

**Draft Options for:
Threshold (Minimum Criteria)
for
Environmental Assessments**

Recommendations to the Chatham County Board of Commissioners
By the Chatham County Environmental Review Board
21 June 2007

(revised November 14, 2007 in red boxes)

Exemption: Any development project that is less than two (2) contiguous acres in extent (ie: project footprint.)

An Environmental Assessment (EA) is required for non-exempt projects that meet one or more of the following items:

1.) Non-residential Option - Non-residential development that disturbs two acres (2) or more of land and pursuant to Section 11.3 of the Chatham County Zoning Ordinance.

(Note: Options 1A and 1B below are listed to review and select or modify as one option for the EA minimum triggers, both do not apply. The sliding scale option only applies if 1B is selected as written.)

1A) Residential Option - Qualifies as a Major Subdivision, involving 6 residential lots or more and pursuant to Section 5.2A of the Chatham County Subdivision Ordinance.

1B) Residential Option - Residential development involving 25 residential lots or more,

Sliding-Scale criteria with 1B above - For residential projects that meet all of the following:

- i) a Minor or Major Subdivision,*
- ii) are otherwise not exempt, and;*
- iii) include less than residential 25 lots,*

If the above three criteria apply, applicant must determine if any of items 4-13 below apply to the project. All items that apply must be addressed with general environmental documentation submitted to the County indicating how the specific adverse environmental impacts are being avoided or minimized and no Environmental Assessment is required.

- 4). Qualifies as a small or large generator of hazardous waste or as a treatment, storage and disposal facility as defined by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Hazardous Waste Section;
- 5). Requires any of the following Environmental permits:
 - (a) A Mining Permit pursuant to the NC Mining Act.
 - (b) A State NPDES (National Pollutant Discharge Elimination System) Permit, as administered by the NC Division of Environmental Management (other than NCG010000 issued for land disturbing activities).
 - (c) A Non-Discharge Permit for a land application waste disposal system.
 - (d) A permit for any subsurface wastewater disposal system of 3000 gallons/day or larger.
 - (e) A permit for sludge disposal site.
 - (f) A 404 permit/401 certification.
- 6). Requires Environmental Documentation (such as an EA or EIS) by a State or Federal agency;
- 7). Is located within the Water Quality Critical Area of the Water Supply Watershed as defined by the Chatham County Watershed Protection Ordinance or in a state designated Well Head Protection Area;
- 8). Lies within a river corridor as defined by the Chatham County Watershed Protection Ordinance;
- 9). Contains a specific percent (%) probability of element occurrences (EO's) of natural diversity, including rare species, as determined by and tracked by the NC Natural Heritage Program (NHP), NC Wildlife Resources Commission (WRC), and US Fish and Wildlife Service (FWS);
- 10). Contains or is adjacent to (shares at least one boundary with) a Significant Natural Heritage Area (SNHA) as recognized by the NC Natural Heritage Program;
- 11). Lies within a designated 14 digit Hydrologic Unit drainage basin that supports aquatic species that are federally listed or listed as Federal Species of Concern;

12). Contains significant cultural and/or historical sites as defined by NC Office of Archaeology, Department of Cultural Resources and/or Chatham Historical Association;

13). Contains lands to be disturbed (excluding well drilling activities) with slopes 15% or greater (outside of drainage easements or stream buffers), as determined by USGS Topographic maps, at a contour interval of the highest resolution available; or for slopes less than 15%, has a *RUSLE K* factor of 0.45 or more as tabulated in the Natural Resource Conservation Service (NRCS) Chatham County Soil Survey.¹

¹ *Field Office Technical Guide*, Natural Resources Conservation Service, a division of the U.S. Department of Agriculture.