

For guidance and assistance please see the HUD Exchange at:
<https://www.hudexchange.info/programs/environmental-review/>

1. Historic Properties and Tribal Consultation

In order to find that a project will not affect historic properties, the review must look beyond the National Register of Historic Places. To account for potentially eligible properties, the review must have (1) documentation that the project is subject to an exemption in a Section 106 Programmatic Agreement; (2) a letter from the SHPO agreeing with the finding that no historic properties are affected; or (3) documentation that the SHPO did not respond within 30 days of the request.

Refer to the *When To Consult With Tribes* checklist (available at: <https://www.hudexchange.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58/>) to determine if tribes should be invited to consult on a particular project. The State must use the Tribal Directory Assessment Tool (TDAT) (available at: <https://egis.hud.gov/tdat/Tribal.aspx>) to identify tribes that may have an interest in the project area. As a reminder, all tribal consultation letters should be on the Responsible Entity's letterhead.

2. Floodplain Management

To screen for floodplains, the review should always include a Flood Insurance Rate Map (FIRM) and a review of whether FEMA has issued Preliminary FIRMs. This can be done on the "advanced search" page of FEMA's Map Service Center (available at: <http://msc.fema.gov/portal/advanceSearch>). After accessing this page, enter the area's identifiers and preliminary maps will be listed under "Preliminary Products," where available. HUD regulations require the use of the latest FEMA map, as long as the elevations are not lower than the current, finalized FEMA FIRM. Mark the complete site boundaries on the map.

3. Protection of Wetlands

As primary screening, HUD or grantees must verify whether the project is located within wetlands identified on the National Wetlands Inventory (NWI). The NWI is available at: <https://www.fws.gov/wetlands/data/Mapper.html>. After accessing this page, enter the site's address. Mark the complete site boundaries on the map.

4. Endangered Species

To screen for endangered species, the U.S. Fish and Wildlife Service's Information for Planning and Consultation (IPaC) (available at: <https://ecos.fws.gov/ipac/>) can identify the presence of federal species within a user-defined target area. If there are no federally listed species or designated critical habitats in the action area, then a determination can be made that the project

will have “No Effect” and is in compliance. This finding is appropriate if the species list indicates that there are no listed species in the project area, or if there is no potential habitat in the project area (e.g., interior building rehabilitation). The review should include all documents used to make this determination, including letters from the Service’s, species lists from the Service’s websites, surveys or other documents and analysis showing that there are no species in the action area.

5. *Noise Abatement*

When performing a noise analysis, the review must include the sources of the noise data and documentation and/or methodology of determining the split for medium and heavy truck traffic. Traffic data must be extended at least 10 years into the future beyond occupancy of the project. A map showing the noise sources is also required, as well as distance calculations to the noise sensitive uses shown on a site plan. A noise calculation without documentation of source data is insufficient for compliance purposes and can result in noise disturbances that negatively impact the project’s use.

6. *Site Contamination*

To conduct due diligence for contaminated substances and toxic materials, WBC may wish to generally distinguish between “small” projects and “large” projects. HUD policy at §58.5(i)(2) applies to all projects, but the protocols employed may vary according to the scale of the project. For projects entailing multifamily or commercial new construction, multifamily moderate-to-substantial rehabilitation projects, and projects of similar or greater scale, due diligence should require the use of qualified environmental professionals and preparation of environmental site assessments (ESA) conducted in accordance with ASTM E 1527-13 (aka, Phase I ESA) and ASTM E 1903-11 (aka, Phase II ESA), as appropriate. (HUD’s *Multifamily Accelerated Processing (MAP) Guide* (Chapter 9; January 2016) provides a template for addressing site contamination, including site characterization, remediation plans, and using risk-based corrective actions where appropriate.) If a Phase II is required, it must be performed prior to certification and completion of the environmental review. If remediation is required, the plan for remediation must be described in the environmental review before completion of the environmental review.

Also with respect to contamination/toxics, residential new construction projects (both multi- and single-family) should always provide radon-resistant construction. Residential rehabilitation projects should generally test for radon prior to the rehabilitation activity and include radon mitigation in the project’s scope of work where the radon level exceeds the EPA-recommended action level (i.e., at or above 4.0 picocuries/liter). Please consult with your HUD environmental officer or refer to the HUD *MAP Guide* (Section 9.5.C.) for standards and procedures on controlling radon.

7. *Airport Runway Clear Zones*

Part 51 has requirements for airport hazards that apply to (1) land sale or acquisition and (2) construction, rehabilitation and development. If the project is within 15,000 feet of a military airport or 2,500 feet of a civilian airport, then the Accident Potential Zone (APZ) and Runway Protection Zone/Clear Zone (RPZ/CZ) must be reviewed. In the first instance, if the project involves the acquisition or sale of an existing property that will be frequently used or occupied by people, the Responsible Entity must provide written notice to the prospective buyer to inform them of the potential hazards from airplane accidents as well as the potential for the property to be purchased as part of an airport expansion project in accordance with 24 CFR 51.303(a)(3). In the second instance, HUD has prohibitions and restrictions for projects that involve new construction, substantial rehabilitation, acquisition of undeveloped land, and activities that would significantly prolong the physical or economic life of existing buildings or facilities.

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