

- A. Environmental Review Record including Part 1 (Statutory Checklist explanation of terms) and Part 2 – Environmental Assessment
- B. Written Exempt Determination, Categorical Exclusion Subject to Section 58.5 and Categorical Exclusion Not Subject to Section 58.5
- C. Contact Information and Sample Letter for Resource Agencies
- D. Early Notice and Public Review for Floodplain or Wetland
- E. Final Notice and Notice of Explanation
- F. Notice of Intent to Request Release of Funds (NOI-RROF)
- G. Request for Release of Funds and Certification (RROF & C)
- H. Steps In Mitigating Floodplain or Wetland Impact
- I. DHR List of Excluded Activities
- J. Project Review Letter to DHR
- K. DHR Historic Resources Archives Search Application
- L. DHR Historic Review Process and Project Review Form
- M. Combined Notice – Finding of No Significant Impact (FONSI/NOI-RROF)
- N. Coastal Zone Management Review Requirements and Sample Letter to DEQ
- O. Environmental Justice
- P. Re-evaluation of an Environmental Assessment
- Q. Broad-Level Tiered Environmental Review
- R. HUD Guide to Environmental Compliance

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ENVIRONMENTAL REVIEW PROCESS SUMMARY
(24 CFR, SECTION 58)

Key Point to Remember – Every project must have a level of environmental review and the documentation is retained in an ERR (Environmental Review Record).

TO DO PROJECTS WHICH ARE:

PREPARE/COMPLETE

EXEMPT (58.34(a)(1) – (11))

Appendix 2A - Cover Page
Part 1 - Statutory Checklist & Worksheet
Appendix 2B - Certification of Exemption
 Sign/date
 Place in folder labeled ERR
 No release of funds process required

CATEGORICAL EXCLUSION NOT
 SUBJECT TO SECTION 58.5/ CONVERTS
 TO EXEMPT (58.34(a)(12))

Appendix 2A – Cover Page
Part 1 - Statutory Checklist & Worksheet
 Appendix 2B – Certification of Exemption
 Sign/date
 Place in folder labeled ERR
 No release of funds process required

CATEGORICAL EXCLUSION (58.35(a))
 SUBJECT TO SECTION 58.5

Appendix 2A - Cover Page
Part 1 - Statutory Checklist & Worksheet
Appendix 2Ba – Certification of Categorical
 Exclusion (Subject to 58.5),
 Sign/date
 Publish/post NOI/RROF only
 Disseminate during Comment Period
 Wait for 7 - 10 day Comment Period to lapse
 Email RROF to DHCD
 Place all above exhibits in ERR

ENVIRONMENTAL ASSESSMENT

Appendix 2A, Parts 1 & 2 entire ERR format
 Provide all backup documentation
Appendix 2M - Publish/post combined FONSI/NOI-
 RROF
 Disseminate during Comment Period
 Wait for 15 - 18 day Comment Period to lapse
 Email RROF to DHCD
 Place all above exhibits in ERR

BROAD-LEVEL TIERED REVIEW
CATEGORICALLY EXCLUDED

Appendix 2A - Cover Page

Part 1 - Statutory Checklist & Worksheet

Appendix 2Q – Complete Broad Level Tiered for any project that will require agency approval during implementation (i.e., Programmatic Agreement). If warranted proceed to preparation of the

Appendix 2M - Environmental Assessment or

Appendix 2Ba - Categorical Exclusion whichever applies.

Publish/post combined FONSI/NOI-RROF

Disseminate during Comment Period

Wait for 15 -18 day Comment Period to lapse

Email RROF to DHCD

Place all above exhibits in ERR

ENVIRONMENTAL REVIEW RECORD

GRANT NUMBER: _____

PROJECT NAME: _____

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PART 1

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Statutory Checklist for Compliance with 24 CFR §58.5 – NEPA Related Federal Laws and Authorities

(Must be completed for each individual addressed included under overall project description)

Use this worksheet for projects that are Categorical Excluded Subject to 24 CFR §58.5 listed at 24 CFR §58.35(a) and for projects that require an Environmental Assessment.

Project Name: _____

ERR FILE # _____

Definitions: **A:** The project is in compliance.

B: The project requires an additional compliance step or action.

Statute, Authority, Executive Order Cited at 24 CFR §58.5	A	B	COMPLIANCE FINDING	SOURCE DOCUMENTATION
1. 58.5(a) Historic Properties [36 CFR 800]				
2. 58.5(b)(1) Floodplain Management [24 CFR 55, Executive Order 11988]				
3. 58.5(b)(2) Wetland Protection [24 CFR 55, Executive Order 11990]				
4. 58.5(c) Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]				
5. 58.5(d) Sole Source Aquifers [40 CFR 149]				
6. 58.5(e) Endangered Species [50 CFR 402]				
7. 58.5(f) Wild and Scenic Rivers [36 CFR 297]				
8. 58.5(g) Air Quality [40 CFR parts 6, 51, 61, 93]				
9. 58.5(h) Farmland Protection [7 CFR 658]				
10. 58.5(i)(1) Noise Control and Abatement [24 CFR 51B]				
11. 58.5 (i) (1) Explosive and Flammable Operations [24 CFR 51C]				
12. 58.5(i)(1) Airport Hazards (Runway Clear Zones and Clear Zones/Accident Potential Zones) [24 CFR 51D]				
13. 58.5(i)(2)(i-iv) Contamination and Toxic Substances [24 CFR 58.5(i)(2)]				
14. 58.5(j) Environmental Justice [Executive Order 12898]				

DETERMINATION:

- ☐ **Box "A" has been checked for all authorities.** For Categorically Excluded actions pursuant to §58.35(a) [Does not apply to EA or EIS level of review which can never convert to Exempt], the project can convert to Exempt, per §58.34(a) (12), since the project does not require any compliance measures (e.g., consultation, mitigation, permit or approval) with respect to any law or authority cited at §58.5. The project is now made Exempt and **a contract may be issued by DHCD; OR**
- ☐ **Box "B" has been checked for one or more authority.** For Categorically Excluded actions pursuant to §58.35(a), the project cannot convert to Exempt since one or more authority requires compliance, including but not limited to consultation with or approval from an oversight agency, performance of a study or analysis, completion of remediation or mitigation measure, or obtaining of license or permit. **Complete pertinent compliance requirement(s), publish NOI/RROF, request release of funds (HUD-7105.15), and wait for DHCD to issue a formal contract before committing funds; OR**
- ☐ This project is not a Categorically Excluded action pursuant to §58.35(a), or may result in a significant environmental impact to the environment, and requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

MITIGATION MEASURES AND CONDITIONS FOR PROJECT APPROVAL: *(If Box B is checked, provide details regarding further consultation, mitigation, permit requirements or approvals required to be incorporated into public notices and project requirements such as contracts, grants, loan conditions, etc. as described in the Statutory Worksheet). Ensure required measures are included in 7015.15 Project Description Section.*

PREPARER:

Preparer's Signature

Date

Preparer's Name (printed)

Title (printed)

AUTHORIZED RESPONSIBLE ENTITY OFFICIAL:

Authorized Responsible Entity Signature

Date

Authorized Responsible Entity Name (printed)

Title (printed)

Worksheet for Preparing 24 CFR §58.5 Statutory Checklist

[Optional Tool – Virginia Use Oriented]

§58.5(a) Historical Properties [36 CFR Part 800]

Historic Properties

Does the project include the type of activity that would have the potential to affect historic properties such as acquisition, demolition, disposition, ground disturbance, new construction or rehabilitation?

☐ Yes ☐ No

If Yes, continue.

If No, the project is not the type of activity that has the potential to affect historic properties. Compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Has the RE and State Historic Preservation Office (SHPO) have a Programmatic Agreement (PA) that does not require consultation for this type of activity?

☐ Yes ☐ No

If Yes, document compliance with the PA. Compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

If No, continue.

Is the project located within or directly adjacent to a historic district?

☐ Yes ☐ No

Is the structure or surrounding structures listed on or eligible for listing on the National Register of Historic Places (e.g. greater than 45 years old)?

☐ Yes ☐ No

Were any properties of historical, architectural, religious or cultural significance identified in the project's Area of Potential Effect (APE)?

☐ Yes ☐ No

If Yes to any of the questions above, continue.

If No to all of the questions above, the project will not affect historic properties. A concurrence from the SHPO that “no historic properties will be affected” is required. Compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Have you consulted through a “Finding of Effect” with the SHPO to determine whether the project will have “No Adverse Effect on Historic Properties?”

☐ Yes ☐ No

If Yes, continue.

If No, consultation with the SHPO through a “Finding of Effect” is required.

Does the SHPO concurrence letter received for this project require mitigation or have conditions (always does in an “Adverse Effect” or “No Adverse Effect” determination)?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Have the SHPO and RE agreed on required mitigation or conditions?

☐ Yes ☐ No

If Yes, include mitigation requirements and/or conditions from the SHPO in the mitigation section of the Statutory Checklist. Mark box “B” on the Statutory Checklist for this authority.

If No, continue with consultation until resolved.

Historic properties of religious and cultural significance to tribes and Native Hawaiian organizations

Does the project include the types of activities such as those listed below that have the potential to affect historic properties of religious and cultural significance to tribes?

- Ground disturbance (digging);
- New construction in undeveloped natural areas;
- Incongruent visual changes – impairment of the vista or view-shed from an observation point in the natural landscape;
- Incongruent audible changes – increase in noise levels above an acceptable standard in areas known for their quiet, contemplative experience;
- Incongruent atmospheric changes – introduction of lights that create sky-glow in an area with a dark night sky;
- Work on a building with significant tribal association;
- Transfer, lease or sale of a historic property of religious and cultural significance.

☐ Yes ☐ No

If Yes, continue.

If No, tribal consultation is not required.

Does HUD's Tribal Directory Assessment Tool or other appropriate reference indicate that tribes have an interest in the location where the project is sited? (<http://egis.hud.gov/tadat/Tribal.aspx>)

Department Of the Interior Bureau of Indian Affairs

(<http://www.bia.gov/WhoWeAre/BIA/OIS/TribalGovernmentServices/TribalDirectory/index.htm>)

Native American Consultation Database

(<http://www.cast.uark.edu/home/research/archaeology-and-historic-preservation/archaeological-informatics/native-american-consultation-database.html>)

☐ Yes ☐ No

If Yes, contact federally recognized tribe(s) and invite consultation. Continue.

If No, document the result in the ERR. Tribal consultation is not required.

Did the tribe(s) respond that they want to be a consulting party?

☐ Yes ☐ No

If Yes, continue.

If No, (no response within 30 days or responded that they do not wish to consult), document response or lack of response in ERR. Further consultation is not required.

After consulting with the tribe(s) and discussing the project, were any properties of religious or cultural significance to the tribe(s) identified in the project's APE?

☐ Yes ☐ No

If Yes, continue.

If No, notify tribe(s) and other consulting parties of your finding of "No Historic Properties Affected." Tribe(s) has 30 days to object to a finding.

After consulting with the tribe(s), will the project have an adverse effect on properties of religious or cultural significance to the tribe(s)?

☐ Yes ☐ No

If Yes, consult with tribe(s) and other consulting parties to resolve adverse effects, including considering alternatives and mitigation measures that would avoid or minimize adverse effects.

If No, notify tribe(s) and other consulting parties of your finding of "No Adverse Effects." Tribe(s) has 30 days to object to a finding.

Were any objections to a finding received from a consulting tribe?

☐ Yes ☐ No

If Yes, continue with consultation until resolved.

If No, consultation is complete.

Comments:

Cite and attach source documentation: (Correspondence with SHPO/THPO. How determination of “no potential to cause effects to historic properties” was made.)

Further Information Resources:

National Register of Historic Places:

<http://nrhp.focus.nps.gov/natreghome.do?searchtype=natreghome>

National Conference of State Historic Preservation Officers:

<http://ncshpo.org/>

Map of Currently Recognized THPO's:

<http://www.nathpo.org/map.html>

HUD Notice on Tribal Consultation:

<https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58/>

Historic Preservation HUD Guidance:

<https://www.onecpd.info/environmental-review/historic-preservation/>

Section 106 Agreements Database:

<https://www.onecpd.info/resource/3675/section-106-agreement-database/>

58.5(b) (1) Floodplain Management [24 CFR Part 55]

Does the project involved minor repairs or improvements on one to four family properties that do not meet the threshold for “substantial improvement” of §55.2(b)(8), i.e., the cost does not equal or exceed 50% of the market value of the structure before improvement or repair started, or before damage occurred?

Does the project involve the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities?

☐ Yes ☐ No

If Yes to a or b, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

If No, continue.

Is the project located within (or have an impact on) a 100 year floodplain (Zone A) or Coastal High Hazard (Zone V) identified by FEMA maps?

☐ Yes ☐ No

Does the project involve a “critical action,” per §55.2(b) (2) (i), located within a 500 year floodplain (Zone B) identified by FEMA maps?

☐ Yes ☐ No

If Yes to (b) or (c), follow HUD’s Floodplain Management Regulations 8-Step/5-Step decision-making process of §55.20 to comply with 24 CFR Part 55. The 8-Step/5-Step decision-making process must show that there are no practicable alternatives to locating the project in the floodplain, and if there are no alternatives, define measures to mitigate impacts to floodplains and location of the project in the floodplain. Completion of the 8-Step decision-making process must be completed before the completion of an EA per §55.10(a). See Attachment 2 for an example of the 8-Step decision-making process. The 8-step decision-making process must be included in the ERR and summarized in Part 55 public notices, as well as Part 58 NOI/RROF and FONSI notices. Mark box “B” on the Statutory Checklist for this authority.

If No to (b) and (c), compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Does the project involve a critical action in a coastal high hazard area or a floodway?

☐ Yes ☐ No

If, Yes, HUD assistance may not be used for this project.

Does the project involve a non-critical action which is not a functionally dependent use that is located in a floodway?

☐ Yes ☐ No

If Yes, HUD assistance may not be used for this project

Does the project involve a non-critical action which is not a functionally dependent use, that is located in a coastal high hazard area?

☐ Yes ☐ No

If Yes, project is allowed **only** if it is designed for a location in a coastal high hazard area **and** is processed under Section 55.20. Design requirements must be noted in Statutory Checklist and 8-Step decision-making process.

Comments:

Cite and attach source documentation: (FEMA flood map used to make this finding with the project location marked on the map. Include the community name, map panel number and date of map. If applicable, attach §55.20 8-Step decision-making process analysis. If FEMA has not published the appropriate flood map, the RE must make a finding based on best available data.)

For more information see:

Floodplain Management HUD Guidance:

<https://www.onecpd.info/environmental-review/floodplain-management/>

FEMA Map Service Center:

<http://www.msc.fema.gov>

24 CFR, Part 55

<http://www.ecfr.gov/cgi-bin/text-idx?SID=97b46ed11126c00f1796973becbdc15&node=24:1.1.1.1.32&rgn=div5>

§58.5(b) (2) Wetlands Protection (E.O. 11990)

Does the project involve new construction, land use conversion, or substantial improvements as defined in 24CFR Part 55?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Is the project within or adjacent to or will it affect wetlands, marshes, wet meadows, mud flats or natural ponds per field observation and National Wetlands Inventory (NWI) maps issued by the US Fish & Wildlife Service (USFWS) or, if not available, National Soil Surveys by National Resources Conservation Service (NRCS)?

☐ Yes ☐ No

Are there drainage ways, streams, rivers, or coastlines on or near the site?

☐ Yes ☐ No

Are there ponds, marshes, bogs, swamps or other wetlands on or near the site?

☐ Yes ☐ No

Does the project involve new construction and/or filling located within a wetland designated on a USFWS National Wetlands Inventory map?

☐ Yes ☐ No

If Yes to any of b through e, comply with wetlands decision-making process of 24 CFR §55.20. (Use Part 55 reference below for wetland procedures) Continue.

If No to all of b through e, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Will the project require a permit from the Corps under Section 404 of the Clean Water Act and/or will USFWS require wetland mitigation?

☐ Yes ☐ No

If Yes, ensure this is noted in Part 55 and Part 58 public notices. Include all mitigation measures and permit requirements in the mitigation section of the Statutory Checklist. Compliance with this section is complete. Mark box “B” on the Statutory Checklist for this authority.

If No, compliance with this section is complete. Mark box “B” on the Statutory Checklist for this authority.

Comments:

Cite and attach source documentation: (NWI Map with project location noted in reference to wetlands. §55.20 8/5-Step decision-making process analysis for new construction and/or filling, and any permits received.)

For more information see:

Wetlands Protection HUD Guidance:

<https://www.onecpd.info/environmental-review/wetlands-protection/>

USFWS National Wetlands Inventory – Geospatial Wetlands Digital Data:

<http://www.FWS.gov/wetlands/data/index.html>

Recognizing wetlands:

http://www.usace.army.mil/Portals/2/docs/civilworks/regulatory/techbio/rw_bro.pdf
24CFR, Part 55

<http://www.ecfr.gov/cgi-bin/text->

[idx?SID=97b46ed11126c00f1796973becbdcb15&node=24:1.1.1.1.32&rgn=div5](http://www.ecfr.gov/cgi-bin/text-idx?SID=97b46ed11126c00f1796973becbdcb15&node=24:1.1.1.1.32&rgn=div5)

§58.5(c) Coastal Zone Management [Coastal Zone Management Act of 1972, Sections 307(c) & (d)]

Does the project involve new construction, land use conversion, or substantial improvements?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Is the project located within a Coastal Zone as defined in the Virginia Coastal Program (Virginia Coastal Zone Management (CZM) Plan)?

☐ Yes ☐ No

If Yes, the State CZM Agency must make a finding that the project is consistent with the approved State CZM Plan. Mark box “B” on the Statutory Checklist for this authority.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Comments:

Cite and attach source documentation: (Map showing project in relation to the nearest Coastal Zone Management area (If applicable, VCP’s consistency determination).

For additional information see:

Coastal Zone Management HUD Guidance:

<https://www.onecpd.info/environmental-review/coastal-zone-management/>

States and Territories Working with NOAA on Ocean and Coastal Zone Management:

<http://coastalmanagement.noaa.gov/mystate/welcome.html>

Virginia Coastal Program

<http://www.deq.virginia.gov/Programs/CoastalZoneManagement/DescriptionBoundary.aspx>

§58.5(d) Sole Source Aquifers [40 CFR Part 149]

Does the project involve new construction or land use conversion?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Is the project located within a U.S. Environmental Protection Agency (EPA)-designated sole source aquifer watershed area per EPA Ground Water Office?

☐ Yes ☐ No

If Yes, consult with the Water Management Division of EPA to design mitigation measures to avoid contaminating the aquifer and implement appropriate mitigation measures. Include mitigation measures in mitigation section of Statutory Checklist. Mark box “B” on the Statutory Checklist for this authority.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Comments:

Cite and attach source documentation: (Map showing project in relation to the nearest Sole Source Aquifer.)

For more information see:

Sole Source Aquifer HUD Guidance:

<https://www.onecpd.info/environmental-review/sole-source-aquifers/>

Virtual Aquifers - EPA Mid-Atlantic

<http://www.epa.gov/reg3wapd/presentations/ssa/index.htm><http://www.epa.gov/reg3wapd/presentations/ssa/index.htm>

§58.5(e) Endangered Species [50 CFR Part 402]

Does the project involve the type of activities that are likely to have “no effect on endangered species, such as:

- Demolition and construction or placement of a single family residence within a developed lot, and/or any loans or mortgages affiliated with such construction, demolition or placement provided they are not within 750 feet of

habitat for federally-listed species or 300 feet of mapped wetlands, wildlife refuges, fish hatcheries, wildlife management areas, or related significant fish and wildlife resources?

☐ Yes ☐ No

- Rehabilitation or renovation activities associated with existing structures (*e.g.*, houses, buildings), including additional structures attached to or associated with the primary structure, and/or any loans or mortgages affiliated with such rehabilitation or renovation?

☐ Yes ☐ No

- Acquisition of existing structures (*e.g.*, houses, buildings), including additional structures attached to or associated with the primary structure, and/or any loans or mortgages affiliated with such acquisition.

☐ Yes ☐ No

- Purchase and placement of playground equipment within existing parks?

☐ Yes ☐ No

- Resurfacing, repairing, or maintaining existing streets, sidewalks, curbs, trails, parking lots and/or any other existing paved surfaces where additional ground disturbance, outside of the existing surface is not necessary?

☐ Yes ☐ No

If Yes to any of the above, the project is likely to have “No Effect” on federally protected species and critical habitat. Informal consultation with the US Fish and Wildlife Service or the National Marine Fisheries Service (Services) is not necessary. The RE is required to make this finding and include a memorandum to the file supporting the finding (note that this finding should be made by the RE, and not by third party contractors and non-RE grant recipients). Compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

If No to all of the above, continue.

Has the US Fish and Wildlife Service or the National Marine Fisheries Services identified listed species or designated critical habitat in the county where the project is located?

☐ Yes ☐ No

If Yes, continue.

If No, the project is likely to have “No Effect” on federally protected species and critical habitat. Informal consultation with the Services is not necessary. The RE is required to make this finding and include a memorandum to the file supporting the finding (note that this finding should be made by the RE, and not by third party contractors). Compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Is the project located within 750 feet of habitat for federally-listed species or 300 feet of mapped wetlands, wildlife refuges, fish hatcheries, wildlife management areas, or related significant fish and wildlife resources?

☐ Yes ☐ No

If Yes, conduct special studies by a qualified professionals to determine whether the project may affect the species or habitat to support a “May Effect” finding.

If No, continue below

Does the project constitute a major construction activity (a major Federal action that modifies the physical environment and would normally require the preparation of an EIS)?

☐ Yes ☐ No

If Yes, formal consultation with the Services is required in accordance with procedural regulations contained in 50 CFR Part 402. Mark box “B” on the Statutory Checklist for this authority.

If No, continue.

If federally protected species or critical habitat have been identified within the project area, has a special study been conducted by a qualified professional to determine the effects of the project on each species and critical habitat?

☐ Yes ☐ No

If Yes, continue.

If No, a special study should be conducted to determine the effects of the project on federally protected species and critical habitat. Continue.

Has the RE made a determination based on professional findings that the project is “Not Likely to Adversely Affect” any federally protected (listed or proposed) threatened or endangered species (i.e., plants or animals, fish, or invertebrates), nor adversely modify critical habitats?

☐ Yes ☐ No

If Yes, Service’s concurrence with findings is required. Mark box “B” on the Statutory Checklist for this authority.

If No, continue.

Has the RE determined based on professional findings that the project “May Affect” federally protected (listed or proposed) threatened or endangered species (i.e., plants or animals, fish, or invertebrates), or adversely modify critical habitats?

☐ Yes ☐ No

If Yes, formal consultation is required with the Services, in accordance with procedural regulations contained in 50 CFR Part 402, which mandates formal

consultation in order to preserve the species. Mark box “B” on the Statutory Checklist for this authority.

If No, contact your FEO for assistance in determining impacts to federally protected species and critical habitat.

Comments:

Cite and attach source documentation: (Memorandum to the file by the RE supporting the finding of “No Effect.” Concurrence memo from one or both of the Services for a finding of “Not Likely to Adversely Affect.” Biological Opinion from one or both of the Services for a finding of “May Affect.”)

For additional information see: (The Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.* as amended: particularly Section 7 (b) and (c). 50 CFR 402).

ESA HUD Guidance:

<https://www.onecpd.info/environmental-review/endangered-species/>

USFWS ESA Species Search:

<http://www.FWS.gov/endangered/species/index.html>

NMFS ESA Species Search:

<http://www.nmfs.noaa.gov/pr/species/esa/>

USFWS Critical Habitat Maps:

<http://crithab.FWS.gov/>

NMFS Critical Habitat Maps:

<http://www.nmfs.noaa.gov/pr/species/criticalhabitat.htm>

Endangered Species Consultation Handbook:

http://www.nmfs.noaa.gov/pr/pdfs/laws/esa_section7_handbook.pdf

[USFWS Information, Planning, and Consultation](#)

<http://ecos.fws.gov/ipac/>

US FWS - VA Ecological Service – See Project Reviews in Virginia

http://www.fws.gov/northeast/virginiafield/EndSpec_FedAct.html

[Virginia Department of Game and Inland Fisheries](#)

<http://www.dgif.virginia.gov/environmental-programs/environmental-services-section.asp>

[Virginia Endangered Species by locality](#)

<http://vtpd.ext.vt.edu/pesticide-safety-education-program/endangered-species-and-pesticide-regulation/virginia-endangered-species-list>

§58.5(f) Wild and Scenic Rivers [36 CFR Part 297]

Does the project involve new construction, land use conversion, or substantial improvements?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Is the project located within one (1) mile of a designated Wild, Scenic, Recreational, or river being studied as a potential component of the Wild & Scenic River system or an inventory river?

☐ Yes ☐ No

If Yes, determination from the National Park Service (NPS) must be obtained, with a finding that the project will not have a direct and adverse effect on the river nor invade or diminish values associated with such rivers. For NRI Rivers, consultation with NPS is recommended to identify and eliminate direct and adverse effects. Mark box “B” on the Statutory Checklist for this authority.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Comments:

Cite and attach source documentation: (Maps noting project location and showing proximity to protected rivers. Relevant determinations or results of consultation)

For further information see:

Wild and Scenic Rivers HUD Guidance:

<https://www.onecpd.info/environmental-review/wild-and-scenic-rivers/>

National Park Service:

Designated Rivers <http://www.rivers.gov/map.php>

Study Rivers <http://www.rivers.gov/study.php>

National River Inventory (NRI) listed rivers:

<http://www.nps.gov/ncrc/programs/rtca/nri/index.html>

Recreational River Segments – Virginia

<http://www.nps.gov/ncrc/programs/rtca/nri/states/va.html>

§58.5(g) Air Quality [40 CFR Parts 6, 51, 61 and 93]

Does the project involve demolition or renovation of buildings likely to contain asbestos containing materials?

☐ Yes ☐ No

If Yes, ensure the project is in compliance with EPA’s Asbestos regulations found at 40 CFR Part 61 (NESHAP) and all State and local regulations. Continue below.

If No, continue.

Does the project require an environmental assessment or environmental impact statement?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with CAA State Implementation Plan factor is complete. Mark Box A on the Statutory checklist.

Does the project involve five or more dwelling units, acquisition of undeveloped land, a change of land use, demolition, major rehabilitation, or new construction?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box "A" on the Statutory Checklist for this authority.

Is the project located in a Non-Attainment area?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box "A" on the Statutory Checklist for this authority.

Has EPA or the State provided a written determination that the project will not exceed any of the *de minimis* emissions levels of all non-attainment and maintenance level pollutants or exceed the screening level established by the state or air quality management district?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box "A" on the Statutory Checklist for this authority.

Did EPA or the State provide a Letter of Consistency with the State Implementation Plan (SIP)?

☐ Yes ☐ No

If Yes, obtain letter of consistency showing that the project is consistent with the SIP. Compliance is complete. Mark box "A" on the Statutory Checklist for this authority.

If No, continue.

Has EPA determined that the proposed activity is one that requires a permit under the SIP?

☐ Yes ☐ No

If Yes, continue.

If No, compliance is complete. Mark box "B" on the Statutory Checklist for this authority.

Can project be brought into compliance through mitigation?

☐ Yes ☐ No

If Yes, list mitigation measures required to achieve conformance with SIP in the mitigation section of the Statutory Checklist. Mark box “B” on the Statutory Checklist for this authority.

If No, Federal assistance may not be used at this location.

Comments:

Cite and attach source documentation: (Letter of consistency with SIP, assessment of emissions, air permits received, mitigation measures taken, etc.)

For further information see:

Air Quality HUD Guidance:

<https://www.onecpd.info/environmental-review/air-quality/>

The Green Book Nonattainment Areas for Criteria Pollutants:

<http://www.epa.gov/oar/oaqps/greenbk/>

Region 3 State Implementation Plans (SIPs):

<http://yosemite.epa.gov/r3/r3sips.nsf/SIPIndex!OpenForm>

§58.5(h) Farmlands Protection [7 CFR Part 658]

Does the project involve acquisition of undeveloped land, conversion of undeveloped land, new construction or site clearance?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Is project located in an area zoned to urban and/or residential uses as mapped by the Census Bureau?

☐ Yes ☐ No

If Yes, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

If No, continue.

Does the project site include prime or unique farmland, or other farmland of statewide or local importance as identified by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) (formerly the Soil Conservation Service)?

☐ Yes ☐ No

If Yes, request evaluation of land type from the NRCS using Form AD-1006, and consider the resulting rating in deciding whether to approve the proposal, as well as mitigation measures (including measures to prevent adverse effects on adjacent farmlands). Mark box “B” on the Statutory Checklist for this authority. Include mitigation measures in the mitigation section of the Statutory Checklist.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Comments:

Cite and attach source documentation: (Zoning map with project location noted - Form AD-1006 from NRCS)

For additional information see:

NRCS Soil Maps:

<http://websoilsurvey.nrcs.usda.gov/app/>

Form AD-1006 and instructions:

http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf

Farmland Protection HUD Guidance:

<https://www.onecpd.info/environmental-review/farmlands-protection/>

Census Data Mapper:

<http://tigerweb.geo.census.gov/datamapper/map.html>

§58.5(i) (1) Noise Abatement and Control [24 CFR Part 51B]

Does the project involve a noise sensitive use such as a residential structure, school, hospital, nursing home, library, etc.?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Is the project located within:

- 15 miles of a civilian or military airfield with more than 9,000 carrier operations annually;

☐ Yes ☐ No

- 1,000 feet of a major highway or busy road;

☐ Yes ☐ No

- 3,000 feet of a railroad.

☐ Yes ☐ No

If Yes to any the above, complete a noise calculation assessment. Use adopted DNL contours if the noise source is an airport. Continue.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Do noise calculations or airport noise contour maps indicate noise levels above 65dB (outside)?

☐ Yes ☐ No

If No, compliance with this section is complete. Mark box "A" on the Statutory Checklist for this authority.

If Yes, continue;

d. If the answer to "c" above is "yes," does the project involve rehabilitation?

☐ Yes ☐ No

If Yes, noise attenuation measures are strongly encouraged for rehabilitation new construction to reduce noise levels to below 65dB. Mark box "B" on the Statutory Checklist for this authority. List all attenuation measures in the mitigation section of the Statutory Checklist.

If No, continue.

If the answer to "c" is yes, does the project involve new construction?

☐ Yes ☐ No

If Yes, Special Environmental Clearance is required (an Environmental Assessment). Noise attenuation measures are required for new construction to reduce noise levels to below 65dB. Mark box "B" on the Statutory Checklist for this authority. List all attenuation measures in the mitigation section of the Statutory Checklist.

If No, Continue.

Do noise calculations or airport noise contour maps indicate outdoor noise levels above 75dB?

☐ Yes ☐ No

If Yes, continue.

If No, compliance is completed with respect to steps a-d above.

f. If noise levels are above 75 dB, does the project involve new construction?

☐ Yes ☐ No

If Yes, HUD assistance for the construction of new noise sensitive uses is generally prohibited for projects with unacceptable noise exposure (>75dB). An Environmental Impact Statement (EIS) is required. Compliance cannot be achieved without either completion of an EIS or processing of an EIS waiver.

If No, compliance in complete with respect to steps a-e above.

g. If outdoor noise levels are > 75 dB and the project involves new construction, was an EIS waiver processed?

☐ Yes ☐ No

If Yes, compliance is complete. Attach the EIS waiver, signed by the Certifying Officer. Mark box “B” of the Statutory Checklist and list all outdoor and indoor attenuation measures to reduce outdoor noise levels to 65 dB and indoor noise levels to 45 dB in the mitigation section of the Statutory Checklist.

If No, proceed with preparation of an EIS or deny the project.

Comments:

Cite and attach source documentation: (Maps with project location indicating distance from noise sources. DNL calculations and/or NAG worksheets.)

For more information see:

HUD Noise Guidance:

<https://www.onecpd.info/environmental-review/noise-abatement-and-control/>

<http://www.hud.gov/offices/cpd/environment/dnlcalculator.cfm>

<http://www.hud.gov/offices/cpd/environment/mitigation.cfm>

<http://portal.hud.gov/hudstracat/noiseCalcEntry.jsp>

Virginia Department of Transportation Traffic Counts

<http://www.virginiadot.org/info/ct-trafficcounts.asp>

Federal Railroad Administration Crossing Data – Office of Safety Data – use 8.10

<http://safetydata.fra.dot.gov/officeofsafety/default.aspx>

Federal Aeronautics Administration:

http://www.faa.gov/airports/planning_capacity/npas/reports/

Airport Contacts: <http://www.airnav.com/airports/>

§58.5(i) (1) Explosive and Flammable Operations [24 CFR 51C]

Does the project involve development, construction, rehabilitation, modernization or land use conversion of a property intended for residential, institutional, recreational, commercial, or industrial use?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Was a field observation performed by a qualified professional who documents there are above ground storage tanks within line of site of the project?

☐ Yes ☐ No

Is the project site within 1 mile of current or planned stationary aboveground storage tanks of more than 100 gallon capacity, containing common liquid industrial fuels OR of any capacity, containing hazardous liquids or gases, which are not liquid industrial fuels?

☐ Yes ☐ No

Are industrial facilities handling explosive or fire-prone materials such as liquid propane, gasoline or other storage tanks adjacent to or visible from the project site?

☐ Yes ☐ No

If Yes to any of b – d above, use HUD Hazards Guide to calculate an Acceptable Separation Distance to comply with 24 CFR Part 51, Subpart C. Continue.

If No to all of b – d above, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Is the project located at an Acceptable Separation Distance from any above-ground explosive or flammable fuels or chemicals containers as calculated above?

☐ Yes ☐ No

If Yes, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

If No, continue.

Can mitigation measures, such as construction of a barrier of adequate size and strength, reduce the blast overpressure or thermal radiation hazard to protect the project (per 24 CFR §51.205)?

☐ Yes ☐ No

If Yes, Mark box “B” on the Statutory Checklist for this authority. List all mitigation measures in the mitigation section of the Statutory Checklist.

If No, HUD assistance cannot be used for this project.

Comments:

Cite and attach source documentation: (Maps with project location noted, showing distance from explosives and flammable operations or ASD calculations/worksheet.)

For additional information see:

HUD Guidance on Siting Projects near Explosive and Flammable Facilities:

<https://www.onecpd.info/environmental-review/explosive-and-flammable-facilities/>

Acceptable Separation Distance Guidebook: <https://www.onecpd.info/resource/2762/acceptable-separation-distance-guidebook/>

Barrier Design Guidance for HUD Assisted Project Near Hazardous Facilities:

<https://www.onecpd.info/resource/2763/barrier-design-guidance-for-hud-assisted-projects-near-hazardous-facil/>

§58.5(i) (1) Airport Hazards [24 CFR 51D]

Will the project use HUD assistance, subsidy or insurance for construction; land development; community development or redevelopment; substantial modernization and rehabilitation which prolongs the physical or economic life of existing facilities; provide facilities and services which make land available for construction; change the use of a facility; increase the unit density or number of people at the site?

☐ Yes ☐ No

If **Yes**, continue.

If **No**, compliance with this section is complete. Mark box "A" on the Statutory Checklist for this authority.

Is the property within 5,000 feet of a civilian airport, the Runway Clear Zone (RCZ)?

☐ Yes ☐ No

Is the project is within the 15,000 foot military airfield Accident Potential Zone (APZ)?

☐ Yes ☐ No

If **Yes**, continue.

If **No** to both of the above questions, compliance with this section is complete. Mark box "A" on the Statutory Checklist for this authority.

- d. If the project is within 5, 000 feet of the end of a civilian airport runway, did the Airport Operator provide a written determination that the project is not now and will not be 10 years from now, located 2,500 feet from the end of the civilian runway in a runway Clear Zone (CZ)?

☐ Yes ☐ No

If Yes, compliance is complete. Mark Box "A" on the Statutory Checklist and attach the Airport Operator's written determination.

If No, continue.

- e. If the project is within 15,000 feet of a military airfield did the airfield operator provide a written determination that the project is not currently located in a CZ/APZ and future expansion will not place the property in a CZ/APZ?

☐ Yes ☐ No

If **Yes**, compliance is complete. Mark Box "A" on the Statutory Checklist and attach the Airport Operator's written determination.

If **No**, continue.

If the project is or will be in a CZ, will the project be frequently used or occupied by people?

☐ Yes ☐ No

If Yes, HUD funds may not be used for this project.

If No, continue.

If the project will not frequently be used by people, has the airport operator provided a written statement that there are no plans to purchase the land involved with such facilities as part of a Runway CZ acquisition program?

☐ Yes ☐ No

If Yes, attach copy of written assurance from airport operator. Mark box "B" on the Statutory Checklist for this authority.

If No, HUD funds may not be used for this project.

If the project is located in a military airfield APZ, is the project consistent with the Land Use Compatibility Guidelines for Accident Potential Zones (32 CFR Part 256, DOD Instruction 4165.57).

☐ Yes ☐ No

If Yes, attach copy of written assurance from airport operator. Mark box "B" on the Statutory Checklist for this authority.

If No, HUD funds may not be used for this project.

Comments:

Cite and attach source documentation: (Map with project location noted showing the distance from civilian airports and/or military airfields. Written confirmation from airport operating stating whether or not project is located in a RCZ, CZ or APZ. Written assurance from airport operator on purchase of property.)

For further information see:

Airport Information: <http://www.airnav.com/airports/>

Airport Hazards HUD Guidance:

<https://www.onecpd.info/environmental-review/airport-hazards/>

[DOD Instruction 4165.57](http://www.dtic.mil/whs/directives/corres/pdf/416557p.pdf)

<http://www.dtic.mil/whs/directives/corres/pdf/416557p.pdf>

Government Records Search

Is the property located within the search distances of any of the types of environmental contamination sources?

Standard Environmental Record Sources	ASTM 1527-13 Recommended Minimum Search Distance (mi)	Yes	No
Federal Delisted NPL Site List	0.5	<input type="checkbox"/>	<input type="checkbox"/>
Federal Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) List	0.5	<input type="checkbox"/>	<input type="checkbox"/>
Federal CERCLIS No Further Remedial Action Planned (NFRAP) Site List	0.5	<input type="checkbox"/>	<input type="checkbox"/>
Federal RCRA Non-CORRACTS Treatment, Storage and Disposal (TSD) Facilities List	0.5	<input type="checkbox"/>	<input type="checkbox"/>
State- and Tribal-Equivalent CERCLIS	0.5	<input type="checkbox"/>	<input type="checkbox"/>
State and Tribal Landfill and/or Solid Waste Disposal Site Lists	0.5	<input type="checkbox"/>	<input type="checkbox"/>
State and Tribal Leaking Storage Tank Lists	0.5	<input type="checkbox"/>	<input type="checkbox"/>
State and Tribal Voluntary Cleanup Sites	0.5	<input type="checkbox"/>	<input type="checkbox"/>
State and Tribal Brownfield Sites	0.5	<input type="checkbox"/>	<input type="checkbox"/>
Federal National Priorities List (NPL)	1	<input type="checkbox"/>	<input type="checkbox"/>
Federal RCRA Correction Action (CORRACTS) Facilities List	1	<input type="checkbox"/>	<input type="checkbox"/>
State- and Tribal-Equivalent NPL	1	<input type="checkbox"/>	<input type="checkbox"/>
Federal Institutional Control/Engineering Control Registries	Property Only	<input type="checkbox"/>	<input type="checkbox"/>
State and Tribal Institutional Control/Engineering Control Registries	Property Only	<input type="checkbox"/>	<input type="checkbox"/>
Federal Emergency Response and Notification System (ERNS) List	Property Only	<input type="checkbox"/>	<input type="checkbox"/>
Federal RCRA Generators List	Property/Adjoining Properties	<input type="checkbox"/>	<input type="checkbox"/>
State and Tribal Registered Storage Tank Lists	Property/Adjoining Properties	<input type="checkbox"/>	<input type="checkbox"/>

If the project is located within any of the minimum search distances above, then the RE must further evaluate to determine if there has been a release or there is a threat of release to the subject property. Attach supporting documentation to the

environmental review to support any conclusion that the site of concern is not a threat.

If a release or threat of release cannot be ruled out, then services of a qualified environmental professional is necessary to further evaluate potential for site contamination. Recommend an ASTM 1527-13 Phase I Environmental Site Assessment (Phase I).

Prior Uses of the Property

Has the subject property, adjacent property, or adjoining property ever been used for any of the following types of uses?

	Yes	No		Yes	No
Gas Station	<input type="checkbox"/>	<input type="checkbox"/>	Vehicle Repair Shop	<input type="checkbox"/>	<input type="checkbox"/>
Car Dealership	<input type="checkbox"/>	<input type="checkbox"/>	Auto Garage	<input type="checkbox"/>	<input type="checkbox"/>
Depot	<input type="checkbox"/>	<input type="checkbox"/>	Commercial Printing Facility	<input type="checkbox"/>	<input type="checkbox"/>
Industrial or commercial warehouses	<input type="checkbox"/>	<input type="checkbox"/>	Dry Cleaners	<input type="checkbox"/>	<input type="checkbox"/>
Photo Developing Laboratory	<input type="checkbox"/>	<input type="checkbox"/>	Hospital	<input type="checkbox"/>	<input type="checkbox"/>
Junkyard or landfill	<input type="checkbox"/>	<input type="checkbox"/>	Agricultural/Farming Operations	<input type="checkbox"/>	<input type="checkbox"/>
Tannery	<input type="checkbox"/>	<input type="checkbox"/>	Livestock Operations	<input type="checkbox"/>	<input type="checkbox"/>

If the evaluation of previous uses results in a yes answer to any of the above, the service of a qualified environmental professional is necessary to rule out site contamination. An ASTM E1527-13 Phase I report is recommended.

If the evaluation of previous uses does not identify previous uses of concern, attach supporting documentation for the conclusion to the environmental review.

Field Site Visit

Did a visual inspection of the site show the following?

	Yes	No
Distressed vegetation	<input type="checkbox"/>	<input type="checkbox"/>
Vent or Fill Pipes	<input type="checkbox"/>	<input type="checkbox"/>
Storage Oil Tanks or Questionable Containers	<input type="checkbox"/>	<input type="checkbox"/>
Pits, Ponds or Lagoons	<input type="checkbox"/>	<input type="checkbox"/>
Stained Soil or Pavement (other than water stains)	<input type="checkbox"/>	<input type="checkbox"/>
Pungent, Foul or Noxious Odors	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
Dumped Material or Soil, Mounds of Dirt, Rubble, Fill, etc.	<input type="checkbox"/>	<input type="checkbox"/>

Does the project have an underground storage tank other than a residential fuel tank, or known or suspected to be contaminated by toxic chemicals or radioactive materials?

☐ Yes ☐ No

Is the project site near an industry or commercial facility disposing of chemicals or hazardous wastes?

☐ Yes ☐ No

Could a nearby source of toxic, hazardous or radioactive substances affect the health and safety of project occupants or conflict with the intended use of the property?

☐ Yes or ☐ No

If the site visit identifies a “Yes” answer to any of the above, a qualified environmental professional must undertake investigations necessary to ensure that the project is free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances such that there is no hazard which could affect the health and safety of occupants or conflict with the intended utilization of the property. Continue.

Results of ASTM Site Contamination Reviews

Was an ASTM E1527-13 Phase I Environmental Site Assessment (ESA) report completed for this project? (Strongly recommend a Phase I ESA for land acquisition, new construction, reconstruction or substantial rehabilitation).

☐ Yes ☐ No

Did a Phase I, or equivalent evaluation, identify the potential for site contamination? [The RE must independently evaluate the Phase I and not rely entirely on the conclusions of whether or not there is a Recognized Environmental Condition (REC) since Phase I's do not always appropriately identify RECs]

☐ Yes ☐ No

If there is the potential for site contamination, was an ASTM E1903-11 Phase II Environmental Site Assessment Completed that documented contamination?

☐ Yes or ☐ No

Did results of the Phase I or Phase II identify the need to mitigate the environmental condition by removing, stabilizing or encapsulating the toxic substances in accordance with the requirements of the appropriate Federal, state or local oversight agency?

☐ Yes ☐ No

If the project site requires remediation, does the RE have the following documentation?

	Yes	No
Remediation Plan	<input type="checkbox"/>	<input type="checkbox"/>
Regulatory Oversight Agency Approval of the Remediation Plan	<input type="checkbox"/>	<input type="checkbox"/>
Firm Cost Estimate to Implement the Remediation Plan	<input type="checkbox"/>	<input type="checkbox"/>
A Secured Source of Funding for Site Remediation	<input type="checkbox"/>	<input type="checkbox"/>
A project condition that the project construction or rehabilitation cannot proceed until the RE received a No Further Action (NFA) Required or Site Closure Letter from the Regulatory Oversight Agency	<input type="checkbox"/>	<input type="checkbox"/>
A project condition for Deed Restrictions related to any continuing obligations associated with the remediation plan or NFA or Site Closure Letters	<input type="checkbox"/>	<input type="checkbox"/>

If Yes, then, compliance is complete. Attach supporting documentation to the environmental review. Ensure that all mitigation measures are identified in the environmental review and that there is a mechanism for conveying requirements in agreements and awards. Mark Box B on the Statutory Checklist for this Authority. Attach all supporting documentation.

If No, HUD cannot provide assistance for the project at this site.

- j. If the site requires remediation, and the property owner intends to complete the remediation prior to transferring the property to the HUD recipient, can the RE provide documentation of the following?

	Yes	No
Remediation Plan	<input type="checkbox"/>	<input type="checkbox"/>
Regulatory Oversight Agency Approval of the Remediation Plan	<input type="checkbox"/>	<input type="checkbox"/>
Purchase contract and closing document requirements for receipt of a No Further Action Required or Site Closure Letter from the Regulatory Oversight Agency prior to closing.	<input type="checkbox"/>	<input type="checkbox"/>
Deed restrictions for any continuing obligations associated with the remediation plan or NFA or Site Closure Letters	<input type="checkbox"/>	<input type="checkbox"/>

If Yes, then, compliance is complete. Attach supporting documentation to the environmental review. Ensure that all mitigation measures are identified in the environmental review and that there is a mechanism for conveying requirements in agreements and awards. Mark Box B on the Statutory Checklist for this Authority. Attach all supporting documentation.

If No, HUD cannot provide assistance for the project at this site.

Comments:

Cite and attach source documentation: (Maps showing project distance to contaminated sites. Phase I (ASTM) Report. All ESAs and mitigation plans performed for this project.)

For additional information see:

HUD Guidance on Site Contamination:

<https://www.onecpd.info/environmental-review/site-contamination/>

NEPAssist: <http://nepassisttool.epa.gov/nepassist/entry.aspx>

EPA Envirofacts Data: <http://www.epa.gov/enviro/>

EPA Maps: <http://www.epa.gov/emefdata/em4ef.home>

ATSDR Hazardous substances: <http://www.atsdr.cdc.gov/toxfaqs/index.asp>

Right-To-Know Network: <http://www.rtknet.org/>

§58.5(j) Environmental Justice (E.O. 12898)

Is the project located in or designed to serve a predominantly minority and low-income neighborhood?

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

Would there be an adverse environmental impact caused by the proposed action, or would the proposed action be subject to an existing adverse environmental impact?

☐ Yes ☐ No

If No, compliance with this section is complete. Mark box “A” on the Statutory Checklist for this authority.

If Yes, perform an Environmental Justice (EJ) analysis using census, geographic and other data to determine if a low-income/minority population is disproportionately impacted. Continue.

Will the adverse environmental impact of the proposed action disproportionately impact minority and low-income populations relative to the community-at-large?

☐ Yes ☐ No

If Yes, Mitigation or avoidance of adverse impacts must be considered to the extent practicable; and, public participation processes must involve the affected population(s) in the decision-making process. Continue.

If No, compliance with this section is complete. Document the determination of no disproportionate impacts. Mark box “A” on the Statutory Checklist for this authority.

Has the mitigation plan been approved by the RE and the impacted community?

☐ Yes ☐ No

If Yes, compliance with this section is complete. Include mitigation plan in the mitigation section of the Statutory Checklist. Mark box “B” on the Statutory Checklist for this authority.

If No, Project cannot move forward until EJ issue is mitigated to the satisfactory of the RE and impacted community.

Comments:

Cite and attach source documentation: (Mapping of low-income and minority populations in the vicinity of the project site. EJ analysis. Mitigation Plan.)

For additional information see:

EJ HUD Guidance:

<https://www.onecpd.info/environmental-review/environmental-justice/>

EJ maps & analysis, by location:

<http://www.scorecard.org/community/ej-index.tcl>

EPA’s “EJ View” Tool provides information relevant to EJ assessments:

<http://epamap14.epa.gov/ejmap/entry.html>

Census Bureau – American Fact Finder - data and maps:

<http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>

Tract-level data on race & income:

<http://www.ffiec.gov/geocode>

Summary of Mitigation Measures:

(Required for Incorporation into Project Design, included in Public Notices, and included as requirements of contracts, grants, loans, etcetera? Ensure final measures are included in Project Description Section of 7015.15)

References:

(List the Federal, State, or local agencies contacted to obtain their existing environmental reports and other data used for the environmental review of the proposed project)

List of Major Reports Obtained:

(Attach report(s), such as wetlands delineation studies, biological evaluations or habitat assessments, Phase I and II environmental site assessments)

18. List of Preparers and Summary of Qualifications:

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PART 2

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**Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name:

Responsible Entity:

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

Preparer:

Certifying Officer Name and Title:

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable):

Direct Comments to:

Project Location:

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

Existing Conditions and Trends [24 CFR 58.40(a)]:

Funding Information

Grant Number	HUD Program	Funding Amount

Estimated Total HUD Funded Amount:

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input type="checkbox"/>	
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input type="checkbox"/> <input type="checkbox"/>	

Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input type="checkbox"/>	
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input type="checkbox"/>	
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input type="checkbox"/>	

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design		
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff		
Hazards and Nuisances including Site Safety and Noise		
Energy Consumption		

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns		
Demographic Character Changes, Displacement		

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities		
Commercial Facilities		
Health Care and Social Services		
Solid Waste Disposal / Recycling		
Waste Water / Sanitary Sewers		
Water Supply		
Public Safety - Police, Fire and Emergency Medical		
Parks, Open Space and Recreation		
Transportation and Accessibility		

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources		
Vegetation, Wildlife		
Other Factors		

Additional Studies Performed:

Field Inspection (Date and completed by):

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

List of Permits Obtained:

Public Outreach [24 CFR 50.23 & 58.43]:

Cumulative Impact Analysis [24 CFR 58.32]:

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

No Action Alternative [24 CFR 58.40(e)]:

Summary of Findings and Conclusions:

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

Determination:

☐ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: _____ Date: _____

Name/Title/Organization: _____

Certifying Officer Signature: _____ Date: _____

Name/Title: _____

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).