



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

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

Project Information

Project Name: 2023-2026-Housing-Rehabilitation-Program

**HEROS
Number:** 900000010300427

**Responsible Entity
(RE):** ORANGE COUNTY, 1501 E. St. Andrew Place Santa Ana CA,
92705

**State / Local
Identifier:** Orange County

RE Preparer: Suzanne Harder

**Certifying
Officer:** Craig Fee

**Grant Recipient (if different than Responsible
Entity):**

Point of Contact:

**Consultant (if
applicable):**

Point of Contact:

**Project
Location:** Santa Ana, CA 92705

Additional Location Information:

Address given is county office. Individual Addresses will be entered upon site review.

**Direct Comments
to:**

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

The Program will be run in the Cities of Brea, Cypress, Seal Beach, Placentia, Yorba Linda and unincorporated areas of the County of Orange. City of Brea- Single Family Housing Rehabilitation - funds will be used for single family low/very low-income owner-occupied residential rehabilitation. Improvements may include interior and exterior paint, roofs, plumbing, windows, flooring and additional repairs as needed to bring property up to current code, including other health and safety needs. City of Cypress- Single Family Housing Rehabilitation Program - funds will be used to support the Home Enhancement HELP II Program, which provides forgivable loans to income eligible single-family homeowners who seek to make required home improvements. City of Seal Beach- Leisure World Bathroom Accessibility Program - funds will be used to provide grants to income qualified, disabled seniors to improve bathroom accessibility and safety. Improvements may include cutting down the tub walls and converting the tub/shower into an accessible shower only, installation of grab bars, seats, smoke detectors, and high boy toilets that are compliant with American with Disabilities Act. City of Placentia- Housing Rehabilitation Grant Program - funds will be used to assist low and moderate-income qualified homeowners residing in single family residences or mobile homes. Improvements may include roofs, windows, exterior improvements, paint, security lights, water conservation improvements to landscape, tree removal, implement ADA accessibility, energy efficiency improvements, and graffiti removal from private properties. City of Yorba Linda Neighborhood Improvements Single-Family Residential (SFR) Rehabilitation - funds will be used for the Neighborhood Improvement Program. Improvements may include interior and exterior rehabilitation, construction, correction of code violations, and neighborhood clean-up projects for low and moderate-income qualified homeowners. County of Orange Safe Homes for OC Seniors - funds will be used for rehabilitation of single family or mobile homes for low-income senior residents located in the unincorporated areas of Orange County. Improvements may include roofs, guttering, decks, porches, railings and step units, undercarriage repairs including leveling and jack/pier replacement, skirting, entry and fire doors, windows, awning and awning supports, ADA improvements, exterior painting, applicable termite work, energy efficiencies, and safety improvements approved by the County in order to meet housing quality standards or correct health and safety conditions.

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

Approximate size of the project area: more than 1 square mile

Length of time covered by this review: 5 Years

Maximum number of dwelling units or lots addressed by this tiered review: 500

Level of Environmental Review Determination:

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

58.35(a)(3)

Determination:

	Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR
✓	There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

Approval Documents:

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Funding Information

Grant Number	HUD Program	Program Name
B-23-UC-06-0504	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)
B-24-UC-06-0504	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)
B-25-UC-06-0504	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)
B-26-UC-06-0504	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

Estimated Total HUD Funded Amount: \$4,000,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$4,000,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Was compliance achieved at the broad level of review?	Describe here compliance determinations made at the broad level and source documentation.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		

Airport Hazards	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Coastal Barrier Resources Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The State of California is not within a Coastal Barrier Resources area. the Project is in compliance with Coastal Barrier Resources.
Flood Insurance	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project does not include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units. Units assisted are single-family units. The project is in compliance with the Clean Air Act, and Air Quality standards.
Coastal Zone Management Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Part of the City of Seal Beach is the only area in the Coastal Zone Management Area however the scope of the project is interior renovations only. It does not require a coastal permit. The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Endangered Species Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The Project will have no effect due to the nature of the activities. The Project is in compliance with the Endangered Species Act.
Explosive and Flammable Hazards	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Farmlands Protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project involves rehabilitation only on existing residential units in a built-up area. There is no agricultural land conversion, or new construction. The Project is in compliance with Farmlands Protection.
Floodplain Management	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Historic Preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Noise Abatement and Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Noise attenuation is not required but will be recommended where possible.
Sole Source Aquifers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There are no Source Aquifers in Orange County. The project is in compliance with the Safe Drinking Water Act.
Wetlands Protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project does not involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance and is

		in compliance with Wetlands Protection.
Wild and Scenic Rivers Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There are no Wild and Scenic Rivers in Orange County. The Project is in compliance with the Wild and Scenic Rivers Act.
ENVIRONMENTAL JUSTICE		
Environmental Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	No adverse environmental impacted were identified in the review. The project is in compliance with Executive order 12898.

Supporting documentation

[Air-Quality-Worksheet.docx](#)

[Coastal-Barrier-Resources-Worksheet \(1\).docx](#)

[email from City planner ref CZ and flood hazards.pdf](#)

[Coastal-Zone-Management-Worksheet \(3\).docx](#)

[Farmlands-Protection-Worksheet \(1\).docx](#)

[wild and scenic and sole source aquifers.pdf](#)

[Wetlands-Protection-Worksheet \(1\).docx](#)

[wild and scenic and sole source aquifers\(1\).pdf](#)

[Noise-Abatement-and-Control-CEST-Worksheet \(1\).docx](#)

Written Strategies

The following strategies provide the policy, standard, or process to be followed in the site-specific review for each law, authority, and factor that will require completion of a site-specific review.

1	Airport Hazards
	Each Property will be reviewed for site's proximity to civil and military airports to make sure project is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport.
2	Flood Insurance
	Each property selected for this project will be reviewed under the Flood Disaster Protection Act of 1973 and the National Flood insurance Reform Act of 1994. All properties under the rehab program will have a Site-Specific Review completed prior to any assistance.
3	Contamination and Toxic Substances
	All properties under the rehab program will have a Site-Specific review completed prior to any assistance. Each property selected for this project will be reviewed under the Contamination and Toxic Substances Act.
4	Explosive and Flammable Hazards

	Each property will be reviewed to determine if it will result in increased residential density or cause a vacant building to become physically or legally habitable. If necessary, determine that proposed project is not within 1 mile of any visible, explosive or flammable substance container.
5	Floodplain Management
	Each property selected for this project will have a Site-Specific review under the Floodplain Management Executive order 11988 prior to any assistance.
6	Historic Preservation
	Each property will be reviewed to determine if sites are potentially historic properties. If so, CalSHPO will be consulted to determine if site is historic and if the undertaking will have adverse effects.

Supporting documentation

[Appendix A 2023.docx](#)

APPENDIX A: Site Specific Reviews



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HEROS Number: 900000010300427

State / Local Identifier: Orange County

Project Location: Santa Ana, CA 92705

Additional Location Information:

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repairs including leveling and jack/pier replacement, skirting, entry and fire doors, windows, awning and awning supports, ADA improvements, exterior painting, applicable termite work, energy efficiencies, and safety improvements approved by the County in order to meet housing quality standards or correct health and safety conditions.

Level of Environment Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(3)

Funding Information

Grant Number	HUD Program	Program Name	Funding Amount
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B-25-UC-06-0504	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	
B-26-UC-06-0504	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)	

Estimated Total HUD Funded Amount: \$4,000,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$4,000,000.00

Mitigation Measures and Conditions [40 CFR 1505.2(c)]: Consult the completed environmental review record for information on the 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.

Determination:

- Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA) ; OR
- There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

Preparer Signature: Suzanne Harder **Date:** 7/3/23

Name / Title/ Organization: Suzanne Harder / / ORANGE COUNTY

Responsible Entity Agency Official Signature: [Signature] **Date:** 7/3/23

Name/ Title: _____

CRG Community Development Mgr

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environment Review Record (ERR) for the activity / project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Air Quality (CEST and EA)

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
Reference		
https://www.hudexchange.info/environmental-review/air-quality		

Scope of Work

- 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

→ *Continue to Question 2.*

No

Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

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

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

Follow the link below to determine compliance status of project county or air quality management district:

<http://www.epa.gov/oaqps001/greenbk/>

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

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

- Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants.

Describe the findings:

→ Continue to Question 3.

- 3. Determine the estimated emissions levels of your project for each of those criteria pollutants that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis* or *threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?**

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

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Explain how you determined that the project would not exceed *de minimis* or threshold emissions.

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

→ Continue to Question 4. Explain how you determined that the project would not exceed *de minimis* or threshold emissions in the Worksheet Summary.

- 4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

The project is minor interior rehabilitation and does not include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units. Each address assisted is a single-family dwelling unit. The project is in compliance with Air Quality Standards.

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources (CEST and EA)

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)	
References		
https://www.hudexchange.info/environmental-review/coastal-barrier-resources		

Projects located in the following states must complete this form.

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

1. Is the project located in a CBRS Unit?

- No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*
- Yes → *Continue to Question 2.*

Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

2. Indicate your selected course of action.

- After consultation with the FWS the project was given approval to continue
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of a FWS approval.*
- Project was not given approval
Project cannot proceed at this location.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

There are no CBRS units in California.

Are formal compliance steps or mitigation required?

Yes

No

Coastal Zone Management Act (CEST and EA)

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
References		
https://www.onecpd.info/environmental-review/coastal-zone-management		

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

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

Yes → *Continue to Question 2.*

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.*

2. Does this project include activities that are subject to state review?

Yes → *Continue to Question 3.*

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

3. Has this project been determined to be consistent with the State Coastal Management Program?

Yes, with mitigation. → *Continue to Question 4.*

Yes, without mitigation. → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

No, project must be canceled.

Project cannot proceed at this location.

4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

Part of the City of Seal Beach is in the Coastal Zone Management Area however the scope of the project is interior renovations only. It does not require a coastal permit. The project is in compliance with the Coastal Zone Management Act.

Are formal compliance steps or mitigation required?

Yes

No

From: [Shaun Temple](#)
To: [Harder, Suzanne](#); [Marco Cuevas](#); [Monique Miner \(monique@civicstone.com\)](mailto:monique@civicstone.com)
Subject: RE: NEPA Environmental Review for Seal Beach Bathroom Accessibility Program
Date: Wednesday, January 18, 2023 11:10:39 AM
Attachments: [image006.png](#)
[image003.png](#)
[image007.png](#)

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Hello Suzanne,

The purple area at the top is a golf course. The triangular shaped area in the middle is a retention basin operated by the OC Flood Control District, and the small portion at the bottom under the "Seal Beach" title is our public beach parking lot, which is at a lower elevation (beach level). Those are not residential.

It looks like directly under the "S" in the Seal Beach title, there are a few purple marks that go into the residential area. These would be the residences on Ocean Avenue whose back yard abuts into the beach area. These homes between Ocean Avenue and the beach north of the pier we call the Gold Coast. It appears from the map that a few of them may be in the purple.

Updates or remodels to the bathroom, such as bathtub and toilet replacements would not require review by the Coastal Commission.

Shaun Temple
Planning Manager
City of Seal Beach - 211 Eighth Street, Seal Beach, CA 90740
(562) 431-2527, Ext. 1316



Civility Principles:

1. Treat everyone courteously;
2. Listen to others respectfully;
3. Exercise self-control;
4. Give open-minded consideration to all viewpoints;
5. Focus on the issues and avoid personalizing debate; and,
6. Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions.

For Information about Seal Beach, please see our city website: www.sealbeachca.gov

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attachments without copying or disclosing the contents.

From: Harder, Suzanne <suzanne.harder@occr.ocgov.com>

Sent: Friday, January 13, 2023 3:43 PM

To: Shaun Temple <STemple@sealbeachca.gov>; Marco Cuevas <MCuevas@sealbeachca.gov>;
Monique Miner (monique@civicstone.com) <monique@civicstone.com>

Subject: RE: NEPA Environmental Review for Seal Beach Bathroom Accessibility Program

Hello Shaun:

I wanted to update you since I was able to find out more information on Flood Maps and Coastal Zone Management. I no longer need the city outline and flood map but wonder if you can help me to confirm there are no residential properties in the purple area of the attached map?

I don't believe the project would require any permits needing a Coastal Zone Review but if you can confirm that would be helpful.

Thanks,

Sue Harder

Community Development Compliance and Environmental Coordinator | Housing and Community Development

Phone: 714-480-2876 | **Email:** suzanne.harder@occr.ocgov.com

1501 E St Andrew Place, Santa Ana, CA 92705

From: Shaun Temple <STemple@sealbeachca.gov>

Sent: Wednesday, January 11, 2023 3:26 PM

To: Harder, Suzanne <suzanne.harder@occr.ocgov.com>; Marco Cuevas
<MCuevas@sealbeachca.gov>; Monique Miner (monique@civicstone.com)
<monique@civicstone.com>

Subject: RE: NEPA Environmental Review for Seal Beach Bathroom Accessibility Program

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Hi Sue, I will look into these question and will get back to you.

Shaun Temple

Planning Manager

City of Seal Beach - 211 Eighth Street, Seal Beach, CA 90740

(562) 431-2527, Ext. 1316



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From: Harder, Suzanne <suzanne.harder@occr.ocgov.com>

Sent: Tuesday, January 10, 2023 4:09 PM

To: Shaun Temple <STemple@sealbeachca.gov>; Marco Cuevas <MCuevas@sealbeachca.gov>;
Monique Miner (monique@civicstone.com) <monique@civicstone.com>

Subject: NEPA Environmental Review for Seal Beach Bathroom Accessibility Program

Hello:

I am completing an Environmental Review for this program under NEPA for the federal HUD funds the City of Seal Beach will receive from the County. The current Seal Beach Program is limited to Leisure World but will be expanded to include the entire city. The program provides funding to alter bathtubs and install new high boy toilets to improve safety and accessibility for low-income senior citizens.

I am trying to make two determinations of exemption for Flood Hazards and Coastal Zone Management requirements and could use your help and guidance.

Does the City have a FEMA Flood Hazard Map for the entire city to help determine if there are any residential structures in a flood hazard area? From the research I have done it appears the entire city may be in a reduced risk area due to levees. However, I need to confirm this.

Additionally, since part of the City is in a Coastal Zone Area I would like to know if any of the activities of this program require a Coastal Zone Permit? I have read the single-family residential exemptions found [here](#) and was directed to your department by the California Coastal Commission for your input on whether this program meets the exemption.

Thank you I look forward to talking with you soon.

Sincerely,

Sue Harder

Community Development Compliance and Environmental Coordinator | Housing and Community Development

Phone: 714-480-2876 | **Email:** suzanne.harder@occr.ocgov.com

1501 E St Andrew Place, Santa Ana, CA 92705

Floodplain Management (CEST and EA)

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
Reference		
https://www.hudexchange.info/environmental-review/floodplain-management		

1. Does [24 CFR 55.12\(c\)](#) exempt this project from compliance with HUD's floodplain management regulations in Part 55?

Yes

Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(7) or (8), provide supporting documentation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

No → *Continue to Question 2.*

2. **Provide a FEMA/FIRM or ABFE map showing the site.**

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) or Advisory Base Flood Elevations (ABFEs). 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. Continue to the Worksheet Summary below.*

Yes

Select the applicable floodplain using the FEMA map or the best available information:

Floodway → *Continue to Question 3, Floodways*

- Coastal High Hazard Area (V Zone) → Continue to Question 4, Coastal High Hazard Areas
- 500-year floodplain (B Zone or shaded X Zone) → Continue to Question 5, 500-year Floodplains
- 100-year floodplain (A Zone) → The 8-Step Process is required. Continue to Question 6, 8-Step Process

3. **Floodways**

Is this a functionally dependent use?

- Yes

The 8-Step Process is required. Work with your HUD FEO to determine a way to satisfactorily continue with this project. Provide a completed 8-Step Process, including the early public notice and the final notice.

→Continue to Question 6, 8-Step Process

- No

Federal assistance may not be used at this location unless a 55.12(c) exception applies. You must either choose an alternate site or cancel the project at this location.

4. **Coastal High Hazard Area**

Is this a critical action?

- Yes

Critical actions are prohibited in coastal high hazard areas. Federal assistance may not be used at this location. Unless the action is excepted at 24 CFR 55.12(c), you must either choose an alternate site or cancel the project.

- No

Does this action include construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?

- Yes, there is new construction.

New construction is prohibited in V Zones ((24 CFR 55.1(c)(3)).

- No, this action concerns only a functionally dependent use, existing construction(including improvements), or reconstruction following destruction caused by a disaster.

This construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.

→ Continue to Question 6, 8-Step Process

5. 500-year Floodplain

Is this a critical action?

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes → Continue to Question 6, 8-Step Process

6. 8-Step Process.

Does the 8-Step Process apply? Select one of the following options:

8-Step Process applies.

Provide a completed 8-Step Process, including the early public notice and the final notice.

→ Continue to Question 7, Mitigation

5-Step Process is applicable per 55.12(a)(1-3).

Provide documentation of 5-Step Process.

Select the applicable citation:

55.12(a)(1) HUD actions involving the disposition of HUD-acquired multifamily housing projects or “bulk sales” of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).

55.12(a)(2) HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.

55.12(a)(3) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.

55.12(a)(4) HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the

Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for “substantial improvement” under § 55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.

→ *Continue to Question 7, Mitigation*

- 8-Step Process is inapplicable per 55.12(b)(1-4).

Select the applicable citation:

- 55.12(b)(1) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway or coastal high hazard area.
- 55.12(b)(2) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for “substantial improvement” under § 55.2(b)(10)
- 55.12(b)(3) HUD actions involving the disposition of individual HUD-acquired, one- to four-family properties.
- 55.12(b)(4) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance.
- 55.12(b)(5) The approval of financial assistance to lease an existing structure located within the floodplain, but only if—
- (i) The structure is located outside the floodway or Coastal High Hazard Area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24);
 - (ii) The project is not a critical action; and
 - (iii) The entire structure is or will be fully insured or insured to the maximum under the NFIP for at least the term of the lease.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

7. Mitigation

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology
- Planting or restoring native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements or similar easements
- Floodproofing of structures
- Elevating structures including freeboarding above the required base flood elevations
- Other

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

The project does not affect any critical actions hospitals, nursing homes, police stations, fire stations, and roadways providing sole egress from flood-prone areas) and is in compliance with Executive Order 11988

Are formal compliance steps or mitigation required?

Yes

No

Noise (CEST Level Reviews)

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
References		
https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control		

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

- New construction for residential use

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

→ *Continue to Question 4.*

- 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.

→ *Continue to Question 2.*

- A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions 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

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

- None of the above

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

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

Explain:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below and provide any supporting documentation.*

No

→ *Continue to Question 3.*

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

Projects will be encouraged to use noise attenuation measures.

→ *Continue to Question 6.*

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

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

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.

Noise generators were found within the threshold distances.

→ Continue to Question 5.

5. Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:

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

Indicate noise level here:

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.

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

Indicate noise level here:

Is the project in a largely undeveloped area¹?

No

→Your project requires completion of an Environmental Assessment (EA) pursuant to 51.104(b)(1)(i). Elevate this review to an EA-level review.

Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

Yes

→Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS-level review.

Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

¹ A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses or does not have water and sewer capacity to serve the project.

Unacceptable: (Above 75 decibels)

Indicate noise level here:

Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:

Convert to an EIS

→ Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

Provide waiver

→ Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.

Continue to Question 6.

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

Mitigation as follows will be implemented:

→ Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures.

Continue to the Worksheet Summary.

No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to the Worksheet Summary.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

Though not required project will be encouraged to add noise attenuation for windows when new windows are installed. Insulation will also be encouraged.

Are formal compliance steps or mitigation required?

Yes

No

Wetlands (CEST and EA)

General requirements	Legislation	Regulation
Executive Order 11990 discourages that 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.
References		
https://www.hudexchange.info/environmental-review/wetlands-protection		

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. Continue to the Worksheet Summary below.*

Yes → *Continue to Question 2.*

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

The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.
→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*

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

→ You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.

Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.

Continue to Question 3.

- 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Which of the following mitigation actions have been or will be taken? Select all that apply:

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- Native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements
- Compensatory mitigation

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

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

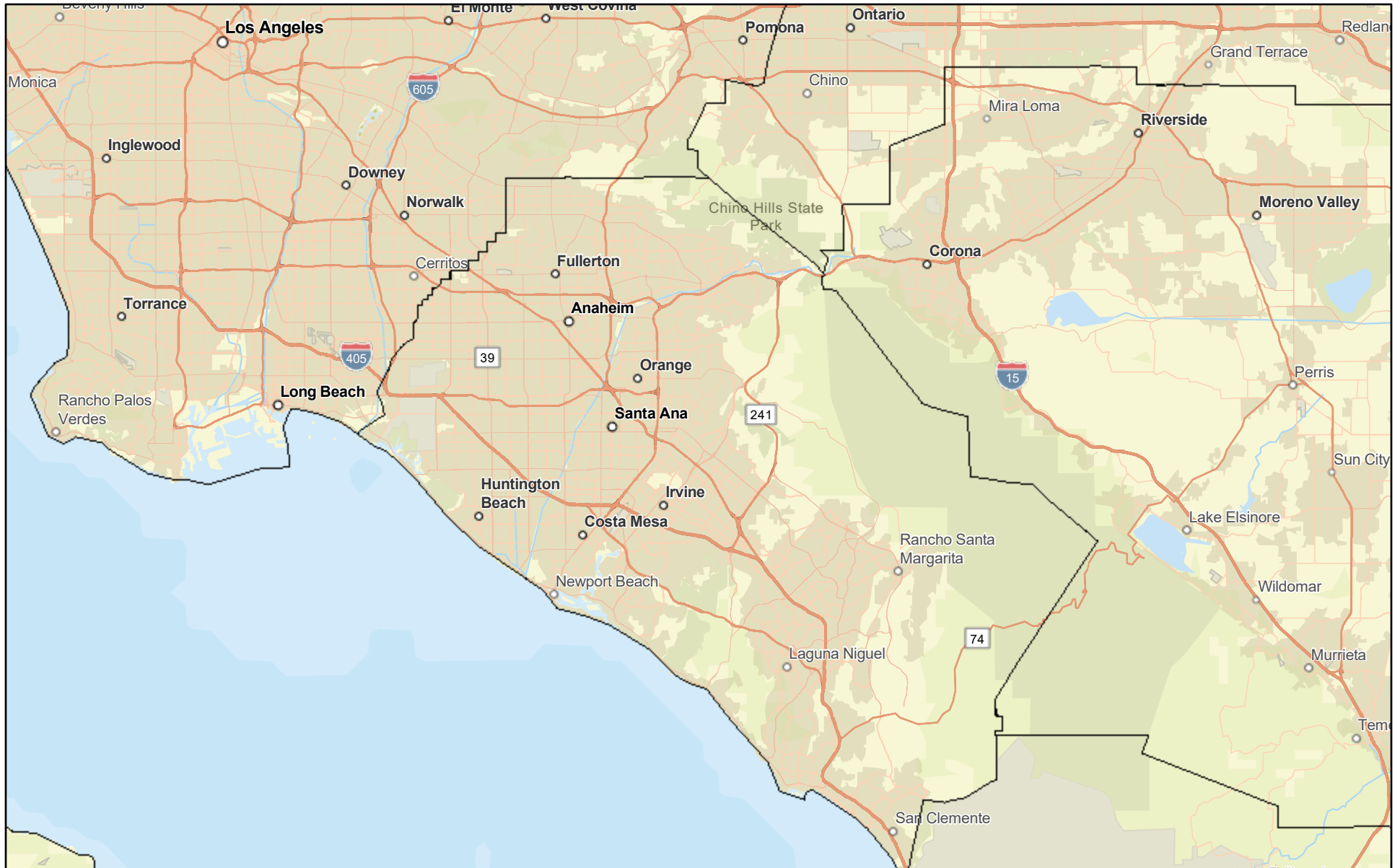
The project does not involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance and is in compliance with Wetlands Protection.

Are formal compliance steps or mitigation required?




Yes

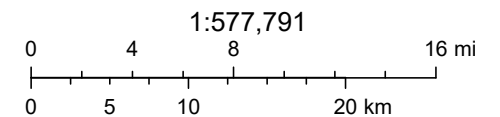
No

Orange C County Wild and Scenic Rivers, Sole Source Aquifers



February 6, 2023

-  Sole Source Aquifers
-  Counties
-  Wild and Scenic Rivers



City of Irvine, County of Los Angeles, California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land

Minor Rehabilitation Environmental Report (MRER) APPENDIX A 2023-2024

Community Development
Receiving Date:

Before any activity is approved, this **Appendix A** review must be successfully completed and kept in file for each residential structure proposed for acquisition/rehabilitation/disposition. The Appendix A may be used only in conjunction with a currently valid RER (Rehabilitation Environmental Review) for the target area. Completion of the Appendix A does not require submission of an additional RROF/C (Request for Release of Funds/Certification HUD 7015.15) if the Responsible entity has received Authority to Use Grant Funds (HUD 7015.16) for the project.

Resident's last name _____

Building and unit Address _____

Summarize the description of the rehabilitation including estimated cost of the activity _____

Part III HISTORIC PRESERVATION (NHPA, Section 106)

1. Does this undertaking involve only those activities permitted without further consultation under a currently valid **programmatic agreement** among the responsible entity, the State Historic Preservation Officer (**SHPO**) or Tribal Historic Preservation Officer (**THPO**) and/or the Advisory Council on Historic Preservation
() Yes () No

If yes, note date of programmatic agreement _____, document implementation of the terms of the agreement and STOP here; the Section 106 Historic Preservation review is complete. If no, PROCEED.

2. Is the unit a mobile home? () Yes () No. If yes, no SHPO review is required based on a letter of understanding with the State Historic Preservation Organization (CalSHPO). Stop here, your Section 106 review is complete.

3. Does the undertaking involve only acquisition and/or minor rehabilitation of a 1–4-unit residential structure (or individual unit(s) within a multifamily structure) that is **less than 50 years old or will involve only interior rehabilitation with no visible changes to the exterior of the structure?**

() Yes () No

If Yes, record date of building construction _____, age: _____ years or document that scope of work is limited to minor interior rehabilitation and **STOP** here. The Section 106 Historic Preservation review is complete. If No, PROCEED.

4. If the proposed rehabilitation involves physical work with potential to affect any historic structure, **determine** -in consultation with the appropriate **SHPO/THPO**- whether the building is **listed or eligible** for inclusion in the National Register of Historic Places (**NR**). (*If the structure is located in a National Register Historic District, the area of effects includes not only the subject property, but the Historic District as a whole. Is the building listed in or eligible for listing on the NR? () Yes () No

If No, attach SHPO/THPO or other evidence of conclusion and STOP here. This part is complete pursuant to 36 CFR §800.4(d). If Yes, PROCEED.

5. Determine whether **historic properties are affected** per §800.4(d). Has SHPO/THPO concurred with your fully documented determination of “no historic properties affected”, or failed to object within 30 days of receipt of such determination, allowing sufficient time for mail delivery?

() Yes. Enclose documentation and stop here. Section 106 review is complete.

() No. Proceed.

6. **Determine whether the undertaking will have adverse effects** on historic properties according to §800.5, in consultation with the SHPO/THPO and consulting parties {see §800.2c}.

Will this undertaking have adverse effect(s) on historic properties? () Yes () No.

If “no”, attach SHPO/THPO concurrence and STOP here. This part is complete per 36 CFR §800.5(d)(1). If “yes”, PROCEED.

7. Resolve Adverse Effects per §800.6 -in consultation with the SHPO/THPO, the Advisory Council on Historic Preservation (ACHP) if participating, and any consulting parties. The loan or grant may not be

approved until adverse effects are resolved according to §800.6 or ACHP comment is considered by the Responsible Entity.

NOTES:

- 1. A determination/consultation of eligibility for the NR, may be sent to SHPO/THPO concurrently with the determination of effect/no effect and with the determination of adverse/no adverse effects.
- 2. The **Chief Executive Officer of the jurisdiction cannot delegate to another person** the decision to approve a project in opposition to Advisory Council comment.

Part IV AIRPORT CLEAR ZONES (24 CFR 51D)

1. Does the proposal **involve the purchase or sale of property?** () Yes () No
If no, STOP here. This project complies with 24 CFR Subpart D§51.300. If yes, PROCEED.

2. Is the subject property located in the Clear Zone (CZ), Approach Protection Zone, or in the Runway Clear Zone (RCZ) of a commercial airport or military airfield?
() No Source Documentation: _____

If no, stop here; this project complies with 24 CFR 51 Subpart D §51.300. If yes, PROCEED.
() Yes. Provide an airport disclosure statement advising the buyer that the property is in a RCZ or CZ, what the implications of such a location are and that there is a possibility that the property may, at a later date, be acquired by the airport operator. Obtain the buyer's signature acknowledge receipt of this information and attach it to this Appendix. (This disclosure requirement does not apply to Accident Potential Zones). AND PROCEED.

3. Does the rehabilitation significantly prolong the physical or economic life of the building?
() No; the activity complies with HUD policy at 24 CFR 51 Subpart D §51.303.
() Yes; the proposal is not in compliance with HUD policy at 24 CFR 51 Subpart D §51.303; **deny HUD assistance for this activity.**

Part V EXPLOSIVE & FLAMMABLE OPERATIONS

1. Will this proposed acquisition/rehabilitation project result in increased residential density or cause a vacant building to become physically or legally habitable? () Yes () NO.
If the answer to both parts of the question is No, STOP HERE; this proposal complies with 24 CFR §51.201.
If the answer to any part of the question is "yes", PROCEED.

2. Is this proposed project within 1 mile of any visible, explosive-or-flammable-substance container (a stationary, above –ground tank with a capacity of more than 100 gallons)?
() Yes () No (See 24 CFR 51C, Appendices I and II).
Field inspection by: _____ Date: _____
If No, STOP here. This part is complete. If yes, PROCEED.

3. Note Tank volume: _____ gallons, or diked area around tank: _____ square feet.
Record distance from the project to the flammable/explosives container: _____ Feet.

4 According to HUD Guidebook "Siting of HUD-Assisted Projects Near Hazardous Facilities" (HUD-1060 CPD), the **Acceptable Separation Distance (ASD)** for thermal radiation (Appendix F) is _____ ft. and the ASD for blast overpressure (Appendix G) is _____ ft. The greater ASD is _____ ft.

Is the project located beyond located beyond the ASD according to Appendices F and G?
() Yes, STOP; the project complies with 24 CFR 51C. () No, **Deny HUD assistance**, or
() **APPROVE ONLY** if the following shielding/mitigation measures-designed in compliance with 24 CFR §51.205 are carried out:

Part VI TOXIC/HAZARDOUS/RADIOACTIVE MATERIALS POLICY (24 CFR 58.5(I)(2))

1. Field Observations of the property (exterior/Interior):

2. Are there visible dumps, landfills, industrial sites or other locations containing or releasing

toxic/hazardous/radioactive/materials, chemicals or hazardous wastes on or near the subject site?
() No, proceed. () Yes, describe and proceed

3. Does this project site contain an underground storage tank (which is not a residential fuel tank)?
() No, proceed. () Yes, describe and proceed

4. Search Federal, State or local environmental toxic sites records (e.g. <https://enviro.epa.gov/>). Do These sources reveal nearby on or nearby sites that may pose threats to the subject site occupants' health or safety?

() No; cite databases and proceed. () Yes; cite databases, describe and proceed.

5. Determination. Are the neighborhood and property free of hazardous materials, contamination, toxic chemicals, gasses and radioactive substances which would affect the health or safety of occupants?

() Yes, according to toxic site database research and field observations

() No, the following toxic or hazardous conditions must be mitigated during implementation:

_____(Prescribe mitigation measures now, and attach mitigation compliance, disclosure & clearance documents, as appropriate, after project implementation).

() No, hazardous exposure or risk will not be mitigated; **Deny HUD Assistance for this activity.**

Part VII FLOOD INSURANCE/FLOOD DISASTER PROTECTION ACT [24CFR58.6(A)]

(The Flood Disaster Protection Act mandates the purchase of **flood insurance** for buildings located in SFHA's as a condition of approval for federal financial assistance. Flood insurance protection is mandatory for acquisition, construction, reconstruction, repair and improvement activities. Responsible Entities approving such Federally assisted activities located in SFHA's must ensure that flood insurance is maintained for the statutorily-prescribed period and dollar amount. In the case of grants, flood insurance must be maintained for the life of the building. In the case of loans, flood insurance must be maintained for the term of the loan. A copy of the flood insurance Policy Declaration must be maintained in the ERR. The amount of flood insurance coverage must be at least equal to the total project cost (less the estimated land cost) or to the maximum limit of coverage made available by the NFIP).

1. Does the project involve the acquisition or rehabilitation of structures, buildings or mobile homes?

() No; flood insurance is not required. Stop; compliance is established.

() Yes; proceed.

2. Is the structure or part of the structure located in a FEMA designated Special Flood Hazard Area?

() No. Source Documentation (FEMA/FIRM floodplain zone designation, panel number, date):

_____(stop; compliance is established).

() Yes. Source Documentation (FEMA/Firm floodplain zone designation, panel number, date):

_____(Proceed).

3. Is the community participating in the National Insurance Program (or has less than a year passes since FEMA notification of Special Flood Hazards)?

() Yes – Flood insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the activity to cover the total activity cost. A copy of the flood insurance polity declaration must be kept in the Environmental Review Record.

() No, **HUD assistance may not be provided for this property in the Special Flood Hazards Area.**

Part VIII LEAD BASED PAINT

1. Was the construction of the subject building completed on or after January 1, 1978?

() Yes () No

If **Yes**, **STOP** here; the MRER is completed. If **No**, proceed to question 2.

2. Is this property a Single Room Occupancy Dwelling Unit, a residential property designated exclusively for persons with disabilities or the elderly; where a child under six years old is **not** expected to reside?

() Yes () No

If yes, stop here; this part is completed. If no, proceed.

3. Has this property been inspected in accordance with §35.1320(a) and found not to have lead-based paint?

() Yes () No

If **Yes**, stop here and attach a copy of the inspection report; this part is now completed.

If **No**, proceed to question 4.

4. Has all LBP been removed, interim controlled or abated and LBP clearance for the property achieved?

() Yes () No

If **Yes**, **STOP** here and attach a copy of the clearance report; this part is now completed.

If **No**, proceed to question 5.

5. Is this rehabilitation which will **not** disturb a painted surface, or is the disturbance limited to 20 square feet exterior painted surfaces or 2 square feet painted surfaces in any one interior room?

[See §35.1350(d)]

() Yes () No

If **Yes**, **STOP** here; this part is completed.

If **No**, proceed to the number below, associated with the level of Federal rehabilitation assistance applicable to this project.

6. Are the average Federal funds for the hard costs of rehabilitation per unit limited to \$5,000 or less?

() Yes () No

If **Yes**, conduct paint testing per Sec. 35.930(a)(1) and implement safe work practices per § 35.930(a)(2) **OR** presume LBP and implement **safe work practices**. Either way, conduct a clearance examination, per §35.930(b)(3) after rehabilitation. Attach a copy of the paint test (if applicable) and clearance examination reports, after completion.

7. Are the average Federal funds for the hard costs of rehabilitation per unit more than \$5,000 but not exceeding \$25,000?

() Yes () No

If **Yes**, conduct paint testing per Sec. 35.930(c)(1) and a risk assessment per Sec. 35.930(c)(2); perform **interim controls** per Sec. 35.1330 (see Sec. 35.930(c)(3)) **OR** presume LBP and/or hazards present and use standard treatments per Sec. 35.120(a). Either way, conduct a clearance examination per Sec. 35.930(b)(3) after rehabilitation. Attach a copy of the paint test and risk assessment (if applicable), and clearance examination reports, after completion.

8. Are the average Federal funds for the hard costs of rehabilitation per unit more than \$25,000?

() Yes () No

If **Yes**, conduct paint test and perform a risk assessment per §35.930(d)(2), **or** presume LBP. **Abate all LBP hazards** identified by the paint test or risk assessment conducted and any LBP hazards created as a result of the rehabilitation work, in accordance with §35.1325, except that interim controls are acceptable on exterior surfaces that are not disturbed by rehabilitation. Either way, conduct a clearance examination per Sec. 35.930(b)(3) after rehabilitation. Attach a copy of the paint test and risk assessment (if applicable), and clearance examination reports, after completion.

***Notes:** If Federal rehabilitation assistance under the HOME program is used, recipient shall require property owner to incorporate ongoing LBP maintenance activities into regular building operations, per Sec. 35.1355(a) (see Sec. 35.935). Also, there are **notification requirements** for all rehabilitation activities: Lead Hazard Information Pamphlet, disclosure of known LBP hazards, and notices of lead hazard evaluation/reduction activity (see Sec. 35.910).

Subrecipient Preparer - Name and Title

Signature

Date

Community Development Reviewer (Name and Title)

Signature

Clearance Date