

Environmental Review

Arizona Department of Housing - CD&R

Overview:

- ▶ An environmental review is the process of reviewing a project and its potential environmental impacts to determine whether it complies with the National Environmental Policy Act (NEPA) and related laws and authorities. All HUD-assisted projects are required to undergo an environmental review to evaluate environmental impacts. The analysis includes both how the project can affect the environment and how the environment can affect the project, site, and end users.
- ▶ An environmental review must be performed before any funds, regardless of source, are committed to a project.
- ▶ Documentation of the environmental review should be maintained in the environmental review record. This record contains the description of all activities that are part of the project and an evaluation of the effects of the project on the human environment and vice versa. This record should be made available for public review.

Topic Points

- ▶ Forms

- ▶ E-CO ~ E-1 ~ E-2 ~ E-3 ~ E-3.1 ~ E-4 ~ E-11
~ E-12 ~ E-13

- ▶ Best Practices

- ▶ Maps
 - ▶ Who you gonna call?
 - ▶ Put Together
 - ▶ Helpful Resources
 - ▶ Questions



E-CO

- ▶ The Chief Elected Official DOES NOT designate themselves as Certifying Officer

E-CO CERTIFYING OFFICER DESIGNATION (for Local Units of Government)

The Certifying Officer, responsible for compliance with all environmental review requirements, is usually the chief elected official (Mayor or Board Chair) or administrative officer (Town or County Manager) for the responsible entity/jurisdiction in which the project is located, or his/her designee. The chief elected official or administrative officer may designate a third party to be the Certifying Officer for their unit of local government. The designee should be an official with the legal authority to sign a contract, which obligates the grantee. The original of this executed form must be included in the Environmental Review Record. (PLEASE NOTE: the chief elected official or administrative officer DOES NOT designate his/herself as Certifying Officer)

Designation:

Name of Certifying Officer, **Title of Certifying Officer**, of **Grantee Name** is the Certifying Officer as defined in 24 CFR Sec. 58.13 for the Environmental Review requirements of ADOH **insert type of funds i.e. HOME, CDBG etc.** funds:

Date:

Designated by:
Name, Title

Acknowledgement:

I, **Name of Certifying Officer**, **Title of Certifying Officer**, accept the responsibilities of the Certifying Officer for **Name of Responsible Entity**, as defined in 24 CFR 58.13. I consent to assume the status of "responsible Federal official" as that term is used in section 102 of the National Environmental Policy Act of 1969 and understand that I am responsible for all the requirements of section 102 of NEPA and the related provisions in 40 CFR parts 1500 through 1508, and 24 CFR part 58, including the related Federal authorities listed in Sec. 58.5 insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.

On behalf of the recipient, I personally accept the jurisdiction of the Federal courts for enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Certifying Officer Signature:
Name of Certifying Officer
Title

Date:

E-1—Project Narrative

► Project Description:

- Keep description specific to project scope of work, NO FLUFF
- Be sure project description is CONSISTENT throughout all ERR forms

► Cost:

- Double check funding amount is correct, including any leverage funds



E-1 PROJECT NARRATIVE

Recipient:
ADOH Contract No.:

ADOH ENVIRONMENTAL REVIEW RECORD PROJECT NARRATIVE

1. Project Title:
2. Project Description: (attach additional pages as necessary)

Complete item a and b if the information is not included in the attachment.

- a. Geographic Location (street names, compass direction, relation to town limit):

- b. Size and/or Area (sq. ft. of building, size and length of pipe, no. of units):

- c. Existing Environmental Conditions (i.e., no sewer system, river contamination, unpaved streets, residential area, fully developed):

- d. Purpose (i.e., to improve traffic and driving conditions by widening roads):

- e. Cost:
- | | | |
|----------------|------------------------------|-------------------------|
| Federal Funds | Source: <input type="text"/> | \$ <input type="text"/> |
| Leverage/Other | Source: <input type="text"/> | \$ <input type="text"/> |
| Leverage/Other | Source: <input type="text"/> | \$ <input type="text"/> |

TOTAL \$

4. Map attached with project site clearly marked: Yes ☐

E-2—Documentation of Exemption

- ▶ Description of Activity:
 - SAME AS IN E-1
- ▶ These activities are exempt pursuant to 24 CFR Part 58...
 - For Exempt Level of Review, copy and paste activity description from E-3.
 - For Categorically Excluded downgraded to exempt, provide narrative explaining no formal mitigation measures or consultation requirements, therefore downgraded to exempt.



E-2 DOCUMENTATION OF EXEMPTION

Recipient
ADOH Contract No.

ENVIRONMENTAL REVIEW RECORD DOCUMENTATION OF EXEMPTION

1. Description of Activity(ies):

2. These activities are **exempt** pursuant to 24 CFR Part 58.

Form Prepared By (name and title): **

Signature _____

Date _____

Certifying Officer for Responsible Entity (name and title):

Signature _____

Date _____

E-3—Level of Review Determination



E-3 LEVEL OF ENVIRONMENTAL REVIEW

RECIPIENT
ADOH Contract No:

ADOH ENVIRONMENTAL REVIEW RECORD

LEVEL OF ENVIRONMENTAL REVIEW

Determine the type of environmental review necessary by checking the box that best describes the activity.

A. EXEMPT ACTIVITIES

1. The following are **EXEMPT** activities or components of an activity (§58.34). Check the appropriate box and complete the required documentation for Exempt activities.

- ☐ Environmental or other studies, resource identification, development of plans and strategies
- ☐ Information and financial services
- ☐ Administration and management Activities
- ☐ Public services that will not have a physical impact or result in any physical changes including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation, and welfare or recreational needs
- ☐ Inspections and testing of properties for hazards or defects
- ☐ Purchase of insurance
- ☐ Purchase of tools
- ☐ Engineering or Design costs
- ☐ Technical assistance and training
- ☐ Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration
- ☐ Payment of principal and interest on loans made or obligations guaranteed by HUD

2. The following activities are **Categorically Excluded** (not subject to §58.5) and therefore considered **EXEMPT**. Check the appropriate box and complete the required documentation for Exempt activities.

- ☐ Supportive services including but not limited to health care, housing services, permanent housing placement, nutritional services, short term payments for rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services.
- ☐ Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs.
- ☐ Equipment necessary to the operation of a service such as a fire truck, ambulance, transportation service vehicles, etc.

2. EXEMPT Activities (cont'd)

- ☐ Economic development activities including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations.
- ☐ Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closings costs and down payment assistance, interest buy-downs, and similar activities that result in the transfer of title. (Dwelling units located in a Floodplain cannot be downgraded to exempt)
- ☐ Affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact.

B. **CATEGORICALLY EXCLUDED** activities. Check the appropriate box and complete the required documentation for CE activities.

- ☐ An activity from Section A.2 that is in or will impact on a floodplain or airport clear zone.
- ☐ Acquisition, repair, improvement, reconstruction or rehabilitation of public facilities and improvements (other than buildings) when the facilities/improvements are in place and will be retained in the same use without change in size or capacity of more than 20%.
Examples: Replacement of water or sewer lines, sidewalk/curb reconstruction, street repaving.
- ☐ Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons.
- ☐ Rehabilitation of a single family dwelling up to 4 units (the "unit" reference pertains to the number of units to be included with each contract with a General Contractor) if the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or wetland.
- ☐ Rehabilitation of multi-family if unit density is not changed more than 20%, the project does not involve changes in land use from residential to non-residential, the footprint of the building is not increased in a floodplain and the estimated cost of the rehab does not exceed 75% replacement value.
- ☐ Non residential rehabilitation (commercial, industrial, public buildings) only IF: the facilities and improvements are in place and will not be changed in size or capacity by more than 20%; and the activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.
- ☐ An individual action (new construction; development, demolition, acquisition, disposition or refinancing) on up to 4 dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between
- ☐ An individual action (new construction; development, demolition, acquisition, disposition or refinancing) on a project of 5 or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.
- ☐ Acquisition (including leasing) or disposition of, or equity loans on an existing structure; , or disposition of an existing structure; or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed or disposed of will be retained for the same use.

C. Those activities not described in Section A or B requires an **ENVIRONMENTAL ASSESSMENT**. Check the box below and complete the required documentation for EA activities.

▶ Levels of Review:

▶ Exempt

▶ Categorically Excluded not subject to 58.5, therefore considered exempt

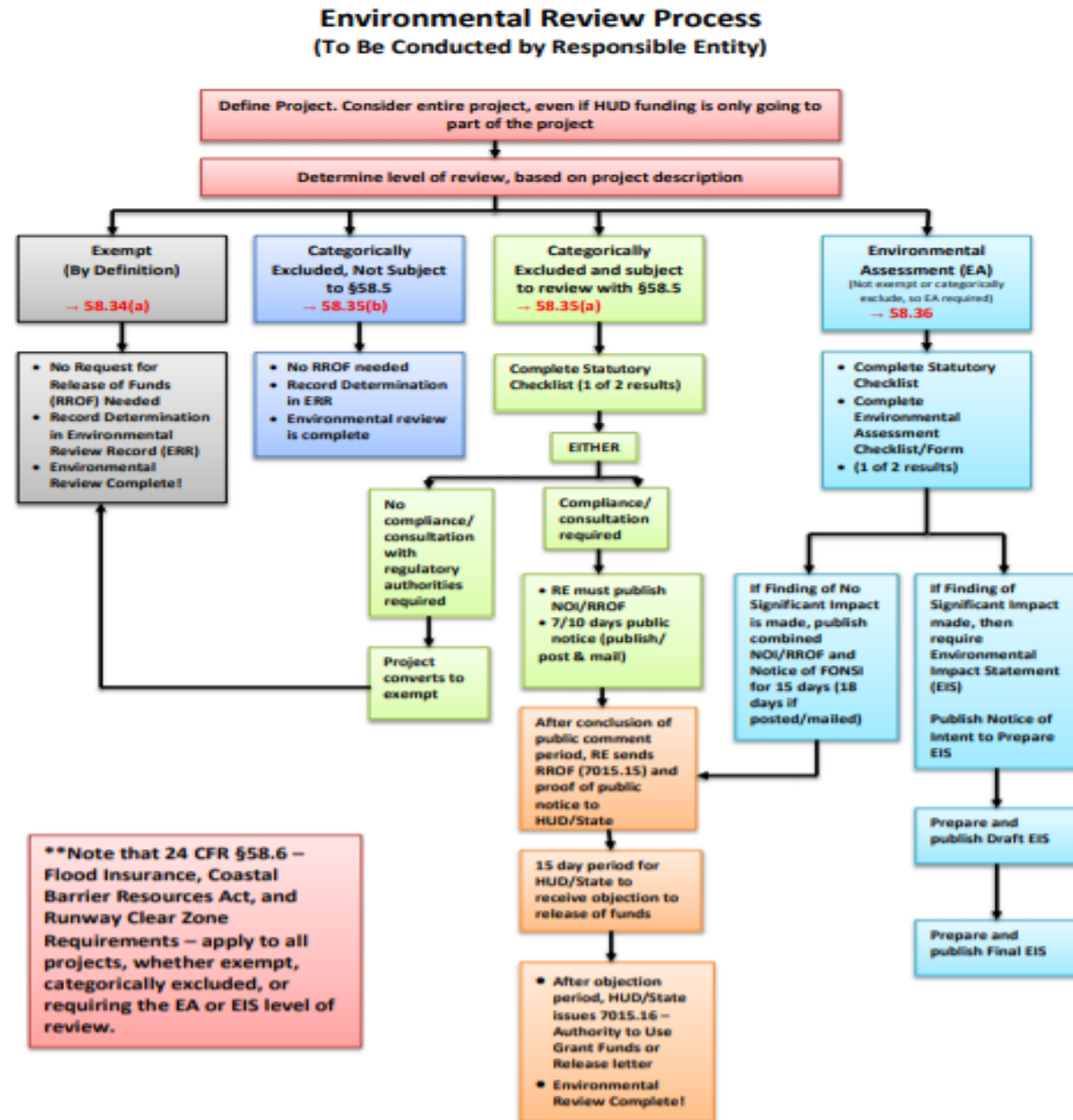
▶ Categorically Excluded subject to 58.5 (even if downgraded to exempt)

▶ Environmental Assessment

Part 58 Flowchart-

The part 58 flowchart walks through the main steps for each level of environmental review.

“Really good source for when determining level of review to be completed.”



E-3.1—Determination Form



E-3.1 DETERMINATION FORM (HUD REV. 2011)

RECIPIENT:
ADOH Contract No.:

1. PROJECT DESCRIPTION

Project Name:

Project Location:

Activities (include maximum contemplated scope, magnitude and duration):

2. Level of Environmental Review Determination:

Exempt per 24 CFR 58.34 or Categorically Excluded per 24 CFR 58.35(b) or 24 CFR 50.19; Categorically Excluded subject to statutes per §58.35(a) or 24 CFR 50.20, and subject to laws and regulations at 24 CFR 58.5 or 50.4; Environmental Assessment per § 58.36, or EIS per 40 CFR 1500. Cite specific provision (e.g. "24 CFR 58.35(a)(3)(ii), rehabilitation of Multi-family buildings"):

(select)

3. Flood Insurance, Airport Clear Zone, and Coastal Barrier Resource Compliance:

(24 CFR 58.6 or 24 CFR 50.4(b)(1), 50.4(c)(1), and 50.4(k))

FLOOD INSURANCE / FLOOD DISASTER PROTECTION ACT

1. Does the project involve the acquisition, construction or rehabilitation of structures, buildings or mobile homes?

- ☐ No. Flood insurance is not required. The review of this factor is completed. Go to Airport Runway section.
☐ Yes; continue.

2. Is the structure or part of the structure located in a FEMA designated Special Flood Hazard Area?

- ☐ No. Source Document (FEMA/FIRM floodplain zone designation, panel number, date):
 (Factor review completed). Go to Airport Runway section.
☐ Yes. Source Document (FEMA/FIRM floodplain zone designation, panel number, date):
 (Continue reviews).

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

- ☐ Yes. 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. A copy of the flood insurance policy declarations must be kept in the Environmental Review Record.
☐ No. (Federal assistance may not be used in the Special Flood Hazards Area).

AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES DISCLOSURES

1. Does the project involve the sale or acquisition of existing property?

- ☐ No. This element is completed. Stop here.
☐ Yes; continue.

2. Is the proposed location within 3,000 ft. of a civil airport runway or within 15,000 ft. of a military airfield?

- ☐ No. Attach Map. This element is completed. Stop here.
☐ Yes; continue



3. Is the proposed location within a Civil Airport's Runway Clear Zone, Approach Protection Zone or a Military Installation's Clear Zone?
☐ No; attach signed statement from airport or airfield operator. Project complies with 24 CFR 51.303(a)(3).
☐ Yes; **Disclosure Statement must be provided** to buyer and a copy of the signed disclosure statement must be maintained in the Environmental Review Record.

COASTAL BARRIERS RESOURCES ACT

1. Is the project located in HUD Region IX (CA, AZ, NV, HI, Guam)?

- ☒ Yes. This element is completed; there are no coastal barrier resources in HUD Region IX. Stop Here
☐ No, continue.

2. Is the project located in a coastal barrier resource area?

(See <http://www.fema.gov/business/nfip/cbrs/cbrs.shtm>).

- ☐ No. Cite Source Documentation:
 (This element is completed).
☐ Yes. Federal assistance may not be used in such an area.

Prepared by (insert name and title)

Signature _____ Date _____

Certifying Officer for Responsible Entity (insert name and title)

Signature _____ Date _____

A NOTE:

- ▶ Both the E-4 and the E-11 Statutory Worksheets have detailed instructions included at the end of the document on how to properly complete these forms.
- ▶ Please read the instructions very carefully, most questions can be answered here.
- ▶ Use the HUD links for each factor for additional information and worksheets.



E-4—Statutory Worksheet

- ▶ Categorically Excluded projects
- ▶ A = When project does not affect resources under consideration
- ▶ B = The project triggers formal consultation or requires mitigation
- ▶ Only downgrades to exempt if all A's are checked
 - ▶ Project will never downgrade if in a flood zone



Recipient:
Project:

E-4 - STATUTORY WORKSHEET

A. 24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

PROJECT NAME and DESCRIPTION – Include all contemplated actions that logically are either geographically or functionally part of the project: [Insert Scope of Work]

DIRECTIONS - Check "A" in the Status Column when the project, by its nature, does not affect the resources under consideration; OR check "B" if the project triggers formal compliance consultation with the oversight agency, or requires mitigation. Compliance documentation must contain verifiable source documents and relevant base data. Attach reviews, consultations, and special studies as appropriate. SEE STATUTORY WORKSHEET INSTRUCTIONS FOR MORE DETAILED INFORMATION.

B. Compliance Factors:

Statutes, Executive orders, and Regulations listed at 24 CFR §58.5

	Status A / B	Compliance Determination & Documentation (letters, phone calls, on-site visit dates, maps, websites etc.) MUST BE CITED
1. Historic Preservation (includes archeology & relevant Tribes) [36 CFR Part 800]	<input type="checkbox"/>	
2. Floodplain Management [24 CFR 55, Executive Order 11988]	<input type="checkbox"/>	
3. Wetland Protection [Executive Order 11990]	<input type="checkbox"/>	
4. Coastal Zone Management Act [Sections 307(c), (d)]	<input checked="" type="checkbox"/>	Projects located in HUD Region IX (CA, AZ, NV, HI, Guam) have no coastal barrier resources. Likewise, projects located in the State of Arizona have no coastal zones and are therefore considered to be in compliance with the related laws and regulations.
5. Sole Source Aquifers [40 CFR 149]	<input type="checkbox"/>	
6. Endangered Species Act [50 CFR 402]	<input type="checkbox"/>	
7. Wild and Scenic Rivers Act [Sections 7(b), and (c)]	<input type="checkbox"/>	
8. Clean Air Act [Sections 176(c), (d), and 40 CFR 6, 51, 93]	<input type="checkbox"/>	



9. Farm Land Protection Policy Act [7 CFR 658]	<input type="checkbox"/>	<input type="checkbox"/>	
10. Environmental Justice [Executive Order 12898]	<input type="checkbox"/>	<input type="checkbox"/>	
11. HUD Environmental Standards Noise Abatement and Control [24 CFR 51B]	<input type="checkbox"/>	<input type="checkbox"/>	
Explosive & Flammable Operations [24 CFR 51C]	<input type="checkbox"/>	<input type="checkbox"/>	
Hazardous, Toxic or Radioactive Materials & Substances [24 CFR 58.5(i)(2)]	<input type="checkbox"/>	<input type="checkbox"/>	
Airport Clear Zones & Accident Potential Zones [24 CFR 51D]	<input type="checkbox"/>	<input type="checkbox"/>	

DETERMINATION:

☐ This project converts to EXEMPT, 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 (Status "A" has been determined in the status column for all authorities); **Funds may be committed and drawn down** for this (now) EXEMPT project; OR

☐ This project cannot be converted to Exempt status because one or more statutes or authorities require formal consultation or mitigation. Complete consultation/mitigation protocol requirements. **Publish NOI/RROF and obtain Authority to Use Grant Funds** (ADOH E-13/HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down funds; OR

☐ The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare EA according to 24 CFR Part 58 Subpart E.

Prepared by (insert name and title)

Signature _____ Date _____

Certifying Officer for Responsible Entity (insert name and title)

Signature _____ Date _____

E-11—Statutory Worksheet-Parts A and B



E-11 Compliance Factor and Environmental Assessment Checklist

Project Name:

Recipient:

- ▶ Environmental Assessments
- ▶ A = When project does not affect resources under consideration
- ▶ B = The project triggers formal consultation or requires mitigation

A. 24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

PROJECT NAME and DESCRIPTION – Include all contemplated actions that logically are either geographically or functionally part of the project:

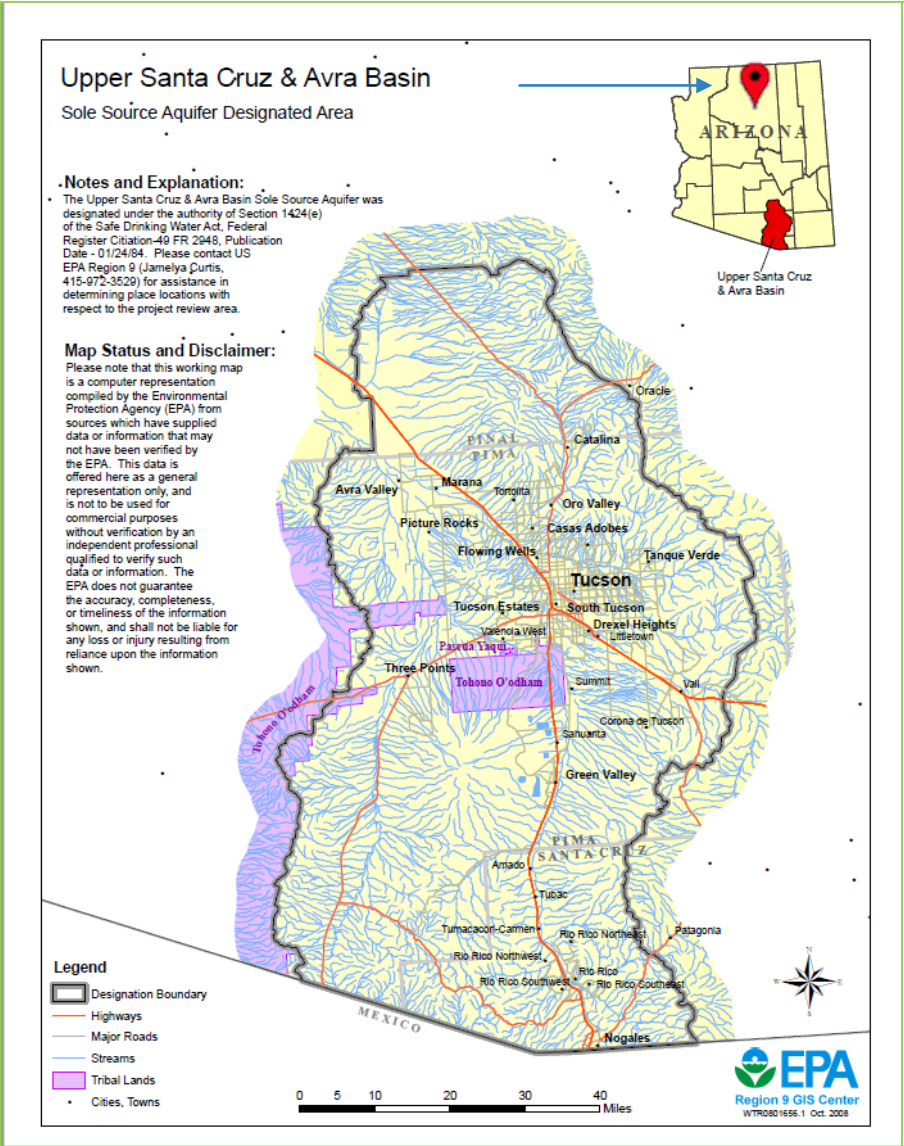
DIRECTIONS - Check "A" in the Status Column when the project, by its nature, does not affect the resources under consideration; OR check "B" if the project triggers formal compliance consultation with the oversight agency, or requires mitigation. Compliance documentation must contain verifiable source documents and relevant base data. Attach reviews, consultations, and special studies as appropriate. See instructions for additional guidance.

B. Compliance Factors:

Statutes, Executive Orders, and Regulations Listed at 24 CFR §58.5	Status A/B	Compliance Determination and Documentation (letters, phone calls, on-site visit dates, maps, websites etc.) MUST BE CITED
1. Historic Preservation (includes archeology & relevant Tribes) [38 CFR Part 800]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>
2. Floodplain Management [24 CFR 55, Executive Order 11988] Flood Disaster Protection Act (Flood Insurance) [§58.6(c)]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>
3. Wetland Protection [Executive Order 11990]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>
4. Coastal Zone Management Act [Sections 307(c), (d)] Coastal Barrier Resources Act/Coastal Barrier Improvement Act [§58.6(c)]	<input checked="" type="checkbox"/> <input type="checkbox"/>	Projects located in HUD Region IX (CA, AZ, NV, HI, Guam) have no coastal barrier resources. Likewise, projects located in the State of Arizona have no coastal zones and are therefore considered to be in compliance with the related laws and regulations.
5. Sole Source Aquifers [40 CFR 149]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>
6. Endangered Species Act [50 CFR 402]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>
7. Wild and Scenic Rivers Act. [Sections 7(b), and (c)]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>
8. Clean Air Act [Sections 176(c), (d), and 40 CFR 6, 51, 93]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>
9. Farm Land Protection Policy Act [7 CFR 658]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>

10. Environmental Justice [Executive Order 12898]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>
Statutes, Executive Orders, and Regulations Listed at 24 CFR §58.5	Status A/B	Compliance Determination and Documentation (letters, phone calls, on-site visit dates, maps, websites etc.) MUST BE CITED
11. HUD Environmental Standards Noise Abatement and Control [24 CFR 51B]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>
Explosive & Flammable Operations [24 CFR 51C]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>
Hazardous, Toxic or Radioactive Materials & Substances [24 CFR 58.5(i)(2)]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>
Airport Clear Zones & Accident Potential Zones [24 CFR 51D]	<input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>

Maps ~ Clearly Mark Location of Community



Basin Aquifer Map



Wild and Scenic River Map

Compliance Factors

Historic Preservation (includes archeology & relevant Tribes)

► Actions:

- SHPO: Determine whether SHPO Consultation is necessary by reviewing the “SHPO Guidance for HUD/ADOH Project Review,” available on ADOH website
 - Use this guidance for every project. You will include this SHPO Guidance checklist in EVERY ERR. If the project does not require SHPO consultation, include this form with a narrative on why the consultation is not required.
- THPO: Determine whether THPO consultation is necessary by completing the E-5 “Checklist for Tribal Consultation under Section 106” form
 - Again, use this guidance for every project and include the completed Checklist in EVERY ERR.



When to Contact SHPO



Doug Ducey
Governor

ARIZONA
STATE PARKS & TRAILS

Robert Broscheid
Executive Director



2

State Historic Preservation Office Guidance for Section 106 Review of HUD/ ADOH Projects

WHEN TO SUBMIT TO SHPO:

1. If a project involves modifications to a building or structure, a project must be submitted to SHPO for consultation review:
 - a. When a building / structure is over 50 years of age.
 - b. When a building / structure is located in a local, state, or National Register historic district.
2. If either of the following scopes of work are present, **SHPO consultation is required:**
 - a. NEW ground disturbance in an area of previously undisturbed ground.
 - b. Exterior modifications to a building / structure and the building meets the conditions in 1a, 1b. Some examples of modifications that REQUIRE consultation include:
 - New paint or stucco over existing masonry walls (never been painted or stuccoed)
 - Replacement of original windows or doors with new products.
 - Adding exit ramps / stairs.
 - New addition(s) to a building / structure (includes: porches, patios)
 - Changing the roof configuration.
 - Converting a garage to living space or enclosing a carport.

NO SHPO CONSULTATION REVIEW IS NEEDED FOR THE FOLLOWING:

1. Refinance only
2. Interior or Exterior work on Manufactured Homes / Trailers
3. Interior work that has no effect to the exterior of the building. Some examples of interior work that **DOES NOT REQUIRE** consultation includes:

Interior building or structure maintenance:

- Removal of hazardous material (asbestos or lead abatement, such as, drywall tape, flooring mastic, floor tiles) within the building / structure.
- Repair / replacement of interior walls and / or ceilings.
- Repair / replacement of floor and / or window coverings.
- Repair / replacement of plumbing fixtures and / or kitchen equipment.

4. Exterior work that has no adverse effect to the building and would be routine maintenance. Some examples of exterior maintenance work that **DOES NOT REQUIRE** consultation includes:

Exterior building or structure maintenance:

- Painting of previously painted surfaces
- Removal of graffiti using gentlest means possible

- Replacement of a pane or two of glass in doors or windows with same visual reflectance product.
 - Repair / replacement of roofing material with similar product.
 - Repair, replacement, or installation of simple gutters and downspouts.
 - Repair / replacement of HVAC in same location without additional structure / plumbing. (or moved to ground mounted)
 - Repair / replacement of water heaters in same location.
 - Repair / replacement of plumbing fixtures and / or kitchen equipment.
 - Repair / replacement of electrical, communication, alarm, security systems in the same location.
5. Site work that has no effect to the exterior of the building. Some examples of site work that **DOES NOT REQUIRE** consultation includes:

Parcel / yard maintenance:

- Repair, replacement or installation of fencing using only hand tools.
- Repair / replacement of irrigation, water, sewer, gas or fire protection lines in the same trench (width and depth).
- Removal / replacement of small landscape products – no greater than 15-gallon horticulture container.
- Temporary installation of ramps for ADA access.

Please send initial consultation for each undertaking to azshpo@azstateparks.gov.

Questions? Please feel free to email mparisella@azstateparks.gov (buildings) or edavis@azstateparks.gov (archaeology).

When to Contact THPO



E-5 Checklist for Tribal Consultation under Section 106

Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a historic property of religious and cultural significance to the tribe. Historic properties of religious and cultural significance include: archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, and buildings and structures with significant tribal association. The types of activities that may affect historic properties of religious and cultural significance include: ground disturbance (digging); new construction in undeveloped natural areas; introduction of incongruent visual, audible, or atmospheric changes; work on a building with significant tribal association; and transfer, lease or sale of properties of the types listed above.

If a project includes any of the types of activities below, invite tribes to consult:

- ☐ **Significant ground disturbance (digging)**
Examples: new sewer lines, utility lines (above and below ground), foundations, footings, grading, access roads
- ☐ **New construction in undeveloped natural areas**
Examples: industrial-scale energy facilities, transmission lines, pipelines, or new recreational facilities, in undeveloped natural areas like mountaintops, canyons, islands, forests, native grasslands, etc., and housing, commercial, and industrial facilities in such areas
- ☐ **Incongruent visual changes**
Examples: construction of a focal point that is out of character with the surrounding natural area, impairment of the vista or view shed from an observation point in the natural landscape, or impairment of the recognized historic scenic qualities of an area
- ☐ **Incongruent audible changes**
Examples: increase in noise levels above an acceptable standard in areas known for their quiet, contemplative experience
- ☐ **Incongruent atmospheric changes**
Examples: introduction of lights that create sky glow in an area with a dark night sky
- ☐ **Work on a building with significant tribal association**
Examples: rehabilitation, demolition or removal of a surviving ancient tribal structure or village, or a building or structure that there is reason to believe was the location of a significant tribal event, home of an important person, or that served as a tribal school or community hall
- ☐ **Transfer, lease or sale of a historic property of religious and cultural significance**
Example: transfer, lease or sale of properties that contain archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, plant and animal communities, or buildings and structures with significant tribal association
- ☐ **None of the above apply**

Prepared by: _____

Signature: _____

Date: _____

- ▶ Include this checklist in every ERR submitted to ADOH

Historic Preservation (includes archeology & relevant Tribes)

► Actions:

- SHPO: If consultation is required, follow the “SHPO Checklist for HUD/ADOH Submissions” available on the ADOH Website
- THPO: If Consultation is required solicit input from Tribal Historic Preservation Officer (THPO) as well as relevant tribes (as found on Tribal Directory Assessment Tool (TDAT-- <https://egis.hud.gov/TDAT/>)
- Consultation with the SHPO/THPO may extend the time necessary for completing the ERR. The SHPO/THPO must be allowed 35 days from receipt of the documents to comment on the proposed activity or 45 days if the project is determined eligible for the National Register.
- SHPO/THPO documents should be sent certified mail with return receipt to document the SHPO/THPO receipt date.



Submitting to SHPO



Doug Ducey
Governor

ARIZONA
STATE PARKS & TRAILS

Robert Broscheid
Executive Director



STATE HISTORIC PRESERVATION OFFICE CHECKLIST FOR HUD/ADOH SUBMISSIONS

****Please include only the information requested in HUD Appendix A, Part III, Historic Preservation**

All submissions must include a letter on letterhead, addressed to:

Kathryn Leonard, State Historic Preservation Officer
1100 W. Washington Street
Phoenix, AZ 85007

The letters should include:

- ___ Address of building or parcel (Assessor's Parcel Number is helpful as well)
- ___ Type of funding that will be used for the project
- ___ Year the building was constructed (and architect, if known)
- ___ Description of building
- ___ Proposed scope of work
- ___ Extent (depth, width) of any ground disturbance
- ___ Archaeological work that has previously been conducted (with reference to resulting report)
- ___ Whether the building is in or near a historic district
 - ___ If yes, name the district and indicate whether the improvements will meet the Secretary of the Interior's Standards for the Treatment of Historic Properties
(<https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>)
- ___ If a building is within the boundaries of a Certified Local Government (CLG), include proof of consultation with the local historic preservation office regarding the National Register of Historic Places eligibility of the building (letter or email). A list of CLGs can be found at: <https://azstateparks.com/certified-local-governments>
- ___ Request for concurrence with "no historic properties affected" **OR** "no adverse effect" **OR** "adverse effect."
- ___ email address of person that should receive SHPO's response. All responses will be via email unless a hard copy is specifically requested.

The following attachments must also be included:

- ___ Photographs of the building or parcel; overview and areas that require work
- ___ A location map showing where the building or parcel is, with street names or major landmarks

Email to: mparisella@azstateparks.gov and edavis@azstateparks.gov

- ▶ When submitting SHPO consultations, include ALL of the listed items



Historic Preservation (includes archeology & relevant Tribes)

- ▶ Making a determination:
- ▶ **Column A (Does not affect):**
 - ▶ The Recipient and SHPO/THPO agree that there are no National Register (NR) or NR-eligible properties or properties with traditional religious and cultural importance within the Area of Potential Effect (APE) affected per 36 CFR 800.4
 - ▶ **OR** the Recipient and SHPO/THPO agree that the project will have no effect on NR or NR-eligible properties, or properties with traditional religious and cultural importance within the APE
 - ▶ **OR** SHPO has not objected within 35 days from the signed certified receipt to such fully documented determination
- ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ The project will have an effect on NR or NR-eligible properties or properties with traditional religious and cultural importance within the APE. Consult with SHPO/THPO.
 - ▶ See ERR Handbook Section 9 which describes the additional actions to be taken including contacting the National Advisory Council on Historic Preservation, and allowing 45 days for a response.

Floodplain Management & Flood Disaster Protection Act (Flood Insurance)

► Actions:

- Review FEMA Flood Hazard Boundary Map or Flood Insurance Rate Map (FIRM). Cite Zone designation and FEMA map number and include a **color** copy of the map with the project site indicated clearly on the map.
- If floodplain map is not available for your project area, contact Arizona Department of Water Resources and the City/Town/County Engineer or local Flood Control Agency.
- If any segment of the project, newly constructed or reconstructed/rehabilitated, resulting in beneficial or adverse conditions, is located in a 100 year floodplain or wetland, the need to comply with E.O. 11988 or 11990 is triggered. This Executive Order requires the entity to consider alternatives and to notify the public regarding the proposed activity

Correct



SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile. (See Flood Hazard Legend.)

OTHER AREAS OF FLOOD HAZARD

-  Future Conditions 1% Annual Chance Flood Hazard *Zone X*
-  Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
-  Area with Flood Risk due to Levee *Zone X*

☐ NO SCREEN Area of Minimal Flood Hazard Zone 3
☒ Effective LOMRs
 OTHER AREAS Area of Undetermined Flood Hazard Zone 4

GENERAL STRUCTURES



Channel, Culvert, or Storm Sewer


Levee, Dike, or Floodwall

OTHER FEATURES

- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline

 Digital Data Available
 No Digital Data Available

MAP PANELS  Unmapped 

 The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/18/2018 at 2:01:02 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: base map imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT




0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile. Zone 1




OTHER AREAS OF

FLOOD HAZARD  Area with Flood Risk due to Levees Zone D

NO SCREEN  Area of Minimal Flood Hazard Zone A

 Effective LOMRs

OTHER AREAS	Area of Undetermined Flood Hazard Zone
GENERAL STRUCTURES	<p>----- Channel, Culvert, or Storm Sewer</p> <p> Levee, Dike, or Floodwall</p>

 20.7 Cross Sections with 1% Annual Chance
 17.5 Water Surface Elevation
 Coastal Transect
 Base Flood Elevation Line (BFE)

OTHER - Profile Baseline

FEATURES _____ Hydrographic Feature

☐ Digital Data Available N

☐ No Digital Data Available S

MAP PANELS

☐ No Original Data Available

☒ Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/15/2018 at 2:01:02 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is valid if the one or more of the following map elements do not appear: base map imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Floodplain Management & Flood Disaster Protection Act (Flood Insurance)

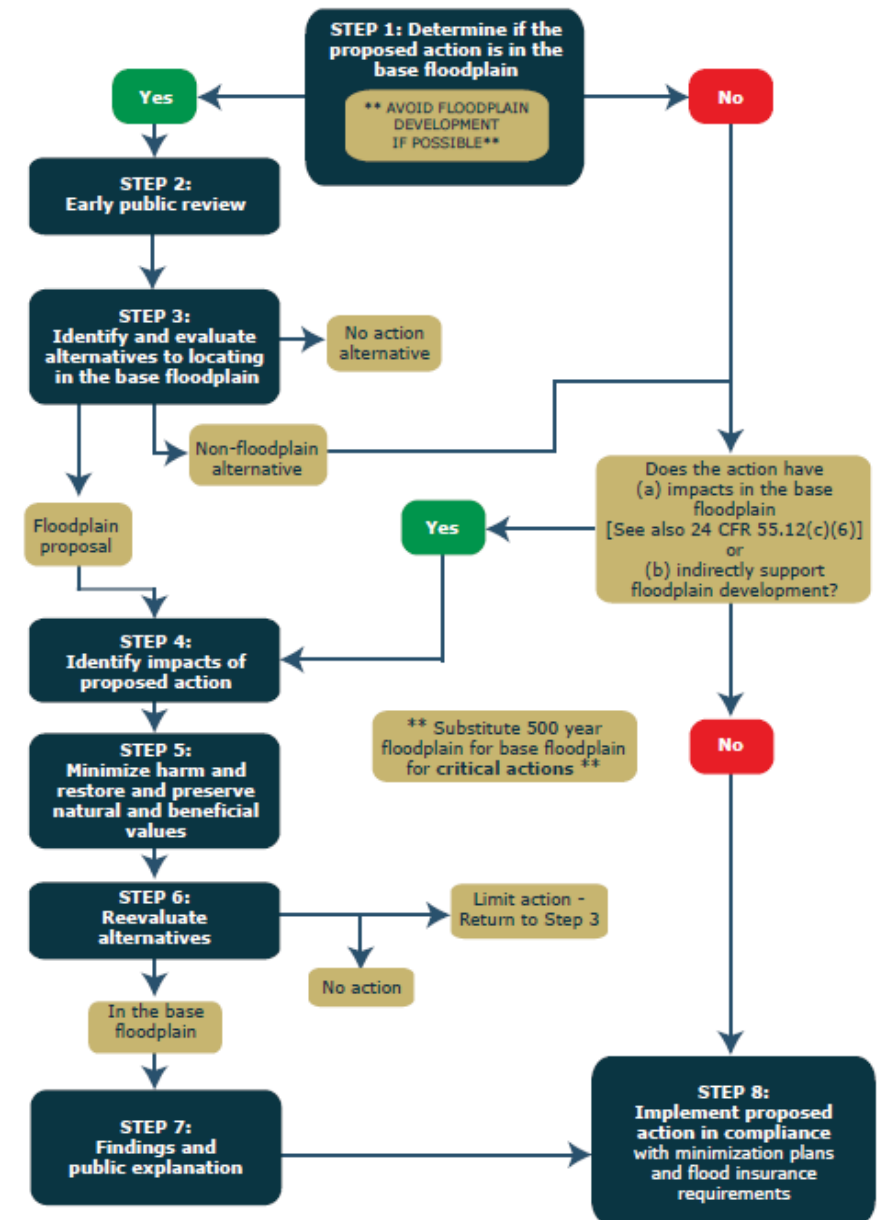
- ▶ Making a determination:
 - ▶ **Column A (Does not affect):**
 - ▶ The project does not involve property acquisition, management, construction or improvements within a 100-year floodplain (Zones A or V) identified by FEMA maps, and does not involve a “critical action” (e.g., emergency facilities, facility for mobility impaired persons, hospital etc.) within a 500 year floodplain (Zone B or Shaded Zone X).
 - ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ The project lies within or will impact on a 100 year floodplain for a critical action or a 500 year floodplain for a critical action. Complete the 8-step decision making process (Form E-9) according to 24 CFR Part 55.20 to document that there are no practicable alternatives to the proposal and to mitigate effects of the project in a floodplain.

E-9—Administrative Record

8-Step Process

- ▶ E-9 Administrative Record needs to be completed when a project is located in the floodplain (100-year floodplain)
- ▶ 8-Step Process is the process of identifying and considering alternative to locating a project in a floodplain as well as alerting the public when a project is to be completed in the floodplain.
 - ▶ Step 1: Identify if project is located within a 100-year floodplain
 - ▶ Step 2: Notify the public for early review of the proposal (E-P.1)
 - ▶ Step 3: Identify and evaluate practicable alternatives
 - ▶ Step 4: Identify impacts of proposed action
 - ▶ Step 5: Design or modify project to minimize harm and restore and preserve natural and beneficial values of the floodplain
 - ▶ Step 6: Reevaluate the alternative
 - ▶ Step 7: Determination of no practicable alternative and public explanation (E-P.4)
 - ▶ Step 8: Implement proposed action

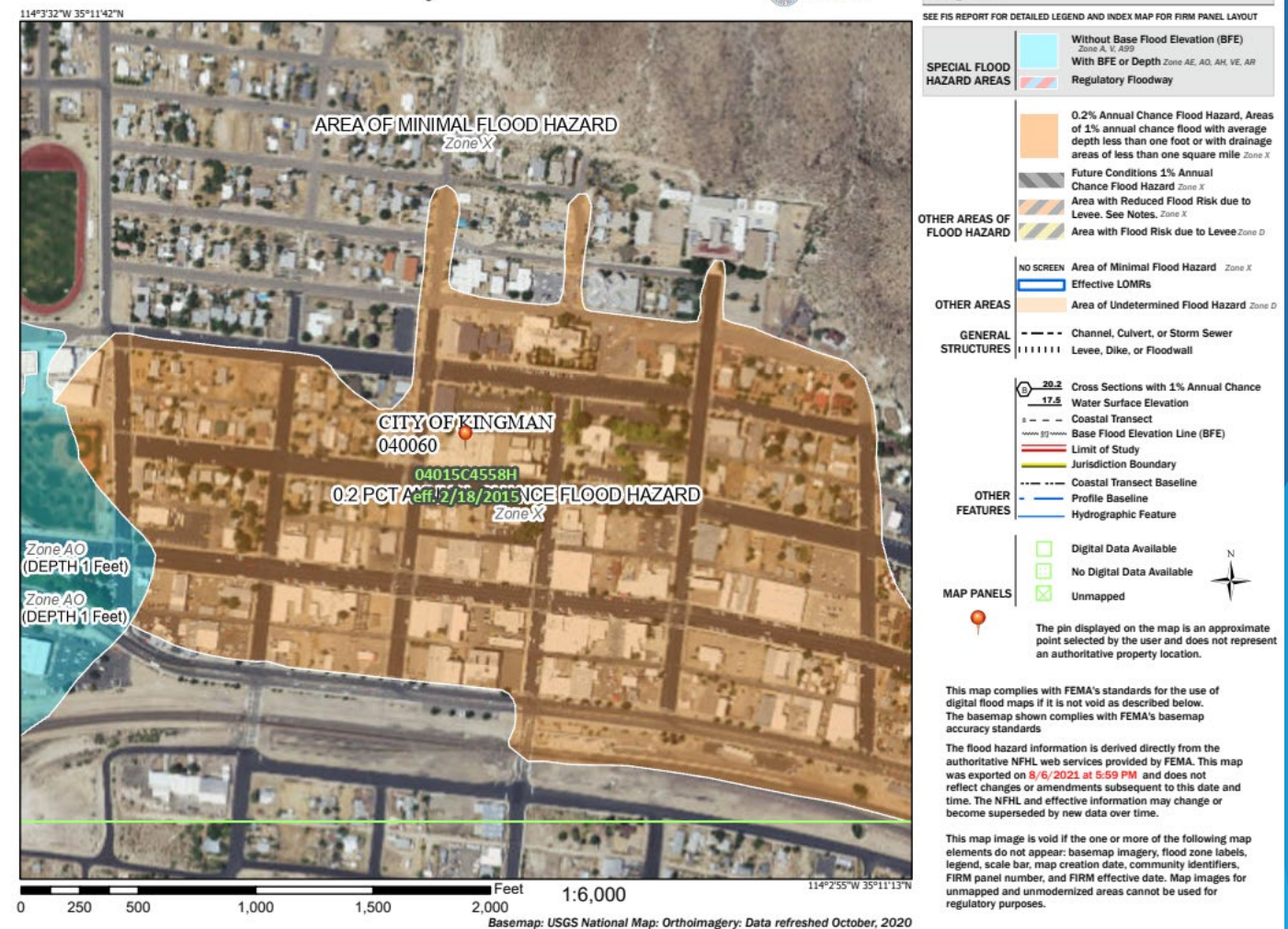
8- Step Decision-Making Process for Executive Order 11988



Shaded Zone X Area of Non-Special Flood Hazard

- ▶ 500-Year Floodplain (0.2% annual chance flood hazard)
- ▶ 8-Step Process and Flood Insurance NOT required unless the project is a critical action
- ▶ Critical action examples--hospitals, nursing homes, police stations, fire stations, and roadways providing sole egress from flood-prone areas

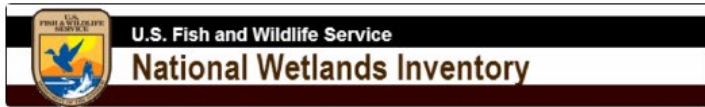
National Flood Hazard Layer FIRMette



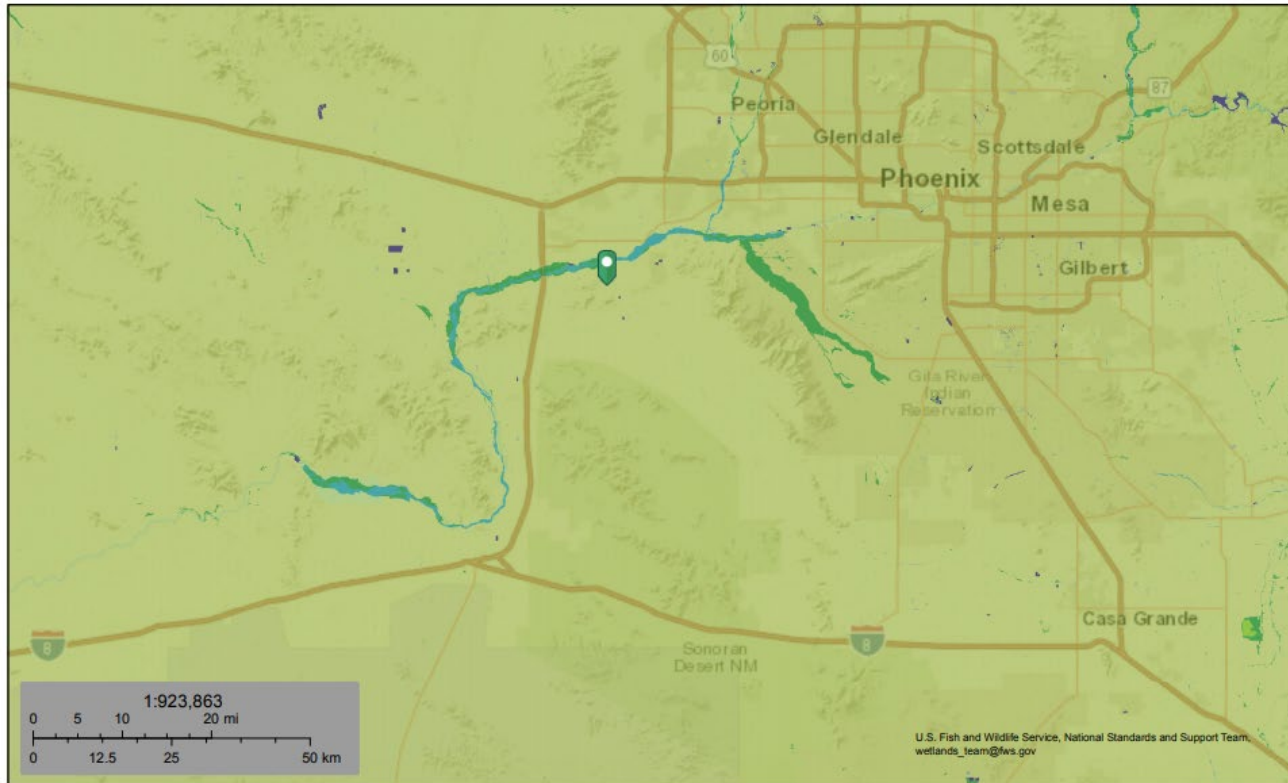
Wetland Protection

- ▶ **Actions:** Does the project involve new construction as defined by Section 7 of Executive Order 11990 (including draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of Executive Order 11990 (May 24, 1977)); expansion of a building's footprint; or ground disturbance?
 - ▶ If NO, document this in section 3 compliance determination column of the worksheet and check Column A. No further action is required.
 - ▶ If YES, review the U.S. Fish and Wildlife website for wetland mapping. Wetland Maps can be obtained at: <https://www.fws.gov/wetlands/data/mapper.html>.
 - ▶ If your project does *not lie within or will not affect a wetland*, document this in the compliance determination column and include a color copy of the wetland map for the project area with the project site clearly indicated on the map. Check Column A. No further action is required.
 - ▶ If YES and the project *lies within or will affect* a wetland, check Column B. Complete the 8-step decision making process (Form E-9) in 24 CFR 55.20 to document whether or not there are practicable alternatives and to mitigate effects of the project on wetlands and publish the Prior Notice (Form E-P.1). Such action also requires obtaining a permit from the U.S. Corps of Engineers under Section 404 of the Clean Water Act. Include a color copy of the map with the project location clearly indicated on the map.

Wetland Protection



ERR Presentation



August 6, 2021

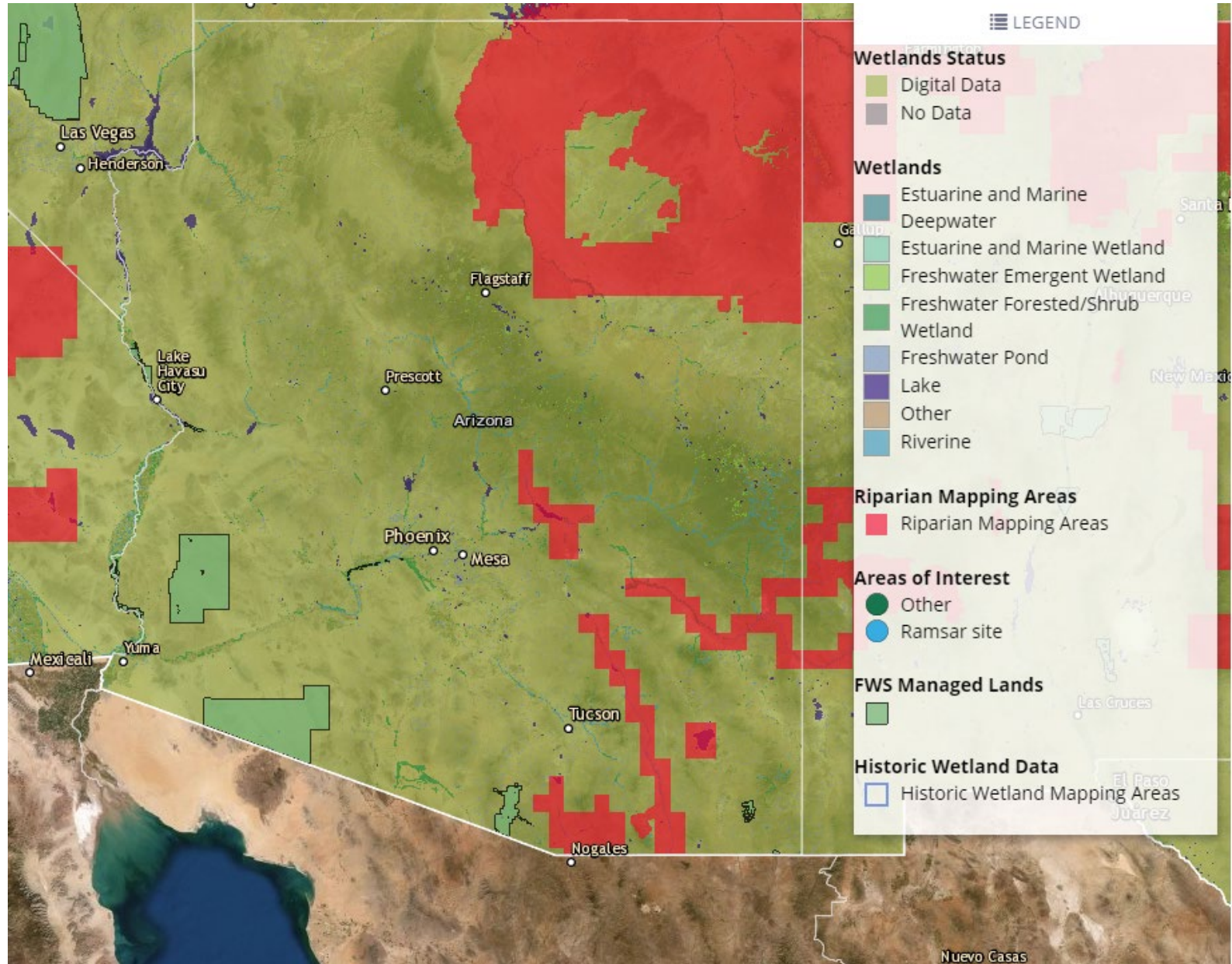
	Estuarine and Marine Deepwater		Freshwater Forested/Shrub Wetland		Other
	Estuarine and Marine Wetland		Freshwater Pond		Riverine
	Freshwater Emergent Wetland		Lake		

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

- ▶ Again, be sure the map is in color and the project location is clearly designated.

National Wetlands Inventory



Wetland Protection

- ▶ Making a determination:
 - ▶ **Column A (Does not affect):**
 - ▶ Project does not involve new construction, expansion of a building's footprint, or ground disturbance
 - ▶ OR, Project is not located in the floodplain
 - ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ Project lies within or will affect a wetland. 8-Step Process completed.

Coastal Zone Management

- ▶ Projects located in HUD Region IX (CA, AZ, NV, HI, Guam) have no coastal barrier resources
- ▶ Column A is already selected for you on the E-4 and E-11

4. Coastal Zone Management Act [Sections 307(c), (d)] Coastal Barrier Resources Act/Coastal Barrier Improvement Act [§58.6(c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Projects located in HUD Region IX (CA, AZ, NV, HI, Guam) have no coastal barrier resources. Likewise, projects located in the State of Arizona have no coastal zones and are therefore considered to be in compliance with the related laws and regulations.
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Sole Source Aquifers

- ▶ Is the project located in Pima, Pinal, Santa Cruz, or Cochise counties?
 - ▶ If yes, referral to EPA for comment is necessary. If no, this section is compliant per MOU with EPA.
- ▶ If project is located in Pima, Pinal, Santa Cruz, or Cochise counties, but **does not** involve any of the following activities, referral to EPA for comment is not necessary:
 - ▶ Agricultural activities including but not limited to land related operations employed in the production, raising, processing and marketing of crops or livestock;
 - ▶ Construction of (or addition to) residential, commercial or industrial projects, or public facilities or land developments whose sanitation facilities will consist of individual disposal systems (cesspools, septic tanks with leach fields or seepage pits), or community sewerage systems (owned either privately or by a homeowners association), or a proposed (i.e. not yet in place) publicly owned piped sanitary sewer system, the discharge from which will terminate within the watershed of the aquifer;
 - ▶ The preparation of an Environmental Impact Statement (EIS);
 - ▶ Existing or proposed industrial projects which manufacture, store, transport or dispose of toxic chemicals or radioactive materials;
 - ▶ Acquisition of a site intended to be used for a sanitary landfill and its operation, or closure of a sanitary landfill;
 - ▶ Construction or abandonment of a water well; or
 - ▶ Facilities which dispose of their waste water in either dry wells, retention ponds, or by other methods not employing a treatment plant.
- ▶ If the project **does involve** any of the activities listed above, then the project must be referred to EPA for review/comments.

Sole Source Aquifers

- ▶ Making a determination:
 - ▶ **Column A (Does not affect):**
 - ▶ The project is not located within a U.S. EPA-designated sole source aquifer watershed area per EPA Ground Water Office
 - ▶ **OR** the project need not be referred to EPA for evaluation according to the HUD-EPA (Region IX) Sole Source Aquifer Memorandum of Understanding of 1990
 - ▶ **OR** the EPA concurs the project has no impact. Document with a color copy of the Sole Source Aquifer Maps with the project location clearly indicated on the maps.
 - ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ The project is located within a U.S. EPA designated sole source aquifer area and involves one of the above seven actions identified in the MOU of 1990 and the EPA has determined there is an impact. Consult with the Water Management Division of EPA to design mitigation measures to avoid contaminating the aquifer and implement appropriate mitigation measures. Document implementation of actions recommended by EPA or other appropriate authority to resolve the situation.



Endangered Species Act

- ▶ Does the project involve any activities that have the potential to affect species or habitats?
 - ▶ Examples of actions without potential to affect listed species may include: rental assistance, purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.
- ▶ If so, are federally listed species or designated habitats present in the action area?
 - ▶ Consult with AZ Game and Fish
- ▶ Formal consultation with Game and Fish is always required for federally funded “major construction” activities and anytime a “likely to adversely affect” determination is made

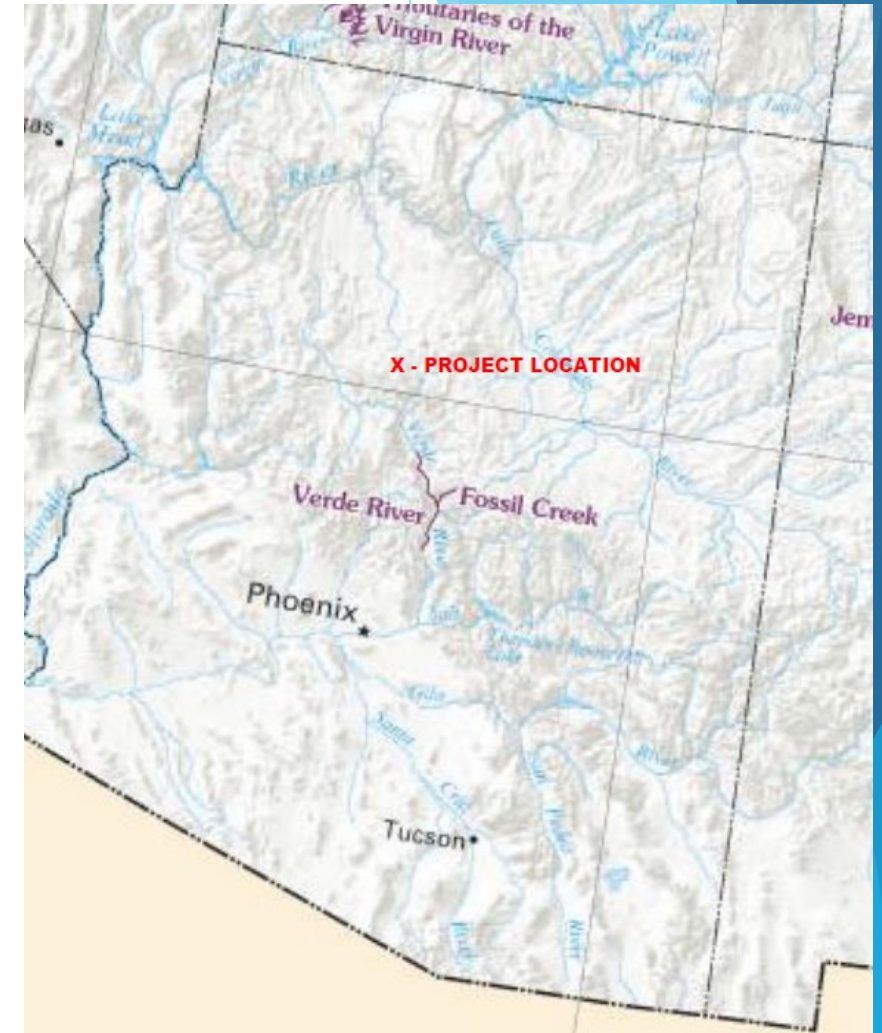


Endangered Species Act

- ▶ Making a determination:
 - ▶ **Column A (Does not affect):**
 - ▶ Project does not involve any activities that have the potential to affect species or habitats
 - ▶ OR, Consultation with AZ Game and Fish results in “not likely to adversely affect”
 - ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ Formal consultation with Game and Fish results in a “likely to adversely affect” determination. Document implementation of actions recommended by the Game and Fish consulted, or reasons for non-implementation.

Wild and Scenic Rivers Act

- ▶ Is the project located within one (1) mile of either:
 - ▶ One of the two (2) designated Wild and Scenic Rivers (Fossil Creek which flows from the Mogollon Rim near Strawberry and meets the Verde River, Verde River which flows from Camp Verde to about 2 miles south of Table Mountain);
 - ▶ OR from a river listed as scenic, wild or recreational on the National Rivers Inventory (NRI)?
- ▶ If no, document with a **color** copy of the Wild and Scenic River Map with your project location clearly marked on the map.
 - ▶ Also include narrative that the project location has been compared to the NRI site and the project is not located near any of the rivers designated on the NRI as wild, scenic or recreational.
- ▶ If yes, will the project have an effect on the natural, free flowing or scenic qualities of a river in the National Wild and Scenic Rivers system?



Wild and Scenic Rivers Act

- ▶ Making a determination:
 - ▶ **Column A (Does not affect):**
 - ▶ The project is not located within one mile of a listed Wild and Scenic River
 - ▶ OR, the project will have no effects on the natural, free flowing or scenic qualities of a river in the National Wild and Scenic Rivers system
 - ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ The project is located within one mile of a listed Wild and Scenic River and/or rivers on the NRI
 - ▶ OR, the project will have an impact.
 - ▶ Consult with the U.S. Department of Interior, National Park Service for impact resolution and mitigation. Document the implementation of National Forest Service recommendations.

Clean Air Act (Air Quality)

- ▶ Does your project include new construction or conversion of land? If NO, check Column A.
- ▶ If YES, go to EPA Green Book: is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants? If NO, check Column A.
- ▶ If YES, Contact the Arizona Department of Environmental Quality, Office of Air Quality to determine whether the project will exceed the de Minimis threshold emissions levels. If NO, check column A. If YES, go to Column B follow suitable mitigation measures identified/required by ADEQ, Office of Air Quality.



Clean Air Act (Air Quality)

- ▶ Making a determination:

- ▶ **Column A (Does not affect):**

- ▶ The project does not include new construction or conversion of land
 - ▶ OR the project is located in an attainment area
 - ▶ OR, through contact with the Arizona Department of Environmental Quality (DEQ), Office of Air Quality it has been determined that the project will not exceed the de Minimis or threshold emissions levels or screening levels, AND the project does not require individual NESHAP permit or notification.

- ▶ **Column B (Formal compliance consultation or mitigation):**

- ▶ Negotiate suitable mitigation measures with DEQ, obtain necessary permits, and issue required notices. (For example, 40 CFR §61.145 requires 10-day prior notification to the Air Quality District Administrator whenever either 260 linear ft., 160 sq.ft., or 35 cubic ft., of asbestos containing material is to be disturbed during rehabilitation/demolition activities in multi-family properties).
 - ▶ Document the implementation of DEQ recommendations. If the issues are transportation related, priority must be given to implementing those portions of the SIP to achieve and maintain national primary air quality standards.

Farm Land Protection Policy Act

- ▶ If the project is NOT acquisition of undeveloped land, new construction or conversion of agricultural land to a non-agricultural use then the FLPP Act does not apply.
 - ▶ The Act does not apply to land already in or committed to urban development or those that could otherwise not convert farmland to non-agricultural uses.
- ▶ Determine if your project is considered “developed” for the purpose of FLPP by consulting U.S. Census Urban Areas Maps.
 - ▶ If you cannot find your project location on one of these maps, consult the USDA Natural Resources Conservation Service.

Farm Land Protection Policy Act

- ▶ Making a determination:
 - ▶ **Column A (Does not affect):**
 - ▶ The project site does not include prime or unique farmland, or other farmland of statewide or local importance as identified by the U.S. Department of Agriculture, Natural Resources Conservation Service NRCS (formerly the Soil Conservation Service)
 - ▶ **OR** the project site includes prime or unique farmland, but is located in an area committed to urban uses.
 - ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ Request evaluation of land type from the NRCS using Form AD-1006, and consider the resulting rating in deciding whether to approve the proposal, as well as mitigation measures (including measures to prevent adverse effects on adjacent farmlands)
 - ▶ Document implementation of the Soil Conservation Service recommendations.

Environmental Justice

- ▶ HUD strongly encourages starting the Environmental Justice analysis only **AFTER** all other laws and authorities have been completed.
- ▶ The purpose of Executive Order 12898 is to ensure that there is no disproportionately adverse environmental impact (mainly toxic dumps and nuclear waste facilities) on low income and minority areas due to federal projects.
- ▶ Since there are no agencies or experts to contact to make such a determination, it is presumed that if there is no negative impact in the other laws and authorities areas listed, then there is no impact on Environmental Justice.

Environmental Justice

- ▶ Making a determination:
 - ▶ **Column A (Does not affect):**
 - ▶ The proposed site is suitable for its proposed use and will NOT be adversely impacted by adverse environmental conditions.
 - ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ Site suitability is a concern; the proposal is adversely affected by environmental conditions impacting low income or minority populations. Avoid such impacts or mitigate them to the extent practicable.
 - ▶ Address and mitigate the disproportional human health or environmental effects adversely affecting the low income or minority populations
 - ▶ OR reject the proposal.

HUD Environmental Standards

Noise Abatement and Control

- ▶ **NOTE:** If your project does not involve new construction for residential use or rehabilitation of existing residential property OR if your project is a research demonstration that does not result in new construction or reconstruction then Noise Abatement and Control does not apply. Check Column A and document through narrative. **OTHERWISE:**
- ▶ Review a map to determine the location of major roads within 1,000 feet of the project, railroad uses within 3,000 feet and military or FAA regulated airfields within 15 miles of the vicinity of the project.
- ▶ Contact the project engineer or other persons knowledgeable about the potential noise impacts of the proposed project.

HUD Environmental Standards

Noise Abatement and Control

- ▶ Making a determination:
 - ▶ **Column A (Does not affect):**
 - ▶ The project does not involve development of noise sensitive uses
 - ▶ OR the project is not within line-of-sight of a major or arterial roadway or railroad
 - ▶ OR ambient noise level is documented to be 65 LDN (CNEL) or less, based upon the HUD Noise Assessment Guidelines (NAG) for calculating noise levels and Airport Noise Contour map.
 - ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ Apply the noise standard, per 24 CFR §51.101, to the decision whether to approve the proposal (see §51.104), and implement noise attenuation measures (NAG page 39-40) as applicable.

HUD Environmental Standards

Explosive and Flammable Operations

- ▶ Does the project include any of the following activities: development, construction or rehabilitation that will increase residential densities or conversion? If no, compliance established. If yes, continue.
- ▶ Conduct an onsite inspection and determine if there is any above ground storage of explosive, flammable or chemical substances.
- ▶ Contact the Public Safety Officer, Fire Chief or Planning Director.
- ▶ If there are above-ground storage containers, Is the Separation Distance from the project acceptable based on standards in the regulation?
 - ▶ Acceptable Separation Distance—can be calculated based on the volume of the container, the contents, and whether or not the container is diked.

HUD Environmental Standards

Explosive and Flammable Operations

- ▶ Making a determination:
 - ▶ **Column A (Does not affect):**
 - ▶ Project does not include development, construction rehabilitation that will increase residential densities.
 - ▶ The project is located at an Acceptable Separation Distance (ASD) from any above-ground explosive or flammable fuels or chemicals containers according to “Siting of HUD-Assisted Projects Near Hazardous Facilities” (Appendices F & G, pp. 51-52),
 - ▶ **OR** the project will expose neither people nor buildings to such hazards
 - ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ Mitigate the blast overpressure or thermal radiation hazard with the construction of a barrier of adequate size and strength to protect the project (per 24 CFR 51.205).

HUD Environmental Standards Hazardous, Toxic, or Radioactive Materials and Substances

- ▶ Federal funds should NOT be used on activities supporting new development for habitation when the area may be affected by toxic chemicals or radioactive materials.
- ▶ Use the EPA Mapping Tool
- ▶ If a “(0)” appears next to all of the listed programs, print map and indicate project location on the Map. No further consultation is necessary.
- ▶ If a facility is under a current violation or compliance order you will have to do further consultation with the appropriate Federal, state or local oversight agency.

HUD Environmental Standards

Hazardous, Toxic, or Radioactive Materials and Substances

- ▶ Making a determination:
 - ▶ **Column A (Does not affect):**
 - ▶ The subject and adjacent properties are free of hazardous materials, contamination, toxic chemicals, gasses and radioactive substances which could affect the health or safety of occupants or conflict with the intended use of the subject property.
 - ▶ Particular attention should be given to nearby dumps, landfills, industrial sites and other operations with hazardous wastes.
 - ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ Mitigate the adverse environmental condition by removing, stabilizing or encapsulating the toxic substances in accordance with the requirements of the appropriate Federal, state or local oversight agency;
 - ▶ **OR** reject the proposal.

HUD Environmental Standards

Airport Clear Zones & Accident Potential Zones

- ▶ Use the ADOT Arizona Airports link to map your project address and its proximity to airports:
- ▶ Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?
- ▶ If NO, Check Column A, review of this factor is complete.
- ▶ If YES, Contact the closest airport to determine whether the project is considered to lie within a designated civilian airport Runway Clear Zone (RCZ), a military airfield Clear Zone (CZ) or an Accident Potential Zone (APZ).

HUD Environmental Standards

Airport Clear Zones & Accident Potential Zones

- ▶ Making a determination:
 - ▶ **Column A (Does not affect):**
 - ▶ The project is not within an FAA-designated civilian airport Runway Clear Zone (RCZ) -or Runway Protection Zone, or within a military airfield Clear Zone (CZ) or Accident Potential Zone (APZ) -Approach Protection Zone, based upon information from the civilian airport or military airfield administrator identifying the boundaries of such zones,
 - ▶ **OR** the project involves only minor rehabilitation,
 - ▶ **OR** the project involves only the sale or purchase of an existing property in the RCZ or CZ;
 - ▶ **Column B (Formal compliance consultation or mitigation):**
 - ▶ It is HUD policy not to provide any development assistance, subsidy or insurance in RCZs or CZs unless the project will not be frequently used or occupied by people and the airport operator provides written assurances that there are no plans to purchase the project site.



Questions on Compliance Factors?

E-11—Statutory Worksheet

Part C

- Impact codes:
 - 1. No Impact Anticipated
 - 2. Potentially Beneficial
 - 3. Potentially Adverse
 - 4. Requires Mitigation
 - 5. Requires Project Modification
- Don't forget to complete questions 18 through 23

C. Environmental Assessment Checklist

Indicate the relevant impact code and cite all supporting documentation. Refer to the Instructions for further guidance. The impact codes are as follows:

Impact Code:

- | | |
|---------------------------|----------------------------------|
| 1. No Impact Anticipated | 4. Requires Mitigation |
| 2. Potentially Beneficial | 5. Requires project modification |
| 3. Potentially Adverse | |

Impact Categories	Impact Code	Supporting Documentation MUST be cited (phone calls, letters, on-site visits etc.)
LAND DEVELOPMENT		
1. Conformance with Plans, Compatible Land Use and Zoning, Scale and Urban Design		
2. Soil Suitability, Slope, erosion, drainage, storm water runoff		
3. Hazards and Nuisances including site safety		
4. Energy Consumption		

Impact Categories	Impact Code	Supporting Documentation MUST be cited (phone calls, letters, on-site visits etc.)
SOCIOECONOMIC		
5. Demographic Character Changes, displacement		
6. Employment and Income Patterns		
COMMUNITY FACILITIES AND SERVICES		
7. Educational and cultural Facilities		
8. Commercial Facilities		
9. Health Care and Social Services		
10. Solid Waste Disposal, Recycling		
11. Wastewater, Sanitary Sewers		
12. Water Supply		
13. Public Safety <ul style="list-style-type: none">PoliceFireEmergency Medical		
14. Parks, Open Space and Recreation		
15. Transportation and Accessibility		

NATURAL FEATURES

16. Unique Natural Features, Water Resources		
17. Vegetation, Wildlife		

18. SUMMARY OF FINDINGS AND CONCLUSIONS
(Summarize the findings and conclusions from the checklist items 1 thru 31)
19. ALTERNATIVES TO THE PROPOSED ACTION
Alternatives and Project Modifications Considered [24 CFR 58.40(e), Ref. 40 CFR 1508.9]
(Identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment and the reasons for rejecting it.)
20. No Action Alternative [24 CFR 58.40(e)]
(Discuss the benefits and adverse impacts to the human environment of not implementing the preferred alternative.)
21. Mitigation Measures Recommended [24 CFR 58.40(d), 40 CFR 1508.20]
(Recommend feasible ways in which the proposal or external factors relating to the proposal should be modified in order to eliminate or minimize adverse environmental impacts.)
22. Additional Studies Performed
(Attach studies or summaries.)
[insert list of attached studies]
23. a. The project is in compliance with applicable laws and regulations. ☐ Yes ☐ No
b. An EIS is required. ☐ Yes ☐ No
c. A Finding of No Significant Impact (FONSI) can be made because the project will not significantly affect the quality of the human environment. ☐ Yes ☐ No

Prepared by (insert name and title)

Signature _____ Date _____

Responsible Entity Approval (insert name and title)

Signature _____ Date _____

Environmental Assessment Checklist

Land Development

1. Conformance with Plans, **Compatible Land Use and Zoning, Scale and Urban Design**
2. **Soil Suitability**, Slope, **Erosion, Drainage, Storm water runoff**
3. Hazards and Nuisances including site safety
4. Energy Consumption

Socioeconomic

5. Demographic character changes, **Displacement**
6. Employment and Income Patterns

Community Facilities and Services

7. Educational **and Cultural** Facilities
8. Commercial Facilities
9. Health Care **and Social Services**
10. Solid waste **disposal, Recycling**
11. Wastewater, **Sanitary Sewers**
12. Water Supply
13. Public Safety { Police, Fire, Emergency Medical }
14. **Parks**, Open Space and **Recreation**
15. Transportation **and Accessibility**

Natural Features

16. **Unique Natural Features**, Water Resources
17. **Vegetation, Wildlife**

Part C: Guidance questions for EA

- ▶ 1. Conformance with Plans, Compatible Land Use and Zoning, Scale and Urban Design
 - ▶ ACTION: Contact the local planning and zoning official.
- ▶ 2. Soil Suitability, Slope, Erosion, Drainage, Stormwater runoff
 - ▶ ACTION: Contact the project engineer, contact the local planning and engineering department, conduct a visual assessment of the site, review and cite the soils report.
- ▶ 3. Hazards and Nuisances including Site Safety
 - ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. Document the impact code and explanation of how that impact code was determined (i.e. phone calls site visit, project type does not affect, etc.) If the impact Code is 3 through 5 contact the Arizona Department of Health Services; Department of Environmental Quality. Conduct a visual review of the site.
- ▶ 4. Energy Consumption
 - ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the project architect, engineer, or the Arizona State Energy Program through the Arizona Department of Administration.
- ▶ 5. Demographic Character Changes, Displacement
 - ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the local planning department, Public Housing Authority, social service agencies and the Recipient itself if applicable.
- ▶ 6. Employment and Income Patterns
 - ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the local planning and zoning official.

Part C: Guidance questions for EA

▶ 7. Educational Facilities, Cultural Facilities

- ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the local school board office and Cultural Facility Office.

▶ 8. Commercial Facilities

- ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the local planning and zoning official.

▶ 9. Health Care and Social Services

- ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact local health and social service agencies.

▶ 10. Solid Waste, Recycling

- ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the project architect and local solid waste disposal service.



Part C: Guidance questions for EA

- ▶ 11. Wastewater, Sanitary Sewers
 - ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the project architect, engineer, and the Arizona Department of Environmental Quality.
- ▶ 12. Water Supply
 - ▶ ACTIONS: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the local water utility and the Arizona Department of Environmental Quality.
- ▶ 13. Public Safety (Police, Fire, Emergency Medical)
 - ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact local law enforcement and fire protection officials.
- ▶ 14. Park, Open Space and Recreation
 - ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the local parks and recreation official or community planner.

Part C: Guidance questions for EA

- ▶ 15. Transportation and Accessibility
 - ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the local transit service or community planner.
- ▶ 16. Unique Natural Resources, Water Resources
 - ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the project engineer or architect and the Arizona Department of Water Resources and Arizona Department of Environmental Quality.
- ▶ 17. Vegetation and Wildlife
 - ▶ ACTION: If the Impact code is either 1. “No Impact Anticipated” or 2. “Potentially Beneficial” then no further contact with appropriate third parties of authority is required. If the impact Code is 3 through 5 contact the Arizona Game and Fish Department and conduct an on-site review.



Extra ~

- ▶ Sample Consulting Packet ~ Email copy to ADOH program specialist
 - ▶ Consultation letter, documents, maps, photos etc.
- ▶ If possible, simplify. If one person is going to answer multiple questions, send one letter. Do not send multiple letters to one person/organization.
- ▶ For **OOHR**, submit an ERR for multiple years and cover the whole area of the program. That way only one (1) ERR needs to be submitted for multiple project years.
 - ▶ EX) ERR for 2019-2021 OOHR
 - ▶ For application only add the approval from ADOH.

Consult ~ Contact Information

- ▶ Please send initial SHPO consultation for each undertaking to azshpo@azstateparks.gov.
- ▶ Tribal Historic Preservation Officer (THPO) and Relevant Tribes
 - ▶ Use the TDAT <http://egis.hud.gov/tdat/Tribal> for contact information
- ▶ ONLY IF DIRECTED BY SHPO/THPO (A.R.S. §41-865 village ruins or burial grounds are thought to exist)
 - ▶ The Arizona State Museum- The University of Arizona -1013 East University Blvd. P.O. Box 210026 Tucson, Arizona 85721 - Phone: 520/621-6302 - Fax: 520/621-2976
- ▶ Endangered Species~ Arizona Game and Fish Department ~ Non-game Branch
 - ▶ Phone: 602-942-3000 Email: pep@azgfd.gov Address: 5000 W. Carefree Hwy, Phoenix, AZ 85086-5000
- ▶ National Park Service
 - ▶ Santé Fe Support Office Address: PO Box 728, Santé Fe, NM 87504-0728 Phone: 505-988-3770

Consultation Documents in your ERR

- ▶ After consulting, if a response was received, only put the response letter. Do not put both your letter and the response.
 - ▶ If a response was not received, put documentation showing your attempt to contact.
- ▶ E-11 Compliance documentation ~ put everything in order.
 - ▶ Historic -> SHPO Response -> GRIC Response
 - ▶ Floodplain Management -> Attached Map -> ADWR Response
 - ▶ Wetland Protection -> Attached Map -> USACE Response -> USFWS Response

1. Historic Preservation (includes archeology & relevant Tribes) [36 CFR Part 800]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SHPO response to E-10 dated 11/28/17 - concurrence received GRIC response to E-10 dated 11/1/17 - no mitigating actions
2. Floodplain Management [24 CFR 55, Executive Order 11988]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is a floodplain located to the north of the project area. However, the work will be completed outside of a floodplain. See attached map from https://msc.fema.gov/portal . ADWR response to E-10 dated 10/25/17 - no mitigating actions
3. Wetland Protection [Executive Order 11990]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are no wetlands located in the project area. See attached map from https://www.fws.gov/wetlands/Data/Mapper.html . USACE no response received within the required timeframe USFWS response to E-10 dated 11/4/17 - no mitigating actions

Consultation not required,
project not located in
floodplain

Consultation not required,
project not located in
wetland



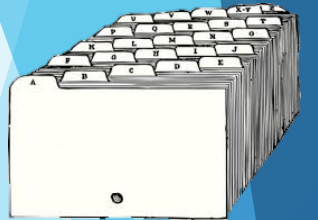
- ▶ Simplify. If the same person answered multiple questions ~ ‘Refer back to page ____’ instead of making multiple copies of response letter.

Your ERR

- ▶ Pages Numbered



- ▶ Divided Sections ~ Label each section (Ex. Section 1 Historic Preservation, Section 2 Flood Management etc.)



- ▶ PLEASE take your time. Do not rush to get it done.



- ▶ Read directions carefully.



Revisiting the review

- ▶ Environmental review records are living documents, and they may need to be updated even after the environmental review has been completed. The three major reasons for revisiting a review are to record mitigation measures, reevaluate the project, and add another source of funding.
- ▶ **Mitigation Measures**
Mitigation measures or conditions for approval are sometimes necessary for a project to be in compliance. The conditions are often implemented after the environmental review is complete and the project is underway. Documentation demonstrating that the mitigation measures have been implemented should be included in the environmental review record.

Revisiting the Review Continued...

- ▶ **Reevaluation**
Reevaluation of a project is necessary under the following circumstances ([24 CFR 58.47](#)):
- ▶ The recipient proposes substantial changes in the nature, magnitude or extent of the project, including adding new activities not anticipated in the original scope of the project;
- ▶ There are new circumstances and environmental conditions which may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project or activity which is proposed to be continued; or
- ▶ The recipient proposes the selection of an alternative not in the original finding.
- ▶ The environmental review record should be updated, and the responsible entity should confirm whether the original findings are still valid. If the original findings are no longer valid, a new environmental assessment must be prepared.
- ▶ Note: Part 50 environmental reviews must be reevaluated and updated when the basis for the original environmental or compliance findings is affected by a major change requiring HUD approval in nature, magnitude or extent of a project and the project is not yet complete. A change only in the amount of financing or mortgage insurance involved does not normally require the environmental review to be reevaluated or updated (24 CFR 50.36).

Questions

