Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5 Pursuant to 24 CFR 58.35(a)

Project Information

Project Name: PR-SBF-00626

HEROS Number: 900000010255011

Responsible Entity (RE): Department of Housing - Puerto Rico, P.O. Box 21365 San Juan PR, 00928

State / Local Identifier: RE

Preparer: Pedro De Leon Rodriguez

Certifying Office:

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): HORNE LLP

Point of Contact: Paige Pilkinton

Project Location: , Lajas, PR 00667

Additional Location Information:
The project is located at latitude 18.028148, longitude -66.992626 at the address given above. Tax ID Number: 383-000-001-03-002

Direct Comments to: infoCDBG@vivienda.pr.gov. The number to get information about CDBG-DR Programs is (787) 274-2527 ext. 6604
Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:
This project entails the award of a small business recovery grant to La Plata Farm Inc at Carr 117 Ramal 327, Bo La Plata Sector El Salao, Lajas, PR 00667. The specific scope of work for this project includes payment of utilities, employee salaries, and the purchase of equipment including a vacuum pump ($6,902.33), cooling units ($10,741.34), heat recovery system ($5,111.33), and a washing pump ($1,145.30).

Maps, photographs, and other documentation of project location and description:

Level of Environmental Review Determination:
Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:

<table>
<thead>
<tr>
<th>Determination</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>This categorically excluded activity/project converts to <strong>EXEMPT</strong> per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR</td>
<td>❏ This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain “Authority to Use Grant Funds” (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR</td>
</tr>
<tr>
<td>This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).</td>
<td></td>
</tr>
</tbody>
</table>

Approval Documents:
PR-SBF-00626 firma.pdf

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information
Estimated Total HUD Funded, Assisted or Insured Amount: $43,096.28

Estimated Total Project Cost: $43,096.28

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

<table>
<thead>
<tr>
<th>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6</th>
<th>Are formal compliance steps or mitigation required?</th>
<th>Compliance determination (See Appendix A for source determinations)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D</td>
<td>☐ Yes ☑ No</td>
<td>The nearest airport RPZ/CZ is approximately 96,420.6 feet away. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.</td>
</tr>
<tr>
<td>Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</td>
<td>☐ Yes ☑ No</td>
<td>This project is not located in a CBRS Unit. It is 19,966.4 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.</td>
</tr>
<tr>
<td>Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</td>
<td>☑ Yes ☐ No</td>
<td>Flood Map Number 72000C1590H, effective on 4/19/2005: The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding</td>
</tr>
</tbody>
</table>
principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements.

<table>
<thead>
<tr>
<th>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Air Quality</strong></td>
</tr>
<tr>
<td>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</td>
</tr>
<tr>
<td><strong>Coastal Zone Management Act</strong></td>
</tr>
<tr>
<td>Coastal Zone Management Act, sections 307(c) &amp; (d)</td>
</tr>
<tr>
<td><strong>Contamination and Toxic Substances</strong></td>
</tr>
<tr>
<td>24 CFR 50.3(i) &amp; 58.5(i)(2)]</td>
</tr>
<tr>
<td><strong>Endangered Species Act</strong></td>
</tr>
<tr>
<td>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</td>
</tr>
<tr>
<td><strong>Explosive and Flammable Hazards</strong></td>
</tr>
<tr>
<td>Above-Ground Tanks)[24 CFR Part 51 Subpart C]</td>
</tr>
<tr>
<td>Environmental Category</td>
</tr>
<tr>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Farmlands Protection</td>
</tr>
<tr>
<td>Floodplain Management</td>
</tr>
<tr>
<td>Historic Preservation</td>
</tr>
<tr>
<td>Noise Abatement and Control</td>
</tr>
<tr>
<td>Sole Source Aquifers</td>
</tr>
<tr>
<td>Wetlands Protection</td>
</tr>
<tr>
<td>Wild and Scenic Rivers Act</td>
</tr>
</tbody>
</table>

**HUD HOUSING ENVIRONMENTAL STANDARDS**

**ENVIRONMENTAL JUSTICE**
Environmental Justice
Executive Order 12898

☐ Yes ☑ No
Adverse environmental impacts are not disproportionately high for low-income and/or minority communities. The project is in compliance with Executive Order 12898.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]:
Summarized below are 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.

<table>
<thead>
<tr>
<th>Law, Authority, or Factor</th>
<th>Mitigation Measure or Condition</th>
<th>Comments on Completed Measures</th>
<th>Mitigation Plan</th>
<th>Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flood Insurance</td>
<td>For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less.</td>
<td>N/A</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Floodplain Management</td>
<td>Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased. Flood insurance is required.</td>
<td>N/A</td>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>
Project Mitigation Plan
Buyer must purchase flood insurance because the grant exceeds $10,000 and the site is located in a Special Flood Hazard Area.

Supporting documentation on completed measures
APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

<table>
<thead>
<tr>
<th>General policy</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is HUD’s policy to apply standards to prevent incompatible development around civil airports and military airfields.</td>
<td>24 CFR Part 51 Subpart D</td>
<td></td>
</tr>
</tbody>
</table>

1. To ensure compatible land use development, you must determine your site’s proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

**Screen Summary**

**Compliance Determination**

The nearest airport RPZ/CZ is approximately 96,420.6 feet away. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

**Supporting documentation**

[PR-SBF-00626 Airports.pdf](attachment:PR-SBF-00626 Airports.pdf)

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

Yes

✓ No
Coastal Barrier Resources

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)</td>
<td></td>
</tr>
</tbody>
</table>

1. **Is the project located in a CBRS Unit?**
   ✓ No

Document and upload map and documentation below.

Yes

**Screen Summary**

**Compliance Determination**

This project is not located in a CBRS Unit. It is 19,966.4 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

**Supporting documentation**

[PR-SBF-00626 CBRS.pdf](PR-SBF-00626 CBRS.pdf)

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

Yes

✓ No

05/23/2022 15:28
Flood Insurance

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certain types of federal financial assistance may not be used in floodplains unless</td>
<td>Flood Disaster Protection Act of 1973 as amended</td>
<td>24 CFR 50.4(b)(1)</td>
</tr>
<tr>
<td>the community participates in National Flood Insurance Program and flood insurance is</td>
<td>(42 USC 4001-4128)</td>
<td>and (b); 24 CFR 58.6(a)</td>
</tr>
<tr>
<td>both obtained and maintained.</td>
<td></td>
<td>24 CFR 55.1(b).</td>
</tr>
</tbody>
</table>

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

   No. This project does not require flood insurance or is excepted from flood insurance.

   ✓ Yes

2. Upload a FEMA/FIRM map showing the site here:

   PR-SBF-00626 Flood Map.pdf

   The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

   Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

   No

   ✓ Yes

3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?

   ✓ Yes, the community is participating in the National Flood Insurance Program.
Based on the response, the review is in compliance with this section. Flood insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost or the maximum coverage limit, whichever is less.

Document and upload a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance below.

Yes, less than one year has passed since FEMA notification of Special Flood Hazards.
No. The community is not participating, or its participation has been suspended.

**Screen Summary**

**Compliance Determination**
Flood Map Number 72000C1590H, effective on 4/19/2005: The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements.

**Supporting documentation**

**Are formal compliance steps or mitigation required?**
- [✓] Yes
- [ ] No
**Air Quality**

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.</td>
<td>Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))</td>
<td>40 CFR Parts 6, 51 and 93</td>
</tr>
</tbody>
</table>

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

   - Yes
   - ✓ No

   Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

**Supporting documentation**

Are formal compliance steps or mitigation required?

   - Yes
   - ✓ No
Coastal Zone Management Act

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))</td>
<td>15 CFR Part 930</td>
</tr>
</tbody>
</table>

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

   Yes
   ✓ No

   Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary
Compliance Determination
The project is located 14,318.5 feet from the coastal zone. This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation
PR-SBF-00626 CZM.pdf

Are formal compliance steps or mitigation required?
Yes
✓ No
Contamination and Toxic Substances

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.</td>
<td></td>
<td>24 CFR 58.5(i)(2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>24 CFR 50.3(i)</td>
</tr>
</tbody>
</table>

1. Evaluate the site for contamination. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property?

✓ No

Yes

Check here if an ASTM Phase I Environmental Site Assessment (ESA) report was utilized. [Note: HUD regulations does not require an ASTM Phase I ESA report for single family homes]

Screen Summary
Compliance Determination

Supporting documentation

PR-SBF-00626 Toxics.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No
Endangered Species

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 et seq.); particularly section 7 (16 USC 1536). | 50 CFR Part 402

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.

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.

Based on the response, the review is in compliance with this section.

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

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

Screen Summary

Compliance Determination

The project is 12,471.7 feet from the nearest endangered species critical habitat. This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.

Supporting documentation
Are formal compliance steps or mitigation required?

Yes

✓ No
Explosive and Flammable Hazards

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.</td>
<td>N/A</td>
<td>24 CFR Part 51 Subpart C</td>
</tr>
</tbody>
</table>

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

✓ No

Yes

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.

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No
Farmlands Protection

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
</table>

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes
✓ No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

PR-SBF-00626 Farmlands.pdf

Are formal compliance steps or mitigation required?

Yes
✓ No
Floodplain Management

<table>
<thead>
<tr>
<th>General Requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.</td>
<td>Executive Order 11988</td>
<td>24 CFR 55</td>
</tr>
</tbody>
</table>

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)

✓ None of the above

2. Upload a FEMA/FIRM map showing the site here:

PR-SBF-00626 Flood Map.pdf

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

- No
- Yes

✓ Yes

Select the applicable floodplain using the FEMA map or the best available information:
Floodway

Coastal High Hazard Area (V Zone)

✓ 100-year floodplain (A Zone)

500-year floodplain (B Zone or shaded X Zone)

8-Step Process

Does the 8-Step Process apply? Select one of the following options:

8-Step Process applies

✓ 5-Step Process is applicable per 55.12(a)(1-4). Provide documentation of 5-Step Process.

Document and upload the completed 5-Step Process below. Select the applicable citation: [only one can be selected]

55.12(a)(1)
55.12(a)(2)
55.12(a)(3)
✓ 55.12(a)(4)

8-Step Process is inapplicable per 55.12(b)(1-5).

Mitigation

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 mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the
environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased. Flood insurance is required. Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology
- Planting or restoring native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements or similar easements
- Floodproofing of structures
- Elevating structures including freeboarding above the required base flood elevations

✓ Other

**Screen Summary**

**Compliance Determination**

Flood Map Number 72000C1590H, effective on 4/19/2005: This project is located in a 100-year floodplain. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988.

**Supporting documentation**

[PR-SBF-00626 5-Step Process.docx](#)

Are formal compliance steps or mitigation required?
✓ Yes

No
Historic Preservation

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects</td>
<td>Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)</td>
<td>36 CFR 800 “Protection of Historic Properties”</td>
</tr>
</tbody>
</table>

**Threshold**

Is Section 106 review required for your project?

✓ No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

Yes, because the project includes activities with potential to cause effects (direct or indirect).

**Threshold (a). Either upload the PA below or provide a link to it here:**


**Upload exemption(s) below or copy and paste all applicable text here:**

Architecture- Appendix B, Tier I, Allowance B.1: I. First Tier Allowances  
B. BUILDINGS AND STRUCTURES  
1. Repair, retrofit, and reconstruction of buildings, and structures less than forty-five (45) years old, unless located in or adjacent to a historic district.

Archeology- Appendix B, Tier II, Allowance D.2.a:  
II. Second Tier Allowances  
D. UTILITIES, COMMUNICATIONS SYSTEMS AND TOWERS  
2. Generators and Utilities  
   a. In-kind repair or replacement, or minor upgrades, elevation, and/or installation of generators, HVAC systems, and similar equipment provided that activities occur within previously disturbed soils and/or any roof mounted equipment is not visible from the ground level.
Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

Tier II Archeology Programmatic Allowance applied by Jennifer L. Evans, M.A. (Circa 2010) Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.

**Supporting documentation**

PR-SBF-00626 Historics.pdf

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

- Yes

- ✓ No
Noise Abatement and Control

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.</td>
<td>Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields”</td>
<td>Title 24 CFR 51 Subpart B</td>
</tr>
</tbody>
</table>

1. **What activities does your project involve? Check all that apply:**

   - New construction for residential use
   - Rehabilitation of an existing residential property
   - A research demonstration project which does not result in new construction or reconstruction
   - An interstate land sales registration
   - Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

   ✓ None of the above

**Screen Summary**

**Compliance Determination**
Based on the project description, this project includes no activities that would require further evaluation under HUD’s noise regulation. The project is in compliance with HUD’s Noise regulation.

**Supporting documentation**

Are formal compliance steps or mitigation required?

   - Yes
   ✓ No
Sole Source Aquifers

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)</td>
<td>40 CFR Part 149</td>
</tr>
</tbody>
</table>

1. Does the 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.

No

Screen Summary

Compliance Determination

Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No
**Wetlands Protection**

<table>
<thead>
<tr>
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<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service’s National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.</td>
<td>Executive Order 11990</td>
<td>24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.</td>
</tr>
</tbody>
</table>

1. **Does this project involve new construction as defined in Executive Order 11990, expansion of a building’s footprint, or ground disturbance?** The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

   ✓ No

   Based on the response, the review is in compliance with this section.

   Yes

**Screen Summary**

**Compliance Determination**

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.

**Supporting documentation**

[PR-SBF-00626 Wetlands.pdf](#)

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

   Yes

   ✓ No
Wild and Scenic Rivers Act

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>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.</td>
<td>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))</td>
<td>36 CFR Part 297</td>
</tr>
</tbody>
</table>

1. **Is your project within proximity of a NWSRS river?**
   - ✓ No

   Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.
   Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

**Screen Summary**

**Compliance Determination**

This project is not within proximity of a NWSRS river. The project is located 80.2 miles from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

**Supporting documentation**

[PR-SBF-00626 W S Rivers.pdf](#)

**Are formal compliance steps or mitigation required?**
- Yes
  - ✓ No
**Environmental Justice**

<table>
<thead>
<tr>
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<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Executive Order 12898</td>
<td></td>
</tr>
</tbody>
</table>

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 ✓
   - No

2. **Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?**
   - Yes
   - No ✓

   **Explain:**
   The project is in compliance with Executive Order 12898. Based on the scope of work for this project, there will be no additional impact on low-income or minority residents.

   Based on the response, the review is in compliance with this section. Document and upload any supporting documentation below.

**Screen Summary**

**Compliance Determination**
Adverse environmental impacts are not disproportionately high for low-income and/or minority communities. The project is in compliance with Executive Order 12898.
Supporting documentation

Are formal compliance steps or mitigation required?
   Yes
✓ No