



**Environmental Training – Part II –
Laws and Authorities**

Common Deficiencies and FAQs

PANELISTS:

- Keith Bayer, Managing Director/EP, Dominion Due Diligence Group
- Martha Curran, Regional Environmental Officer, HUD Region I and IV (Acting REO)
- Chuck Melton, Field Environmental Officer, HUD Region IV
- Mark Malec, Technical Specialist Branch Chief, HUD Jacksonville

COMMON PROBLEMS AND NEW ISSUES

PROJECT DESCRIPTION

HISTORIC PRESERVATION

FLOODPLAIN MANAGEMENT AND FLOOD INSURANCE

WETLANDS

EXPLOSIVE AND FLAMMABLE HAZARDS

ENDANGERED SPECIES

NARRATIVE SUMMARIES AND SUPPORTING DOCUMENTS

MITIGATION NARRATIVES

PROJECT DESCRIPTION

INFORMATION TO FOCUS ON

- PROJECT ACTIVITIES (MORTGAGE INSURANCE, DEMOLITION, NEW CONSTRUCTION, ETC.)
- DESCRIPTION OF PROJECT SITE (e.g., size in acres, character of terrain and existing ground cover)
- NUMBER OF UNITS, NUMBER OF BUILDINGS, HOW MANY STORIES, ETC.
- GENERAL DESIGN/STRUCTURAL ELEMENTS OF THE RESIDENTIAL BUILDINGS
- MAJOR AMENITIES (E.G. POOL, CLUBHOUSE, RECREATIONAL AMENITIES, ETC.)

PROJECT DESCRIPTION

INFORMATION TO FOCUS ON

- DESCRIPTION OF OFFSITE DEVELOPMENT (purpose , location, and total area of impact) REQUIRED FOR PROJECT COMPLETION(e.g., access roads, utility service lines, lift stations, or upgrades to existing utility mains mandated for permit approval, offsite stormwater management systems, etc.)
- ANTICIPATED PERIOD OF DEVELOPMENT
- BRIEF DESCRIPTION OF PAST PROJECT SITE DEVELOPMENT AND CURRENT ADJACENT/NEARBY USES
- GENERAL CHARACTER (AGE, USE, AND CONDITION) OF EXISTING NEARBY DEVELOPMENT
- PROXIMITY TO MAJOR TRANSPORTATION CORRIDORS AND MASS TRANSIT FACILITIES

PROJECT DESCRIPTION

INFORMATION TO LEAVE OUT

- INTERIOR UNIT FEATURES, SWANKY FINISHES, ETC.
- SEASON STAT'S FOR LOCAL SPORTS TEAM
- LIST OF NEARBY ENTERTAINMENT AND SHOPPING VENUES
- RENTAL AND OCCUPANCY RATES FOR THE PROJECT OR MARKET COMP'S
- OBVIOUS COPY & PASTE OF ENTIRE SECTION FROM LENDER'S NARRATIVE

HISTORIC PRESERVATION

Some Considerations for Section 106 Consultation for HUD Housing Programs

- HUD, as the federal agency completing the NEPA review, is required to complete §106 consultation with SHPO offices **BUT FOR** the March 18, 2021 Memo
- As early consideration of §106 is required to meet program and other funding and tax credit timelines, HUD created memo to facilitate §106 review process
- FHA number must be issued for §106 consultation to begin
- HUD still must conduct Tribal consultation

If Lender wants to use this option, you must...

- Include copy of 3/18/21 Memo with SHPO submission
- Identify project by HUD program followed by section of the Act and provide contact person at Lender organization and the authorized representative hired to coordinate the review
- Retain a Qualified Historic Preservation Professional if project involves:
 - demo of building >45 years old
 - new construction in or adjacent to listed or eligible historic district
 - substantial ground disturbance
 - exterior rehab of building >45 years old
- Qualified Historic Preservation Professional must:
 - Be qualified in the discipline relevant to the project activities to prepare submission with SHPO and manage consultation with interested parties and the public
 - Coordinate with HUD on HUD's consultation with Tribes.
- NOTE that Qualified Historic Preservation Professional is one who meets Secretary of Interior's Professional Qualifications Standards for archeology, history, architectural history, architecture, or historic architecture and has substantial experience conducting §106 reviews.

If SHPO Concurs with finding of effect..

- Lender enters in environmental review record (HEROS), along with supporting documentation
- §106 consultation is then complete UNLESS
 - There is or may be an adverse effect on a historic property
 - The SHPO or THPO disagrees with lender or authorized representative regarding id and evaluation of historic properties or assessment of effects
 - There is objection from tribes, consulting parties or public regarding assessment of effects, implementation of agreed upon provisions, or their involvement in §106 review

Make Sure You Follow the Delegation Memo!

- §106 consultation is the responsibility of the federal agency. It is the delegation memo and its provisions that allow Lenders and their authorized representatives to conduct §106 consultation on behalf of HUD
- Failure to follow the Professional Memo and include it as documentation in the environmental review record will cause delays
- For some projects you may need a Qualified Historic Preservation Professional with expertise on more than one area (e.g., architect and archaeologist) or more than one Professional expert

What if there a Finding of Adverse Effect?

*Note that the federal official (under FHA Delegation Memo, Lender and their authorized representatives IF they follow the delegation memo) is to make the finding for the SHPO to confirm

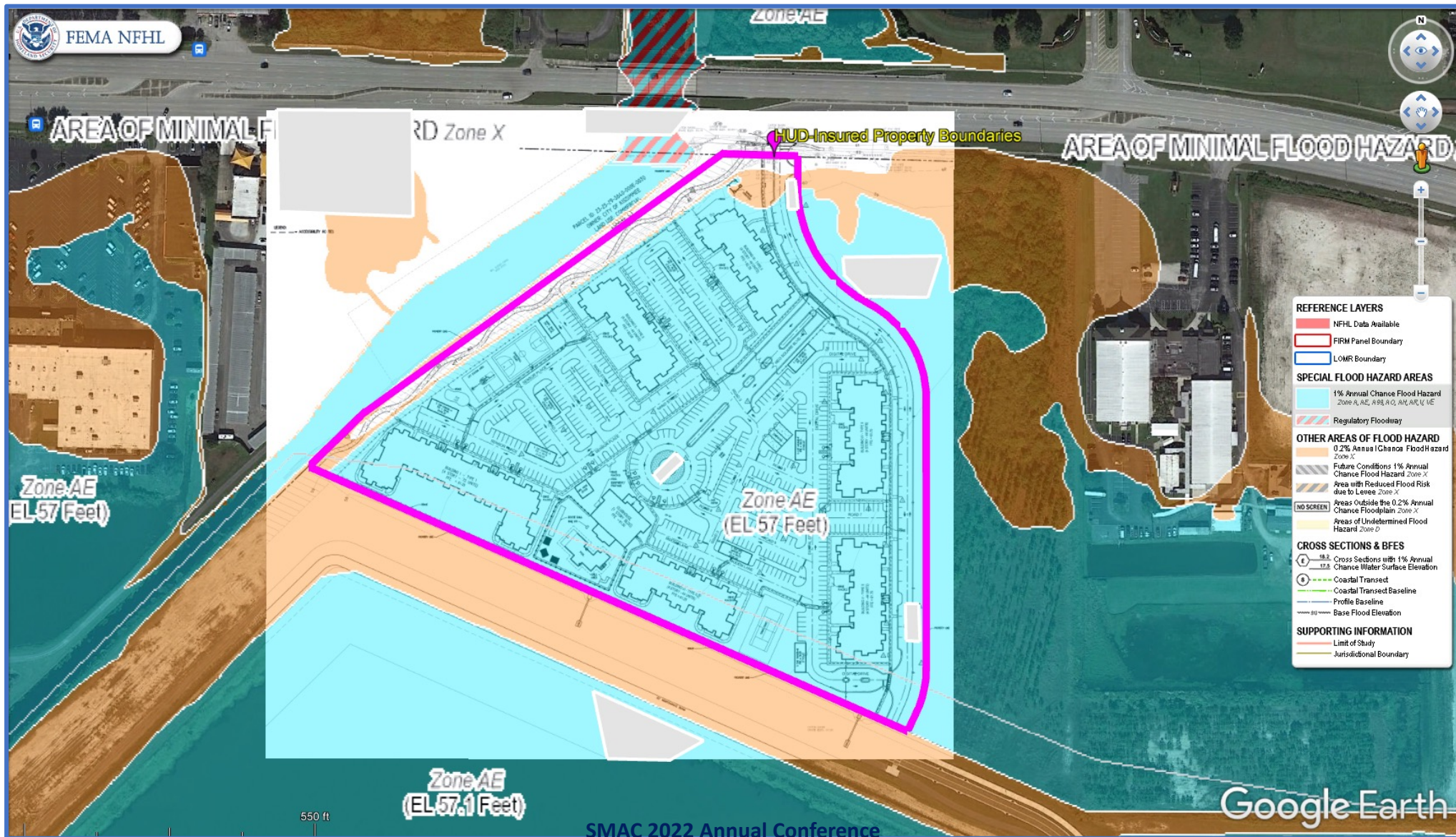
- ACHP must be notified using Electronic §106 Documentation Submittal System (e106). <https://www.achp.gov/e106-email-form>
- The Word document walks you through the information you need to include.
 - Description of undertaking and area of potential effect (APE)
 - Steps taken to identify historic properties
 - Description of affected historic properties & the undertaking's effects on historic properties
 - Explanation of how undertaking would adversely affect historic property – including any conditions or future actions known to date to avoid, minimize, or mitigate adverse effects
 - Copies or summaries of any views provided by consulting parties and the public
 - Status of consultations that have occurred to date, including any unresolved concerns that ACHP should know about in deciding whether to participate in consultation
 - Documentation!!!
- **TAKE HOMES: Follow the March 18, 2021 Memo and use the e-106 system and its instructions!**

FLOODPLAIN MANAGEMENT AND FLOOD INSURANCE

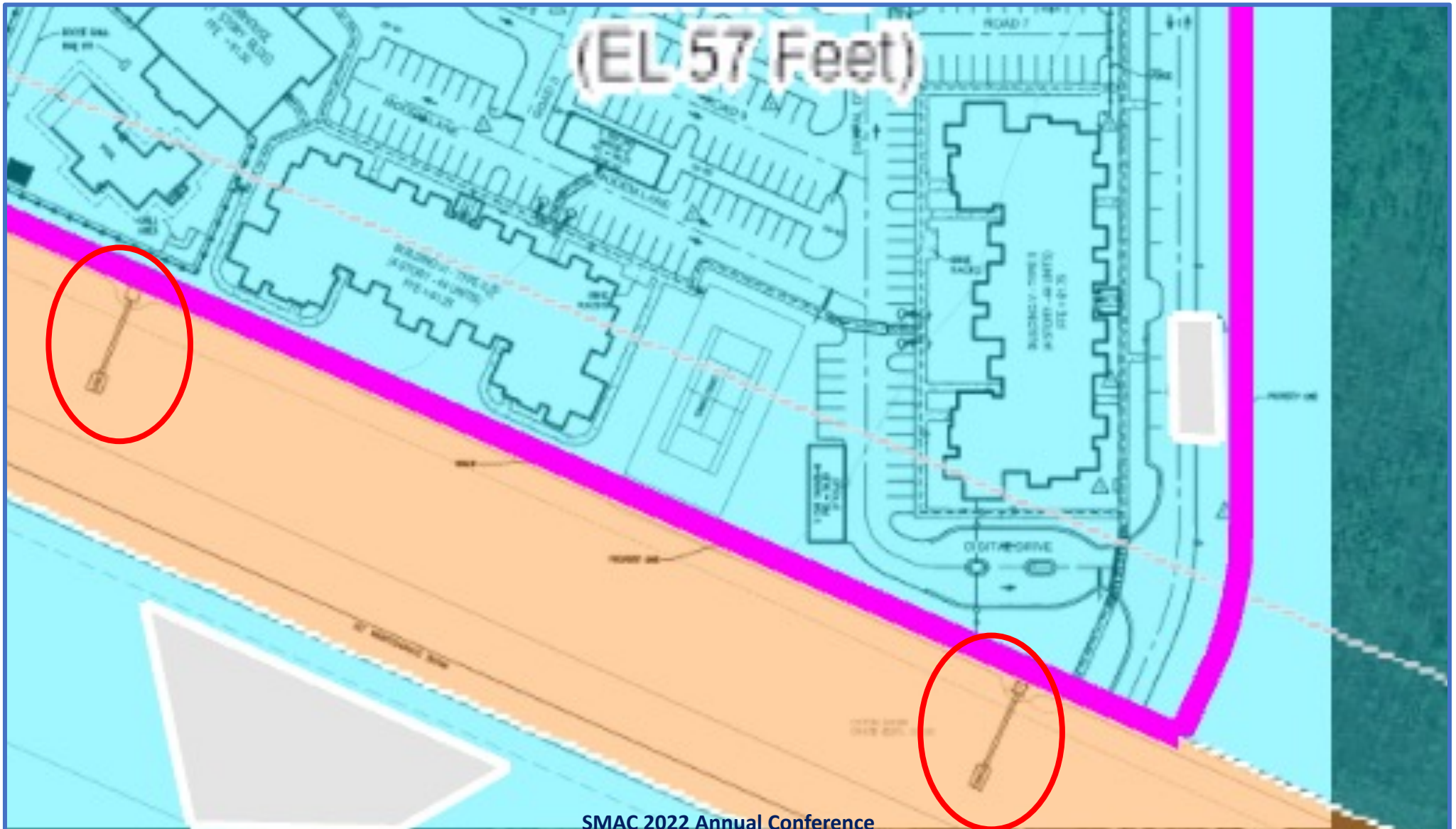
SEPARATE LEGAL AUTHORITIES, CONCERNS, AND COMPLIANCE TRIGGERS

	FLOOD INSURANCE	FLOODPLAIN MANAGEMENT
LEGAL AUTHORITY	42 U.S.C. 4106	E.O. 11988 / 24 CFR Part 55
OBJECTIVE	Disaster Recovery	Prevent or Minimize Loss of Life and Property
APPLIES TO	Existing or Proposed Insurable Property	All Activities Comprising the Project
CORE DOCUMENTATION	Effective Flood Insurance Rate Map (FIRM)	Effective or Preliminary FIRM, Preliminary FIS
COMPLIANCE TRIGGER	Location Within 100-Year Floodplain	Impacts to Floodplain
COMPLIANCE REQUIREMENTS	Purchase NFIP Flood Insurance Covering All Affected Insurable Property	Complete 8-Step Process at 24 CFR 55.20, and/or Document Exceptions under 55.12

PROJECT BOUNDARIES - FLOOD INSURANCE



(EL 57 Feet)





FEMA NFHL

AREA OF MINIMAL FLOOD HAZARD

Zone X

HUD-Insured Property Boundaries

AREA OF MINIMAL FLOOD HAZARD

Zone AE
(EL 57 Feet)

Zone AE
(EL 57 Feet)

Zone AE
(EL 57.1 Feet)

550 ft

REFERENCE LAYERS

- NFHL Data Available
- FIRM Panel Boundary
- LOMR Boundary

SPECIAL FLOOD HAZARD AREAS

- 1% Annual Chance Flood Hazard (Zone A, AE, A99, A9, AH, AR, U, VE)
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard (Zone X)
- Future Conditions 1% Annual Chance Flood Hazard (Zone X)
- Area with Reduced Flood Risk due to Levee (Zone X)
- Areas Outside the 0.2% Annual Chance Floodplain (Zone X)
- Areas of Undetermined Flood Hazard (Zone D)

CROSS SECTIONS & BFES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transsect
- Coastal Transsect Baseline
- Profile Baseline
- Base Flood Elevation

SUPPORTING INFORMATION

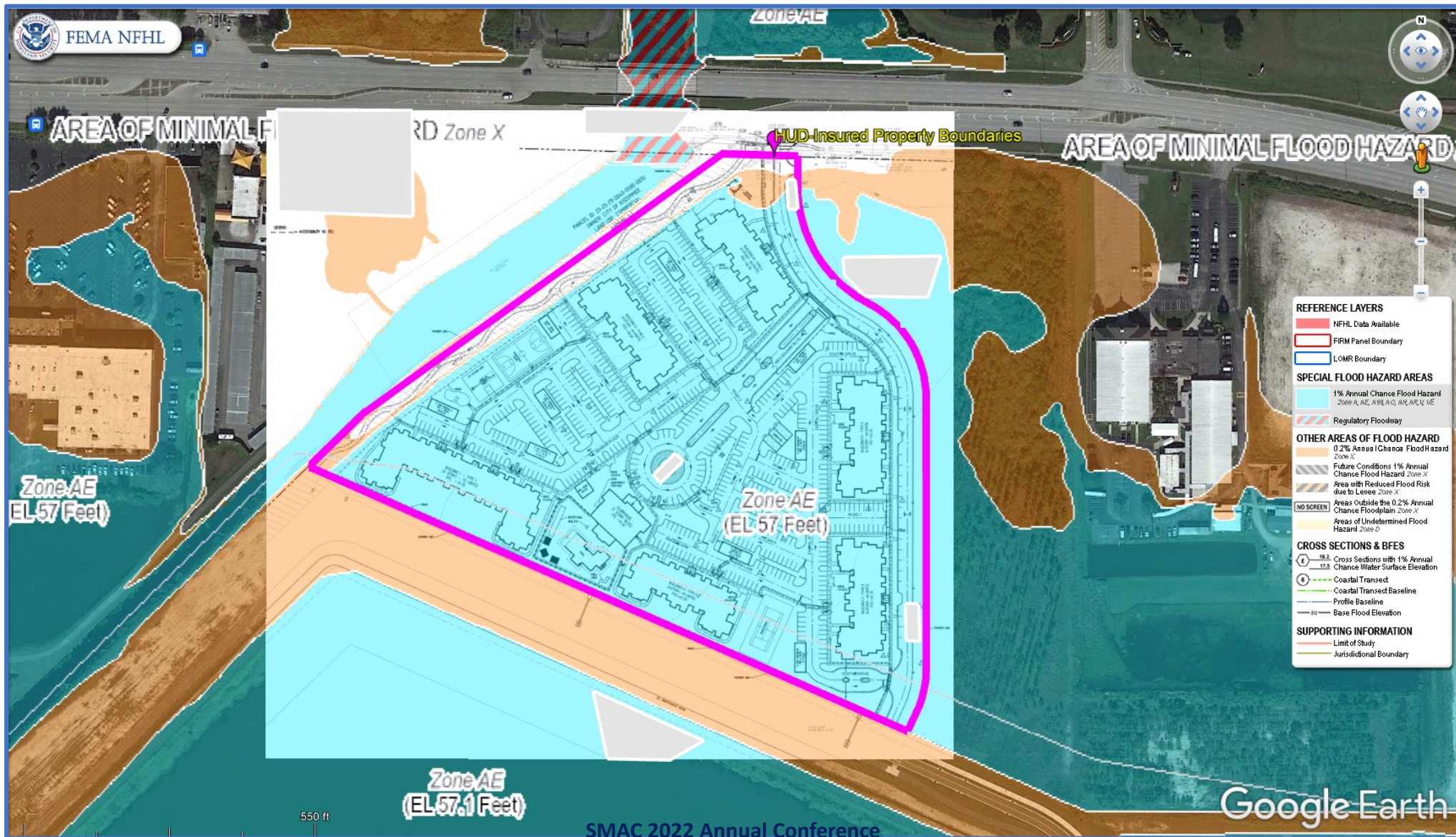
- Limit of Study
- Jurisdictional Boundary

Google Earth

PROJECT BOUNDARIES - FLOOD INSURANCE



PROJECT BOUNDARIES - FLOOD INSURANCE





FEMA NFHL

AREA OF MINIMAL FLOOD HAZARD

RD Zone X

Zone AE

HUD-Insured Property Boundaries

AREA OF MINIMAL FLOOD HAZARD

Zone AE
(EL 57 Feet)

Sewer Main (Proposed)

Zone AE
(EL 57 Feet)

Zone AE
(EL 57.1 Feet)

550 ft

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CROSS SECTIONS & BFES

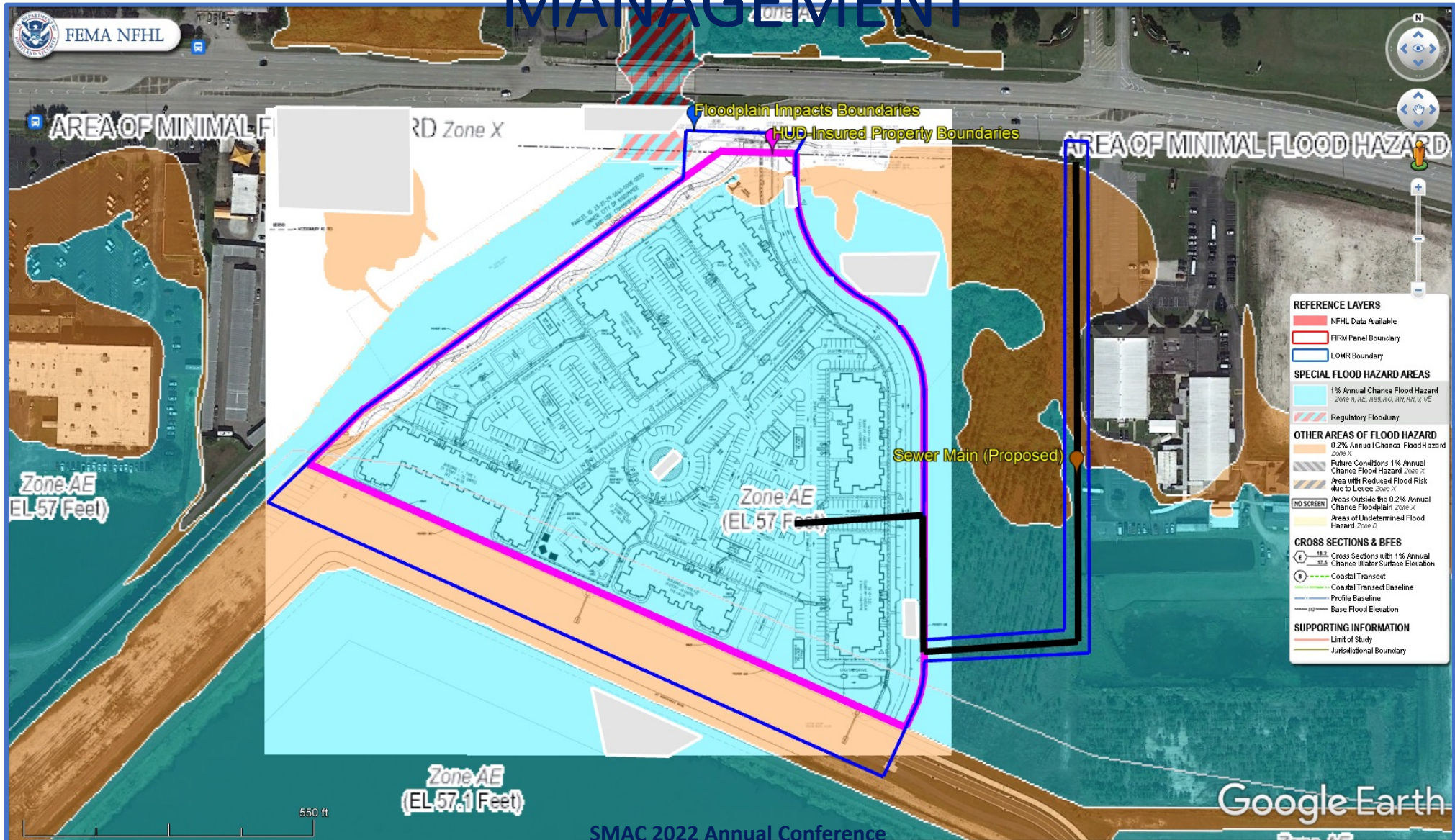
- 18.2: Cross Sections with 1% Annual Chance Water Surface Elevation
- 17.4: Coastal Transect
- Coastal Transect Baseline
- Profile Baseline
- Base Flood Elevation

SUPPORTING INFORMATION

- Limit of Study
- Jurisdictional Boundary

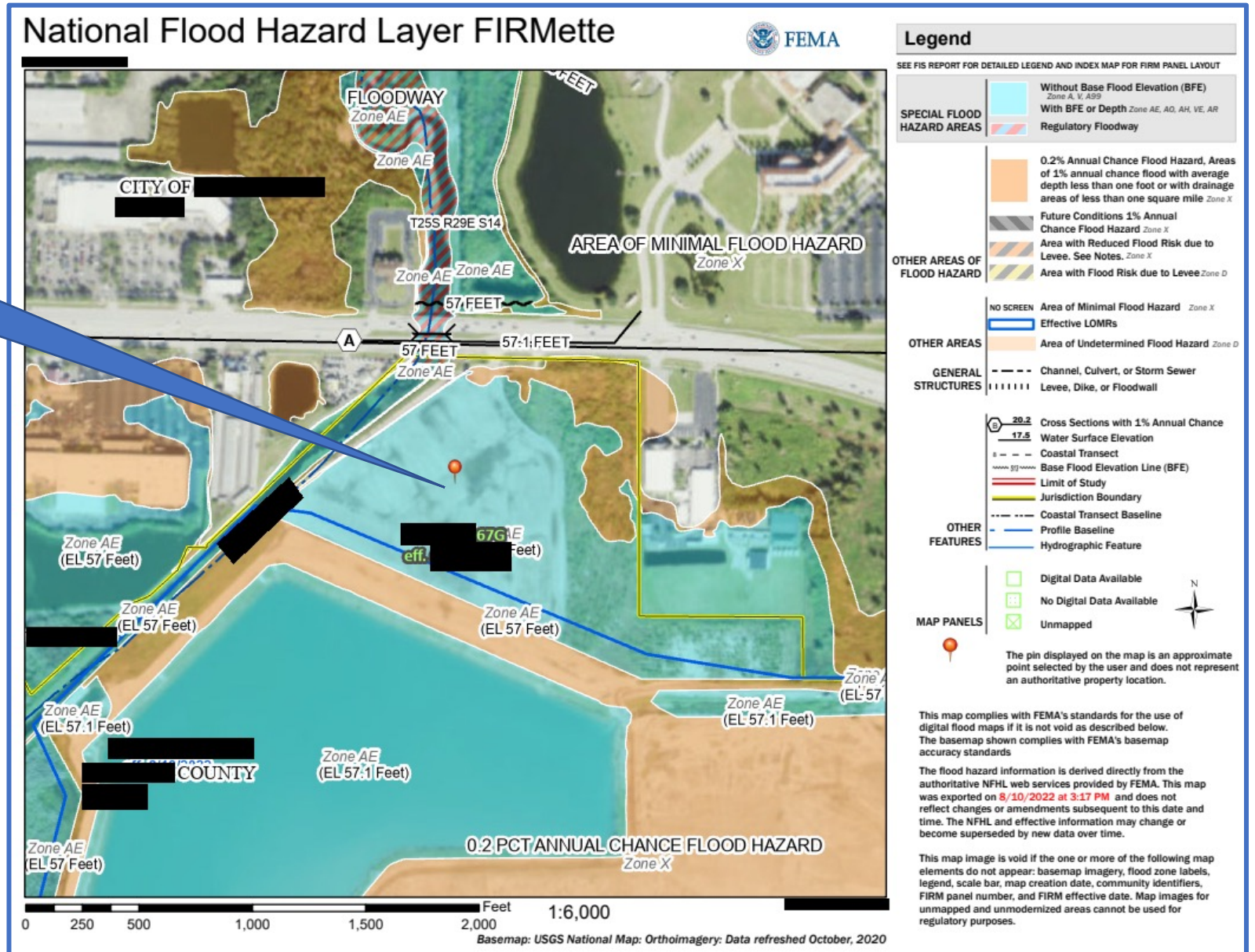
Google Earth

PROJECT BOUNDARIES – FLOODPLAIN MANAGEMENT



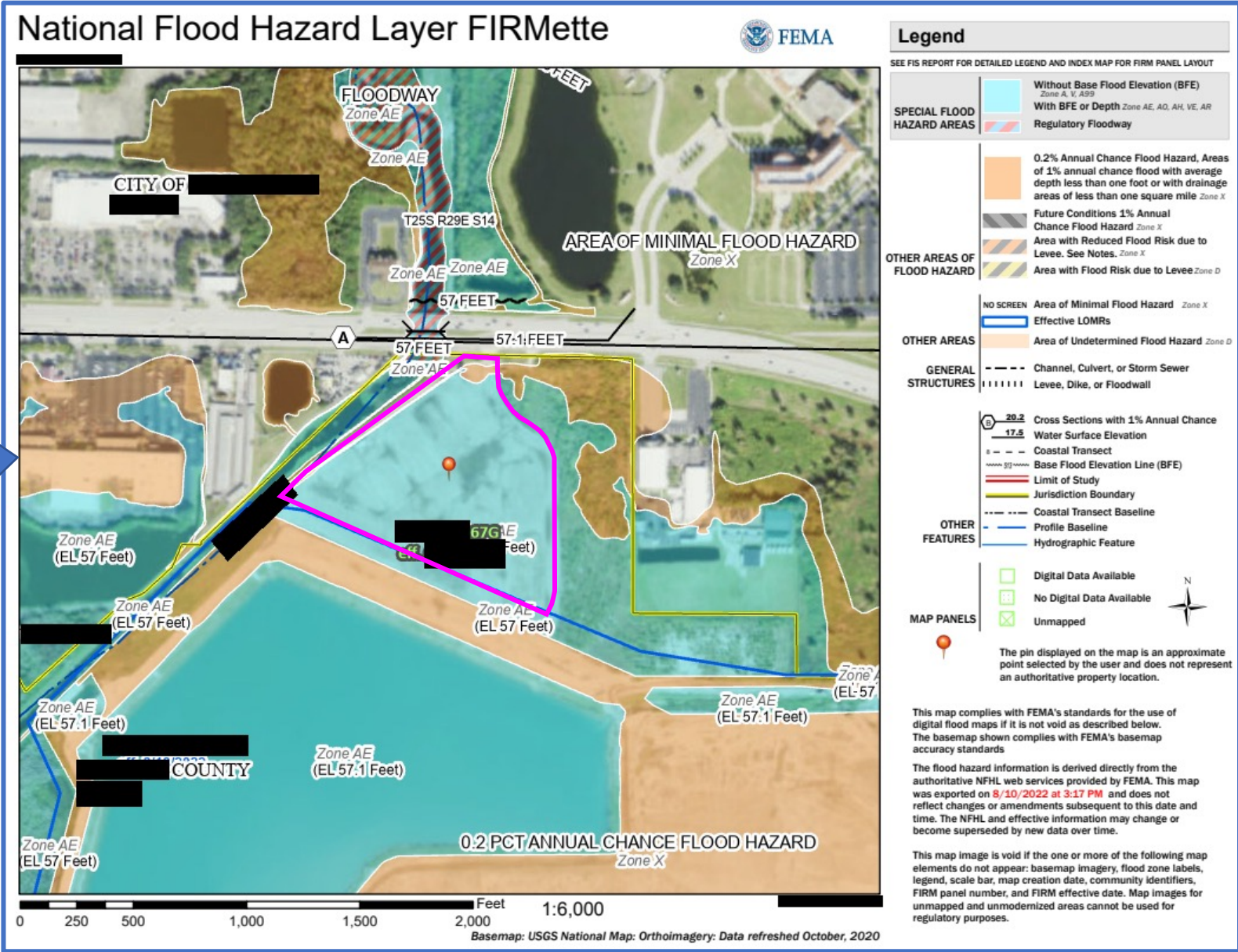
SUPPORTING DOCUMENTS – PROBLEMS & FIXES

PROJECT BOUNDARIES ARE NOT SHOWN FOR EITHER SET OF REQUIREMENTS

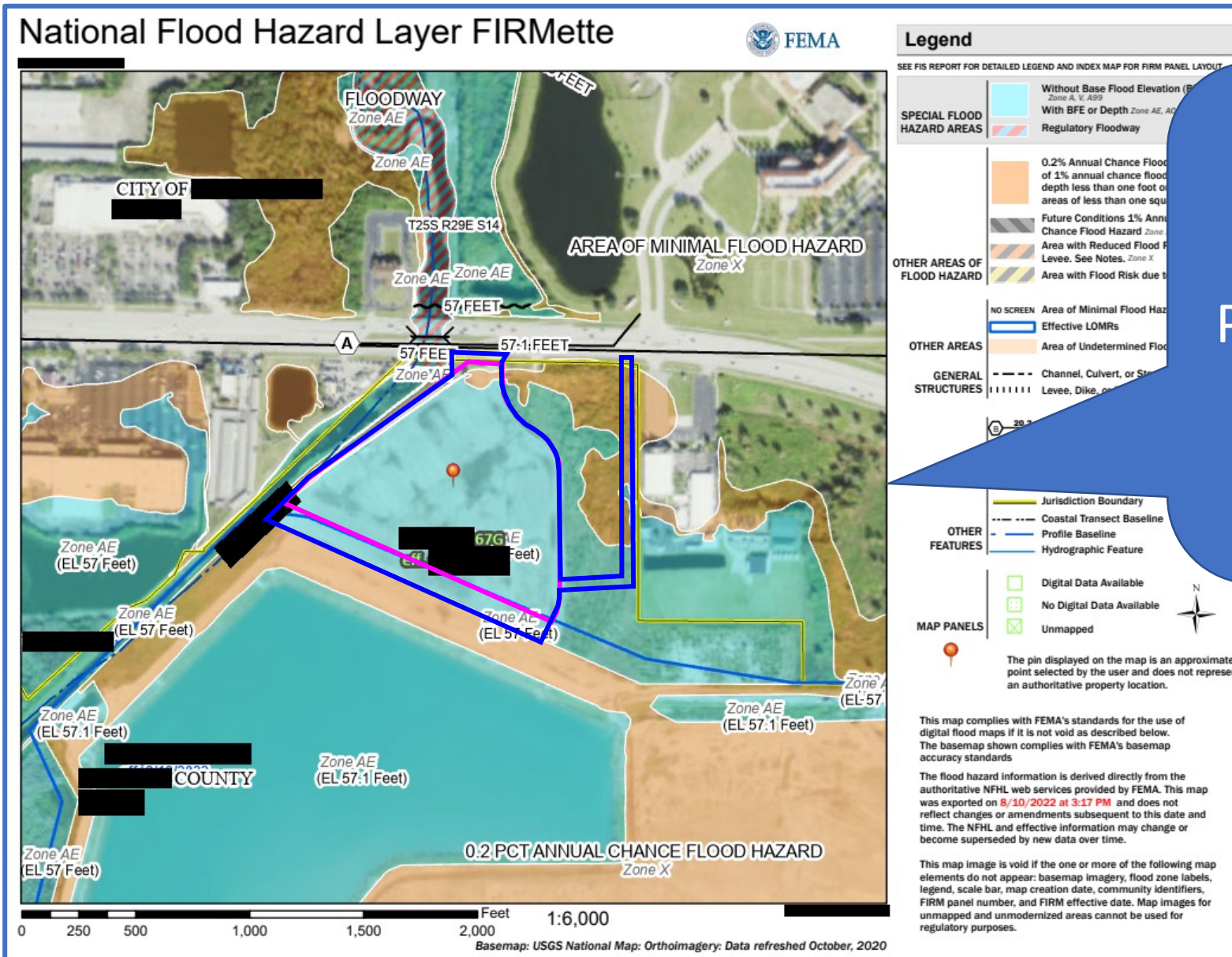


SUPPORTING DOCUMENTS – PROBLEMS & FIXES

COPIES OF THE SITE PLAN AND THIS MAP SUPPORT YOUR DETERMINATION FOR FLOOD INSURANCE

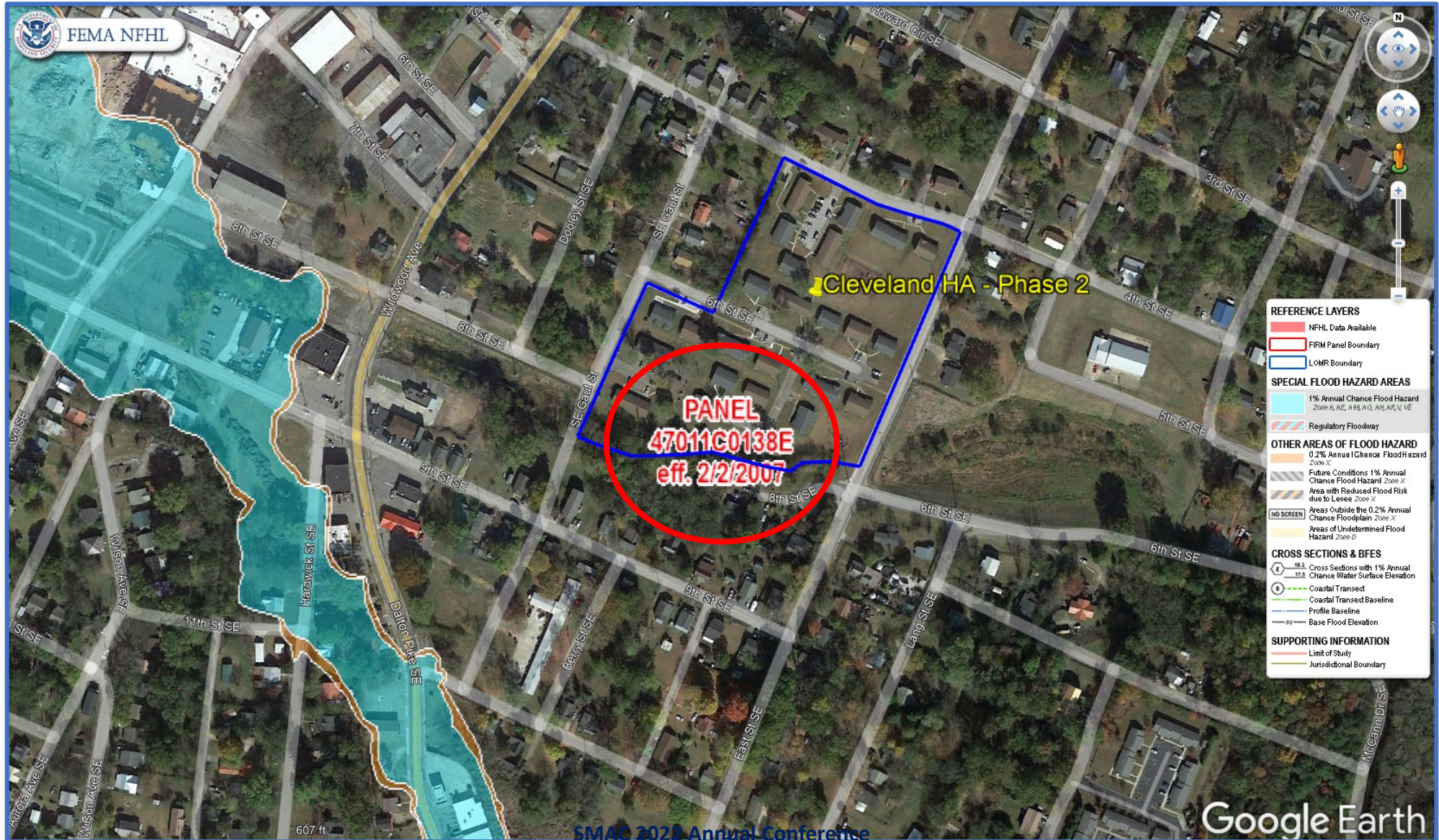


SUPPORTING DOCUMENTS – PROBLEMS & FIXES



THIS MAP, PLUS COPIES OF SITE AND UTILITY PLANS, DOCUMENTS THE AREA OF FLOODPLAIN IMPACTS





CURRENT VS. PRELIMINARY DATA



FINDING PRELIMINARY DATA

FEMA Flood Map Service Center: Search All Products

Choose one of the three search options below and optionally enter a posting date range.

Jurisdiction	Jurisdiction Name	Product ID 
State	Jurisdiction Name or FEMA ID	Product ID
TENNESSEE 	<input type="text"/>	<input type="text"/>
County	<i>(Ex. Fairfax County-wide or 51059C)</i>	<i>(Ex. Panel Number, LOMC Case Number)</i>
BRADLEY COUNTY 		
Community		
CLEVELAND, CITY OF 		

[> Filter By Posting Date Range \(Optional\)](#)











<https://msc.fema.gov/portal/advanceSearch>

FINDING PRELIMINARY DATA

Search Results for CLEVELAND, CITY OF

Click [subscribe](#) to receive email notifications when products are updated. If you are a person with a disability, are blind, or have low vision, and need assistance, please contact a [map specialist](#).


Please Note: Searching All Products by county displays all products for all communities within the county. You can refine your search results by specifying your specific jurisdiction location using the drop-down menus above.

-  Effective Products (43) 
-  Preliminary Products (21) 
-  Pending Product (0) 
-  Historic Products (26) 
-  Flood Risk Products (0) 

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 Official website of the Department of Homeland Security


FINDING PRELIMINARY DATA

Search Results for CLEVELAND, CITY OF

Click [subscribe](#) to receive email notifications when products are updated. If you are a person with a disability, are blind, or have low vision, and need assistance, please contact a [map specialist](#).

Please Note: Searching All Products by county displays all products for all communities within the county. You can refine your search results by specifying your specific jurisdiction location using the drop-down menus above.

 Effective Products (43) 

 Preliminary Products (21) 

Please note: Preliminary data are for review and guidance purposes only. By viewing preliminary data and maps, the user acknowledges that the information provided is preliminary and subject to change. Preliminary data, including new or revised FIRMs, FIS reports, and FIRM Databases, are not final and are presented on the MSC as the best information available at this time. Additionally, preliminary data cannot be used to rate flood insurance policies or enforce the Federal mandatory purchase requirement. FEMA will remove preliminary data once effective data are available.

▶ Preliminary FIRM Panels (18)

 DL ALL

▶ Preliminary FIS Reports (2)

 DL ALL

▶ Preliminary FIRM Database (1)

 Pending Product (0) 

 Historic Products (26) 



















 Flood Risk Products (0) 

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FINDING PRELIMINARY DATA

Showing 1 to 18 of 18 entries

Previous **1** Next

Product ID	Issue Date	Size	Download
47011CIND0B	03/27/2020	1 MB	 DL
47011C0030F	03/27/2020	12MB	 DL
47011C0040F	03/27/2020	22MB	 DL
47011C0045F	03/27/2020	12MB	 DL
47011C0109F	03/27/2020	21MB	 DL
47011C0110F	03/27/2020	26MB	 DL
47011C0117F	03/27/2020	22MB	 DL
47011C0119F	03/27/2020	20MB	 DL
47011C0120F	03/27/2020	27MB	 DL
47011C0125F	03/27/2020	25MB	 DL
47011C0126F	03/27/2020	20MB	 DL
47011C0127F	03/27/2020	18MB	 DL
47011C0128F	03/27/2020	21MB	 DL
47011C0129F	03/27/2020	17MB	 DL
47011C0136F	03/27/2020	20MB	 DL
47011C0138F	03/27/2020	19MB	 DL
47011C0207F	03/27/2020	18MB	 DL
47011C0210F	03/27/2020	18MB	 DL



Cleveland HA - Phase 2

372 ft

SMAAC 2022 Annual Conference

Google Earth



372 ft

WETLANDS PROTECTION

SAME PROBLEM: MAP SHOWS HUD-COLLATERAL SITE BOUNDARIES ONLY



WETLANDS PROTECTION

SAME SOLUTION: NWI MAP SHOWS HUD-COLLATERAL + OFFSITE DEVELOPMENT



WETLANDS PROTECTION

DATA SOURCES

Primary: USFWS NATIONAL WETLANDS INVENTORY (NWI) MAPS

- Where NWI maps suggest wetlands are within project-impact area, determination by FWS staff or an appropriate wetlands professional is required.
- Whenever water or evidence of water is located on or near areas to be impacted, secondary sources should be reviewed

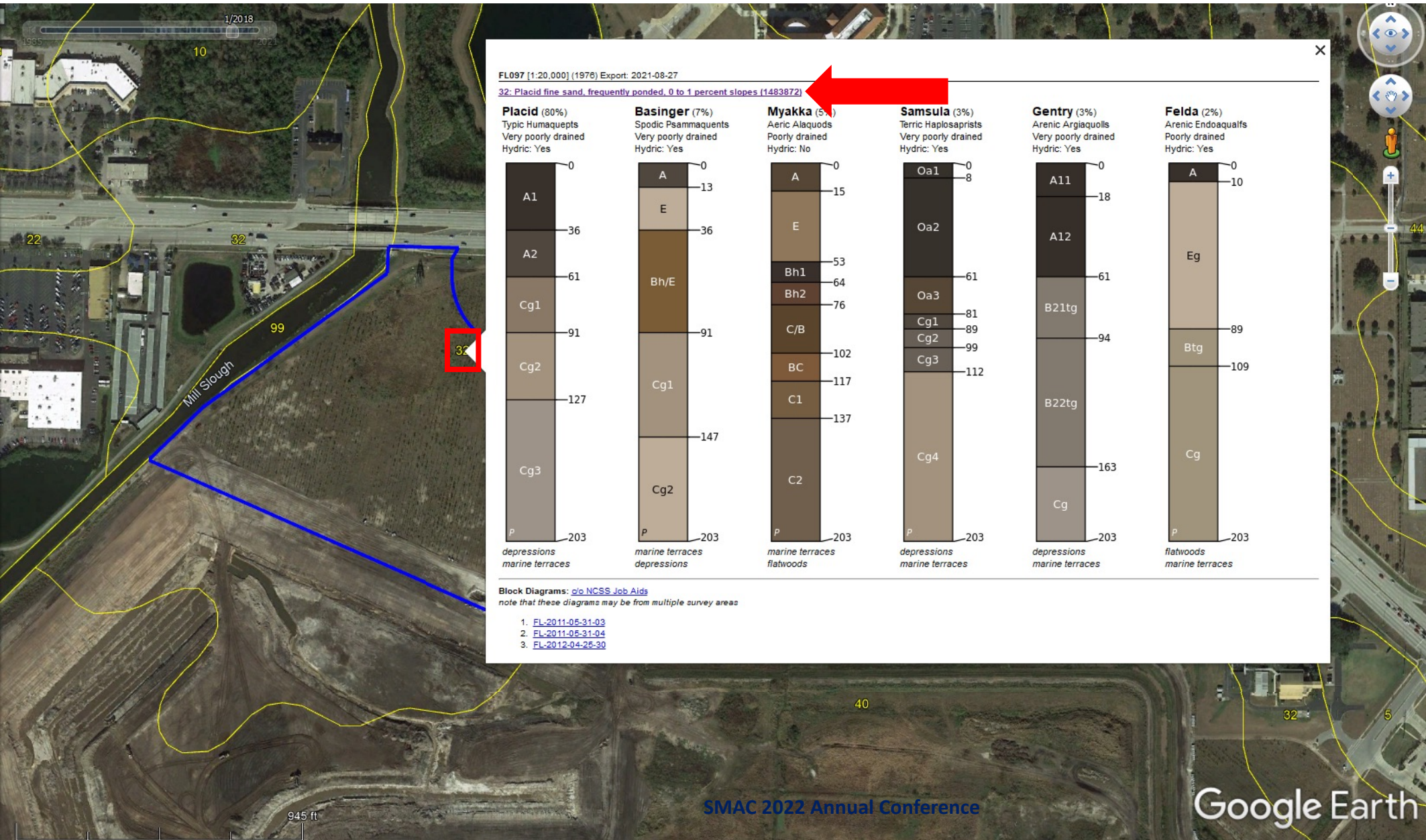
WETLANDS PROTECTION

DATA SOURCES

Secondary:

- State or local authorities and GIS databases
- NRCS soil maps

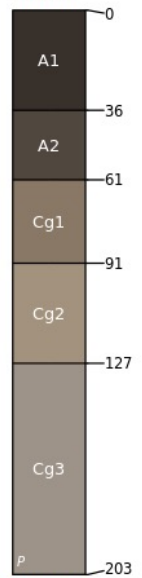
WETLANDS PROTECTION



FL097 [1:20,000] (1976) Export: 2021-08-27

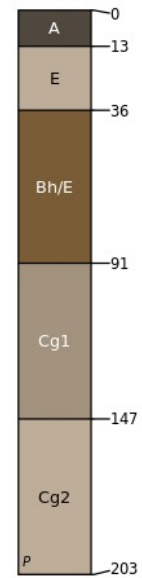
32: Placid fine sand, frequently ponded, 0 to 1 percent slopes (1483872)

Placid (80%)
Typic Humaquepts
Very poorly drained
Hydric: Yes



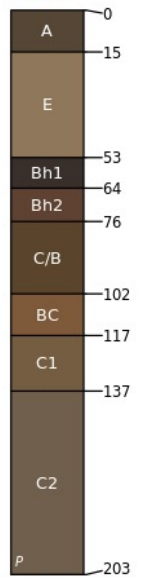
depressions
marine terraces

Basinger (7%)
Spodic Psammaquepts
Very poorly drained
Hydric: Yes



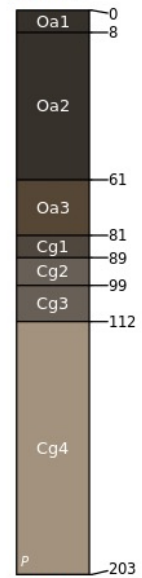
marine terraces
depressions

Myakka (5%)
Aeric Alaquods
Poorly drained
Hydric: No



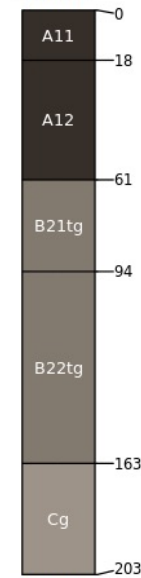
marine terraces
flatwoods

Samsula (3%)
Terric Haplosaprists
Very poorly drained
Hydric: Yes



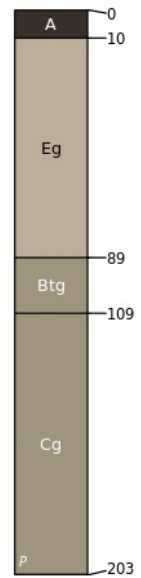
depressions
marine terraces

Gentry (3%)
Arenic Argiaqualls
Very poorly drained
Hydric: Yes



depressions
marine terraces

Felda (2%)
Arenic Endoaqualls
Poorly drained
Hydric: Yes



flatwoods
marine terraces

Block Diagrams: [c/o NCSS Job Aids](#)
note that these diagrams may be from multiple survey areas

1. [FL-2011-05-31-03](#)
2. [FL-2011-05-31-04](#)
3. [FL-2012-04-25-30](#)

Map Unit Composition

Map units consist of 1 or more soil types, commonly referred to as "components".

Component Name	Geomorphic Position	Area Fraction	Component Type	Horizon Data
Soil Type 1 Placid	depressions marine terraces	80%	Major Soil Type	YES
Soil Type 2 Basinger	marine terraces depressions	7%	Inclusion	YES
Soil Type 3 Myakka	marine terraces flatwoods	5%	Inclusion	YES
Soil Type 4 Samsula	depressions marine terraces	3%	Inclusion	YES
Soil Type 5 Gentry	depressions marine terraces	3%	Inclusion	YES
Soil Type 6 Felda	flatwoods marine terraces	2%	Inclusion	YES

Note: links to horizon data marked with an * are approximate.

Map Unit Data [What is a Map Unit?](#)

Cartographic information about this map unit.

Map Unit Name:	Placid fine sand, frequently ponded, 0 to 1 percent slopes
Map Unit Type:	Consociation
Map Unit Symbol:	32
Map Unit Area:	38664 acres total in survey area
	Raw Map Unit Data
	Raw Component Data (All Components)

Map Unit Aggregated Data

Generalized soils information within this map unit.

Farmland Class:	Not prime farmland
Available Water Storage (0-100cm):	9.16 cm
Max Flood Freq:	None
Drainage Class (Dominant Condition):	Very poorly drained
Drainage Class (Wettest Component):	Very poorly drained
Hydric Conditions:	95
[Annual] Min. Water Table Depth:	0 cm
[April-June] Min. Water Table Depth:	8 cm
Min Bedrock Depth:	n/a
	Raw Aggregated Map Unit Data

Associated Point Data

Links to any NSSL point data within this map unit.

1. Placid (1975-FL097-S49_024)	[Lab Data] [Pedon Description]
2. FL-2011-03-31-24	
3. FL-2012-04-25-30	

Map Unit Composition

Map units consist of 1 or more soil types, common

[Soil Type 1 Placid](#)

[Soil Type 2 Basinger](#)

[Soil Type 3 Myakka](#)

[Soil Type 4 Samsula](#)

[Soil Type 5 Gentry](#)

[Soil Type 6 Felda](#)

Note: links to horizon data marked with an asterisk

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Raw Aggregated Map Unit Data	

Associated Point Data

Links to any NSSL point data within this map unit.

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2. FL-2011-09-31-04	
3. FL-2012-04-25-30	

Component Type	Horizon Data
Major Soil Type	YES
Inclusion	YES
Inclusion	YES
Inclusion	YES
Inclusion	YES
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Map Unit Aggregated Data

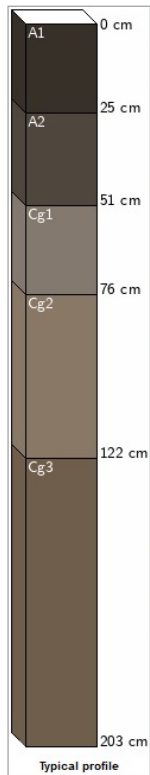
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	Raw Aggregated Map Unit Data

Associated Point Data

Links to any NSSL point data within this map unit.

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--------------------------------	--



Soil Taxonomy

Order:	Inceptisols
Suborder:	Aquepts [Map of Suborders]
Greatgroup:	Humaquepts
Subgroup:	Typic Humaquepts
Family:	Sandy, siliceous, hyperthermic Typic Humaquepts
Soil Series:	Placid (Link to OSD) (Soil Series Explorer)
Data:	[Lab Data]
Raw Data	Component All Horizons

Land Classification

Storie Index	NOT RATED
Land Capability Class [non-irrigated]	7-w
Land Capability Class [irrigated]	-
Ecological Site Description	n/a
Forage Suitability Group	n/a

Soil Suitability Ratings

Waste Related	Engineering
Urban/Recreational	Irrigation
Wildlife	Runoff

Hydraulic and Erosion Ratings

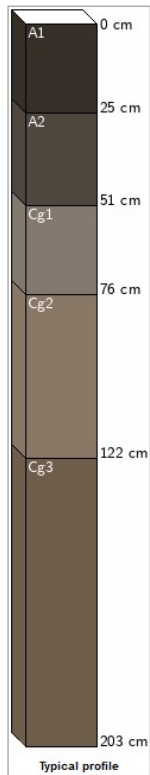
Wind Erodibility Group	1
Wind Erodibility Index	250
T Erosion Factor	5
Runoff	Negligible
Drainage	Very poorly drained
Hydric Rating / Hydrologic Group	Yes (Neither wooded nor farmable under natural conditions) [Group A/D]
Parent material:	sandy marine deposits
Total Plant Available Water (cm):	16.24

Geomorphology

Landscape	coastal plains
Landform	depressions
Landform	marine terraces

Plants

Symbol	Scientific Name	Common Name	Range Prod.
PONT1	<i>Pontederia</i>	pickereelweed	
SPBA	<i>Spartina bakeri</i>	sand cordgrass	
ARST3	<i>Aristida stricta</i>	pineleaf threeawn	
MOCE2	<i>Morella cerifera</i>	wax myrtle	
XYLA1	<i>Xyris laxifolia</i> var. <i>iridifolia</i>	irisleaf yelloweyed grass	
AMMU2	<i>Amphicarpum muehlenbergianum</i>	blue maidencane	
ZIMI	<i>Zizaniopsis miliacea</i>	giant cutgrass	
ANVIG2	<i>Andropogon virginicus</i> var. <i>glauca</i>	chalky bluestem	
PATE3	<i>Panicum tenerum</i>	bluejoint panicum	



Soil Taxonomy

Order:	Inceptisols
Suborder:	Aquepts [Map of Suborders]
Greatgroup:	Humaquepts
Subgroup:	Typic Humaquepts
Family:	Sandy, siliceous, hyperthermic Typic Humaquepts
Soil Series:	Placid (Link to OSD) (Soil Series Explorer)
Data:	[Lab Data]
Raw Data	Component All Horizons

Land Classification

Storie Index	NOT RATED
Land Capability Class [non-irrigated]	7-w
Land Capability Class [irrigated]	-
Ecological Site Description	n/a
Forage Suitability Group	n/a

Soil Suitability Ratings

Waste Related	Engineering
Urban/Recreational	Irrigation
Wildlife	Runoff

Hydraulic and Erosion Ratings

Wind Erodibility Group	1
Wind Erodibility Index	250
T Erosion Factor	5
Runoff	Negligible
Drainage	Very poorly drained

Hydric Rating / Hydrologic Group	<i>Yes (Neither wooded nor farmable under natural conditions) [Group A/D]</i>
---	---

Landform	depressions
Landform	marine terraces

Plants

Symbol	Scientific Name	Common Name	Range Prod.
PONTI	<i>Pontederia</i>	pickernelweed	
SPBA	<i>Spartina bakeri</i>	sand cordgrass	
ARST3	<i>Aristida stricta</i>	pineiland threeawn	
MOCE2	<i>Morella cerifera</i>	wax myrtle	
XYLA1	<i>Xyris laxifolia</i> var. <i>iridifolia</i>	irisleaf yelloweyed grass	
AMMU2	<i>Amphicarpum muehlenbergianum</i>	blue maidencane	
ZIMI	<i>Zizaniopsis miliacea</i>	giant cutgrass	
ANVIG2	<i>Andropogon virginicus</i> var. <i>glaucus</i>	chalky bluestem	
PATE3	<i>Panicum tenerum</i>	bluejoint panicum	

24 CFR 55.2(b)(11)

(11) **Wetlands** means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. This definition includes those wetland areas separated from their natural supply of water as a result of activities such as the construction of structural flood protection methods or solid-fill road beds and activities such as mineral extraction and navigation improvements. This definition includes both wetlands subject to and those not subject to section 404 of the Clean Water Act **as well as constructed wetlands**. The following process shall be followed in making the wetlands determination:

(i) HUD or, for programs subject to 24 CFR part 58, the responsible entity, shall make a determination whether the action is new construction that is located in a wetland. These actions are subject to processing under the §55.20 decisionmaking process for the protection of wetlands.

(ii) As primary screening, HUD or the responsible entity shall verify whether the project area is located in proximity to wetlands identified on the National Wetlands Inventory (NWI). If so, HUD or the responsible entity should make a reasonable attempt to consult with the Department of the Interior, Fish and Wildlife Service (FWS), for information concerning the location, boundaries, scale, and classification of wetlands within the area. If an NWI map indicates the presence of wetlands, FWS staff, if available, must find that no wetland is present in order for the action to proceed without further processing. Where FWS staff is unavailable to resolve any NWI map ambiguity or controversy, an appropriate wetlands professional must find that no wetland is present in order for the action to proceed without §55.20 processing.

(iii) As secondary screening used in conjunction with NWI maps, HUD or the responsible entity is encouraged to use the Department of Agriculture, Natural Resources Conservation Service (NRCS) National Soil Survey (NSS) and any state and local information concerning the location, boundaries, scale, and classification of wetlands within the action area.

EXPLOSIVE AND FLAMMABLE HAZARDS

2080 - Explosive and Flammable Hazards (50/58)		Project Name: [REDACTED]
General Requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C
Reference		
https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities/		
<p>Note that if you change answers on this screen, make sure to press "Next" button in order for the information to save and proceed to the appropriate next question.</p>		
<p>1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?</p> <p><input checked="" type="radio"/> No <input type="radio"/> Yes</p>		
<p>2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?</p> <p><input type="radio"/> No <input checked="" type="radio"/> Yes</p>		
<p>3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:</p> <ul style="list-style-type: none">• Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR• Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58. <p>If all containers within the search area fit the above criteria, answer "No". For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes".</p> <p><input checked="" type="radio"/> No <input type="radio"/> Yes</p>		
		Next

Screen Summary

Compliance Determination

Describe the basis that led to your determination here, identifying all key elements from your support documentation that substantiate your determination. The following **minimum language** is based on your responses in this section. You are strongly encouraged to edit this language to provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Upload all supporting documents required in this section here:

.pdf 

Are formal compliance steps or mitigation required?

Only Responsible Entity (for Part 58) or HUD (for Part 50) Users may respond to this question. Ensure that this question is complete before finalizing the review.

- Yes
 No

Screen Summary

Compliance Determination

Describe the basis that led to your determination here, identifying all key elements from your support documentation that substantiate your determination. The following minimum language is based on your responses in this section. You are strongly encouraged to edit this language to provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

There are no **current or planned** stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.

RECOMMENDED INFORMATION FOR NARRATIVE: FOR ASTs within this jurisdiction, what authorities or agencies:

- Regulate or track
- Review applications and issue permits
- Conduct inspections and on what frequency
- Or need to know locations and details of ASTs for incident or emergency response purposes

ENDANGERED SPECIES

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2025 - Endangered Species Act (50/58) Project Name: [REDACTED]

General Requirements	Legislation	Regulation
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services").	The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); particularly section 7 (16 USC 1536).	50 CFR Part 402

Reference
<https://www.onecpd.info/environmental-review/endangered-species>

Note that if you change answers on this screen, make sure to press "Next" button in order for the information to save and proceed to the appropriate next question.

1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project. This selection is only appropriate if none of the activities involved in this project have potential to affect species or habitats. Examples of actions with potential to affect listed species may include: purchasing existing buildings, completion interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office.

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

Next

Screen Summary

Compliance Determination

Describe the basis that led to your determination here, identifying all key elements from your support documentation that substantiate your determination. The following minimum language is based on your responses in this section. You are strongly encouraged to edit this language to provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.

[REDACTED] US Fish and Wildlife Information for Planning and Consultation (IPAC) program. There are three (3) endangered species that known to occur or may be affected by activities at the Proposed Project location. There are two (2) migratory birds of conservation concern that are expected to occur or maybe affected by activities in the area of the Proposed Project. There are no critical habitats within the Proposed Project area under US Fish and Wildlife's jurisdiction.

Class Description Status

Mammal
Gray Bat (*Myotis grisescens*) Endangered
Indiana Bat (*Myotis sodalis*) Endangered
Northern Long-eared Bat (*Myotis septentrionalis*) Endangered

Bird
Red-headed Woodpecker (*Melanerpes erythrocephalus*) Species of Concern
Wood Thrush (*Hylocichla ustulata*) Species of Concern

During the site reconnaissance walk, trees were observed were Hackberry, Eastern Red Cedar, Chinese Privet, Cherry and Honey Locust along the north, west and south property lines. The remainder of the site is open field. These trees are typically not suitable bat roosting habitat. Shaggy bark trees, rocky crevices, and hollow trees are typical roosting spots during the summer months and hibernate in limestone caves. There is no critical habitat on the Proposed Project.

The Red-headed Woodpecker and the Wood Thrush both have the potential to breed in in the area from Many through middle September. Based on the Proposed Project development plans, a majority of current stands of trees will remain along the north, south, and west property lines, creating natural buffers from the railroad and East Camp Creek.

The IPAC report, along with the project description, site photographs and topographical maps were sent to USFWS - Cookeville TN office for review and concurrence. USFWS provided comment that the best available information indicates that suitable habitat does not exist at this location for federally listed species that are known to occur in Sumner County. USFWS does not expect individuals (listed bats), and USFWS does not anticipate any adverse effects to listed plants or take any listed animals.

Supporting documentation

Upload all supporting documents required in this section here.

[REDACTED]

Are formal compliance steps or mitigation required?
Only Responsible Entity (for Part 58) or HUD (for Part 50) Users may respond to this question. Ensure that this question is complete before finalizing the review.

Yes
 No

Cancel Review

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ENDANGERED SPECIES

HEROS version prod-1330-8302b487

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Mitigation Measures and Conditions
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Package

2025 - Endangered Species Act (50/58) Project Name: [REDACTED]

General Requirements	Legislation	Regulation
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (FWS) and "NMFS" or "the Services").	The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), particularly section 7 (16 USC 1536)	50 CFR Part 402
Reference		
https://www.onecpd.info/environmental-review/endangered-species		

1. Does the project involve any activities that have the potential to affect species or habitats?

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- No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office
- Yes, the activities involved in the project have the potential to affect species and/or habitats.

hazardous, highly erodible, rocky outcrops, and riparian areas are typical crossing spots along the eastern margin and tributaries in limestone caves. There is no critical habitat on the Proposed Project.

The Red-headed Woodpecker and the Wood Thrush both have the potential to breed in in the area from May through middle September. Based on the Proposed Project development plans, a majority of current stands of trees will remain along the north, south, and west property lines, creating natural buffers from the railroad and East Camp Creek.

The IPAC report, along with the project description, site photographs and topographical maps were sent to USFWS - Cookeville TN office for review and concurrence. USFWS provided comment that the best available information indicates that suitable habitat does not exist at this location for federally listed species that are known to occur in Sumner County. USFWS does not expect individuals (listed bats), and USFWS does not anticipate any adverse effects to listed plants or take any listed animals.

Supporting documentation
Upload all supporting documents required in this section here

Are formal compliance steps or mitigation required?
Only Responsible Entity (for Part 58) or HUD (for Part 50) Users may respond to this question. Ensure that this question is complete before finalizing the review.

Yes
 No

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ENDANGERED SPECIES

PROJECTS HAVING NO EFFECT DUE TO NATURE OF ACTIVITIES

- 223(a)(7)

Absent a letter of understanding or memorandum of agreement between HUD and the field office of jurisdiction for the Services (USFWS or NMFS, as applicable), all multifamily projects involving new construction or repairs of existing buildings should answer “Yes” to Question 1.

HUD Environmental Review Online System (HEROS) HEROS version prod-1338-8852b2d7

HEROS Home Guide to HEROS

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2025 - Endangered Species Act (50/58) **Project Name:** [REDACTED]

General Requirements	Legislation	Regulation
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services").	The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); particularly section 7 (16 USC 1536).	50 CFR Part 402

Reference
<https://www.onecpd.info/environmental-review/endangered-species>

Note that if you change answers on this screen, make sure to press "Next" button in order for the information to save and proceed to the appropriate next question.

1. Does the project involve any activities that have the potential to affect species or habitats?

- No, the project will have No Effect due to the nature of the activities involved in the project. This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. **Examples of actions with potential to affect listed species may include: purchasing existing buildings, completion interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.**
- No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office.
- Yes, the activities involved in the project have the potential to affect species and/or habitats.

Next

Screen Summary

Compliance Determination

Describe the basis that led to your determination here, identifying all key elements from your support documentation that substantiate your determination. The following minimum language is based on your responses in this section. You are strongly encouraged to edit this language to provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.

[REDACTED] US Fish and Wildlife Information for Planning and Consultation (IPaC) program. There are three (3) endangered species that known to occur or may be affected by activities at the Proposed Project location. There are two (2) migratory birds of conservation concern that are expected to occur or maybe affected by activities in the area of the Proposed Project. There are no critical habitats within the Proposed Project area under US Fish and Wildlife's jurisdiction.

Class Description Status

- Mammal
 - Gray Bat (*Myotis grisescens*) Endangered
 - Indiana Bat (*Myotis sodalis*) Endangered
 - Northern Long-eared Bat (*Myotis septentrionalis*) Endangered
- Bird
 - Red-headed Woodpecker (*Melanerpes erythrocephalus*) Species of Concern
 - Wood Thrush (*Hylocichla ustulata*) Species of Concern

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The Red-headed Woodpecker and the Wood Thrush both have the potential to breed in in the area from Many through middle September. Based on the Proposed Project development plans, a majority of current stands of trees will remain along the north, south, and west property lines, creating natural buffers from the railroad and East Camp Creek.

The IPaC report, along with the project description, site photographs and topographical maps were sent to USFWS - Cookeville TN office for review and concurrence. USFWS provided comment that the best available information indicates that suitable habitat does not exist at this location for federally listed species that are known to occur in Sumner County. USFWS does not expect individuals (listed bats), and USFWS does not anticipate any adverse effects to listed plants or take any listed animals.

Supporting documentation

Upload all supporting documents required in this section here.

Are formal compliance steps or mitigation required?
Only Responsible Entity (for Part 58) or HUD (for Part 50) Users may respond to this question. Ensure that this question is complete before finalizing the review.

- Yes
- No

Cancel Review

This HEROS version was deployed on Fri May 20, 2022 at 21:16

ENDANGERED SPECIES

1. Does the project involve any activities that have the potential to affect species or habitats?

- No, the project will have No Effect due to the nature of the activities involved in the project. This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.
- No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office
- Yes, the activities involved in the project have the potential to affect species and/or habitats.

2. Are federal listed species or designated critical habitats present in the action area?

Listed species are those that are either endangered (in danger of extinction throughout all or a significant portion of its range) or threatened (likely to become endangered within the foreseeable future throughout all or a significant portion of its range). Refer to HUD Exchange for information on consideration of candidate species (those that the Services have considered for listing but have not yet issued a final rule), and proposed species (those that have been proposed for listing).

- No, the project will have No Effect due to the absence of federally listed species and designated critical habitat.
- Yes, there are federal listed species or designated critical habitats present in the action area.

WHEREVER FWS IPaC REPORT FOR THE PROJECT AREA LISTS THREATENED OR ENDANGERED SPECIES, "Yes" IS THE ONLY CORRECT RESPONSE

ENDANGERED SPECIES

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.
- May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.
- Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

THREE OPTIONS FOR “EFFECTS”

NO EFFECT: Must be supported by scientifically defensible evidence showing absence of suitable habitat for listed species. NO “DESKTOP” REVIEWS OF HABITAT

ENDANGERED SPECIES

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.
- May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.
- Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

THREE OPTIONS FOR “EFFECTS”

NO EFFECT: Must be supported by scientifically defensible evidence showing absence of suitable habitat for listed species. NO “DESKTOP” REVIEWS OF HABITAT

MAY AFFECT, NOT LIKELY TO ADVERSELY AFFECT: Informal consultation required. May require biological assessment for one or more listed species.

ENDANGERED SPECIES

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.
- May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.
- Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

THREE OPTIONS FOR “EFFECTS”

NO EFFECT: Must be supported by scientifically defensible evidence showing absence of suitable habitat for listed species. NO “DESKTOP” REVIEWS OF HABITAT

MAY AFFECT, NOT LIKELY TO ADVERSELY AFFECT: Informal consultation required. May require biological assessment for one or more listed species.

ADVERSE EFFECT: Formal consultation required

ENDANGERED SPECIES

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

- No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.
- May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.
- Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

THREE OPTIONS FOR “EFFECTS”

NO EFFECT: Must be supported by scientifically defensible evidence showing absence of suitable habitat for listed species. NO “DESKTOP” REVIEWS OF HABITAT

MAY AFFECT, NOT LIKELY TO ADVERSELY AFFECT: Informal consultation required. May require biological assessment for one or more listed species.

ADVERSE EFFECT: Formal consultation required

ENDANGERED SPECIES

4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

Yes, the Service(s) concurred with the finding.

Upload the following in the Screen Summary at the conclusion of this screen:

- (1) A biological evaluation or equivalent document
- (2) Concurrence(s) from FWS and/or NMFS
- (3) Any other documentation of informal consultation

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

No, the Service(s) did not concur with the finding.

ENDANGERED SPECIES

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Upload the following in the Screen Summary at the conclusion of this screen:

- (1) A biological evaluation or equivalent document
- (2) Concurrence(s) from FWS and/or NMFS
- (3) Any other documentation of informal consultation

Upload the following in the Screen Summary at the conclusion of this screen:

COMMON MISTAKES

- Incomplete or inaccurate project info provided to FWS
- Qualified biologist not consulted or did not visit the project site
- Narrative summaries, or attached reports reference other documents that are not attached
- Concurrence from FWS conditioned on required mitigation, while details of mitigation plan are not specified
- Copies of all communication with FWS related to concurrence or mitigation requirements not attached.

NARRATIVE SUMMARIES & SUPPORTING DOCUMENTS

Screen Summary

Compliance Determination

Describe the basis that led to your determination here, identifying all key elements from your support documentation that substantiate your determination. The following **minimum language** is based on your responses in this section. You are strongly encouraged to edit this language to provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

MINIMUM EFFORT = MINIMUM RESULTS

ERR must provide information necessary for an average member of the general public to understand the reasoning and methods used in assessing impacts and making compliance determinations

NARRATIVE SUMMARIES & SUPPORTING DOCUMENTS

COPIES MUST BE ATTACHED

Screen Summary

Compliance Determination

Describe the basis that led to your determination here, identifying all key elements from your support documentation that substantiate your determination. The following minimum language is based on your responses in this section. You are strongly encouraged to edit this language to provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Incorporation by reference cannot be used for information or documents not widely available to the public.

MITIGATION PLANS

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5000 - Mitigation Measures and Conditions (50/58) Project Name:

Before proceeding with this screen, review to ensure that you have completed all preceding screens. The mitigation measures and conditions below are generated from information provided in the Law and Authority and EA Factor screens, so it is important that all previous screens be finalized before continuing.

Review the mitigation measures and conditions required of this project below.

Law, Authority, or Factor	Mitigation Measure or Condition	Mitigation Plan
Floodplain Management		<input type="text"/>
Noise Abatement and Control	<input type="text"/>	<input type="text"/>
Housing Requirements		<input type="text"/>

To insert additional mitigation measures or conditions not listed here, click the "Add Mitigation Measure or Condition" button above. If no mitigation measures are required, you may continue to the next page. Otherwise, describe the Mitigation Plan below.

Project Mitigation Plan

Explain how the mitigation plans for the above measures and conditions will be carried out and monitored. Clearly identify both the persons responsible for implementing and monitoring mitigation measures and the timeframe in which they will be completed. These measures and conditions must be incorporated into project contracts, development agreements and other relevant documents. (40 CFR 1505.2(c))

Attach the mitigation plan here:

MITIGATION PLANS

Project Mitigation Plan

Explain how the mitigation plans for the above measures and conditions will be carried out and monitored. Clearly identify both the persons responsible for implementing and monitoring mitigation measures and the timeframe in which they will be completed. These measures and conditions must be incorporated into project contracts, development agreements and other relevant documents. (40 CFR 1505.2(c))

Noted mitigation measures and conditions will be followed/implemented as outlined.

CLEARLY IDENTIFY

- WHO: Person responsible for implementing and monitoring mitigation process
- WHEN: Programmatic event or specific date, etc. by which mitigation must be complete
- WHAT: Specific program documents incorporating obligation for completion of mitigation

This field should contain information about the overall process of ensuring all mitigation requirements listed above are completed and documented as such. These and other relevant details of mitigation requirements and plans are required in the mitigation field specific to each law/authority.

MITIGATION PLANS

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5000 - Mitigation Measures and Conditions (50/58)

Before proceeding with this screen, review to ensure that you have completed all preceding screens. The mitigation measures and conditions below are generated from information provided in the Law and Authority and EA Factor screens, so it is important that all previous screens be finalized before continuing.

Review the mitigation measures and conditions required of this project below.

Law, Authority, or Factor	Mitigation Measure or Condition	Mitigation Plan
Floodplain Management	The entire site will be elevated above the floodplain. See Step 5 in the attached supporting documents.	FEMA established the Base Flood Elevation (BFE) at 458.3 feet. Final determination will be made upon receipt of certified as-built elevations and/or certified as-built survey. Prior to the issuance of a LOMR-F, the federal flood insurance purchase requirement through the National Flood Insurance Program (NFIP) is a condition of federally backed financing.
Noise Abatement and Control	The Proposed Project will be constructed with materials that will dampen noise from the railroad tracks, materials include proper windows, siding, insulation and no balconies that face the tracks.	DEVELOPER WAS NAMED will provide a list of building materials, in addition, each building will be inspected by the local Building Inspector.
Housing Requirements	Post-construction radon testing is required based on AARST/MAMF-2017 (or current Industry Standard) and then current HUD guidelines, before Final Closing. If indoor radon screening is above 4 pCi/L, retesting and/or mitigation will be required.	If indoor radon screening is above 4 pCi/L, retesting and/or mitigation will be required.

[Add Mitigation Measure or Condition Factor](#)

To insert additional mitigation measures or conditions not listed here, click the "Add Mitigation Measure or Condition" button above. If no mitigation measures are required, you may continue to the next page [▶](#). Otherwise, describe the Mitigation Plan below.

Project Mitigation Plan

Explain how the mitigation plans for the above measures and conditions will be carried out and monitored. Clearly identify both the persons responsible for implementing and monitoring mitigation measures and the timeframe in which they will be completed. These measures and conditions must be incorporated into project contracts, development agreements and other relevant documents. (40 CFR 1505.2(c))

DEVELOPER WAS NAMED are responsible for implementing and monitoring the above mitigation measure.

MITIGATION PLANS

Law, Authority, or Factor	Mitigation Measure or Condition	Mitigation Plan
<p>Floodplain Management</p>	<p>The entire site will be elevated above the floodplain. See Step 5 in the attached supporting documents.</p>	<p>FEMA established the Base Flood Elevation (BFE) at 458.3 feet. Final determination will be made upon receipt of certified as-built elevations and/or certified as-built survey. Prior to the issuance of a LOMR-F, the federal flood insurance purchase requirement through the National Flood Insurance Program (NFIP) is a condition of federally backed financing.</p>
<p>Noise Abatement and Control</p>	<p>The Proposed Project will be constructed with materials that will dampen noise from the railroad tracks, materials include proper windows, siding, insulation and no balconies that face the tracks.</p>	<p>DEVELOPER WAS NAMED will provide a list of building materials, in addition, each building will be inspected by the local Building Inspector.</p>
<p>Housing Requirements</p>	<p>Post-construction radon testing is required based on AARST/MAMF-2017 (or current Industry Standard) and then current HUD guidelines, before Final Closing. If indoor radon screening is above 4 pCi/L, retesting and/or mitigation will be required.</p>	<p>If indoor radon screening is above 4 pCi/L, retesting and/or mitigation will be required.</p>

MITIGATION PLANS

5000 - Mitigation Measures and Conditions (50/58)

Project Name: [REDACTED]

Before proceeding with this screen, review to ensure that you have completed all preceding screens. The mitigation measures and conditions below are generated from information provided in the Law and Authority and EA Factor screens, so it is important that all previous screens be finalized before continuing.

Review the mitigation measures and conditions required of this project below.

Law, Authority, or Factor	Mitigation Measure or Condition	Mitigation Plan
Contamination and Toxic Substances	[REDACTED] recommends that the Class I Environmental Covenant be submitted to the [REDACTED] as outlined within the Voluntary Property Assessment Plan - Addendum I letter dated April 10, 2020, for approval of the use restrictions for the central parcel [REDACTED] of the subject property. Additionally, [REDACTED] recommends adhering to the procedures and guidance outlined in the Soil and Groundwater Management Plan (SGMP) produced by Next Mesa, dated May 17, 2022, for the entire subject property.	
Endangered Species	[REDACTED] proposes a finding of "May Affect, Not Likely to Adversely Affect" federally listed species. However, the final determination of effects must be made by HUD. [REDACTED] recommends that HUD utilize the prepared package of findings and documentation in completing their determination of effects and consulting with the USFWS.	
Historic Preservation	[REDACTED] recommends that the adverse effects be addressed and that the final, signed Memorandum of Agreement be provided to [REDACTED] for inclusion in this Report to resolve all adverse effects. HUD is responsible for contacting the Tribal Historic Preservation Officer (THPO) of any affected tribes, as applicable. Nova Group prepared letters for HUD's use in consulting with the THPOs.	HUD THPO was submitted by [REDACTED] Response received from [REDACTED] 12/3/21 and [REDACTED] on 1/5/22.
Housing Requirements	Radon mitigation measures are required to be implemented in the project design in accordance with HUD guidelines. [REDACTED] recommends mitigating potential radon contamination by constructing the proposed structure to meet all of the requirements of the ANSI/AARST CC-1000 2018 Soil Gas Control Systems in New Construction of Buildings (CC-1000 2018) standard or, if appropriate, the ANSI/AARST CCAH 2020 Reducing Radon in New Construction of One & Two Family Dwellings and Townhouses (CAH 2020) standard, for the installation of passive systems. A Radon Report documenting the post-construction testing by a properly certified Radon Professional is required prior to final completion inspection. If suspect ACMs are encountered during demolition activities which have not been previously sampled, they should be sampled by an appropriately licensed asbestos inspector prior to impaction and treated accordingly or treated as ACMs. ACMs should be removed by a licensed asbestos abatement contractor in accordance with applicable regulations prior to demolition activities.	

Add Mitigation Measure or Condition Factor

To insert additional mitigation measures or conditions not listed here, click the "Add Mitigation Measure or Condition" button above. If no mitigation measures are required, you may continue to the next page. Otherwise, describe the Mitigation Plan below.

Project Mitigation Plan

Explain how the mitigation plans for the above measures and conditions will be carried out and monitored. Clearly identify both the persons responsible for implementing and monitoring mitigation measures and the timeframe in which they will be completed. These measures and conditions must be incorporated into project contracts, development agreements and other relevant documents. (40 CFR 1505.2(c))

Noted mitigation measures and conditions will be followed/implemented as outlined.

Attach the mitigation plan here: Upload(Optional)

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MITIGATION PLANS

██████ recommends that the Class I Environmental Covenant be submitted to the ██████ as outlined within the Voluntary Property Assessment Plan - Addendum I letter dated April 10, 2020, for approval of the use restrictions for the central parcel ██████ of the subject property. Additionally, ██████ recommends adhering to the procedures and guidance outlined in the Soil and Groundwater Management Plan (SGMP) produced by Next Mesa, dated May 17, 2022, for the entire subject property.

██████ proposes a finding of "May Affect, Not Likely to Adversely Affect" federally listed species. However, the final determination of effects must be made by HUD. ██████ recommends that HUD utilize the prepared package of findings and documentation in completing their determination of effects and consulting with the USFWS.

██████ recommends that the adverse effects be addressed and that the final, signed Memorandum of Agreement be provided to ██████ for inclusion in this Report to resolve all adverse effects. HUD is responsible for contacting the Tribal Historic Preservation Officer (THPO) of any affected tribes, as applicable. Nova Group prepared letters for HUD's use in consulting with the THPOs.

Radon mitigation measures are required to be implemented in the project design in accordance with HUD guidelines. ██████ recommends mitigating potential radon contamination by constructing the proposed structure to meet all of the requirements of the ANSI/AARST CC-1000 2018 Soil Gas Control Systems in New Construction of Buildings (CC-1000 2018) standard or, if appropriate, the ANSI/AARST CCAH 2020 Reducing Radon in New Construction of One & Two Family Dwellings and Townhouses (CCAH 2020) standard, for the installation of passive systems. A Radon Report documenting the post-construction testing by a properly certified Radon Professional is required prior to final completion inspection.

If suspect ACMs are encountered during demolition activities which have not been previously sampled, they should be sampled by an appropriately licensed asbestos inspector prior to impaction and treated accordingly or treated as ACMs. ACMs should be removed by a licensed asbestos abatement contractor in accordance with applicable regulations prior to demolition activities.