**Environmental Review for Activity/Project that is**

**Categorically Excluded Subject to Section 50.4**

**Pursuant to 24 CFR Part 50.20(a)**

# Project Information

|  |  |
| --- | --- |
| **Project Name:** | Chehalis-Avenue-Apartments |

|  |  |
| --- | --- |
| **HEROS Number:** | 900000010022689 |

|  |  |
| --- | --- |
| **Applicant / Grant Recipient:** | Preservation Partners Development III LLC |

|  |  |
| --- | --- |
| **Point of Contact:** | Asia Williams |

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| --- | --- |
| **HUD Preparer:** | David Melanson |

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| --- | --- |
| **Consultant (if applicable):** |  |

|  |  |
| --- | --- |
| **Point of Contact:** |  |

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| --- | --- |
| **Project Location:** | 366 Southwest Third Street, Chehalis, WA 98532 |

|  |
| --- |
| **Additional Location Information:** |
| N/A |

|  |
| --- |
| **Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:** |
| The subject property is located on the northeastern corner of the intersection of Southwest Chehalis Avenue and Southwest Third Street. The address is 366 Southwest Third Street, Chehalis, Washington. The site is 5.41 acres. It is improved with 10 residential buildings with 60 apartments and built in 1969. The buildings total about 61,010 SF (from the Assessor). It is operated as Chehalis Avenue Apartments. Amenities include a leasing office located in the property manager's unit E-2, a playground, and four common laundry rooms located in Buildings A, B, H and J. Four maintenance rooms are located in Buildings A, B, D and I. The subject property consists of 10 two-story residential buildings on concrete slab-on-grade foundations located throughout the property. In addition to the current structures, the subject property is also improved with asphalt-paved parking areas, associated landscaping, two storage sheds, and a two to three foot berm for flood protection around portions of the perimeter and/or buildings. |

**Does this project involve over 200 lots, dwelling units, or beds?**

|  |  |
| --- | --- |
| ✓ | No |
|  | Yes (Project requires approval from the Environmental Clearance Officer (ECO)) |

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

#### Level of Environmental Review Determination:

|  |
| --- |
| **Categorically Excluded per 24 CFR 50.20(a), and subject to laws and authorities at 50.4:** |
| 50.20(a)(2)(ii) |

**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. |

|  |  |  |  |
| --- | --- | --- | --- |
| **Review Certified by** | Tim Sovold, Chief, Technical Specialist Branch | **on** | 01/30/2017 |

**Funding Information**

|  |  |  |  |
| --- | --- | --- | --- |
| **Grant Number** | **HUD Program** | **Program Name** | **Funding Amount** |
| WA19L000020 | Housing | Other Housing Program | $266,000.00 |

|  |  |
| --- | --- |
| **Estimated Total HUD Funded Amount:** | $266,000.00 |

|  |
| --- |
| **This project anticipates the use of funds or assistance from another federal agency in addition to HUD in the form of:** |

|  |  |
| --- | --- |
| **Estimated Total Project Cost:** | $3,483,442.00 |

**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 | 🞎 Yes 🗹 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. The Chehalis-Centralia Airport is a general aviation airport located about 1.1 miles NW of the subject site. |
| **Coastal Barrier Resources Act**  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | 🞎 Yes 🗹 No |  |
| **Flood Insurance** Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | 🗹 Yes 🞎 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. Per the Phase I (citing city sources) "in the late 1980s, 2007 and 2009, the subject property experienced flooding, and permits were issued for repairs." From other data in the Phase 1, the late 1980s flooding is likely in 1986. Legal counsel to the seller of the property (Nathaniel Cushman of Nixon Peabody) related that "the seller has had no flooding since their acquisition. Per the seller, the reason for the improved flood conditions is that the Army Corps of Engineers widened the mouth of the river and reinforced dikes that broke in 2009. Per the seller, there was record rain in 2016 (more than in 2009 when flooding occurred) and there was no flooding at the property." Counsel also notes "the seller acquired the property in June of 2013." Given the flooding history, flood insurance will be required. |
| **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 | 🞎 Yes 🗹 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) | 🞎 Yes 🗹 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)] | 🞎 Yes 🗹 No | Site contamination was evaluated as follows: ASTM Phase I ESA. 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. Note that there is an HREC. The Phase 1 analyst concludes: The subject property is not identified in the regulatory database report. However, the subject property is located in the historical area of contamination of the southwest adjacent American Crossarm and Conduit Company (ACC) Superfund Site. The ACC site at 100 SW Chehalis Avenue is located adjacent to the west of the subject property across SW Chehalis Avenue and is currently on the final NPL. From 1948 to 1983, ACC operations included treating crossarms and conduits for electrical utility poles in open dip tanks with hot or cold creosote and pentachlorophenol (PCP). Soil and groundwater at ACC was contaminated by carcinogenic polyaromatic hydrocarbons (CPAHs) and PCP through its day-to-day operations and by chlorinated dioxins and furans that were present as contaminants in PCP. In November 1986, the Chehalis River flooded the ACC site spreading approximately 10,000 gallons of PCP-diesel solution to the Chehalis Avenue Area of Contamination (AOC). According to EPA documentation, the subject property is within the AOC affected by the 1986 flood. According to the EPA's Second Five-Year Review for the ACC dated 2004, soil in the AOC was sampled and analyzed for dioxins, furans, PCP and CPAH in 26 residential lots, including the subject property. Contaminated soil was excavated to a depth of approximately 8 to 12 inches. The excavated soil was later buried in the ACC excavated impoundment area. Approximately 2,500 cubic yards of soil was excavated from residential lots. The excavated areas were filled with clean imported topsoil and re-sodded. According to an EPA memorandum dated 2015, the "AOC surrounding the ACC facility was contaminated due to flooding and those areas within the AOC which were determined to have received actionable levels of contamination were remediated. No institutional controls or use restrictions are required by EPA for the AOC." Partner notes that a specific closure letter for the subject property was not found in the EPA documentation; however, the subject property is included in the AOC cleanup as described above. Based on the removal of contaminated soil, confirmatory sampling, and the regulatory status, this former release onto the subject property is considered an HREC and no further investigation is recommended at this time. |
| **Endangered Species Act** Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | 🞎 Yes 🗹 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 | 🞎 Yes 🗹 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. Looking at the site via Google Earth, there is a Darigold milk processing plant about 700 ft. to the NW of the subject site. To the west of that plant (and across the railroad tracks) are tanks that hold milk. See attached pdf of email correspondence. |
| **Farmlands Protection** Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 | 🞎 Yes 🗹 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 | 🗹 Yes 🞎 No | This project is located in a 100-year floodplain. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988. Property will need flood insurance. Also, it will need to comply with the following: (i) Preparation of and participation in an early warning system; (ii) An emergency evacuation and relocation plan; (iii) Identification of evacuation route(s) out of the 500-year floodplain; and (iv) Identification marks of past or estimated flood levels on all structures. Per the Phase I (citing city sources) "in the late 1980s, 2007 and 2009, the subject property experienced flooding, and permits were issued for repairs." From other data in the Phase 1, the late 1980s flooding is likely in 1986. Legal counsel to the seller of the property (Nathaniel Cushman of Nixon Peabody) related that "the seller has had no flooding since their acquisition. Per the seller, the reason for the improved flood conditions is that the Army Corps of Engineers widened the mouth of the river and reinforced dikes that broke in 2009. Per the seller, there was record rain in 2016 (more than in 2009 when flooding occurred) and there was no flooding at the property." Counsel also notes "the seller acquired the property in June of 2013." Due to the frequency of flooding, we strongly advise a separate reserve fund to cover tenant relocation and restoration of their units in the event of a flood. |
| **Historic Preservation** National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800 | 🞎 Yes 🗹 No | Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: None. 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 | 🞎 Yes 🗹 No | 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. |
| **Sole Source Aquifers** Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149 | 🞎 Yes 🗹 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 | 🞎 Yes 🗹 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) | 🞎 Yes 🗹 No | This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. There is a non-designated river about 0.69 miles away at the closest. |
| **HUD HOUSING ENVIRONMENTAL STANDARDS** | | |
| **Housing Requirements (50)** [MAP Guide - Chapter 9: Lead-based paint, Radon, and Asbestos] | 🞎 Yes 🗹 No | See appendix for compliance with Housing Requirements. |
| **ENVIRONMENTAL JUSTICE** | | |
| **Environmental Justice** Executive Order 12898 | 🞎 Yes 🗹 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 areall 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** |
| Floodplain Management | Per the Phase I (citing city sources) | N/A |  |

**Mitigation Plan**

|  |
| --- |
| Due to the flooding history, we will require flood insurance. Also, we strongly advise a separate reserve fund to cover tenant relocation and restoration of their units in the event of a flood. |

**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. The Chehalis-Centralia Airport is a general aviation airport located about 1.1 miles NW of the subject site. |

**Supporting documentation**

[Map Showing General Area.docx](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010060884_1485944402472.docx)

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

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Coastal Barrier Resources**

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

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

**Compliance Determination**



**Supporting documentation**

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

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Flood Insurance**

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

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

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

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. Per the Phase I (citing city sources) "in the late 1980s, 2007 and 2009, the subject property experienced flooding, and permits were issued for repairs." From other data in the Phase 1, the late 1980s flooding is likely in 1986. Legal counsel to the seller of the property (Nathaniel Cushman of Nixon Peabody) related that "the seller has had no flooding since their acquisition. Per the seller, the reason for the improved flood conditions is that the Army Corps of Engineers widened the mouth of the river and reinforced dikes that broke in 2009. Per the seller, there was record rain in 2016 (more than in 2009 when flooding occurred) and there was no flooding at the property." Counsel also notes "the seller acquired the property in June of 2013." Given the flooding history, flood insurance will be required. |

**Supporting documentation**

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

|  |  |
| --- | --- |
| ✓ | Yes |
|  | No |

**Air Quality**

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

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

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

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**

**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 Map.docx](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010060882_1485944402472.docx)

**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:**

|  |
| --- |
| No RECs identified. Note that there is an HREC. The subject property is located in the historical area of contamination of the southwest adjacent American Crossarm and Conduit Company (ACC) Superfund Site. |

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

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| Site contamination was evaluated as follows: ASTM Phase I ESA. 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. Note that there is an HREC. The Phase 1 analyst concludes: The subject property is not identified in the regulatory database report. However, the subject property is located in the historical area of contamination of the southwest adjacent American Crossarm and Conduit Company (ACC) Superfund Site. The ACC site at 100 SW Chehalis Avenue is located adjacent to the west of the subject property across SW Chehalis Avenue and is currently on the final NPL. From 1948 to 1983, ACC operations included treating crossarms and conduits for electrical utility poles in open dip tanks with hot or cold creosote and pentachlorophenol (PCP). Soil and groundwater at ACC was contaminated by carcinogenic polyaromatic hydrocarbons (CPAHs) and PCP through its day-to-day operations and by chlorinated dioxins and furans that were present as contaminants in PCP. In November 1986, the Chehalis River flooded the ACC site spreading approximately 10,000 gallons of PCP-diesel solution to the Chehalis Avenue Area of Contamination (AOC). According to EPA documentation, the subject property is within the AOC affected by the 1986 flood. According to the EPA's Second Five-Year Review for the ACC dated 2004, soil in the AOC was sampled and analyzed for dioxins, furans, PCP and CPAH in 26 residential lots, including the subject property. Contaminated soil was excavated to a depth of approximately 8 to 12 inches. The excavated soil was later buried in the ACC excavated impoundment area. Approximately 2,500 cubic yards of soil was excavated from residential lots. The excavated areas were filled with clean imported topsoil and re-sodded. According to an EPA memorandum dated 2015, the "AOC surrounding the ACC facility was contaminated due to flooding and those areas within the AOC which were determined to have received actionable levels of contamination were remediated. No institutional controls or use restrictions are required by EPA for the AOC." Partner notes that a specific closure letter for the subject property was not found in the EPA documentation; however, the subject property is included in the AOC cleanup as described above. Based on the removal of contaminated soil, confirmatory sampling, and the regulatory status, this former release onto the subject property is considered an HREC and no further investigation is recommended at this time. |

**Supporting documentation**

[Ex M - Phase I Combined.pdf](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010060868_1485944402472.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 *et seq*.); particularly section 7 (16 USC 1536). | 50 CFR Part 402 |

**1. Does the project involve any activities that have the potential to affect specifies 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**

**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. Looking at the site via Google Earth, there is a Darigold milk processing plant about 700 ft. to the NW of the subject site. To the west of that plant (and across the railroad tracks) are tanks that hold milk. See attached pdf of email correspondence. |

**Supporting documentation**

[Email on Tanks and SHPO.pdf](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010066834_1485944402472.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](http://www.access.gpo.gov/nara/cfr/waisidx_11/7cfr658_11.html) |

**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**

**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:**

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 |

|  |  |
| --- | --- |
| ✓ | Yes |

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

|  |  |
| --- | --- |
|  | Floodway |
|  | Coastal High Hazard Area (V Zone) |
| ✓ | 100-year floodplain (A Zone) |
|  | 500-year floodplain (B Zone or shaded X Zone) |

**8-Step Process**

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

|  |  |
| --- | --- |
|  | **8-Step Process applies** |

|  |  |
| --- | --- |
| ✓ | **5-Step Process** is applicable per 55.12(a)(1-4). Provide documentation of 5-Step Process. |

Document and upload the completed 5-Step Process below.

Select the applicable citation: [only one can be selected]

|  |  |
| --- | --- |
|  | 55.12(a)(1) |
|  | 55.12(a)(2) |
|  | 55.12(a)(3) |
| ✓ | 55.12(a)(4) |

|  |  |
| --- | --- |
|  | **8-Step Process** is inapplicable per 55.12(b)(1-5). |

**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. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.**

|  |
| --- |
| Per the Phase I (citing city sources) |

**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 |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project is located in a 100-year floodplain. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988. Property will need flood insurance. Also, it will need to comply with the following: (i) Preparation of and participation in an early warning system; (ii) An emergency evacuation and relocation plan; (iii) Identification of evacuation route(s) out of the 500-year floodplain; and (iv) Identification marks of past or estimated flood levels on all structures. Per the Phase I (citing city sources) "in the late 1980s, 2007 and 2009, the subject property experienced flooding, and permits were issued for repairs." From other data in the Phase 1, the late 1980s flooding is likely in 1986. Legal counsel to the seller of the property (Nathaniel Cushman of Nixon Peabody) related that "the seller has had no flooding since their acquisition. Per the seller, the reason for the improved flood conditions is that the Army Corps of Engineers widened the mouth of the river and reinforced dikes that broke in 2009. Per the seller, there was record rain in 2016 (more than in 2009 when flooding occurred) and there was no flooding at the property." Counsel also notes "the seller acquired the property in June of 2013." Due to the frequency of flooding, we strongly advise a separate reserve fund to cover tenant relocation and restoration of their units in the event of a flood. |

**Supporting documentation**

[FEMA National Flood Hazard Layer (Official).pdf](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010061196_1485944402472.pdf)

[FM5301041362C.pdf](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010061184_1485944402472.pdf)

[Chehalis Site from Google Earth(1).docx](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010061183_1485944402472.docx)

**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) | Completed |

|  |  |
| --- | --- |
|  |  |

|  |  |
| --- | --- |
|  | 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:**

|  |
| --- |
| No ground disturbance envisioned so contacting tribes was not required. |

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:**

|  |
| --- |
| See attached. |

**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:**

|  |
| --- |
| See attached. |

1. **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 |

|  |  |
| --- | --- |
| ✓ | No Adverse Effect |

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

**Document reason for finding:**

|  |
| --- |
| See SHPO Clearance letter attached. |

**Does the No Adverse Effect finding contain conditions?**

|  |  |
| --- | --- |
|  | Yes (check all that apply) |

|  |  |
| --- | --- |
| ✓ | No |

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

|  |  |
| --- | --- |
|  | Adverse Effect |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: None. The project is in compliance with Section 106. |

**Supporting documentation**

[SHPO Clearance Letter for Chehalis Avenue Apts.pdf](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010066829_1485944402472.pdf)

[Letter to SHPO for Chehalist Avenue Apts.docx](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010066828_1485944402472.docx)

[Chehalis Avenue Maps & Site Photos.docx](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010066827_1485944402472.docx)

[Chehalis - Scope of Work - Detailed(1).pdf](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010066826_1485944402472.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. |

**Supporting documentation**

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

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

|  |  |
| --- | --- |
| ✓ | No |

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

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

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

**Supporting documentation**

[Sole Source Aquifer Map.docx](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010060877_1485944402472.docx)

**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**

[Wetlands Map.docx](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010060883_1485944402472.docx)

**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. There is a non-designated river about 0.69 miles away at the closest. |

**Supporting documentation**

[Scenic and Wild Rivers Map.docx](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010060881_1485944402472.docx)

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

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Housing Requirements**

|  |  |  |
| --- | --- | --- |
| 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 50.3(i) |

**Will Multifamily Accelerated Processing (MAP) be used?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Hazardous Substances**

Requirements for evaluating site contamination vary by program. If applicable, for each of the following factors describe how compliance was met and upload any relevant documents such as reports, surveys, and letters. Refer to program guidance for the specific requirements.

**Lead-based paint**

|  |
| --- |
| Per the Phase 1: Due to the age of the subject property buildings, there is a potential that asbestos-containing material (ACM) and/or lead-based paint (LBP) are present. Overall, all suspect ACMs surfaces were observed in good condition and do not pose a health and safety concern to the occupants of the subject property at this time. The identified suspect ACMs and LBPs would need to be sampled to confirm the presence or absence of asbestos and/or lead prior to any renovation or demolition activities to prevent potential exposure to workers and/or building occupants. Per the owner's counsel no testing has been done but O&M Plans for both lead and asbestos have been provided. These are attached. |

**Radon**

|  |
| --- |
| Per the Phase 1: Radon sampling was not conducted as part of this assessment. Review of the US EPA Map of Radon Zones places the subject property in Zone 3. Based upon the radon zone classification, radon is not considered to be a significant environmental concern. |

**Asbestos**

|  |
| --- |
| Per the Phase 1: Due to the age of the subject property buildings, there is a potential that asbestos-containing material (ACM) and/or lead-based paint (LBP) are present. Overall, all suspect ACMs surfaces were observed in good condition and do not pose a health and safety concern to the occupants of the subject property at this time. The identified suspect ACMs and LBPs would need to be sampled to confirm the presence or absence of asbestos and/or lead prior to any renovation or demolition activities to prevent potential exposure to workers and/or building occupants. Per the owner's counsel no testing has been done but O&M Plans for both lead and asbestos have been provided. These are attached. |

**Other**

|  |
| --- |
| Per the Phase 1:Obvious indications of minor mold growth were observed during Partner's visual and olfactory inspection in the areas of the stairway window sill in unit F-1, the drywall above the tub in bath of unit H-15, and the drywall around the ceiling fan above the tub in the bath of unit J-25. The sources of water intrusion should be identified and repaired, and the water-damaged materials should be remediated as part of routine maintenance. |

**Mitigation**

Describe all mitigation measures that will be taken for the Housing Requirements.



**Screen Summary**

**Compliance Determination**

|  |
| --- |
| See appendix for compliance with Housing Requirements. |

**Supporting documentation**

[Chehalis - Scope of Work - Detailed.pdf](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010061177_1485944402472.pdf)

[Chehalis - LBP O&M Plan 09162016.pdf](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010061175_1485944402472.pdf)

[Chehalis - ASB O&M Plan 09162016.pdf](https://www.onecpd.info/reports/ESD_900000010022689_02012018_900000010061174_1485944402472.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**

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

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |