TAB T

HOME Environmental Checklists
MSHDA Rental Development Division –
National Environmental Policy Act (NEPA) Review FAQ

Applicants applying to MSHDA’s Rental Development Division applying for federal funds (HOME, Project Based Vouchers, Community Development Block Grant, etc.) are required to undergo the HUD environmental review process, commonly referred to as NEPA. The level of environmental review is determined by the scope and nature of proposed activities, as detailed in HUD 24 CFR Part 58.

This FAQ explains more about the environmental review process.

The environmental review procedures cover numerous and varied considerations, and can take a significant amount of time and effort to complete. Starting EARLY is a necessity.

DETERMINING THE LEVEL OF ENVIRONMENTAL REVIEW
24 CFR Part 58 provides guidance for conducting the environmental review process. Every project requires some level of environmental review. There are five levels of environmental review to consider:

1. Exempt
2. Categorically Excluded, Not Subject To 58.5 (CENST)
3. Categorically Excluded, Subject To 58.5 (CEST)
4. Environmental Assessment (EA)
5. Environmental Impact Statement (EIS)

In general...
- Most all applications will require some level of environmental review.
- Very few applications initially qualify as being Exempt.
- Most rehab projects qualify for an initial determination as Categorically Excluded, Subject to 58.5.
- All new construction projects will require an Environmental Assessment.

Exempt Activities (24 CFR 58.34)
Exempt activities have no physical impact or result in no physical change on the environment. Other than documenting the level of review as Exempt, the RE does not have to comply with actions under NEPA and other provisions of laws or authorities cited in §58.5. Funds from any source may be used for Exempt activities after the finding of exemption is documented in the
The following activities are Exempt under §58.34:

1. Environmental and other studies, resource identification and development of plans and strategies;
2. Information and financial services;
3. Administrative and management activities;
4. 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;
5. Inspections and testing of properties for hazards or defects;
6. Purchase of insurance;
7. Purchase of tools;
8. Engineering or design costs;
9. Technical assistance and training;
10. 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;
11. Payment of principal and interest on loans made or obligations guaranteed by HUD;

12. Any of the categorical exclusions listed in §58.35(a) provided there are no circumstances which require compliance with any other Federal laws and authorities cited in §58.5.

Categorically Excluded Activities (24 CFR 58.35) – 2 classifications

If an activity is not determined Exempt, the Responsible Entity must determine if it is Categorically Excluded. Categorically Excluded activities are those excluded from NEPA requirements, but may be subject to review under other Federal laws and authorities listed in 24 CFR 58.5. There are two classifications of Categorically Excluded activities; those listed under §58.35(a) and those listed under §58.35(b).

(a) 58.35(a) Categorically Excluded Activities SUBJECT TO §58.5 (CEST):

The following activities may be subject to review under authorities listed in §58.5:

1) Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).
2) Special projects directed to the removal of material and architectural barriers that restrict
the mobility of and accessibility to elderly and handicapped persons.

3) Rehabilitation of buildings and improvements when the following conditions are met:
   a. In the case of a building for residential use (with one to four units), 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 in a wetland;
   b. In the case of multifamily residential buildings:
      i. Unit density is not changed more than 20 percent;
      ii. The project does not involve changes in land use from residential to non-
          residential; and
      iii. The estimated cost of rehabilitation is less than 75 percent of the total
           estimated cost of replacement after rehabilitation.
   c. In the case of non-residential structures, including commercial, industrial and
      public buildings:
      i. The facilities and improvements are in place and will not be changed in
         size or capacity by more than 20 percent; and
      ii. 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.

4) (i) An individual action on up to four 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 combination in between; or
   (ii) An individual action on a project of five 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.
   (iii) Paragraphs (a)(4)(i) and (ii) of this section do not apply to rehabilitation of a building
        for residential use (with one to four units) (see paragraph (a)(3)(i) of this section).

5) Acquisition (including leasing) or disposition of, or equity loans on 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.

6) Combinations of the above activities.

(b) 58.35(b) Categorically Excluded Activities NOT SUBJECT TO §58.5 (CENST):

HUD has determined the following activities do not alter any conditions requiring a review of
compliance determination under Federal laws and authorities cited in §58.5

1) Tenant-based rental assistance;
2) Supportive services including, but not limited to, health care, housing services,
   permanent housing placement, day care, nutritional services, short-term payments for
rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services;

3) Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs;

4) 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;

5) Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closing costs and down payment assistance, interest buy-downs, and similar activities that result in the transfer of title.

6) 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.

7) Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental findings is not required under §58.47.

Applications for new construction are neither Exempt nor Categorically Excluded and will require a full Environmental Assessment (24 CFR 58.36).

**Environmental Assessment (EA) (24 CFR 58.36)**

If a project is not Exempt or Categorically Excluded, an Environmental Assessment is required. The purpose of the EA is to determine the significance of environmental effects and to assess alternative means to achieve an RE’s objectives. Once actual and potential impacts of project alternatives are identified, the RE must then assess if mitigation measures are needed to undertake the project. It is at this point the RE is capable of determining if the project is generally feasible with the ability to identify the most suitable project alternative to meet the needs of the RE and its beneficiaries. If significant impacts are anticipated with no reasonable means of mitigation apparent, the RE may reject the project or complete an Environmental Impact Statement (EIS). In all circumstances, the EA must provide sufficient evidence and analysis for determining whether to prepare an EIS.
Statutory Checklist Laws and Related Authorities

Categorically excluded projects, which include MOST ALL of the initial submissions to MSHDA Rental Development, must demonstrate compliance with the following federal laws and related authorities through completion of the NEPA statutory checklist. The NEPA statutory checklist must be completed by an environmental professional qualified to conduct such a review from MSHDA’s Qualified Consultant List.

☐ Historic Properties (16 USC 470 Section 106):
   - Cover letter to SHPO
   - Letter(s) to tribes
   - SHPO Section 106 Project Information Form
   - Attachments to Section 106 Form
   - SHPO response letter(s) – always responds
   - Tribal response letter(s) – may not respond
   - Cultural Resource Survey, if applicable
   - Memorandum of Agreement, if applicable

☐ Floodplain Management (EO 11988):
   - FEMA Flood Insurance Rate Map (FIRM) map or FEMA FIRMette Map w/ project keyed
   - If not in floodplain, nothing more required. EA/Statutory Checklist form must be complete.
   - If in floodplain, HUD 8-Step Process may be required. Engineer/architect is resource for help.

☐ Flood Insurance (24 CFR Part 55) (Particularly relevant if project lies in floodplain. RE must be member in good standing with NFIP if project is in floodplain. If not in floodplain, documentation should still be attached.)
   - Page(s) from FEMA Community Status Book for NFIP status
   - Other:

☐ Wetland Protection (EO11990) (If project is in a wetland, the HUD 8-Step Decision Making Process applies.)
   - Color US Fish & Wildlife (US F&W) National Wetlands Inventory (NWI) Map
   - Letter & attachments to US F&W
   - MDEQ response
   - Permitting requirements, as applicable
   - Other:

☐ Coastal Zone Management (16 USC 1451, Section 307)
   - MDEQ website; attach documentation
   - Document compliance

☐ Airport Hazards (24 CFR Part 51, Subpart D) - Protection of project & project beneficiaries from airport accident areas.
   - Maps indicating nearest airports in relation to the project area
   - If project proposed w/in thresholds of airport accident areas, HUD process that must be completed
- **Endangered Species (50 CFR Part 402)** - Includes threatened and endangered plants and animals, and their habitat
  - Letter & attachments to US F&W for Federally designated species
  - Response from US F&W
  - Conditions by agencies, as applicable

- **Wild & Scenic Rivers (16 USC 1271)** - Project impacts to designated rivers & river segments; impacts to project by rivers & river segments
  - Federally designated river- Website documentation & map river in relation to project

- **Farmland Protection (7 CFR Part 658)** - Does project convert prime or unique farmland to other uses
  - Color aerial photograph of project area and surrounding area
  - Letter & attachments to USDA Natural Resources Conservation Services (NRCS), including Farmland Conversion Impact Rating Form AD 1006
  - All correspondence from USDA NRCS
  - Mitigation measures recommended

- **Noise Control (24 CFR 51 Subpart B)** - Noise made by project, noise around the project, construction noise.
  - Color aerial photograph
  - Color photos of project site & surrounding area
  - Color maps showing project in relation to noise sources or sensitive noise uses
  - Field visit checklist or other form of documented site visit
  - Noise Assessment, if applicable
  - Noise attenuation measures, as appropriate

- **Explosive & Flammable Operations (24 CFR Part 51, Subpart C)** - Hazards by the project and/or project subjected to nearby hazards
  - Field visit checklist or other form of documented site visit
  - Color photographs of project site & adjacent sites
  - Statement from fire department/fire marshal
  - Statement from local emergency management agency/individual
  - HUD Acceptable Separation Distance calculations, if applicable
  - Mitigation measures, if applicable

- **Sole Source Aquifers (40 CFR Part 149)**
  - One in Michigan; not used.

- **Air Quality** (Air emissions from project or project subjected to air emissions)
  - EPA designated non-attainment areas from EPA website
  - EPA/ MDEQ air permits or permitting requirements
  - Conformance with local air codes, ordinances, & standards by finished project & construction activities
  - Documentation whether project will begin a trend of poor air quality standards
  - Odors and fumes from project or impacting project
  - Radon test and results and mitigation, if applicable
- Mold contamination, inspection and report and mitigation, if applicable
- Asbestos - Under Air Quality in Statutory Checklist. EA has an Asbestos Section. Includes inspections, sampling, testing, reports, & mitigation for buildings, water/sewer pipes, boiler/plumbing wrap, interior/exterior buildings, some bridges, etc.

□ **Contamination & Toxic Substances (24 CFR 58 (5)(i)(2))**: Contamination by the project or impacts to the project
  - MSHDA scoped Phase I Environmental Site Assessment (ESA)
  - Consider contamination to/of: Groundwater, Air, Surface Water, Vapor Encroachment, Soil
  - ASTM Phase II ESA, if applicable
  - Response Activity Plan to MDEQ, if applicable
  - BEA/Due Care to MDEQ, if applicable
  - No Further Action letter, if applicable

□ **Environmental Justice (EO 12898)** - Last section for Statutory Checklist. Disproportionately high adverse impacts to low income & minority persons
  - Planning and zoning information, if available
  - Public involvement in the project (should coincide with Citizen Participation in an EA)
  - Map or other documentation to show if project occurs on or near low income or minority neighborhood
  - Positive and negative impacts to people by the project

**Conclusion**

This document provides an overview of the “NEPA review” process. This process is required for all applications requesting federal money. Sponsors should contract for completion of this review with an environmental professional approved for conducting a NEPA review from MSDHA’s qualified consultant list.

If you have any questions, please contact MSHDA’s Environmental Review unit.

Daniel Lince  
Unit Manager  
Environmental Review Officer  
linced@michigan.gov  
517-335-8108

Mike Vollick  
Environmental Review Officer  
VollickM2@michigan.gov  
313-456-2596

---

http://www.michigan.gov/mshda/0,4641,7-141-5587_22721--,00.html
DETERMINATION OF LEVEL OF REVIEW

MHSDA Project # ________________________________

Project Name: ________________________________ Program Year: ______

Project Location: ________________________________

Project Description (Attach additional descriptive information, as appropriate to the project, including narrative, maps, photographs, site plans, budgets and other information.):

_________________________________________________________________________

_________________________________________________________________________

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, “Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities,” and the following determination with respect to the project is made:

☐ Exempt from NEPA review requirements per 24 CFR 58.34(a)(___)

☐ Categorically Excluded NOT Subject to §58.5 authorities per 24 CFR 58.35(b)(___)

☐ Categorically Excluded SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(___)

( A Statutory Checklist for the §58.5 authorities is attached. )

☐ An Environmental Assessment (EA) is required to be performed. (An Environmental Assessment performed in accordance with subpart E of 24 CFR Part 58 is attached.)

☐ An Environmental Impact Statement (EIS) is required to be performed.

The ERR (see §58.38) must contain all the environmental review documents, public notices and written determinations or environmental findings required by Part 58 as evidence of review, decision making and actions pertaining to a particular project. Include additional information including checklists, studies, analyses and documentation as appropriate.

<table>
<thead>
<tr>
<th>Preparer Name</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Date</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Responsible Entity Certifying Officer</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Date</td>
</tr>
</tbody>
</table>
DETERMINATION OF LEVEL OF REVIEW

MHSDA Project #: ________________________________

Project Name: ________________________________ Program Year: ______

Project Location: ________________________________

Project Description (Attach additional descriptive information, as appropriate to the project, including narrative, maps, photographs, site plans, budgets and other information.):

________________________________________________________________________

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, “Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities,” and the following determination with respect to the project is made:

☐ Exempt from NEPA review requirements per 24 CFR 58.34(a)(____)  

☐ Categorically Excluded NOT Subject to §58.5 authorities per 24 CFR 58.35(b)(____)  

☐ Categorically Excluded SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(____)  
  (A Statutory Checklist for the §58.5 authorities is attached.)

☐ An Environmental Assessment (EA) is required to be performed. (An Environmental Assessment performed in accordance with subpart E of 24 CFR Part 58 is attached.)

☐ An Environmental Impact Statement (EIS) is required to be performed.

The ERR (see §58.38) must contain all the environmental review documents, public notices and written determinations or environmental findings required by Part 58 as evidence of review, decision making and actions pertaining to a particular project. Include additional information including checklists, studies, analyses and documentation as appropriate.

Preparer Name ___________________________ Signature __________________

Title ___________________________ Date __________________

Responsible Entity Certifying Officer ___________________________ Signature __________________

Title ___________________________ Date __________________
Michigan State Housing Development Authority (MSHDA)
Rental Development Division (RD)

24 CFR Part 58 Environmental Review
(Statutory Checklist)

MSHDA Project Number:
Recipient:
Project Name:
Preparer Name:
Phone Number:
Email Address:

Month Day Year

Description of the Proposal: Include all contemplated actions which logically are either geographically or functionally a composite part of the project, regardless of the source of funding. [24 CFR 58.32, 40 CFR 1508.25]
Must include street address or target area description, including boundaries.
**STATUTORY CHECKLIST**

[24CFR §58.5]

**DIRECTIONS** - Indicate whether the activity does or does not affect the resources under consideration. Consult the guidance provided in the table below or the Research section of this manual.

Indicate **Status “A”** if the project **does not require formal consultation** with an outside agency and does not affect the resource in question. Document the determination made and the sources of information that were used.

Indicate **Status “B”** if the activity **triggers formal compliance consultation** with the oversight agency or affects the resource. **All compliance documentation, including sign-off and/or permit from the oversight agency, must be attached to this Checklist and included in the ERR.**

For each listed statute, executive order or regulation, record the determinations made. Note reviews and consultations completed as well as any applicable permits or approvals obtained. Attach evidence that all required actions have been taken. Record any conditions or mitigation measures required.

<table>
<thead>
<tr>
<th>Factors</th>
<th>Status</th>
<th>Determinations and Compliance Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Historic Preservation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[36 CFR 800]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floodplain Management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[24 CFR 55, Executive Order 11988]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wetlands Protection</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[Executive Order 11990]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal Zone Management Act</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[Sections 307(c),(d)]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sole Source Aquifers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[40 CFR 149]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Endangered Species Act</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[50 CFR 402]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wild and Scenic Rivers Act</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[Sections 7 (b), (c)]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Air Quality</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[Clean Air Act, Sections 176 (c) and (d), and 40 CFR 6, 51, 93]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farmland Protection Policy Act</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[7 CFR 658]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Justice</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[Executive Order 12898]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HUD Environmental Standards</td>
<td>Determinations and Compliance Documentation</td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Noise Abatement and Control [24 CFR 51 B]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Toxic/Hazardous Substances/ Radioactive Materials, Contamination, Chemical or Gases [24 CFR 58.5(i)(2)]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51 C]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Other Factors**

<table>
<thead>
<tr>
<th>Environmental Review</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Flood Disaster Protection Act [Flood Insurance – 58.6(a)]</td>
<td></td>
</tr>
<tr>
<td>Coastal Barrier Resources Act [Coastal Barrier Improvement Act – 58.6(c)]</td>
<td></td>
</tr>
<tr>
<td>Airport Runway Clear Zone [Clear Zone Disclosure – 58.6(d)]</td>
<td></td>
</tr>
</tbody>
</table>

*NOTE: The environmental review must additionally document and ensure each activity complies with 24 CFR §58.6, including the Flood Insurance requirements of Flood Disaster Protection Act, Coastal Barrier Resource Act compliance and the Buyer Disclosure requirements of the HUD Airport Runway Clear Zone/Clear Zone regulation at 24 CFR 51 Subpart D.*
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 convert 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** (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 the EA according to 24 CFR Part 58 Subpart E.

Preparer Signature: __________________________________________ Date: ________________
Title / Agency

RE Approving Official: _________________________________________ Date: ________________
Title / MSHDA
DETERMINATION OF LEVEL OF REVIEW

MHSDA Project #____________________________________

Project Name:________________________________________Program Year:_____

Project Location:______________________________________

Project Description (Attach additional descriptive information, as appropriate to the project, including narrative, maps, photographs, site plans, budgets and other information.):

________________________________________________________________________

________________________________________________________________________

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, “Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities,” and the following determination with respect to the project is made:

☐  Exempt from NEPA review requirements per 24 CFR 58.34(a)(____)

☐  Categorically Excluded NOT Subject to §58.5 authorities per 24 CFR 58.35(b)(____)

☐  Categorically Excluded SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(____)
   (A Statutory Checklist for the §58.5 authorities is attached.)

☐  An Environmental Assessment (EA) is required to be performed. (An Environmental Assessment performed in accordance with subpart E of 24 CFR Part 58 is attached.)

☐  An Environmental Impact Statement (EIS) is required to be performed.

The ERR (see §58.38) must contain all the environmental review documents, public notices and written determinations or environmental findings required by Part 58 as evidence of review, decision making and actions pertaining to a particular project. Include additional information including checklists, studies, analyses and documentation as appropriate.

Preparer Name ______________________________________ Signature ______________________________________

Title ____________________________________________ Date ______________________

Responsible Entity Certifying Officer ________________________________ Signature ________________________________

Title ____________________________________________ Date ______________________
ENVIRONMENTAL ASSESSMENT
(To be completed by all RD sponsors classifying Federal programs under 24 CFR 58.36)

Responsible Entity: MSHDA, 735 E. Michigan Avenue, P.O. Box 30044, Lansing, MI 48909
[24 CFR 58.2(a)(7)]

Certifying Officer: Scott Woosley, Executive Director
[24 CFR 58.2(a)(2)]

Project Name: 

Project Address: 

Estimated Total Project Cost: $

Statement of Purpose and Need for the Proposal: The purpose of the project can be described in terms of goals and existing deficiencies and what the project is expected to achieve in removing those deficiencies. [40 CFR 1508.9(b)]

Description of the Proposal: Include all contemplated actions which logically are either geographically or functionally a composite part of the project, regardless of the source of funding. [24 CFR 58.32, 40 CFR 1508.25] Must include street address or target area description, including boundaries.

Existing Conditions and Trends: Describe the existing conditions of the project area and its surroundings, and trends likely to continue in the absence of the project. [24 CFR 58.40(a)]
**DIRECTIONS** - Indicate whether the activity does or does not affect the resources under consideration. Consult the guidance provided in the table below or the Research section of this manual.

Indicate **Status “A”** if the project *does not require formal consultation* with an outside agency and does not affect the resource in question. Document the determination made and the sources of information that were used.

Indicate **Status “B”** if the activity *triggers formal compliance consultation* with the oversight agency or affects the resource. All compliance documentation, including sign-off and/or permit from the oversight agency, must be attached to this Checklist and included in the ERR.

For each listed statute, executive order or regulation, record the determinations made. Note reviews and consultations completed as well as any applicable permits or approvals obtained. Attach evidence that all required actions have been taken. Record any conditions or mitigation measures required.

<table>
<thead>
<tr>
<th>Factors</th>
<th>Status</th>
<th>Determinations and Compliance Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Historic Preservation [36 CFR 800]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floodplain Management [24 CFR 55, Executive Order 11988]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wetlands Protection [Executive Order 11990]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal Zone Management Act [Sections 307(c),(d)]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sole Source Aquifers [40 CFR 149]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Endangered Species Act [50 CFR 402]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wild and Scenic Rivers Act [Sections 7 (b), (c)]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Air Quality [Clean Air Act, Sections 176 (c) and (d), and 40 CFR 6, 51, 93]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farmland Protection Policy Act [7 CFR 658]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Justice [Executive Order 12898]</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**HUD Environmental Standards**

**Determinations and Compliance Documentation**

---

ENVIRONMENTAL REVIEW

mshda_rd_EA_2014 4
<table>
<thead>
<tr>
<th>Noise Abatement and Control [24 CFR 51 B]</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Toxic/Hazardous Substances/ Radioactive Materials, Contamination, Chemical or Gases [24 CFR 58.5(i)(2)]</td>
<td></td>
</tr>
<tr>
<td>Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51 C]</td>
<td></td>
</tr>
<tr>
<td>Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]</td>
<td></td>
</tr>
</tbody>
</table>

**Other Factors***

| Flood Disaster Protection Act [Flood Insurance – 58.6(a)] |  |
| Coastal Barrier Resources Act [Coastal Barrier Improvement Act – 58.6(c)] |  |
| Airport Runway Clear Zone [Clear Zone Disclosure – 58.6(d)] |  |
| Other |  |

*NOTE: The environmental review must additionally document and ensure each activity complies with 24 CFR §58.6, including the Flood Insurance requirements of Flood Disaster Protection Act, Coastal Barrier Resource Act compliance and the Buyer Disclosure requirements of the HUD Airport Runway Clear Zone/Clear Zone regulation at 24 CFR 51 Subpart D.
ENVIRONMENTAL ASSESSMENT CHECKLIST

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a determination of impact.

**Impact Codes:** (1) – No impact anticipated; (2) – Potentially beneficial; (3) – Potentially adverse; (4) – Requires mitigation; (5) – Requires project modification. Additional explanation of impact codes provided below.

**Source or Documentation:** Identify sources or contacts which have contributed to the decision in a specific category. Note names, dates of contact, telephone numbers and page references. Attach additional material as appropriate. Note conditions or mitigation measures required.

<table>
<thead>
<tr>
<th>Land Development</th>
<th>Code</th>
<th>Source or Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conformance with Comprehensive Plans and Zoning</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compatibility and Urban Impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slope</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Erosion</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Soil Suitability</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hazards and Nuisances Including Site Safety</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy Consumption</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Noise – Contribution to Community Noise Levels |      |                         |
| Air Quality Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels |      |                         |

| Environmental Design Vision Quality – Coherence, Diversity, Compatible Use and Scale |      |                         |

<table>
<thead>
<tr>
<th>Socioeconomic</th>
<th>Code</th>
<th>Source or Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demographic Character Changes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Displacement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment and Income Patterns</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Community Facilities and Services</th>
<th>Code</th>
<th>Source or Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Facilities</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Impact Codes

1. **No Impact Anticipated** – indicates no more analysis or mitigation effort is needed. Clear and specific documentation is essential, referencing the factual conditions or specific circumstances that support the finding. Mere conclusions are not sufficient.

2. **Potentially Beneficial** – Beneficial impacts should be indicated. Notations supporting that finding can be attached. A more detailed analysis is not necessary.

3. **Potentially Adverse** – In some cases, a quick review may be all that is needed to evaluate impacts. They may be small and require no additional study; they may be construction effects only for which standard mitigation procedures have been established; they may have been analyzed for previous assessments in a fully comparable situation; or they may require further review (site visits, detailed review of data, consultation with experts, etc.). Documentation here is particularly important and will require attached notes outlining sources explaining the factual basis of the impact finding and describing next steps or any mitigation efforts.
4. Requires Mitigation – Should be used in conjunction with #3 indicating some type of potential adverse impact. In some cases specific measures to reduce adverse impacts are subject to a detailed analysis to follow. In other cases, mitigation measures or safeguards may be known and should be listed on the last page of the checklist.

5. Requires Project Modification – Early project review can identify needed changes before project details are finalized. Often such changes can eliminate the source of the problem or indicate the need to relocate a project or reject it entirely.

**Summary of Findings and Conclusions**

---

**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 of each alternative and the reasons for rejecting it.)

---

**No Action Alternative** [24 CFR 58.40(e)]
(Discuss the benefits and adverse impacts to the human environment of not implementing the preferred alternative).

---

**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.)

---

**Additional Studies Performed** (Attach studies or summaries)

---

**List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]

---
Conditions for Approval: (List all mitigation measures adopted by the responsible entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts or other relevant documents as requirements). [24 CFR 58.40(d), 40 CFR 1505.2(c)]

FINDING: [58.40(g)]

☐ Finding of No Significant Impact
(The project will not result in a significant impact on the quality of the human environment)

☐ Finding of Significant Impact
(The project may significantly affect the quality of the human environment)

Preparer Signature: ________________________________ Date: ________________
Title / Agency

RE Approving Official Signature: ________________________________ Date: ________________
Title / MSHDA