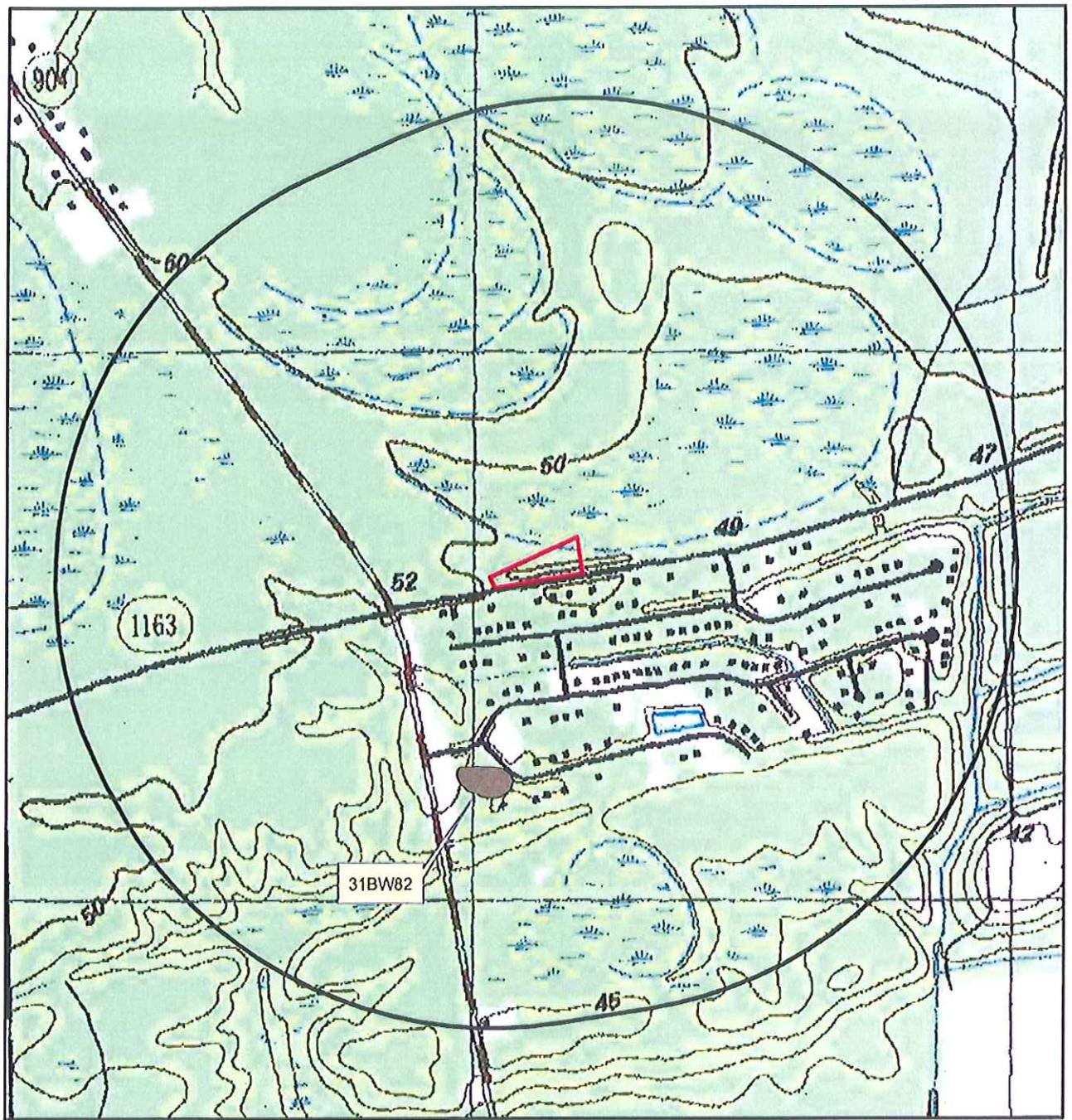
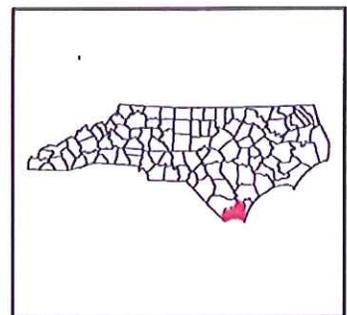
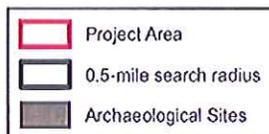


Figure 1. Project Area and 0.5-mile search radius.

Base Map: Calabash (1990) and Shallotte (1990) 7.5' USGS topographic quadrangles.





North Carolina Department of Cultural Resources
State Historic Preservation Office

Peter B. Sandbeck, Administrator

Beverly Eaves Perdue, Governor
Linda A. Carlisle, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

July 28, 2010

Paul Masten
S&ME, Inc.
3006 Hall Waters Drive
Suite 100
Wilmington, NC 28403-8083

Re: Construct Fire Station No. 2, 7149 Old Georgetown Road, Sunset Beach, S&ME 1064-10-101,
Brunswick County, ER 10-1287

Dear Mr. Masten:

Thank you for your letter of July 12, 2010, 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, please contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579. In all future communication concerning this project, please cite the above-referenced tracking number.

Sincerely,

A handwritten signature in cursive script that reads "Renee Gledhill-Earley".

for Peter Sandbeck



July 12, 2010

CERTIFIED MAIL – RETURN RECEIPT

USDA – NRCS
Post Office Box 26
Bolivia, North Carolina 28422-0026

Attention: Ms. Mamie Caison

Subject: REQUEST FOR SITE REVIEW
Proposed Town of Sunset Beach Fire Station No. 2
7149 Old Georgetown Road
Sunset Beach, North Carolina
S&ME Project No. 1064-10-101

Dear Ms. Caison:

S&ME is currently performing a NEPA Review for a proposed Fire Station in Sunset Beach, Brunswick County, North Carolina. We are requesting that your office review the project location and respond with your comments as to any knowledge or concerns regarding prime or unique farmland on or in the vicinity of the referenced site.

PROJECT LOCATION

The site consists of a single parcel totaling approximately 1.2-acres located at 7149 Old Georgetown Road, approximately 600 feet east of its intersection with NC Highway 904. The site is relatively flat and contains young growth planted pines. A small wetland has been identified in the northeast corner of the site.

A copy of the United States Geologic Survey (USGS) 7.5 Minute Series Topographic Quadrangle for Calabash, North Carolina is attached showing the location of the site (Figure 1). The latitude and longitude coordinates for the approximate center point of the site are 33.917349°N, 78.489044°W. An aerial photograph (Figure 2) and representative photographs of the subject property are also attached.

If you have any questions, please do not hesitate to call me at 910-799-9945. A response via mail or e-mail would be appreciated. My e-mail address is pmasten@smeinc.com.

Sincerely,

S&ME, Inc.



Paul Masten
Project Manager

PAM/jns

Attachments: Figure 1 – Site Vicinity Map (USGS Topographic Quadrangle)
 Figure 2 – Aerial Photograph
 Representative Photographs

Paul Masten

From: Brooks, Richard - Smithfield, NC [Richard.Brooks@nc.usda.gov]
Sent: Monday, August 02, 2010 8:27 AM
To: Paul Masten
Subject: RE: Sunset Beach Fire Staion # 2 project

Paul,

One other thought, the wetlands issue would be handled through the COE, so NRCS would not play into that part of the assessment. From the pictures and other information...surrounded by development, I would suggest that it is exempt from farmland conversion concerns. I would say you can consider this email as your response...unless you need more. Sorry I did not look at the attachment prior to my first response.

Thanks!

Richard

From: Paul Masten [mailto:PMasten@smeinc.com]
Sent: Monday, August 02, 2010 8:05 AM
To: Brooks, Richard - Smithfield, NC
Subject: RE: Sunset Beach Fire Staion # 2 project

Richard,

Attached are the figures and photos that I sent to the Brunswick County NRCS office. We will need a completed Form AD1006. Thanks for asking.

I realize this request went through a few folks before it got to you. We're trying to wrap up this Environmental Assessment this week and this is the last piece of the puzzle. Do you anticipate having a response back to us this week? The Town has a construction schedule that they would like to stick to, so anything you could do to respond quickly would be greatly appreciated.

Thanks and let me know if you have any questions about the site.

Sincerely,

Paul Masten, LEED® -AP
 S&ME- Wilmington Branch
 3006 Hall Watters Drive, Suite 100
 Wilmington, NC 28405
 910-799-9945 phone
 910-799-9958 fax
 910-616-1085 mobile
pmasten@smeinc.com
www.smeinc.com

From: Brooks, Richard - Smithfield, NC [mailto:Richard.Brooks@nc.usda.gov]
Sent: Monday, August 02, 2010 7:52 AM
To: Paul Masten
Subject: Sunset Beach Fire Staion # 2 project

Mr. Masten,

Could you email me the information for the subject project? Also, will you be requesting farmland conversion impact rating- Form AD1006? I received the information about the project through a fax

8/6/2010

from the Brunswick Soil and Water office, so I am unable to see much of anything on the aerial photograph or other photographs.

As soon as I receive these, I'll review the information for your request.

Thanks!

Richard Brooks
Resource Soil Scientist, Area 3

June Sasser

From: Brooks, Richard - Smithfield, NC [Richard.Brooks@nc.usda.gov]
Sent: Monday, August 02, 2010 8:28 AM
To: Paul Masten
Subject: RE: Sunset Beach Fire Staion # 2 project

I would move along with it, as my last response suggested.

From: Paul Masten [mailto:PMasten@smeinc.com]
Sent: Monday, August 02, 2010 8:23 AM
To: Brooks, Richard - Smithfield, NC
Subject: RE: Sunset Beach Fire Staion # 2 project

Checking on the zoning. I'll get back to you shortly on that.

Sincerely,

Paul Masten, LEED[®]-AP
S&ME- Wilmington Branch
3006 Hall Watters Drive, Suite 100
Wilmington, NC 28405
910-799-9945 phone
910-799-9958 fax
910-616-1085 mobile
pmasten@smeinc.com
www.smeinc.com

From: Brooks, Richard - Smithfield, NC [mailto:Richard.Brooks@nc.usda.gov]
Sent: Monday, August 02, 2010 8:10 AM
To: Paul Masten
Subject: RE: Sunset Beach Fire Staion # 2 project

Is the site in an area that has already been designated or located in an area zoned for development? If so, it would be exempt from prime farmland conversion issues.

Richard

From: Paul Masten [mailto:PMasten@smeinc.com]
Sent: Monday, August 02, 2010 8:05 AM
To: Brooks, Richard - Smithfield, NC
Subject: RE: Sunset Beach Fire Staion # 2 project

Richard,

Attached are the figures and photos that I sent to the Brunswick County NRCS office. We will need a completed Form AD1006. Thanks for asking.

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10/14/2010

this week? The Town has a construction schedule that they would like to stick to, so anything you could do to respond quickly would be greatly appreciated.

Thanks and let me know if you have any questions about the site.

Sincerely,

Paul Masten, LEED® -AP
S&ME- Wilmington Branch
3006 Hall Watters Drive, Suite 100
Wilmington, NC 28405
910-799-9945 phone
910-799-9958 fax
910-616-1085 mobile
pmasten@smeinc.com
www.smeinc.com

From: Brooks, Richard - Smithfield, NC [mailto:Richard.Brooks@nc.usda.gov]
Sent: Monday, August 02, 2010 7:52 AM
To: Paul Masten
Subject: Sunset Beach Fire Staion # 2 project

Mr. Masten,

Could you email me the information for the subject project? Also, will you be requesting farmland conversion impact rating- Form AD1006? I received the information about the project through a fax from the Brunswick Soil and Water office, so I am unable to see much of anything on the aerial photograph or other photographs.

As soon as I receive these, I'll review the information for your request.

Thanks!

Richard Brooks
Resource Soil Scientist, Area 3

APPENDIX III - REPRESENTATIVE PHOTOGRAPHS



1 Interior of site facing northeast.



2 Interior of site facing west.



3 Old Georgetown Road with mobile home park to the south of the site.



4 Undeveloped land and commercial development to the west.



5 Small wetland identified in the northeast corner of the site with undeveloped land further north.



6 Undeveloped land to the east.