

**Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: Wood-Rose-Apartments

HEROS Number: 900000010290647

Responsible Entity (RE): MERIDIAN, 33 E Idaho Ave Meridian ID, 83642

RE Preparer: Crystal Campbell

State / Local Identifier:

Certifying Officer: Daniel Torres

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 1160 W Ustick Rd, Meridian, ID 83646

Additional Location Information:
N/A

Direct Comments to: ccampbell@meridiancity.org
33 E. Broadway Ave.
Meridian, ID 83646

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Wood Rose Apartments will offer 52 units consisting of 5 market rate units, 1 managers unit, and 46 affordable housing units on a lot approximately 3.814 acres located between Linder and Meridian Rd on Ustick, at 1160 W Ustick Rd. The proposed project will consist of seven residential buildings that will be two-story garden style units and one clubhouse building. Units will include personal outdoor living spaces with an attached patio or deck to each unit. The community outdoor space will include a playground for children and an outdoor park amenity. The project would include 167 parking spaces. Site excavation is estimated to be 2 feet. All utilities and city services are available to the site.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The project is intended to provide new units of affordable rental housing for low-income families. CDBG funds will be used to assist with acquisition of the land and the project will be developed using the HOME and Low Income Housing Tax Credit programs. The project will have 52 units and 46 units will be set aside for low-income households earning no more than 60% of the area median income. The market study conducted for the project notes the existing inventory of affordable apartment complexes in the market area, showing a low vacancy rate of 0.0%. Among the market-rate units with available vacancy information that were considered most similar to the subject, there was an overall vacancy rate of 2.2%. Based on the rent survey completed for this analysis, there is an apparent pent-up demand.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The project site is presently vacant land. The project was depicted as single-family use tracing back to 1939. The surrounding properties include commercial development, Settlers Park, an athletic field, and residential housing. In the absence of the proposed project, future commercial property or single-family homes that are not accessible to low-income families are likely to occupy the currently undeveloped land.

Maps, photographs, and other documentation of project location and description:[Wood Rose Apartments Environmental Review Violation.pdf](#)[THC Letter no further actions.pdf](#)[THC Conditional Award Letter.pdf](#)[Settlement Statement and Unrecorded Closing Documents.pdf](#)[IHFA Release of Funds.pdf](#)[Violation Memo Final.pdf](#)[IMG_0510.JPG](#)[IMG_0509.JPG](#)[IMG_0508.JPG](#)[IMG_0507.JPG](#)[IMG_0506.JPG](#)[IMG_0505.JPG](#)[IMG_0504.JPG](#)[IMG_0503.JPG](#)[IMG_0502.JPG](#)[IMG_0501.JPG](#)[IMG_0500.JPG](#)[IMG_0499.JPG](#)[IMG_0511.JPG](#)[Field Visit Checklist.pdf](#)**Determination:**

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:[ER Sig Pg.pdf](#)**7015.15 certified by Certifying Officer****on:****7015.16 certified by Authorizing Officer****on:****Funding Information**

Grant / Project Identification Number	HUD Program	Program Name

152	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)
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Estimated Total HUD Funded, Assisted or Insured Amount: \$300,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$15,000,000.00

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. See Common Source ER file for supporting documentation.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide, Particulate Matter, <10 microns. This project does not

		exceed de minimis emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project has been determined to have No Effect on listed species. The site pictures indicate the land has been treated and maintained. No viable habitat for endangered species seems to be present. FWS received the no effect determination and made no addition comment. The monarch butterfly is a candidate for the endangered species list but is not currently on the list. Should the monarch butterfly be listed as an endangered species prior to construction beginning, the developers will contact IHFA and adhere to all recommendations to protect the monarch butterfly set forth by the Fish and Wildlife Service. This project is in compliance with the Endangered Species Act without mitigation.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	According to the Meridian Fire Inspector, 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.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. The project is on land already committed to urban

		development. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A Noise Assessment was conducted. The noise level was normally unacceptable: 69.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation with mitigation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. There is a riverine on an adjacent property that runs along the rear of the site. Storm water drainage will follow all city ordinances to prevent any impact to the riverine. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. See ER Common Source file for supporting documentation.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is located in a demographic index and low income 50-60 percentile area. The project is in compliance with Executive Order 12898.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

Impact Codes: An impact code from the following list has been used to make the determination of impact for each factor.

(1) Minor beneficial impact

(2) No impact anticipated

(3) Minor Adverse Impact – May require mitigation

(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The parcel does not currently have a zoning designation according to the City of Meridian Zoning Map. However, it is surrounded by residential zoning, with some community business zoning as well. *City of Meridian Zoning Map	Obtain zoning approval and permit.
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	Soil Suitability: The soil type on the site was identified as Abo silt loam. The Phase I and the NCRC does not list any limitations for development on this soil type. Slope: The project is generally level with a slope of 0 to 3 percent. Erosion: Based on the level site and soil type, no erosion problems are anticipated. Drainage: Construction of apartment buildings, driveways, and paved parking will result in an increase in total impervious area. Runoff from the project site will be directed into onsite seepage beds and infiltration swales. *ATLAS, Report of Phase 1 Environmental Site Assessment, Wood Rose Apartments, February 17, 2022 *Natural Resources Conservation Service, Web Soil Survey *Site Plans	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	Site Safety: According to the EPA, Ada County is in a Radon Zone 2. HUD does not have Radon standards, but radon safe practices are encouraged. Noise: Temporary construction activities associated with the development of the proposed project have the potential to create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. The	Radon-resistant construction recommended.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		project will comply with City noise regulations regarding hours and days of operation of construction equipment. *The City of Meridian; 2019 Comprehensive Plan *United States Environmental Protection Agency; Radon Zone Map	
Energy Efficiency			
SOCIOECONOMIC			
Employment and Income Patterns	2	As the project is a residential development, it will have no significant impact on employment and income patterns once complete. It will provide local employment during the construction phase. *Project Description	
Demographic Character Changes / Displacement	2	It is anticipated that future residents of the project are current Meridian residents, presently living in less affordable circumstances. No change in the demographic character of the community is anticipated. The project site is presently vacant. No residents will be displaced. *Location maps and site photos *Project descriptions	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	The project site is located within the boundaries of the Meridian School District. Hunter Elementary is 1.6 miles northwest, Sawtooth Middle School is 0.8 mile northwest, and Owyhee High School is 4.0 miles west of the site. The project is located 0.5 miles northeast from the Meridian Home Public Library. The project will not create a significant new demand for educational and cultural services. Developer fees and property taxes will offset the cumulative impact of the project. *An Apartment Analysis in the City of Meridian, Idaho: June 1, 2022 *The City of Meridian; 2019 Comprehensive Plan	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Commercial Facilities (Access and Proximity)	2	Various shopping is available within the vicinity of the site. There are various small retail stores within 2.5 miles of the site. In addition, Fred Meyer is 2.5 miles southeast, Walmart Supercenter is 2.5 miles northeast, and Meridian Crossroads, Gateway Marketplace, and The Village of Meridian are all within 3.7 miles of the site. US Bank is 1.8 miles southeast, Wells Fargo Bank is 1.9 miles southeast, and Pioneer Federal Credit Union is 2.3 miles southeast of the site. All typical commercial services are available; no new construction will be required to serve residents of the proposed project. *An Apartment Analysis in the City of Meridian, Idaho: June 1, 2022	
Health Care / Social Services (Access and Capacity)	2	The project is 5.1 miles southeast to the St. Luke's Meridian Medical Center, which is a hospital featuring 24-hour emergency department, lab and imaging services, family birthing suites, and a long-term care unit. Health and Welfare is located 7.4 miles south of the project location. They may provide limited and temporary assistance to Meridian residents. The services include, but are not limited to, behavioral health, family planning, child care, financial assistance, food assistance, Medicaid and health assistance. The project will not create a significant need for new services. By improving the availability of affordable housing, future residents' overall well-being will be improved. *An Apartment Analysis in the City of Meridian, Idaho: June 1, 2022 *Idaho Department of Health & Welfare: https://healthandwelfare.idaho.gov/ *St Luke's Meridian Medical Center; https://www.stlukesonline.org/health-services/find-services	
Solid Waste Disposal and Recycling	2	The project will result in a small, incremental, and less than significant addition in solid waste generation. Solid wastes generated by	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
(Feasibility and Capacity)		the project will consist of typical household refuse. Waste removal and recycling service in Meridian is provided under contract by Republic Services. Trash collection facilities for residents' use will be located on the property. *Project description and site plan *The City of Meridian; 2019 Comprehensive Plan	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The project will result in an incremental addition in wastewater generation. Effluent from the project will consist of typical domestic sewage. Sewer services to the property will be provided by the City of Meridian. The project will not result in a significant increase in wastewater treatment demand. *The City of Meridian; 2019 Comprehensive Plan	
Water Supply (Feasibility and Capacity)	2	The City of Meridian provides water service. The source of the Meridian water supply is a series of deep wells, booster pump stations, multiple reservoirs, and pipeline. According to the 2021 water samples, there were contaminants found in the water. However, the drinking water meets or exceeds all Federal and State requirements. The project will not create a significant new demand for water service. *The City of Meridian; Water Quality - 2021 Water Report	
Public Safety - Police, Fire and Emergency Medical	2	The Meridian Home Police Department has 129 commissioned officers and 38 civilian employees. The Meridian Police Department is located 4.1 miles southeast from the project. The Meridian Fire Department is considered a "Paid on Call" department. The Meridian Fire Department has over 75 personnel of which over 30 are certified to the EMT Paramedic level. There is a station located 1.8 mile northeast of the project location. *City of Meridian - https://meridiancity.org/police/ *City of Meridian - https://meridiancity.org/fire/operations *An	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		Apartment Analysis in the City of Meridian, Idaho: June 1,2022	
Parks, Open Space and Recreation (Access and Capacity)	2	Settlers Park is 0.4 mile east, Tully Park is 0.8 mile southwest, Roaring Spring Water Park is 4.0 miles south, Wahooz Family Fun Zone is 4.2 miles south, and the Children's Museum of Idaho is 3.4 miles southeast of the site. The project will not adversely impact existing parks. *An Apartment Analysis in the City of Meridian, Idaho: June 1,2022 *The City of Meridian; 2019 Comprehensive Plan	
Transportation and Accessibility (Access and Capacity)	2	Access to the site will be from North Cooper Road, a side street that terminates just north of the subject site and intersects with West Ustick Road. Ingress and egress to and from the site are not expected to be difficult. Ustick Road borders the site to the south, Linder Road is 0.4 mile west, Meridian Road is 0.7 mile East, Chinden Boulevard/U.S. Route 26 is 2.4 miles north, and access to Interstate 84 is 3.4 miles south of the site. Proximity to public transportation is poor. Valley Regional Transit provides public transportation for the City of Meridian and the nearest bus stop is 4.0 miles southeast of the site. *An Apartment Analysis in the City of Meridian, Idaho: June 1,2022	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	The project site is a level, vacant urban parcel. No unique natural features are present. *Location maps and site photos *Field Observations by Sarah Chappel, IHFA; August 29, 2022	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The project site is a leveled, vacant urban parcel. Vegetation on the site is natives grasses, with low value as wildlife habitat. *Location maps and site photos *Field Observations by Sarah Chappel, IHFA; August 29, 2022	
Other Factors	2	None identified.	

Supporting documentation[ZoningMap.pdf](#)[Water Quality - 2021 Water Report.pdf](#)[Radon Map.pdf](#)[PIESA w Appendix optimized.pdf](#)[Map Unit Description_ Abo silt loam.pdf](#)[Distance to Health and Welfare.pdf](#)[Comprehensive Plan.pdf](#)[Climate Explorer.pdf](#)[CH1217 TAX CREDIT STUDY MERIDIAN\(1\).pdf](#)**Additional Studies Performed:**

*ATLAS, Report of Phase 1 Environmental Site Assessment, Wood Rose Apartments, February 17, 2022 *Danter & Associates; An Apartment Analysis in the City of Meridian, Idaho, June 1, 2022

[PIESA w Appendix optimized\(1\).pdf](#)[CH1217 TAX CREDIT STUDY MERIDIAN\(1\)\(1\).pdf](#)**Field Inspection [Optional]:** Date and completed

by:

Sarah Chappel

8/29/2022 12:00:00 AM

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The Housing Company; Erin Anderson Idaho State Office of Historic Preservation
Idaho Transportation Department FEMA, Flood Insurance Rate Map Flood Insurance
Rate Map #16083C1391C, September 26, 2008. Google Map;
<https://www.google.com/maps> Google Earth; <http://earth.google.com/> National Park
Service - Wild & Scenic Rivers list; <http://www.rivers.gov/wilddriverslist.html> Natural

Resources Conservation Service - Web Soil Survey;
<http://websoilsurvey.nrcs.usda.gov/app/> The City of Meridian The Climate Explorer
HUD Exchange; DNL Calculator U.S. Environmental Protection Agency US Census
Bureau, American FactFinder US Environmental Protection Agency, Sole Source
Aquifer program; http://www.epa.gov/safewater/sourcewater/pubs/qrg_ssamap_reg9.pdf US Fish and Wildlife Service -
National Wetland Inventory Maps; <http://wetlandsfws.er.usgs.gov/> US Fish and
Wildlife Service - Idaho office

List of Permits Obtained:

Zoning approval to construct a multi-family development.

Public Outreach [24 CFR 58.43]:

A FONSI-NOI notice will be published and circulated consistent with the requirements of 24 CFR 58.43.

Cumulative Impact Analysis [24 CFR 58.32]:

The project is consistent with the Meridian Comprehensive Plan. All utilities and services are available to the site. As an infill project, it will fill an important need for affordable housing. The location has been underutilized while there are growing wait-lists for housing.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

The project is designed to address the significant need for affordable housing in Meridian. There are limited appropriately zoned properties available within the primary market area for this project. Potential residents need easy access to services, including both medical services and commercial/retail businesses. The proposed site offered superior accessibility to the necessary amenities. The first alternative site identified was 5050 W Franklin Road, Meridian, Idaho. This 5.22 acre site is remote from the City Center and is zoned rural. The second alternative site identified was 3070 E Franklin Road, Meridian, Idaho. This 2 acre site had limited development potential due to the site being too small. The third alternative site identified was 3240 W Chinden Blvd, Meridian, Idaho. This 2.20 acre site has limited development potential due to size, and the land cost would be prohibitive to the financial feasibility.

No Action Alternative [24 CFR 58.40(e)]

Without the proposed project, there will continue to be a significant unmet need for affordable housing for families in the Meridian area. In the absence of this project, the

site will continue to go undeveloped. That parcel has remained vacant for many years. IHFA executes analyses of all apartment development applications to determine which, if any, projects may be approved for limited available funding. LIHTC is the driving force for which HOME multi-family projects may be approved.

Summary of Findings and Conclusions:

The proposed project will help to fill a significant and urgent need for affordable rental housing in the Meridian area. The City has the capacity to serve the project, and it is supported. The project is approved based upon submitted plans with the following conditions: 1. Include the Inadvertent Discovery Plan in ground disturbance related contracts and adhere to the Inadvertent Discovery Plan, as it is stated. 2. Obtain the applicable permit/zoning approval to construct a multi-family development. 3. The monarch butterfly is currently a candidate for the endangered species list but is not currently on the list. Should the monarch butterfly be listed as an endangered species prior to construction beginning, the developers will contact IHFA and adhere to all recommendations to protect the monarch butterfly set forth by the Fish and Wildlife Service. 4. Building materials will attenuate interior noise to acceptable levels per proposed plans. 5. Radon-resistant construction is recommended.

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Noise Abatement and Control	Noise attenuation, via approved material plans, will bring indoor noise to an acceptable noise level. The noise is attenuated by site design from all sides of the buildings, using the worst case scenario for the noise STC. The outdoor areas are an additional distance from the major roads, making the noise level an overall 61 dB requiring no mitigation.	N/A		

Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	Obtain zoning approval and permit.	N/A		
Hazards and Nuisances including Site Safety and Site-Generated Noise	Radon-resistant construction recommended.	N/A		

Project Mitigation Plan

The project is approved based upon submitted plans with the following conditions: 1. Include the Inadvertent Discovery Plan in ground disturbance related contracts and adhere to the Inadvertent Discovery Plan, as it is stated. 2. Obtain the applicable permit/zoning approval to construct a multi-family development. 3. The monarch butterfly is currently a candidate for the endangered species list but is not currently on the list. Should the monarch butterfly be listed as an endangered species prior to construction beginning, the developers will contact IHFA and adhere to all recommendations to protect the monarch butterfly set forth by the Fish and Wildlife Service. 4. Building materials will attenuate interior noise to acceptable levels per proposed plans. 5. Radon-resistant construction is recommended. Post construction, Developers will certify and provide proof that these conditions were followed during construction.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities**Airport Hazards**

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary**Compliance Determination**

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. See Common Source ER file for supporting documentation.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Compliance Determination

This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

✓ Yes

2. Upload a FEMA/FIRM map showing the site here:

[FEMA Firmette.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

✓ No

Based on the response, the review is in compliance with this section.

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

Yes

✓ No

Screen Summary**Compliance Determination**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

Supporting documentation**Are formal compliance steps or mitigation required?**

Yes

✓ No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

☒ Yes

No

Air Quality Attainment Status of Project's County or Air Quality Management District

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

No, project's county or air quality management district is in attainment status for all criteria pollutants.

☒ Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

☒ Carbon Monoxide

Lead

Nitrogen dioxide

Sulfur dioxide

Ozone

Particulate Matter, <2.5 microns

✓ Particulate Matter, <10 microns

3. What are the *de minimis* emissions levels (40CFR 93.153) or screening levels for the non-attainment or maintenance level pollutants indicated above

Carbon monoxide	100.00	ppm (parts per million)
Particulate Matter, <10 microns	100.00	µg/m3 (micrograms per cubic meter of air)

Provide your source used to determine levels here:

Idaho Department of Environmental Quality

4. Determine the estimated emissions levels of your project. Will your project exceed any of the *de minimis* or threshold emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

✓ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels.

Enter the estimate emission levels:

Carbon monoxide	12.04	ppm (parts per million)
Particulate Matter, <10 microns	67.33	µg/m3 (micrograms per cubic meter of air)

Based on the response, the review is in compliance with this section.

Yes, the project exceeds *de minimis* emissions levels or screening levels.

Screen Summary

Compliance Determination

The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide, Particulate Matter, <10 microns. This project does not exceed *de minimis* emissions levels or the screening level established by the state

or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act.

Supporting documentation[DEQ Email.pdf](#)[Idaho Nonattainment Maintenance Status for Each County by Year for All Criteria](#)[Pollutants _Green Book _US E.pdf](#)[Current Nonattainment Counties for All Criteria Pollutants _Green Book _US EPA.pdf](#)[1160 W Ustick Rd 2022 emissions estimate.xlsx](#)**Are formal compliance steps or mitigation required?**

Yes

☒ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Screen Summary**Compliance Determination**

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Supporting documentation**Are formal compliance steps or mitigation required?**

Yes

✓ No

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.

American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
ASTM Phase II ESA
Remediation or clean-up plan
ASTM Vapor Encroachment Screening
None of the Above

2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

☒ No

Yes

Screen Summary**Compliance Determination****Supporting documentation**

[PIESA w Appendix.pdf](#)

Are formal compliance steps or mitigation required?

Yes

☒ No

Endangered Species

General requirements	ESA Legislation	Regulations
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 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

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.

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 federally listed species or designated critical habitats present in the action area?

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

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. in the action area.

Document and upload all documents used to make your determination below. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate

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.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

The site pictures indicate the land has been treated and maintained. No viable habitat for endangered species seems to be present. FWS received the no effect determination and made no addition comment.

Screen Summary
Compliance Determination

This project has been determined to have No Effect on listed species. The site pictures indicate the land has been treated and maintained. No viable habitat for endangered species seems to be present. FWS received the no effect determination and made no addition comment. The monarch butterfly is a candidate for the endangered species list but is not currently on the list. Should the monarch butterfly be listed as an endangered species prior to construction beginning, the developers will contact IHFA and adhere to all recommendations to protect the monarch butterfly set forth by the Fish and Wildlife Service. This project is in compliance with the Endangered Species Act without mitigation.

Supporting documentation

[Idaho Endangered Species Checklist.docx](#)
[Species List_ Idaho Fish And Wildlife Office.pdf](#)
[FWS Email.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

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

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)?

☒ No

☐ Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

☐ No

☒ Yes

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:

- 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.

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."

☒ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Yes

Screen Summary**Compliance Determination**

According to the Meridian Fire Inspector, 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

[Google Earth Map.pdf](#)

[Complete Fire Checklist.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

☒ Yes

No

2. Does your project meet one of the following exemptions?

- Construction limited to on-farm structures needed for farm operations.
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land already in or committed to urban development or used for water storage. (7 CFR 658.2(a))

☒ Yes

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

No

Screen Summary**Compliance Determination**

This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. The project is on land already committed to urban development. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[2010 Census - Urbanized Area Reference Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

55.12(c)(3)

55.12(c)(4)

55.12(c)(5)

55.12(c)(6)

55.12(c)(7)

55.12(c)(8)

55.12(c)(9)

55.12(c)(10)

55.12(c)(11)

☒ None of the above**2. Upload a FEMA/FIRM map showing the site here:**[FEMA Firmette.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?☒ No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary**Compliance Determination**

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

Supporting documentation**Are formal compliance steps or mitigation required?**

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)
 No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

- ✓ State Historic Preservation Offer (SHPO) Completed
- ✓ Advisory Council on Historic Preservation Not Required
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)
- ✓ Confederated Tribes of Warm Springs Response Period Elapsed

✓ Shoshone-Bannock Tribes of the
Fort Hall

Response Period Elapsed

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

The TDAT was used to determine which tribes to consult.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes

No

Step 2 – Identify and Evaluate Historic Properties

1. **Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**
1160 W Ustick Rd, Meridian, ID 83646

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
----------------------------------	-----------------------------	------------------	--------------------------

Additional Notes:

2. **Was a survey of historic buildings and/or archeological sites done as part of the project?**

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

✓ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[THPO Consult - Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho.pdf](#)
[THPO Consult - Confederated Tribes of the Warm Springs Reservation of Oregon.pdf](#)
[Historic Preservation Checklist.doc](#)
[DOSE.pdf](#)

Are formal compliance steps or mitigation required?

Wood-Rose-Apartments

Meridian, ID

900000010290647

Yes

✓ No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

1. What activities does your project involve? Check all that apply:

- ☒ New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster
None of the above

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

- ✓ Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Is your project in a largely undeveloped area?

- ✓ No

Indicate noise level here: 69

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Yes

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 69

Document and upload noise analysis, including noise level and data used to complete the analysis below.

6. HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.

✓ Mitigation as follows will be implemented:

Noise attenuation, via approved material plans, will bring indoor noise to an acceptable noise level. The noise is attenuated by site design from all sides of the buildings, using the worst case scenario for the noise STC. The outdoor areas are an additional distance from the major roads, making the noise level an overall 61 dB requiring no mitigation.

Based on the response, the review is in compliance with this section. Document and upload drawings, specifications, and other materials as needed to describe the project's noise mitigation measures below.

No mitigation is necessary.

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was normally unacceptable: 69.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation with mitigation.

Supporting documentation

[STraCAT - HUD Exchange \(8-plex 2222\).pdf](#)

[STraCAT - HUD Exchange \(6-plex 3223\).pdf](#)

[STraCAT - HUD Exchange \(6-plex 3113\).pdf](#)

[DNL Calculator - Playground.pdf](#)

[DNL Calculator - HUD Exchange.pdf](#)

[Distance to Venable Lane.pdf](#)

[Distance to Ustick Road.pdf](#)

[Distance to Nearest Railroad.pdf](#)

[Distance to N Venable Ave from Playground.pdf](#)

[AADT 1999 - Present.pdf](#)

[2022-05-31 Ustick Rd TrafficVolumeProjection_2031.xlsx](#)

[2022-05-31 N Venable Ln TrafficVolumeProjection_2031.xlsx](#)

Are formal compliance steps or mitigation required?

Wood-Rose-Apartments

Meridian, ID

900000010290647

Yes

✓ No

Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

Screen Summary**Compliance Determination**

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[Sole Source Aquifers Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

✓ Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "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.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

✓ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

Screen Summary**Compliance Determination**

The project will not impact on- or off-site wetlands. There is a riverine on an adjacent property that runs along the rear of the site. Storm water drainage will follow all city ordinances to prevent any impact to the riverine. The project is in compliance with Executive Order 11990.

Supporting documentation

[Wetland Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

✓ No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary**Compliance Determination**

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. See ER Common Source file for supporting documentation.

Supporting documentation**Are formal compliance steps or mitigation required?**

Yes

✓ No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes

✓ No

Based on the response, the review is in compliance with this section.

Screen Summary**Compliance Determination**

No adverse environmental impacts were identified in the project's total environmental review. The project is located in a demographic index and low income 50-60 percentile area. The project is in compliance with Executive Order 12898.

Supporting documentation

[EJScreen - Low Income.pdf](#)

[EJScreen - Demographic Index.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No