

# REHABILITATION- HTF INCLUDING OTHER HUD FUNDING

## HUD Part 50/58 Environmental Review with HTF Environmental Provisions - 24 CFR § 93.301(f)(2) – Rehabilitation

(including rehabilitation of manufactured housing and existing housing that is acquired with HTF funds, and has not been newly constructed or rehabilitated less than 12 months before the commitment of HTF funds)

When combining HTF with other HUD funds, Part 50 and 58 compliance procedures must be used when they meet the HTF Environmental Provisions under 24 CFR § 93.301(f)(2). When Part 50 and 58 compliance procedures do not meet the HTF Environmental Provisions, Part 50 or 58 compliance procedures are not sufficient. When combining a Part 50/58 review and HTF Environmental Provisions, Environmental Justice must be analyzed as part of the environmental review.

Document compliance with the following Laws and Authorities in the Part 50 or Part 58 Environmental Review Record. Part 50 and 58 compliance with the following Laws and Authorities meet the HTF Environmental Provisions; therefore Part 50 or 58 compliance procedures must be followed-

- Coastal Barrier Resources
- Coastal Zone Management
- Sole Source Aquifers
- Endangered Species
- Wild and Scenic Rivers
- Explosives and Hazards
- Environmental Justice

Part 50 and 58 compliance with the following Laws and Authorities DOES NOT MEET the HTF Environmental Provisions under 24 CFR § 93.301(f)(2); therefore, Part 50 or 58 compliance procedures are not sufficient. More specific information on how to meet the HTF Environmental Provisions is provided in the section below.

- Historic Preservation
- Farmlands
- Airport Zones
- Floodplains
- Wetlands
- Contamination
- Noise
- Safe Drinking Water

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Directions – PLEASE READ QUESTIONS CAREFULLY

- 1) Select from the options under each Environmental Provision
  - 2) Provide the appropriate documentation in the project file
- 

## **Historic Preservation**

Consultation with interested parties such as the State Historic Preservation Officers, federally recognized Indian tribes/Tribal Historic Preservation Officers (THPOs); and Native Hawaiian Organizations.

➔ *Document the consultation process.*

Select one of the following:

- ☐ If the project is NOT listed or eligible for listing in the National Register of Historic Places individually or as part of an historic district. <http://www.nps.gov/nr/research/>

➔ *Document that the project is not listed or eligible to be listed on the National Register of Historic Places.*

- ☐ The project is listed or eligible to be listed on the National Register of Historic Places, individually or as part of an historic district, and work DOES NOT include demolition and MEETS the Secretary of Interior's Standards for Rehabilitation. <https://www.nps.gov/tps/standards/four-treatments/treatment-rehabilitation.htm>

➔ *Document how the work meets the Secretary of Interior's Standards for Rehabilitation.*

☐ Project cannot be funded with HTF.

Note: If archaeological resources or human remains are discovered on the project site during construction, consult with affected tribes and/or descendant communities and comply with the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001–3013), State law and/or local ordinance (e.g., State unmarked burial law).

➔ *Document all consultation correspondence with the affected tribe and/or descendant communities, and how compliance with the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001–3013), State law and/or local ordinance (e.g., State unmarked burial law) has been met.*

## **Farmlands**

Select one of the following:

- ☐ The project activity IS solely rehabilitation.

➔ *Document a summary of rehabilitation activities that are part of the project.*

- ☐ The project will NOT convert unique, prime or significant (state or local) farmland to an urban use - <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm> or <https://tigerweb.geo.census.gov/tigerweb/>

➔ *A map from the Web Soil Survey showing that the project site is not a unique, prime or statewide or locally significant agricultural property, or a TigerWeb map showing the project is in an urban area.*

☐ Project cannot be funded with HTF.

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## **Airport Zones**

Select one of the following:

- ☐ The project is NOT located within a Runway Protection Zone (RPZ) of a civilian airport or the clear zone or Accident Potential Zone (APZ) of a military airfield.

<https://www.epa.gov/nepa/nepassist>

➔ *A map showing the site is not within 15,000 feet of a military airport or within 2,500 feet of a civilian airport.*

*If within 15,000 feet of a military airport, a map showing the site is not within a designated APZ or a letter from the airport operator stating so.*

*If within 2,500 feet of a civilian airport, a map showing the site is not within a designated RPZ or a letter from the airport operator stating so.*

- ☐ Project cannot be funded with HTF.

## **Floodplains**

Select one of the following:

- ☐ The project is NOT located in the Floodway, Coastal High Hazard Area or 100-year or 500-year floodplain on the latest FEMA floodmap (including preliminary maps and Advisory Base Flood Elevations).

<https://msc.fema.gov/portal>

➔ *FEMA FIRM or other latest-available data from FEMA showing the project location is not within a floodplain.*

- ☐ 100-year floodplain -

If the project site is within the 100-year floodplain, an 8-step Process including notifications is required. Any substantially improved structure located within the 100-year floodplain WILL BE elevated to at least the BFE or floodproofed to one foot above the BFE. Elevated and floodproofed buildings must adhere to National Flood Insurance Program standards, and the project MUST NOT BE a Critical Action.

➔ *Document the 8-step Process and required notifications. Provide the FIRM or latest-available FEMA data and, if the structure will be substantially improved, document that the structure will be elevated at least the BFE or floodproofed to one foot above the BFE, that elevated and floodproofed buildings adhere to National Flood Insurance Program standards, and that the project is not a Critical Action.*

- ☐ Floodway –

The project IS a functionally dependent use.

➔ *Provide the FIRM or latest-available FEMA data and document that the structure is a functionally dependent use.*

- ☐ Coastal High Hazard Area –

The project IS designed for location in a coastal high hazard area consistent with the FEMA National Flood Insurance Program requirements for V Zones.

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➔ *Provide the FIRM or later FEMA data and document that the structure is designed for location in a coastal high hazard area consistent with the FEMA National Flood Insurance Program requirements for V Zones, and that the structure is not a Critical Action.*

- ☐ 500-year floodplain –  
The project is NOT a Critical Action.

➔ *Provide the FIRM or latest-available FEMA data and document that the structure is not a Critical Action.*

- ☐ **Project cannot be funded with HTF.**

## **Wetlands**

Select one of the following:

- ☐ The project will NOT adversely impact a wetland. The project will NOT drain, dredge, channelize, fill, dike, impound, or perform grading activities in wetlands.

<http://www.fws.gov/wetlands/Data/Mapper.html>

➔ *A map showing the project is not located in a jurisdictional or non-jurisdictional wetland.*

- ☐ **Project cannot be funded with HTF.**

## **Contamination**

Select one of the following:

- ☐ The project is FREE of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended use of the property.

AND

The project IS NOT located within 0.25 miles of a Superfund or CERCLIS (Comprehensive Environmental Response, Compensation, and Liability Information System) site or other contaminated site reported to Federal, State, or local authorities without a statement in writing from the U.S. Environmental Protection Agency (EPA) or the appropriate State agency that there is no hazard that could affect the health and safety of the occupants or conflict with the intended use of the property.

Note: The CERCLIS Public Access Database has been retired. The EPA is transitioning to the Superfund Enterprise Management System, or SEMS. SEMS includes the same data fields and content as CERCLIS.

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

➔ *Document that the project is free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended use of the property. Document that the project is not located within 0.25 miles of a Superfund or CERCLIS site or other contaminated site reported to Federal, State, or local authorities without a statement in writing from the EPA or the appropriate State agency that there is no hazard that could affect the health and safety of the occupants or conflict with the intended use of the property.*

**Multifamily properties (more than 4 units) a Phase I ESA–ASTM is required. If the Phase I ESA identifies RECs, a Phase II ESA–**

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*ASTM will be required. If the Phase II indicates the presence of hazardous substances or petroleum products above applicable local, state, tribal or federal (LSTF) screening levels, coordination with the relevant LSTF oversight agency will be required to complete the remediation process and obtain a determination that no further action is required. Development of more than four single family structures in the same location, such as subdivision development, should be evaluated as multifamily*

**Single family properties** - projects must avoid sites located within 0.25 miles of a Superfund or CERCLIS site or other contaminated site reported to Federal, State, or local authorities without a statement in writing from the EPA or the appropriate State agency that there is no hazard that could affect the health and safety of the occupants or conflict with the intended use of the property. In addition to the government records search, the screening process for single family does include a site visit. When the screening process raises concerns related to site contamination, it may be appropriate to contract with an environmental professional for preparation of a Phase I, testing and sampling, or other investigation.

☐ Project cannot be funded with HTF.

## **Noise**

Select one of the following:

☐ The internal noise level will be 45 decibels or less (mitigation may be required).

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

➔ *Document that that interior noise levels will be no more than 45 dB.*

☐ Project cannot be funded with HTF.

## **Safe Drinking Water**

Select one of the following:

☐ The project CONTAINS lead-free pipes, solder, and flux.

<https://www.epa.gov/dwreginfo>

➔ *Document that the project only uses lead-free pipes, solder, and flux (architectural plans, building specifications, and certification by qualified professional).*

☐ Project cannot be funded with HTF.

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## Coastal Barrier Resources (CEST and EA)

| General requirements                                                                                                                                                                              | Legislation                                                                                                           | Regulation |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|------------|
| HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS. | Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501) |            |
| References                                                                                                                                                                                        |                                                                                                                       |            |
| <a href="https://www.hudexchange.info/environmental-review/coastal-barrier-resources">https://www.hudexchange.info/environmental-review/coastal-barrier-resources</a>                             |                                                                                                                       |            |

Projects located in the following states must complete this form.

|             |           |               |                |                |                |
|-------------|-----------|---------------|----------------|----------------|----------------|
| Alabama     | Georgia   | Massachusetts | New Jersey     | Puerto Rico    | Virgin Islands |
| Connecticut | Louisiana | Michigan      | New York       | Rhode Island   | Virginia       |
| Delaware    | Maine     | Minnesota     | North Carolina | South Carolina | Wisconsin      |
| Florida     | Maryland  | Mississippi   | Ohio           | Texas          |                |

### 1. Is the project located in a CBRS Unit?

☐ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*

☐ Yes → *Continue to Question 2.*

Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

### 2. Indicate your selected course of action.

☐ After consultation with the FWS the project was given approval to continue  
 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of a FWS approval.*

☐ Project was not given approval  
Project cannot proceed at this location.

### Worksheet Summary Compliance Determination

West Virginia does not have a Coastal Barrier Resource System.

### Are formal compliance steps or mitigation required?

- ☐ Yes  
☐ No

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## Coastal Zone Management Act (CEST and EA)

| General requirements                                                                                                                                                                                               | Legislation                                                                                                  | Regulation      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------|
| Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans. | Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d)) | 15 CFR Part 930 |
| References                                                                                                                                                                                                         |                                                                                                              |                 |
| <a href="https://www.onecpd.info/environmental-review/coastal-zone-management">https://www.onecpd.info/environmental-review/coastal-zone-management</a>                                                            |                                                                                                              |                 |

Projects located in the following states must complete this form.

|                 |          |               |                          |                |                |
|-----------------|----------|---------------|--------------------------|----------------|----------------|
| Alabama         | Florida  | Louisiana     | Mississippi              | Ohio           | Texas          |
| Alaska          | Georgia  | Maine         | New Hampshire            | Oregon         | Virgin Islands |
| American Samona | Guam     | Maryland      | New Jersey               | Pennsylvania   | Virginia       |
| California      | Hawaii   | Massachusetts | New York                 | Puerto Rico    | Washington     |
| Connecticut     | Illinois | Michigan      | North Carolina           | Rhode Island   | Wisconsin      |
| Delaware        | Indiana  | Minnesota     | Northern Mariana Islands | South Carolina |                |

### 1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

☐ Yes → Continue to Question 2.

☐ No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.

### 2. Does this project include activities that are subject to state review?

☐ Yes → Continue to Question 3.

☐ No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

### 3. Has this project been determined to be consistent with the State Coastal Management Program?

☐ Yes, with mitigation. → Continue to Question 4.

☐ Yes, without mitigation. → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.

☐ No, project must be canceled.

Project cannot proceed at this location.

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4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.



*Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

## **Worksheet Summary** **Compliance Determination**

West Virginia is not located on or near a Coastal Zone.

**Are formal compliance steps or mitigation required?**

☐ Yes

☐ No

# REHABILITATION- HTF INCLUDING OTHER HUD FUNDING

## Sole Source Aquifers (CEST and EA)

| General requirements                                                                                                                                                                                                  | Legislation                                                                      | Regulation      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|-----------------|
| The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health. | Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349) | 40 CFR Part 149 |
| Reference                                                                                                                                                                                                             |                                                                                  |                 |
| <a href="https://www.hudexchange.info/environmental-review/sole-source-aquifers">https://www.hudexchange.info/environmental-review/sole-source-aquifers</a>                                                           |                                                                                  |                 |

### 1. Does your project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

☐ Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

☐ No → *Continue to Question 2.*

### 2. Is the project located on a sole source aquifer (SSA)<sup>1</sup>?

☐ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area.*

☐ Yes → *Continue to Question 3.*

### 3. Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?

Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

☐ Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*

☐ No → *Continue to Question 5.*

### 4. Does your MOU or working agreement exclude your project from further review?

☐ Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

☐ No → *Continue to Question 5.*

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<sup>1</sup> A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

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**5. Will the proposed project contaminate the aquifer and create a significant hazard to public health?**

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

☐ No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination.*

☐ Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied. Continue to Question 6.*

**6. In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

**Worksheet Summary**

**Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

**Are formal compliance steps or mitigation required?**

- ☐ Yes
- ☐ No

# REHABILITATION- HTF INCLUDING OTHER HUD FUNDING

## Endangered Species Act (CEST and EA)

| General requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ESA Legislation                                                                                            | Regulations     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-----------------|
| Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services"). | The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i> ); particularly section 7 (16 USC 1536). | 50 CFR Part 402 |
| References                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                            |                 |
| <a href="https://www.hudexchange.info/environmental-review/endangered-species">https://www.hudexchange.info/environmental-review/endangered-species</a>                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                            |                 |

### 1. Does the project involve any activities that have the potential to affect species or habitats?

☐ No, the project will have No Effect due to the nature of the activities involved in the project.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

☐ No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office.

Explain your determination:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

☐ Yes, the activities involved in the project have the potential to affect species and/or habitats.

→ Continue to Question 2.

### 2. Are federally listed species or designated critical habitats present in the action area?

Obtain a list of protected species from the Services. This information is available on the [FWS Website](#) or you may contact your [local FWS](#) and/or [NMFS](#) offices directly.

☐ No, the project will have No Effect due to the absence of federally listed species and designated critical habitat.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

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☐ Yes, there are federally listed species or designated critical habitats present in the action area.

→ Continue to Question 3.

### 3. What effects, if any, will your project have on federally listed species or designated critical habitat?

☐ No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.

☐ May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

→ Continue to Question 4, Informal Consultation.

☐ Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

→ Continue to Question 5, Formal Consultation.

### 4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

### Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

☐ Yes, the Service(s) concurred with the finding.

→ Based on the response, the review is in compliance with this section. Continue to Question 6 and provide the following:

- (1) A biological evaluation or equivalent document
- (2) Concurrence(s) from FWS and/or NMFS
- (3) Any other documentation of informal consultation

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

☐ No, the Service(s) did not concur with the finding.

→ Continue to Question 5.

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## 5. Formal consultation is required

Section 7 of ESA (16 USC 1536) mandates consultation to resolve potential impacts to federally listed endangered and threatened species and critical habitats. If a HUD assisted project may affect any endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

→ Once consultation is complete, the review is in compliance with this section. Continue to Question 6 and provide the following:

- (1) A biological assessment, evaluation, or equivalent document
- (2) Biological opinion(s) issued by FWS and/or NMFS
- (3) Any other documentation of formal consultation

## 6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that will be implemented to mitigate for the impact or effect, including the timeline for implementation.

☐ Mitigation as follows will be implemented:

☐ No mitigation is necessary.

**Explain why mitigation will not be made here:**

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## Worksheet Summary

### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

**Are formal compliance steps or mitigation required?**

☐ Yes

☐ No

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## Wild and Scenic Rivers (CEST and EA)

| General requirements                                                                                                                                                                                                                                                              | Legislation                                                                                                         | Regulation      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|-----------------|
| The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development. | The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c)) | 36 CFR Part 297 |
| References                                                                                                                                                                                                                                                                        |                                                                                                                     |                 |
| <a href="https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers">https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers</a>                                                                                                                   |                                                                                                                     |                 |

### 1. Is your project within proximity of a NWSRS river as defined below?

**Wild & Scenic Rivers:** These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational

**Study Rivers:** These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

**Nationwide Rivers Inventory (NRI):** The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas

☐ No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.

☐ Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

→ Continue to Question 2.

### 2. Could the project do *any* of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

**Note:** Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

☐ No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.

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- ☐ Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.  
→ Continue to Question 3.

3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.

## Worksheet Summary Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Are formal compliance steps or mitigation required?

- ☐ Yes  
☐ No

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## Explosive and Flammable Hazards (CEST and EA)

| General requirements                                                                                                                                                                    | Legislation | Regulation               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------|
| HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.                                                 | N/A         | 24 CFR Part 51 Subpart C |
| Reference                                                                                                                                                                               |             |                          |
| <a href="https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities">https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities</a> |             |                          |

**1. Does the proposed HUD-assisted project include a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?**

☐ No

→ Continue to Question 2.

☐ Yes

**Explain:**

→ Continue to Question 5.

**2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?**

☐ No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

☐ Yes

→ Continue to Question 3.

**3. Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers:**

- Of more than 100 gallon capacity, containing common liquid industrial fuels OR
- Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?

☐ No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.  
Provide all documents used to make your determination.

☐ Yes

→ Continue to Question 4.

# REHABILITATION- HTF INCLUDING OTHER HUD FUNDING

## 4. Is the Separation Distance from the project acceptable based on standards in the Regulation?

Please visit [HUD's website](#) for information on calculating Acceptable Separation Distance.

☐ Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."

☐ No

→ Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."

Continue to Question 6.

## 5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit [HUD's website](#) for information on calculating Acceptable Separation Distance.

☐ Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

☐ No

→ Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

Continue to Question 6.

## 6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to make the Separation Distance acceptable, including the timeline for implementation. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

# REHABILITATION- HTF INCLUDING OTHER HUD FUNDING

## Worksheet Summary

### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

**Are formal compliance steps or mitigation required?**

☐ Yes

☐ No

# REHABILITATION- HTF INCLUDING OTHER HUD FUNDING

## Environmental Justice (CEST and EA)

| General requirements                                                                                                                                                                                                   | Legislation           | Regulation |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------|
| Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project. | Executive Order 12898 |            |
| References                                                                                                                                                                                                             |                       |            |
| <a href="https://www.hudexchange.info/environmental-review/environmental-justice">https://www.hudexchange.info/environmental-review/environmental-justice</a>                                                          |                       |            |

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?**

☐ Yes → Continue to Question 2.

☐ No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

**2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?**

☐ Yes

**Explain:**

→ Continue to Question 3. Provide any supporting documentation.

☐ No

**Explain:**

→ Continue to the Worksheet Summary and provide any supporting documentation.

# REHABILITATION- HTF INCLUDING OTHER HUD FUNDING

3. All adverse impacts should be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

☐ Mitigation as follows will be implemented:

→ Continue to Question 4.

☐ No mitigation is necessary.

**Explain why mitigation will not be made here:**

→ Continue to Question 4.

4. Describe how the affected low-income or minority community was engaged or meaningfully involved in the decision on what mitigation actions, if any, will be taken.

→ Continue to the Worksheet Summary and provide any supporting documentation.

# REHABILITATION- HTF INCLUDING OTHER HUD FUNDING

## Worksheet Summary

### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

**Are formal compliance steps or mitigation required?**

☐ Yes

☐ No