

REHABILITATION HTF HUD FUNDING ONLY

Determining Compliance with Environmental Provisions 24 CFR 93.301(f)(2) Rehabilitation

Directions – PLEASE READ QUESTIONS CAREFULLY AS HTF IS DIFFERENT FROM A PART 58 REVIEW.

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

Select one of the following:

- 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 by a qualified professional.

- 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 that the project is listed or eligible to be listed on the National Register of Historic Places and how the work meets the Secretary of Interior's Standards for Rehabilitation (photos, architectural plans, and certification by the qualified professional).

- 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.

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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.

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Coastal Barrier Resources

Select one of the following:

- The project is NOT located within a Coastal Barrier Resources System unit.

<http://www.fws.gov/CBRA/Maps/Mapper.html>

→ A map showing that the project site is not located in a CBRS Unit OR a statement that the state contains no CBRS units.

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Coastal Zone Management

Select one of the following:

- The project is NOT located in a Coastal Zone, or it has been determined that the project IS CONSISTENT with the State Coastal Zone Management Plan.

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

→ Document that the project site is not located in a Coastal Zone. If a project is located within a Coastal Zone document that the project is consistent with the State Coastal Zone Management Plan, this may require contacting the state Coastal Zone Management Agency to obtain a letter of consistency.

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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 there are no practicable alternatives to substantial improvement the structure IS elevated at least to the base flood elevation (BFE) or floodproofed to one foot above the BFE and the project IS NOT a Critical Action.

➔ *Document whether there is a practicable alternative. If so, select a site outside the floodplain. If there is no practicable alternative, provide the FIRM or latest-available FEMA data and if the structure will be substantially improved, document that the structure has been elevated at least the BFE or floodproofed be substantially improved, document that the structure has been elevated at least the BFE or floodproofed to one foot above the BFE that elevated and floodproofed buildings must 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.

➔ *Provide the FIRM or latest-available 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.*

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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.

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Explosives and Hazards

Select one of the following:

- The rehabilitation of the building will NOT increase residential densities in the building.

→ Document that the rehabilitation will not increase the number of dwelling units.

- The project will increase residential densities, and IS in compliance with the standards for acceptable separation distances, as set forth at 24 CFR part 51, subpart C.

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

→ Document that the project meets the standards for acceptable separation distance.

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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

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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–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.

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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.

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Endangered Species

Select one of the following:

The project will NOT impact endangered or threatened species or their habitat.

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

→ Provide documentation that there are no endangered, threatened species, or critical habitat on the project site. If there are endangered, threatened species or critical habitat on the project site, document that the project will not jeopardize an endangered or threatened species, and will not adversely modify critical habitat. This may require informal consultation with FWS and/or NMFS.

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Wild and Scenic Rivers

Select one of the following:

- The project is not located near a Wild and Scenic River.

→ Document that the project is not located near a Wild and Scenic River.

- The project is located near a Wild and Scenic River and IS CONSISTENT with the River's Management Plan.
<https://www.hudexchange.info/programs/environmental-review/wild-and-scenic-rivers/>

→ Document that the project is located near a Wild and Scenic River, and the project is consistent with the River's Management Plan.

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Sole Source Aquifers

Select one of the following:

- The project will NOT impact a Sole Source Aquifer.

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

→ Document that the project site is not located on a SSA. If the project site located on a SSA provide documentation from EPA that the project will not impact the SSA (including regional MOUs).

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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).

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