

**Environmental Review
for Activity/Project that is Exempt or
Categorically Excluded Not Subject to Section 58.5
Pursuant to 24 CFR 58.34(a) and 58.35(b)**

Project Information

Project Name: R.O.S.E.S-in-home-senior-services

HEROS Number: 900000010086159

Responsible Entity (RE): ROYAL OAK, DEPUTY DIRECTOR COMMUNITY DEVELOPMENT ROYAL
OAK MI, 48068

State / Local Identifier:

RE Preparer: Joseph M. Murphy

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 211 Williams St, Royal Oak, MI 48067

Additional Location Information:

city-wide

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

CDBG funds will be expended on supportive services for elderly, income qualified Royal Oak residents. The Royal Oak Senior Essential Services (R.O.S.E.S.) program is organized by staff at the city-owned Senior Center. Contracted workers perform subsidized home chores, minor repairs, and personal care assistance for income qualified residents. Home chores include household tasks such as snow shoveling, lawn mowing, yard work, etc. Home repairs, which do not require a licensed contractor, include minor plumbing, carpentry, and electrical work. Personal care may include assistance with activities of daily living.

Level of Environmental Review Determination

Activity / Project is Exempt per 24 CFR 58.34(a):

58.34(a)(4)

Signature Page

[ROSES - executed.pdf](#)

Funding Information

| Grant / Project Identification Number | HUD Program | Program Name |
|---------------------------------------|--|---|
| B-19-MC-26-0011 | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) |

Estimated Total HUD Funded, Assisted or Insured Amount: \$33,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$33,000.00

Compliance with 24 CFR §50.4 & §58.6 Laws and Authorities

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4 & §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 Runway Clear Zones and Clear Zones 24 CFR part 51 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with Airport Runway Clear Zone requirements. |
| 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 not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and 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 | Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from |

| | | |
|--|---|--|
| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4 & §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 | | |
| | | flood insurance. 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. |

Mitigation Measures and Conditions [CFR 40 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 | Complete |
|----------------------------------|--|---------------------------------------|-----------------|
|----------------------------------|--|---------------------------------------|-----------------|

Mitigation Plan

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Runway Clear Zones

| 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. **Does the project involve the sale or acquisition of developed property?**

No

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

Yes

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with Airport Runway Clear Zone requirements.

Supporting documentation

[Airport Clear Zone documentation.pdf](#)

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) | |

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[Coastal Barrier Resource System documentation.pdf](#)

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.

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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

[Flood Insurance & Floodplain documentation.pdf](#)

Are formal compliance steps or mitigation required?

- Yes
✓ No

**Environmental Review
for Activity/Project that is Exempt or
Categorically Excluded Not Subject to Section 58.5
Pursuant to 24 CFR 58.34(a) and 58.35(b)**

Project Information

Project Name: homeless-services---South-Oakland-Shelter

HEROS Number: 900000010086167

Responsible Entity (RE): ROYAL OAK, DEPUTY DIRECTOR COMMUNITY DEVELOPMENT ROYAL
OAK MI, 48068

State / Local Identifier:

RE Preparer: Joseph M. Murphy

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 211 S Williams St, Royal Oak, MI 48067

Additional Location Information:

city-wide

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

The South Oakland Shelter (SOS) provides a wide array of services designed to permanently remove individuals and families from the cycle of homelessness. CDBG funds will be utilized to reimburse SOS for services provided in its Emergency Shelter program. The program is designed to utilize case management services for individual clients to gain access to job and financial education training, food, transportation and lodging. It will assist those experiencing homelessness with a last known address of Royal Oak.

Level of Environmental Review Determination

Activity / Project is Exempt per 24 CFR 58.34(a):

58.34(a)(4)

Signature Page
[SOS - executed.pdf](#)

Funding Information

| Grant / Project Identification Number | HUD Program | Program Name |
|---------------------------------------|--|---|
| B-19-MC-26-0011 | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) |

Estimated Total HUD Funded, Assisted or Insured Amount: \$20,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$20,000.00

Compliance with 24 CFR §50.4 & §58.6 Laws and Authorities

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4 & §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 Runway Clear Zones and Clear Zones 24 CFR part 51 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with Airport Runway Clear Zone requirements. |
| 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 not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and 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 | Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance |

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|--|---|---|
| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4 & §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 | | |
| | | 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. |

Mitigation Measures and Conditions [CFR 40 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 | Complete |
|----------------------------------|--|---------------------------------------|-----------------|
|----------------------------------|--|---------------------------------------|-----------------|

Mitigation Plan

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Runway Clear Zones

| 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. **Does the project involve the sale or acquisition of developed property?**

No

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

Yes

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with Airport Runway Clear Zone requirements.

Supporting documentation

[Airport Clear Zone documentation.pdf](#)

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) | |

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[Coastal Barrier Resource System documentation.pdf](#)

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.

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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

[Flood Insurance & Floodplain documentation.pdf](#)

Are formal compliance steps or mitigation required?

- ✓ Yes
No



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

**Environmental Review for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name: housing-rehab-program---owner-rehabilitation-assistance

HEROS Number: 900000010086173

Responsible Entity (RE): ROYAL OAK, DEPUTY DIRECTOR COMMUNITY
DEVELOPMENT ROYAL OAK MI, 48068

State / Local Identifier:

RE Preparer: Joseph M. Murphy

Certifying Office Michael C. Fournier, Mayor
r:

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 211 Williams St, Royal Oak, MI 48067

Additional Location Information:
city-wide

Direct Comments to: Joseph M. Murphy
Planning Division
Community Development Department

housing-rehab-program---
owner-rehabilitation-
assistance

Royal Oak, MI

900000010086173

211 Williams St
Royal Oak MI 48067

E joem@romi.gov

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

A city administered program to provide technical and financial assistance to low- and moderate-income residents of the City of Royal Oak to rehabilitate owner-occupied single family houses on a city-wide basis.

Maps, photographs, and other documentation of project location and description:

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:

Determination:

| | |
|---|---|
| | This categorically excluded activity/project converts to EXEMPT per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR |
| ✓ | This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR |
| | This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)). |

Approval Documents:

[housing rehab - executed.pdf](#)
[affidavit No FONSI RROF.pdf](#)

7015.15 certified by Certifying Officer 10/28/2019
on:

7015.16 certified by Authorizing Officer 11/15/2019
on:

11/15/2019 11:45

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Funding Information

| Grant / Project Identification Number | HUD Program | Program Name |
|---------------------------------------|--|---|
| B-19-MC-26-0011 | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) |

Estimated Total HUD Funded, Assisted or Insured Amount: \$650,000.00

Estimated Total Project Cost: \$650,000.00

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. |
| 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 not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and 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 | Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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 | Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. 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 not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The 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 | On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. |
| 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 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. |
| Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on the project description the project includes no activities that would require further evaluation under this section. 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 does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. |

| | | |
|--|--|--|
| <p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.</p> |
| <p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>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. All structures that are 50 years of age or older must be reviewed by the SHPO, unless the proposed work is considered a project type that does not require consultation with the SHPO. The housing rehabilitation loan officer determines the level of each review for each address based on the SHPO criteria in its February 2005 Memorandum. Documentation is provided to the SHPO and staff awaits the SHPO's response prior to the start of any site work. Staff utilizes the SHPO's Historic Significance Response Sheet for each housing rehabilitation project. All documentation is kept in individual address files.</p> |
| <p>Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>The project is modernization or minor rehabilitation of an existing residential property. The project will include standardized noise attenuation measures. The project is in compliance with HUD's Noise regulation. During the staff's consultation with the homeowner, the homeowner is asked to complete a form which identifies tolerance for the current noise level and if they would like to incorporate mitigating aspects into the specifications prior to issue the bid notice. Homeowners may the final determination.</p> |
| <p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.</p> |

| | | |
|--|---|---|
| Wetlands Protection Executive Order 11990, particularly sections 2 and 5 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on the project description this project includes no activities that would require further evaluation under this section. 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. |
| 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 in compliance with Executive Order 12898. |

Mitigation Measures and Conditions [40 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 | Complete |
|---------------------------|---------------------------------|--------------------------------|----------|
|---------------------------|---------------------------------|--------------------------------|----------|

Mitigation Plan

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.

Supporting documentation

[Airport Clear Zone documentation.pdf](#)

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) | |

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[Coastal Barrier Resource System documentation.pdf](#)

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.

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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

[Flood Insurance & Floodplain documentation.pdf](#)

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

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

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

Supporting documentation

[Air Quality documentation.pdf](#)

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 |

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

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.

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[Coastal Zone Management documentation.pdf](#)

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. Evaluate the site for contamination. 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?

No

Explain:

none

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

Yes

Check here if an ASTM Phase I Environmental Site Assessment (ESA) report was utilized. [Note: HUD regulations does not require an ASTM Phase I ESA report for single family homes]

Screen Summary

Compliance Determination

On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

housing-rehab-program---
owner-rehabilitation-
assistance

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[Contamination and Toxic Sub -documentation.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.

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.

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

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.

Screen Summary

Compliance Determination

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.

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Supporting documentation

[Endangered Species documentation.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 a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals), i.e. bulk fuel storage facilities, refineries, etc.?

No

Yes

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

No

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

[Explosive and Flammable Operations documentation.pdf](#)

Are formal compliance steps or mitigation required?

Yes

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✓ 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

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

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

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[Farmlands Protection documentation.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:

[Flood Risk Map 08-05-2015.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

[Flood Insurance & Floodplain documentation\(1\).pdf](#)

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" http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html |

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) In progress
- ✓ Advisory Council on Historic Preservation Not Required
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

Other Consulting Parties

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

Michigan's State Historic Preservation Office (SHPO) is responsible for the historical clearance of all housing units assisted with federal funds that are 50 years of age or older, any vacant property to be used for new construction, and demolition of structures that may be historically significant (or eligible for historical significance), or in a historic neighborhood. See: Guidelines for Consulting with SHPO under Section 106 of the National Historic Preservation Act of 1966, as amended. HUD Memorandum of February 2005, (updated February 2005)

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

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:**

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. (36 CFR 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. All structures that are 50 years of age or older must be reviewed by the SHPO, unless the proposed work is considered a project type that does not require consultation with the SHPO. The housing rehabilitation loan officer determines the level of each review for each address based on the SHPO criteria in its February 2005 Memorandum. Documentation is provided to the SHPO and staff awaits the SHPO's response prior to the start of any site work. Staff utilizes the SHPO's Historic Significance Response Sheet for each housing rehabilitation project. All documentation is kept in individual address files.

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Supporting documentation

[Historic Preservation documentation.pdf](#)

Are formal compliance steps or mitigation required?

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

Rehabilitation of an existing residential property

NOTE: For modernization projects in all noise zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details. The definition of "modernization" is determined by program office guidance.

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

2. Do you have standardized noise attenuation measures that apply to all modernization and/or minor rehabilitation projects, such as the use of double glazed windows or extra insulation?

Yes

Indicate the type of measures that will apply (check all that apply):

- Improved building envelope components (better windows and doors, strengthened sheathing, insulation, sealed gaps, etc.)
- Redesigned building envelope (more durable or substantial materials, increased air gap, resilient channels, staggered wall studs, etc.)
- Other

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

No

Screen Summary

Compliance Determination

The project is modernization or minor rehabilitation of an existing residential property. The project will include standardized noise attenuation measures. The project is in compliance with HUD's Noise regulation. During the staff's consultation with the homeowner, the homeowner is asked to complete a form which identifies tolerance for the current noise level and if they would like to incorporate mitigating aspects into the specifications prior to issue the bid notice. Homeowners may the final determination.

Supporting documentation

[Noise Abatement documentation.pdf](#)

Are formal compliance steps or mitigation required?

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

3. Does your region have a memorandum of understanding (MOU) or other working agreement with Environmental Protection Agency (EPA) for HUD projects impacting a sole source aquifer?

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Yes

No

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 documentation.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

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

Yes

Screen Summary

Compliance Determination

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.

Supporting documentation

[Wetland documentation.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.

Supporting documentation

[Wild and Scenic Rivers documentation.pdf](#)

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 in compliance with Executive Order 12898.

Supporting documentation

[Environmental Justice documentation.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

**Environmental Review for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name: neighborhood-tree-planting-program

HEROS Number: 900000010086202

Responsible Entity (RE): ROYAL OAK, DEPUTY DIRECTOR COMMUNITY
DEVELOPMENT ROYAL OAK MI, 48068

State / Local Identifier:

RE Preparer: Joseph M. Murphy

Certifying Office Michael C. Fournier, Mayor
r:

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 4524 Elmhurst, Royal Oak, MI

Additional Location Information:

The following census tracks - block groups: 1830-3, 1832-1 & 1833-3.

Direct Comments to: Joseph M Murphy
Planning Division
Community Development Department

211 Williams St
Royal Oak MI 48067

E joem@romi.gov

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

In the past 10 years, many trees have been removed within the city's rights-of-way, between the back of curb and sidewalk OR within city parks due to disease or age. CDBG funds will be utilized to purchase and plant trees within the city's rights-of-way. The size of the public right-of-way will not change. The project's ground disturbing activities are limited strictly to twice the diameter needed to plant the root ball of individual trees.

Maps, photographs, and other documentation of project location and description:

[PY 19-20 cbdg target areas w bgs 11 x 17.pdf](#)

[PY 19-20 cbdg target areas w bgs 11 x 17\(1\).pdf](#)

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:

Determination:

| | |
|---|---|
| | This categorically excluded activity/project converts to EXEMPT per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR |
| ✓ | This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR |
| | This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)). |

Approval Documents:

[tree planting - executed.pdf](#)

[affidavit No FONSI RROF.pdf](#)

7015.15 certified by Certifying Officer 10/28/2019

on:

7015.16 certified by Authorizing Officer 11/15/2019
on:

Funding Information

| Grant / Project Identification Number | HUD Program | Program Name |
|---------------------------------------|--|---|
| B-19-MC-26-0011 | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) |

Estimated Total HUD Funded, Assisted or Insured Amount: \$150,000.00

Estimated Total Project Cost: \$150,000.00

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. |
| 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 not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. |
| Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require |

| | | |
|---|--|--|
| <p>Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p> | | <p>flood insurance or is excepted from flood insurance. 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.</p> |
| <p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p> | | |
| <p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.</p> |
| <p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.</p> |
| <p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.</p> |
| <p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>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.</p> |
| <p>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.</p> |
| <p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.</p> |

| | | |
|--|---|---|
| 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 | Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation. |
| 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 | Based on the project description this project includes no activities that would require further evaluation under this section. 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. |
| 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 in compliance with Executive Order 12898. |

Mitigation Measures and Conditions [40 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 | Complete |
|----------------------------------|--|---------------------------------------|-----------------|
|----------------------------------|--|---------------------------------------|-----------------|

Mitigation Plan

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.

Supporting documentation

[Airport Clear Zone documentation.pdf](#)

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) | |

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[Coastal Barrier Resource System documentation.pdf](#)

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.

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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

[Flood Insurance & Floodplain documentation.pdf](#)

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

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

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

Supporting documentation

[Air Quality documentation.pdf](#)

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 |

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

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.

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[Coastal Zone Management documentation.pdf](#)

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

Explain:

The work is limited to the city's public rights-of-way. There are no occupants. The use of the area will remain landscaped public rights-of-way.

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

Yes

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[Hazardous Toxic Radio Sub documentation.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.

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.

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

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.

Screen Summary

Compliance Determination

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.

Supporting documentation

[Endangered Species documentation.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 a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals), i.e. bulk fuel storage facilities, refineries, etc.?

No

Yes

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

No

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

[Explosive and Flammable Operations documentation.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

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

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

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[Farmlands Protection documentation.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:

[Flood Risk Map 08-05-2015.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

[Flood Insurance & Floodplain documentation\(1\).pdf](#)

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” http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html |

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) In progress
- ✓ Advisory Council on Historic Preservation Not Required
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

Other Consulting Parties

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

HUD regulations (36 CFR 800.4(d)(1)) notes the grantee's responsibility to notify the local SHPO, as a consulting party in the Section 106 process.

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

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:**

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

Document and upload surveys and report(s) below.
For Archeological surveys, refer to HP Fact Sheet #6, Guidance on Archeological Investigations in HUD Projects.

Additional Notes:

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. (36 CFR 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

[2019 04-29 Section 106 SHPO submittal.pdf](#)

Are formal compliance steps or mitigation required?

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

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

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

Supporting documentation

[Noise Abatement documentation.pdf](#)

Are formal compliance steps or mitigation required?

neighborhood-tree-
planting-program

Royal Oak, MI

900000010086202

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

3. Does your region have a memorandum of understanding (MOU) or other working agreement with Environmental Protection Agency (EPA) for HUD projects impacting a sole source aquifer?

Yes

No

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 documentation.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

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

Yes

Screen Summary

Compliance Determination

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.

Supporting documentation

[Wetland documentation.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.

Supporting documentation

[Wild and Scenic Rivers documentation.pdf](#)

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 in compliance with Executive Order 12898.

Supporting documentation

[Environmental Justice documentation.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No



**U.S. Department of Housing and Urban
Development**
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

**Environmental Review for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name: road-improvement-project---Judson-Ave

HEROS Number: 900000010086246

Responsible Entity (RE): ROYAL OAK, DEPUTY DIRECTOR COMMUNITY
DEVELOPMENT ROYAL OAK MI, 48068

State / Local Identifier:

RE Preparer: Joseph M. Murphy

Certifying Office Michael C. Fournier, Mayor
r:

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 3278 Prairie Ave, Royal Oak, MI 48073

Additional Location Information:

Judson Ave. between Prairie Ave. and Harvard Ave.

Direct Comments to: Joseph M Murphy
Planning Division
Community Development Department

211 Williams St
Royal Oak MI 480867

E joem@romi.gov

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

Judson Ave. between Prairie Ave. and Harvard Ave. is an unimproved (dirt/gravel) roadway in the middle of a low- to moderate-income neighborhood. CDBG funds will be utilized to construct a hard-surface (concrete or asphalt) roadway. Staff will research the incorporation of "green infrastructure" elements such as bio-swales or permeable pavement to reduce or delay the amount of stormwater entering the city's combined sewer system.

Maps, photographs, and other documentation of project location and description:

[CDBG PY2019 Judson Ave map.pdf](#)

[IMG_3321.JPG](#)

[IMG_3320.JPG](#)

[IMG_3319.JPG](#)

[IMG_3318.JPG](#)

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:

Determination:

| | |
|---|---|
| | This categorically excluded activity/project converts to EXEMPT per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR |
| ✓ | This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR |
| | This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)). |

Approval Documents:

[Judson Ave - executed.pdf](#)

[affidavit No FONSI RROF.pdf](#)

7015.15 certified by Certifying Officer 10/28/2019
on:

7015.16 certified by Authorizing Officer 11/15/2019
on:

Funding Information

| Grant / Project Identification Number | HUD Program | Program Name |
|---------------------------------------|--|---|
| B-19-MC-26-0011 | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) |

Estimated Total HUD Funded, Assisted or Insured Amount: \$600,000.00

Estimated Total Project Cost: \$600,000.00

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. |
| 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 not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. |

| | | |
|---|--|--|
| <p>Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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.</p> |
| <p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p> | | |
| <p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.</p> |
| <p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.</p> |
| <p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.</p> |
| <p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>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.</p> |
| <p>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.</p> |

| | | |
|--|---|---|
| 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 does not include any activities that could potentially convert agricultural land to a non-agricultural use. 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 | Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation. |
| 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 | Based on the project description this project includes no activities that would require further evaluation under this section. 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. |
| 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 in compliance with Executive Order 12898. |

Mitigation Measures and Conditions [40 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 | Complete |
|--|--|---|-----------------|
|--|--|---|-----------------|

Mitigation Plan

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.

Supporting documentation

[Airport Clear Zone documentation.pdf](#)

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) | |

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[Coastal Barrier Resource System documentation.pdf](#)

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.

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

Yes

Screen Summary**Compliance Determination**

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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

[Flood Insurance & Floodplain documentation.pdf](#)

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

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

Screen Summary**Compliance Determination**

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

Supporting documentation[Air Quality documentation.pdf](#)**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 |

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

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.

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[Coastal Zone Management documentation.pdf](#)

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

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[Hazardous Toxic Radio Sub documentation.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.

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.

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

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.

Screen Summary

Compliance Determination

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.

Supporting documentation

[Endangered Species documentation.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 a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals), i.e. bulk fuel storage facilities, refineries, etc.?

No

Yes

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

No

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

[Explosive and Flammable Operations documentation.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

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

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

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[Farmlands Protection documentation.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:

[Flood Risk Map 08-05-2015.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

[Flood Insurance & Floodplain documentation\(1\).pdf](#)

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" http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html |

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) In progress
- ✓ Advisory Council on Historic Preservation Not Required
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

Other Consulting Parties

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

Section 106 is part of the National Historic Preservation Act of 1966. Section 106 requires taking into account the effects of HUD-funded projects on historic properties. the Michigan SHPO handles Section 106 review and comments on behalf of HUD. All qualifying CDBG-funded projects are forwarded to the SHPO for review and comment prior to start of project and expenditure of funds.

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

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:**

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. (36 CFR 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

[Historic Preservation documentation.pdf](#)

Are formal compliance steps or mitigation required?

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

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

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

Supporting documentation

[Noise Abatement documentation.pdf](#)

Are formal compliance steps or mitigation required?

road-improvement-
project---Judson-Ave

Royal Oak, MI

900000010086246

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

3. Does your region have a memorandum of understanding (MOU) or other working agreement with Environmental Protection Agency (EPA) for HUD projects impacting a sole source aquifer?

Yes

No

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 documentation.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

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

Yes

Screen Summary

Compliance Determination

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.

Supporting documentation

[Wetland documentation.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.

Supporting documentation

[Wild and Scenic Rivers documentation.pdf](#)

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 in compliance with Executive Order 12898.

Supporting documentation

[Environmental Justice documentation.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

**Environmental Review
for Activity/Project that is Exempt or
Categorically Excluded Not Subject to Section 58.5
Pursuant to 24 CFR 58.34(a) and 58.35(b)**

Project Information

Project Name: program-administration

HEROS Number: 900000010086546

Responsible Entity (RE): ROYAL OAK, DEPUTY DIRECTOR COMMUNITY DEVELOPMENT ROYAL
OAK MI, 48068

State / Local Identifier:

RE Preparer: Joseph M. Murphy

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 211 Williams St, Royal Oak, MI 48067

Additional Location Information:

N/A

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

Program administration funds continue to allow the proper oversight of the activities and comply with all HUD regulations.

Level of Environmental Review Determination

Activity / Project is Exempt per 24 CFR 58.34(a):
58.34(a)(3)

Signature Page

[prog admin - executed.pdf](#)

Funding Information

| Grant / Project Identification Number | HUD Program | Program Name |
|---------------------------------------|--|---|
| B-19-MC-26-0011 | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) |

Estimated Total HUD Funded, Assisted or Insured Amount: \$200,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$200,000.00

Compliance with 24 CFR §50.4 & §58.6 Laws and Authorities

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4 & §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 Runway Clear Zones and Clear Zones 24 CFR part 51 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with Airport Runway Clear Zone requirements. |
| 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 not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and 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 | Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance |

| | | |
|--|---|---|
| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4 & §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 | | |
| | | Program (NFIP). The project is in compliance with Flood Insurance requirements. |

Mitigation Measures and Conditions [CFR 40 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 | Complete |
|----------------------------------|--|---------------------------------------|-----------------|
|----------------------------------|--|---------------------------------------|-----------------|

Mitigation Plan

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Runway Clear Zones

| 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. **Does the project involve the sale or acquisition of developed property?**

No

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

Yes

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with Airport Runway Clear Zone requirements.

Supporting documentation

[Airport Clear Zone documentation.pdf](#)

Are formal compliance steps or mitigation required?

No
 Yes

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) | |

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[Coastal Barrier Resource System documentation.pdf](#)

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.

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

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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

[Flood Insurance & Floodplain documentation.pdf](#)

Are formal compliance steps or mitigation required?

- Yes
- ✓ No