

**E-11 Compliance Factor and Environmental Assessment Checklist**

**Project Name:**

**Recipient:**

**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 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)  [36 CFR Part 800] |  |  |  |
| 2. Floodplain Management  [24 CFR 55, Executive Order 11988]  Flood Disaster Protection Act (Flood Insurance) [§58.6(c)] |  |  |  |
| 3. Wetland Protection  [ Executive Order 11990] |  |  |  |
| 4. Coastal Zone Management Act  [Sections 307(c), (d)]  Coa Coastal Barrier Resources Act/Coastal B Barrier Improvement Act [§58.6(c)] |  |  | 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] |  |  |  |
| 6. Endangered Species Act  [50 CFR 402] |  |  |  |
| 7. Wild and Scenic Rivers Act.  [Sections 7(b), and (c)] |  |  |  |
| 8. Clean Air Act  [ Sections 176(c), (d), and  40 CFR 6, 51, 93] |  |  |  |
| 9. Farm Land Protection Policy Act  [ 7 CFR 658] |  |  |  |
| 10. Environmental Justice  [Executive Order 12898] |  |  |  |
| **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] |  |  |  |
| Explosive & Flammable  Operations  [24 CFR 51C] |  |  |  |
| Hazardous, Toxic or Radioactive Materials & Substances  [24 CFR 58.5(i)(2)] |  |  |  |
| Airport Clear Zones &  Accident Potential Zones  [24 CFR 51D] |  |  |  |

**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 |  |  |
|  |  |  |
| 1. Soil Suitability, Slope, erosion, drainage, storm water runoff |  |  |
|  |  |  |
|  |  |  |
| 1. Hazards and Nuisances including site safety |  |  |
| 1. Energy Consumption |  |  |

|  |  |  |
| --- | --- | --- |
| **Impact Categories** | **Impact Code** | **Supporting Documentation MUST be cited (phone calls, letters, on-site visits etc.)** |

**SOCIOECONOMIC**

|  |  |  |
| --- | --- | --- |
| 1. Demographic Character Changes, displacement |  |  |
| 1. Employment and Income Patterns |  |  |

**COMMUNITY FACILITIES**

**AND SERVICES**

|  |  |  |
| --- | --- | --- |
| 1. Educational and cultural Facilities |  |  |
| 1. Commercial Facilities |  |  |
| 1. Health Care and Social Services |  |  |
| 1. Solid Waste Disposal, Recycling |  |  |
| 1. Wastewater, Sanitary Sewers |  |  |
| 1. Water Supply |  |  |
| 1. Public Safety |  |  |
| Police |
| Fire |  |  |
| Emergency Medical |  |  |
| 1. Parks, Open Space and Recreation |  |  |
|  |
| 1. Transportation and Accessibility |  |  |

**NATURAL FEATURES**

|  |  |  |
| --- | --- | --- |
| 1. Unique Natural Features, Water Resources |  |  |
| 1. Vegetation, Wildlife |  |  |

1. **SUMMARY OF FINDINGS AND CONCLUSIONS**

(Summarize the findings and conclusions from the checklist items 1 thru 31)

1. **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.)

1. **No Action Alternative [24 CFR 58.40(e)]**

(Discuss the benefits and adverse impacts to the human environment of not implementing the preferred alternative.)

1. **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.)

1. **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

**INSTRUCTIONS FOR PARTS A AND B**

**A.** Insert the Scope of Work for the proposed project in the blank provided including the project location or area of potential effect (APE).

**B.** Compliance Factors: Statutes, Executive orders, and Regulations listed at 24 CFR §58.5.

For HUD funded projects that are categorically excluded per 24 CFR §58.35(a), the Responsible Entity (RE) must make a determination of whether the proposal achieves compliance with each applicable statute, Executive Order, or regulation with or without requiring formal consultation, mitigation, permits, or having adverse effects on the resources protected by the statute. (These instructions are a brief description of essential findings needed to establish compliance. THEY DO NOT REPLACE THE APPLICABLE REGULATIONS. Applicable regulations take precedence over these brief instructions). The preparer of the Statutory Worksheet must DOCUMENT OR ATTACH THE SOURCES OF THE DETERMINATION.

**Record the finding status on the STATUTORY WORKSHEET for each listed federal statute, regulation, authority as follows (check only one – A or B): Status “A”** applies when compliance with the authority is achieved without adverse effects on the protected resource, without necessary mitigation or attenuation, **AND** when no formal consultation, permit or agreement is required to establish compliance. In these situations, check “A” box in the STATUTORY WORKSHEET status column. **Status “B”** applies when project compliance with the authority requires formal consultation, a permit or agreement, OR when the proposal may have an adverse effect on the protected resources. If column “B” is checked, the recipient will have to identify and complete additional steps or formal procedures prior to submitting a Request for Release of Funds (RROF) to HUD or to the State. Evidence of completion and implementation of the required procedures or mitigation must be retained in the project Environmental Review Record (ERR).

**Compliance Determination & Documentation (letters, phone calls, on-site visit dates, maps, websites etc.) MUST BE CITED.** Identify supporting documentation for each statute, in the form of: letters sent to agencies/organizations and their replies; documented phone calls (include date, person contacted, person placing the phone call, questions asked, responses); maps or plans (and their location if they are not in the ERR); website addresses and the research obtained from those sites; dates of on-site visits, persons conducting such visits, and their expertise to make the determination. In most instances this column will reference attachments to the E-4 form. (See ERR Handbook Section 2.3 for more information about source documentation.)

**1. Historic Preservation (includes archeology & relevant Tribes) [36 CFR Part 800]**

(See also ERR Handbook Section 9 which describes the Advisory Council Procedures on Historic Preservation, also known as the Section 106 process.)

Guidance: <https://www.hudexchange.info/programs/environmental-review/historic-preservation/>

**Actions:** 1. Determine whether SHPO Consultation is necessary by reviewing the “SHPO Guidance for HUD/ADOH Project Review” available under the Environmental Review Forms section of the ADOH website handbooks page at: <https://housing.az.gov/documents-links/handbooks>. If consultation is required, follow the “SHPO Checklist for HUD/ADOH Submissions” also available on the ADOH Website

2. Determine whether THPO consultation is necessary by completing the E-05 “Checklist for Tribal Consultation under Section 106” form available under the Environmental Review Forms section of the ADOH website handbooks page at: <https://housing.az.gov/documents-links/handbooks>. If Consultation is required solicit input from Tribal Historic Preservation Officer (THPO) as well as relevant tribes (as found on 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. A.R.S. §41-865 requires that Recipients contact The Arizona State Museum only if village ruins or burial grounds are thought to exist at the project site or if such are identified by the SHPO/THPO. If you have local historic preservation committee, it is recommended that they be given a courtesy consultation/notification.

**Column A:** 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:** 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.

**2. Floodplain Management [24 CFR 55, Executive Order 11988] and Flood Disaster Protection Act (Flood Insurance) [§58.6(c)]**

Guidance: <https://www.hudexchange.info/programs/environmental-review/floodplain-management/>

<https://www.hudexchange.info/programs/environmental-review/flood-insurance/>

FEMA Maps: <https://msc.fema.gov/portal/home> <https://msc.fema.gov/portal/home>

**Actions:** Review FEMA Flood Hazard Boundary Map or Flood Insurance Rate Map. 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

**Column A:** 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).

**Column B:** 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.

See ERR Handbook Section 8 for further information.

**3. Wetland Protection [Executive Order 11990]**

Guidance: <https://www.hudexchange.info/programs/environmental-review/wetlands-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.

If your project location is not available on the website, contact the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers. If the project takes place in or on any existing buildings, ***do not*** contact the U.S. Army Corps of Engineers

**Column B:** The project lies within or will affect a wetland.

NOTE: If clearing of undeveloped land, a change of landscape features, or work on structures in or affecting the waters of the U.S. is proposed, contact the U.S. Army Corps of Engineers with a letter describing the activity so it may determine if a Clean Water Act or River and Harbor Act permit is required. Waters of the United States include wetlands, lakes, reservoirs, rivers, streams, dry stream beds, arroyos, washes, and other ephemeral watercourses.

**4. Coastal Zone Management Act [Sections 307(c), (d)] and Coastal Barrier Resources Act/Coastal Barrier Improvement Act [§58.6(c)]**

NOTE: 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.

**Column A**: This box has been checked for you. No further action is required.

**Column B**: This box is not applicable for projects located in the State of Arizona.

**5. Sole Source Aquifers (Safe Drinking Water Act) [40 CFR 149]**

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

NOTE: There are 2 EPA designated sole source aquifers identified in Arizona including portions of Pima, Pinal, Santa Cruz and Cochise counties. These are knows as the Naco-Bisbee Aquifer and the Upper Santa Cruz and Avra Basin Aquifer. ADOH has included maps to these aquifers on our website under Environmental Review Forms of the Handbooks page.

Maps: <https://housing.az.gov/documents-links/handbooks>

ACTIONS:

Per the HUD-EPA (Region IX) Sole Source Aquifer Memorandum of Understanding of 1990, if the project activity does not lie in Pima, Pinal, Santa Cruz or Cochise counties, referral to EPA for comment is not necessary. Additionally, referral to EPA for comment is not necessary if the project activity ***does lie*** within one of these four counties but ***does not involve*** the following:

1. Agricultural activities including but not limited to land related operations employed in the production, raising, processing and marketing of crops or livestock;
2. 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;
3. The preparation of an Environmental Impact Statement (EIS);
4. Existing or proposed industrial projects which manufacture, store, transport or dispose of toxic chemicals or radioactive materials;
5. Acquisition of a site intended to be used for a sanitary landfill and its operation, or closure of a sanitary landfill;
6. Construction or abandonment of a water well; or
7. 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 (1 through 7), then the project must be referred to EPA for review/comments.

**Column A:** 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:** 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.

**6. Endangered Species Act [50 CFR 402]**

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

Endangered species data: <http://www.fws.gov/endangered/>

**Actions:** Does the project involve any activities that have the potential to affect species or habitats? If so, are federally listed species or designated habitats present in the action area?

**Column A:** The RE documents that the proposal will have “no effect” or “is not likely to adversely affect” any federally protected (listed or proposed) Threatened or Endangered Species (i.e., plants or animals, fish, or invertebrates), nor adversely modify designated critical habitats. This finding is to be based on the review of designated critical habitats, t. Document with copy of FWS report.

**Column B:** Consult with the Arizona Game and Fish, as appropriate, in accordance with procedural regulations contained in 50 CFR Part 402. 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. Document implementation of actions recommended by the Game and Fish consulted, or reasons for non-implementation.

**7. Wild and Scenic Rivers Act [Sections 7(b), and (c)]**

Guidance: <https://www.hudexchange.info/programs/environmental-review/wild-and-scenic-rivers/>

Maps and data: <http://www.rivers.gov/>

<https://www.nps.gov/subjects/rivers/nationwide-rivers-inventory.htm>

NOTE: Is the project located within one (1) mile of either 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)?

**Column A:** 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. 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.

**Column B:** 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.

**8. Clean Air Act (Air Quality) [Sections 176(c), (d), and 40 CFR 6, 51, 93]**

Guidance:<https://www.hudexchange.info/programs/environmental-review/air-quality/>

Non-Attainment area Mapping Tool: <http://www.epa.gov/emefdata/em4ef.home>

**Actions: Does your project include new construction or conversion of land? If NO, check Column A.**

**If YES, go to EPA Green Book (see link above): 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.**

**Column A:** 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:** 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.

**9. Farm Land Protection Policy Act [ 7 CFR 658]**

Guidance: <https://www.hudexchange.info/programs/environmental-review/farmlands-protection/>

Census Maps: <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>

NOTE: 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.

**Actions:** 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.

**Column A:** 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:** 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.

**10. Environmental Justice [Executive Order 12898]**

Guidance:<https://www.hudexchange.info/programs/environmental-review/environmental-justice/>

Mapping tool: <http://www.epa.gov/emefdata/em4ef.home>

**NOTE: HUD strongly encourages starting the Environmental Justice analysis only AFTER all other laws and authorities have been completed.**

**Actions:** 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.

**Column A:** The proposed site is suitable for its proposed use and will NOT be adversely impacted by adverse environmental conditions.

**Column B:** 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.

**11. HUD Environmental Standards**

* **Noise Abatement and Control [24 CFR 51B]**

Guidance: <https://www.hudexchange.info/programs/environmental-review/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:**

**Actions:** 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.

**Column A:** 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:** 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.

* **Explosive & Flammable 0perations [24 CFR 51C]**

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

**Actions:** 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.

**Column A:** 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:** 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).

* **Hazardous, Toxic or Radioactive Materials & Substances [24 CFR 58.5(i)(2)]**

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

Mapping Tool: <http://www.epa.gov/emefdata/em4ef.home>

NOTE: 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.

**Actions:** Use the EPA Mapping Tool at the link provided above. Input the project location and use the dropdown menu at the “Search Envirofacts” to select “Search by Program”. You will see a listing that will include Superfund Sites, Toxic Releases, and Hazardous Waste etc. 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 number other than “(0)” appears you must click the box for the corresponding program which will plot the hazardous, toxic or radioactive materials facility sites on the map. Click the plotted balloon for hazardous, toxic or radioactive materials facility site and you will see the name and address of the facility. Click on the name of the facility to access the compliance data. If 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.

**Column A:** 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:** 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.

* **Airport Clear Zones & Accident Potential Zones [24 CFR 51D]**

Guidance: <https://www.hudexchange.info/programs/environmental-review/airport-hazards/>

Mapping Tool**:** <http://www.azdot.gov/maps>

**Actions:** 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 NO, 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).

**Column A:** 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:** 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.

**PART C. GUIDANCE QUESTIONS FOR ENVIRONMENTAL ASSESSMENT**

**1. Conformance with Plans, Compatible Land Use and Zoning, Scale and Urban Design**

**CONCERNS:** Is the proposal consistent with the completed components of local plans and supporting zoning? Is Land Use incompatible due to opposing functional needs or encroachment tendencies of one use upon another, (overcrowding of buildings on the land, non-conforming land use, non-conforming building use, inducing excess traffic, causing excess noise and similar day-to-day functional demands). If a project locates water/sewer lines in a base flood hazard zone, will it induce development into such a hazardous area? Will secondary impacts occur such as encouraging urban sprawl prior to development of an applicable growth management plan and supportive zoning? Would the project impose new development into an existing neighborhood that would aggravate the transitional character of the neighborhood or increase new unwanted intrusions (introduction of off-street or on street parking, introduction of lighting to a park to encourage night use of the park area where not previously found)? If not and the project is to continue, provide a supporting discussion explaining the decision basis. Identify areas where the project may conform to local planning objectives. Identify any anticipated functional conflicts and plans for mitigation where necessary.

**ACTION:** Contact the local planning and zoning official.

**2. Soil Suitability, Slope, Erosion, Drainage, Stormwater runoff**

**CONCERNS:** If applicable the following soil suitability concerns should be examined: (1) is the area impacted by fissures, expansive soils or other destabilizing conditions, (2) Does the soils report or local development review body indicate that the soils are suitable for the proposed use and if not how are the soils being modified and augmented to ensure suitability, (3) is soil stabilization required as part of the permitting process.

If applicable, the following slope issues should be examined; (1) evidence of mud slides or other earth movement, (2) evidence of slump occurrences, (3) neighboring retaining walls tilting from possible past earth movement or that might indicate conditions prone to sliding.

: If applicable the following erosion issues should be examined: (1) is the area impacted by excessive erosion, (2) Is there evidence of excessive erosion on the site, (3) will storm runoff impact the site by causing excessive erosion and if so is it mitigated by site improvements, (4) Does the soils report or local development review body identify issues with erosion, (5) is soil stabilization required as part of the permitting process.

**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**

**CONCERNS:** Is the project site impacted by Hazards and Nuisances? i.e. the presence of rodent infestation; nuisances from odors; glare; dust; vibration; inadequate street lighting; improperly screened drains or catchments; abandoned-dilapidated buildings improperly boarded-up; unscreened quarries or other excavation works; dangerous intersections; hazardous; unrepaired street conditions; street pounding causing nuisance ingress and egress problems to the project area; and similar safety concerns.

**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**

**CONCERNS:** Will the project have an impact on Energy Consumption? Energy consumption is viewed in a two-fold manner: (1) energy consumed directly by the facility to be constructed as to heating and cooling, hot water and, (2) energy consumed indirectly or induced by the facility, consumed chiefly in the transportation of people and goods to and from the project.

**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 project architect, engineer, or the Arizona State Energy Program through the Arizona Department of Administration.

**5. Demographic Character Changes, Displacement**

**CONCERNS:** Will the project measurably alter the tenant-owner status of the area? Will special services be needed, i.e., relocation services, home maintenance counseling or assistance? Will certain segments of the population become isolated by the project, i.e., elderly low-income? What affect will the project have on the vacancy ratio? Will special social services created by the population composition changes be needed in the project impact area, i.e. job counseling, youth services, elderly services, child-care, visiting nursing service?

Displacement concerns: will the project displace individuals, families or businesses? If so, are relocation services available? If necessary, are appropriate relocation resources available?

**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 local planning department, Public Housing Authority, social service agencies and the Recipient itself if applicable.

**6. Employment and Income Patterns**

**CONCERNS:** Will the project impact the expansion of commercial or industrial business life either favorably or unfavorably? Will project area residents directly benefit? Will there be negative impacts on the project area's residential life? Will employment opportunities be available to the locally unemployed or under-employed? Will there be more entrepreneurial opportunities available to local population? Will the housing stock be affected if a high number of new, outside employees are imported?

**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 local planning and zoning official.

**7. Educational Facilities, Cultural Facilities**

**CONCERNS:** Will the project impact local schools or cultural facilities? Is sufficient capacity available? Does the project affect safe access to existing schools or cultural facilities? Have the school and/or cultural facility been informed of the project? Are special education services needed?

**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 local school board office and Cultural Facility Office.

**8. Commercial Facilities**

**CONCERNS:** Will the project impact commercial service facilities? Are additional commercial services needed to assure that project area residents have a full range of services at competitive prices? Do project beneficiaries have convenient and safe access to a full range of commercial 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. 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 local planning and zoning official.

**9. Health Care and Social Services**

**CONCERNS:** Will the project impact Health Care or Social Services, i.e., emergency medical services, ambulance service, visiting health service for the elderly or homebound? Will the project objectives be influenced by the availability or lack of special social services i.e. children support groups, childcare centers, family counseling services, services for the elderly? Is there a need for youth recreation centers?

**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 local health and social service agencies.

**10. Solid Waste, Recycling**

**CONCERNS:** Will the project generate substantial amounts of solid waste? Can the local disposal system adequately service the proposed development over its expected lifetime? Is collection service adequate? Are there any local concerns as to potential health threats from collection practices or from the solid waste disposal facility? Is recycling of project-generated solid waste practicable?

**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 project architect and local solid waste disposal service.

**11. Wastewater, Sanitary Sewers**

**CONCERNS:**  If applicable, will the existing wastewater treatment system and facilities adequately service the proposed project? Will the project cause the design capacity to be exceeded? Will project residents or beneficiaries be adversely affected by a wastewater treatment facility? Is the wastewater treatment plant serving residents approved by appropriate health officials? If applicable, will the existing or planned storm water disposal and treatment system adequately service the project or project beneficiaries? Will the project cause an overload of the design capacity of the storm water facilities? Are the project beneficiaries subject to temporary flooding or ponding impacts in terms of impairment of access to their residences?

**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 project architect, engineer, and the Arizona Department of Environmental Quality.

**12. Water Supply**

**CONCERNS**: Will the project impact the potable water supply available for project beneficiaries?

**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. 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 local water utility and the Arizona Department of Environmental Quality.

**13. Public Safety (Police, Fire, Emergency Medical)**

**CONCERNS:** Will the project impact police, fire and emergency services? i.e. create obstacles for emergency vehicles in meeting their responsibilities.

**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 local law enforcement and fire protection officials.

**14. Park, Open Space and Recreation)**

**CONCERNS:** Will the project impact any parks, open spaces or recreations areas? i.e. lessen the accessibility or availability to spaces or 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. 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 local parks and recreation official or community planner.

**15. Transportation and Accessibility**

**CONCERNS:** If applicable to project objectives, is there adequate access to the locally recognized public transportation system? Is the service directly and conveniently available? Do any project beneficiaries need special transportation considerations due to the inadequacy of convenient shopping services? Will the project serve to reduce the mobility of any segment of the population?

**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 local transit service or community planner.

**16. Unique Natural Resources, Water Resources**

**CONCERNS:** Will the project use local groundwater resources or wells? Is there a high water table that should be considered during project construction? Is there a possible subsidence problem due to dependence on wells or groundwater resource? On-site seepage or springs may indicate potential drainage problems or impacting of a groundwater resource. Is there evidence of impoundment of water on the project site? Will the project significantly add to the impervious surface in its impact area and thereby increase demands on drainage 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. 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 project engineer or architect and the Arizona Department of Water Resources and Arizona Department of Environmental Quality.

**17. Vegetation and Wildlife**

**CONCERNS:** Will the project damage or destroy existing remnant plant communities, wildlife habitat, or their food chain? Will the project create environmental conditions eliminating plant life without mitigation measures? Will it, conversely, create conditions favorable to the proliferation of pest species, i.e., rats, flies and mosquitoes?

**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 Game and Fish Department and conduct an on-site review.