

SECTION .0200 - NON-MAJOR ACTIVITIES

01 NCAC 39 .0201 NON-MAJOR ACTIVITIES

The following list of criteria shall be considered as descriptive of routine operations, small construction projects, and routine maintenance projects which do not require the filing of an Environmental Impact Statement, Environmental Assessment, or a Finding of No Significant Impact:

- (1) Any action which involves relocation of staff members into a site using existing State buildings or leased buildings for which the building occupancy classification is not changed.
- (2) Routine disposal operations of hazardous chemicals, asbestos, or other environmentally sensitive operations for which a written procedure has been established, reviewed by appropriate authority, and determined to be in keeping with state or federal law.
- (3) Routine repairs and housekeeping projects which maintain a facility's original condition and physical features, including re-roofing and minor alterations where in-kind materials and techniques are used. This also encompasses structures 50 years of age and older and for which no separate law, rule, or regulation dictates a formal review and approval process.
- (4) Demolition of or additions, rehabilitation or renovations to a structure not listed in the National Register of Historic Places or less than 50 years of age.
- (5) Purchase by the Department of Administration for Department of Administration's use of real estate for which the use of the real estate does not vary from its intended purpose or function at the time of purchase or is consistent with local land use plans.
- (6) The use of chemicals for boiler feedwater treatment, cooling tower water treatment, pesticides, herbicides, cleaning solvents, and other chemical products which may be considered environmentally sensitive, provided the materials are stored and utilized in keeping with the applicable Material Safety Data Sheet (MSDS).
- (7) The handling of asbestos incident to a repair, maintenance, or minor construction project provided that the asbestos material is removed, stored, disposed of, and handled in accordance with procedures for processing asbestos found in 15A NCAC 19C .0600, 13 NCAC 7F .0201, 13 NCAC 7F .0500 and N.C.G.S. Chs. 95, 97 and 130A.
- (8) New construction involving all of the following:
 - (a) A footprint of less than 10,000 square feet;
 - (b) A location that is not a National Register Archaeological site; and
 - (c) The use of the structure does not involve the handling or the storage of hazardous materials.
- (9) Routine grounds maintenance and landscaping.
- (10) Routine repair of existing parking lots.
- (11) Installation of outdoor sculpture(s) or exhibits.
- (12) Granting of leases, easements, or permits authorizing use of public land for any of the following:
 - (a) Installation of aerial and sub-aqueous pipes or pipelines for the transportation of potable water, and any cable line or line for the transmission of electrical energy, not requiring a certificate of environmental compatibility and public convenience from the North Carolina Utilities Commission, telephone or telegraph messages, and radio and television communications.
 - (b) Communication towers not located in sensitive areas as defined in Rule .0101(2) of this Chapter.
 - (c) Construction of a road in accordance with accepted design practices and in compliance with North Carolina Department of Transportation standards and specifications, involving less than 25 cumulative acres of ground surface not located in sensitive areas.
 - (d) Filling below the mean high water mark when such filling has been approved by the U.S. Army Corps of Engineers or the North Carolina Division of Coastal Management.
 - (e) Sewer line installations not exceeding the minimum criteria of the permitting agency and not located in sensitive areas.
 - (f) Ground water withdrawals not exceeding the minimum criteria of the permitting agency and not located in sensitive areas.
 - (g) Where the proposed use of the public land does not exceed the minimum criteria established by the agency recommending the lease, easement, or permit.

- (h) Piers and boat docks on all State Lakes when constructed in accordance with 15A NCAC 12C .0300.
 - (i) Structures or piers and boat docks involving less than 11 slips.
 - (j) Granting of voluntary easements for structures existing as of October 1, 1995, in accordance with G.S. 146-12(b).
- (13) Exchange or purchase of land where no agreement exists for the private land to be developed for use in any way that results in a change in the natural cover or topography prior to the exchange or purchase.
- (14) Timber harvest in accordance with the National Forest Service or the North Carolina Division of Forest Resources Management's Plans and recognized best management practices.

History Note: Authority G.S. 113A-11;
Eff. July 1, 1993;
Amended Eff. January 1, 1997;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.