



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
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**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:** FY-2025-30-Home-Repair-Program

**HEROS  
Number:** 900000010476118

**Start Date:** 06/10/2025

**Responsible Entity  
(RE):** GARDEN GROVE, 11391 Acacia Pkwy Garden Grove CA,  
92840

**State / Local  
Identifier:**

**RE Preparer:** Timothy Throne

**Certifying  
Officer:** Monica Covarrubias

**Grant Recipient (if different than Responsible  
Entity):** Habitat for Humanity of Orange County

**Point of Contact:** Mike Speck

**Consultant (if  
applicable):**

**Point of Contact:**

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

- ✓ By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

**Additional Location Information:**

city of Garden Grove, California

**Direct Comments**      timothyt@ggcity.org  
**to:**

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

Over the next five (5) Fiscal Years (FY 25-26 through FY 29-30), the Home Repair Program will assist approximately 100 low-income households with grants of up to \$5,000 to make minor home repairs including paint, windows, electrical, plumbing, roofing, pest control, and handicap accessibility. The Program is only for owner-occupied single-family dwellings.

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

[CDBG Map.pdf](#)

**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:**  
150

**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:**

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|   | 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:**

[Signature Page Executed.pdf](#)

**7015.15 certified by Certifying Officer  
on:**

**7015.16 certified by Authorizing Officer  
on:**

**Funding Information**

| Grant / Project Identification Number | HUD Program                              | Program Name  | Funding Amount |
|---------------------------------------|--|---|----------------|
| B-25-MC-06-0505                       | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) | \$200,000.00   |
| B-26-MC-06-0505                       | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) | \$200,000.00   |
| B-27-MC-06-0505                       | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) | \$200,000.00   |
| B-28-MC-06-0505                       | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) | \$200,000.00   |
| B-29-MC-06-0505                       | Community Planning and Development (CPD) | Community Development Block Grants (CDBG) (Entitlement) | \$200,000.00   |

**Estimated Total HUD Funded Amount:** \$1,000,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$1,000,000.00

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

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| <b>Compliance Factors:</b><br>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.  |
| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>                             |   |  |
| Airport Hazards  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |  |
| Coastal Barrier Resources Act  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Compliance steps are not invoked. There are no Coastal Barrier Resources on the U.S. West Coast. The basis for this conclusion that the project is not located in a Coastal Barrier Resource System (CBRS) unit rests on |

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|  |   | documentation from two sources. A map issued by the Fish and Wildlife Service (FWS), the Fish and Wildlife Service's CBA Mapper, shows that the Project is not located within a designated Coastal Barrier Resource System Unit, <a href="http://www.fws.gov/CBRA/Maps/Mapper.html">http://www.fws.gov/CBRA/Maps/Mapper.html</a> The Coastal Barrier Resources Act (CBRA) established the John H. Chafee Coastal Barrier Resources System (CBRS) in 1982, which consists of the undeveloped coastal barriers and other areas located on the coasts of the United States. The Coastal Barrier Improvement Act (CBIA) of 1990 reauthorized the CBRA; expanded the CBRS to include undeveloped coastal barriers along the Florida Keys, Great Lakes, Puerto Rico, and U.S. Virgin Islands; and added a new category of coastal barriers to the CBRS called "otherwise protected areas" (OPAs). OPAs are undeveloped coastal barriers that are within the boundaries of an area established under Federal, State, or local law, or held by a qualified organization, primarily for wildlife refuge, sanctuary, recreational, or natural resource conservation purposes. |
| Flood Insurance  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |   |
| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b> |   |   |
| Air Quality  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Compliance steps are not invoked because the project does not involve new construction or conversion of a land use. It can be assumed, therefore, that the project's emissions are below de minimis levels and the project is in compliance with the Act. Involving rehabilitation of existing properties only, this project does not include activities that would require further evaluation under the Clean Air Act. This project complies with the Clean Air Act.   |
| Coastal Zone Management Act  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | The Project does not involve placement, erection, or removal of materials nor   |

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|                                    |   | increase the intensity of use in the designated Coastal Zone (CZ) according to the State Coastal Commission, the certified local coastal plan. The Project is outside a coastal zone management (CZM) area as defined under the California Coastal Act Section 30103 (a) and as indicated by the California Coastal Commission's Coastal Zone Boundary Map #113. Source Documentation: Website at: <a href="http://www.coastal.ca.gov/ccatc.html">http://www.coastal.ca.gov/ccatc.html</a> . Specially: The California coastal zone generally extends 1,000 yards inland from the mean high tide line. In significant coastal estuarine habitat and recreational areas it extends inland to the first major ridgeline or five miles from the mean high tide line, whichever is less. In developed urban areas, the boundary is generally less than 1,000 yards. Source Documentation: Website at: <a href="http://www.coastal.ca.gov/ccatc.html">http://www.coastal.ca.gov/ccatc.html</a> |
| 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 | Compliance steps with the procedure of Section 7 of the Endangered Species Act (ESA) of 1973 are not invoked based upon a finding that the Project will have No Effect. The program entails minor repairs to single-family dwellings, involving no new ground disturbance will not adversely impact rare or endangered species. Located within a fully developed and urbanized area. A review of the U.S. Fish and Wildlife Service National Wild and Scenic Rivers System website (Source Documentation: <a href="http://criticalhabitat.fws.gov/flex/crithabMapper.jsp">http://criticalhabitat.fws.gov/flex/crithabMapper.jsp</a> ), found that there are no federally listed species or designated critical habitats in the action area defined as the area surrounding the Project.   |
| Explosive and Flammable Hazards    | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |   |

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| Farmlands Protection        | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. Based upon the project description, compliance steps are not invoked, for the project does not include new construction, acquisition of undeveloped land, or conversion activities that could potentially convert one land use to another. Thus, the project complies with the Farmland Protection Policy Act that states: "'Farmland' does not include land already in or committed to urban development or water storage. (7 CFR 658.2(a)). According to this definition, the program only assists already developed properties and does not include farmland.   |
| 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No |   |
| Sole Source Aquifers        | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Compliance steps are not invoked for two reasons. First, the project does not entail new construction or conversion activities; thus, the sole source aquifer (SSA) authority does not apply. Second, the project is not on a sole source aquifer, see attached EPA sole source aquifer map for Region IX. Sole-source aquifers in California are designated by the Office of Water of the U.S. Environmental Protection Agency (EPA) Region IX. The four areas in California designated as sole-source aquifers are Fresno County Aquifer, Santa Margarita aquifer (Scoots Valley), Campos/Cottonwood Creek and the Ocotillo-Coyote Wells Aquifer. The Project is not located within one of the aforementioned areas designated as being supported by a sole source aquifer. |
| Wetlands Protection         | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | This project does not involve new construction, expansion of building footprints or any ground disturbance activity. This project does not involve  |

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|                              |   | new construction within or adjacent to wetlands. Garden Grove has no wetlands, marshes, wet meadows, mud flats or natural ponds per UDDI Fish and Wildlife Service issued map, Online Mapper of the U.S. Department of the Interior, Fish & Wildlife Service. Source Documentation: Website at: <a href="http://www.fws.gov/wetlands/Wetlands-Mapper.html">http://www.fws.gov/wetlands/Wetlands-Mapper.html</a> |
| Wild and Scenic Rivers Act   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | There is not a listed wild and scenic river located within one mile of Garden Grove. This finding is based on a review of the National Wild and Scenic Rivers System website: <a href="http://www.rivers.gov/map.php">http://www.rivers.gov/map.php</a> and <a href="http://www.rivers.gov/maps/conus-072.pdf">http://www.rivers.gov/maps/conus-072.pdf</a>   |
| <b>ENVIRONMENTAL JUSTICE</b> |   |   |
| Environmental Justice        | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Compliance steps are not invoked; the Home Repair Program will not create an adverse environmental impact. The proposed rehabilitation action will not create an adverse and disproportionate environmental impact or aggravate an existing impact on minority or low-income populations.   |

**Supporting documentation**[2 Coastal Barrier Resources Map.png](#)[5 Coastal Zone Management Map.pdf](#)[Endangered Species Check.docx](#)[13 Sole Source Aquifer Map.pdf](#)[14 Wetlands.docx](#)[15 Rivers.pdf](#)[Airport Location Maps.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.

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| <b>1</b> | Airport Hazards |
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|          | <p>Compliance steps are invoked. The project does not entail construction or major rehabilitation of any real property located on a clear zone site nor the sale or acquisition of property, but the project is within 15,000 feet of a military airport (Los Alamitos Joint Forces Training Center). The Los Alamitos Joint Forces Training Center is a military airfield that falls within the 15,000 ft. buffer on the west side of the city, and site specific reviews will need to be conducted to see if projects are within 15,000 ft. from this airfield. The site is not within 2,500 feet of a civilian airport or an FAA-designated civilian airport Runway Clear Zone (RCZ) or Approach Protection Zone. The John Wayne Orange County Airport, located approximately 5.57 miles southeast of the City, the Long Beach Airport, located approximately 5.65 miles west of the city, and Fullerton Municipal Airport, located approximately located 4.59 miles northwest of the City.</p>  |
| <b>2</b> | <p><b>Flood Insurance</b></p> <p>The Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) requires that projects receiving federal assistance and located in an area identified by the Federal Emergency Management Agency (FEMA) as being within a Special Flood Hazard Areas (SFHA) be covered by flood insurance under the National Flood Insurance Program (NFIP). In order to be able to purchase flood insurance, the community must be participating in the NFIP. If the community is not participating in the NFIP, federal assistance cannot be used in those areas. The City will follow these determinations regarding the provisions of Flood insurance: Threshold. Flood insurance requirements are applicable to projects that entail financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property or the purchase of machinery, equipment, fixtures, or furnishings that are insurable under NFIP, with one exception applicable to the City: Small loans (\$5,000 or less) Threshold. If the project triggers flood insurance requirements, ascertain whether the structure, part of the structure, or insurable property is located in a FEMA-designated Special Flood Hazard Area. Threshold. If the project is within a Special Flood Hazard Area, the City is required to participate in the National Flood Insurance Program. For City loans, loan insurance or guarantees, the amount of flood insurance coverage will be at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage will be the lesser of the total project cost or the maximum coverage limit of the National Flood Insurance. The environmental review record should contain one of the following: Documentation supporting the determination that the project does not require flood insurance or is excepted from flood insurance; A FEMA Flood Insurance Rate Map (FIRM) showing that the project is not located in a Special Flood Hazard Area; A FEMA Flood Insurance Rate Map (FIRM) showing that the project is located in a Special Flood Hazard Area along with a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance in the review.</p> |
| <b>3</b> | <p><b>Contamination and Toxic Substances</b></p>  |



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|   | <p>All property proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. Environmental review of multifamily and non-residential properties shall include evaluation of previous uses of the site and other evidence of contamination on or near the site, to assure that occupants of proposed sites are not adversely affected by the hazards. Particular attention should be given to any proposed site on or in the general proximity of such areas as dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous wastes. The responsible entity shall use current techniques by qualified professionals to undertake investigations determined necessary Threshold. The City is to determine whether there are 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. Sites known or suspected to be contaminated by toxic chemicals or radioactive materials include but are not limited to sites: (i) listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; (ii) located within 3,000 feet of a toxic or solid waste landfill site; or (iii) with an underground storage tank. For any of these conditions, the grantee must provide an ASTM Phase I report. The City is to identify the potential for hazardous substances or materials that may affect the health and safety of the users of the property as follows: Review databases maintained by U.S. EPA and state, local, and tribal environmental quality departments or agencies to screen for potential on-site and off-site facilities that could pose health and safety problems and toxic clean-up sites that are presently under analysis or remediation. Investigate previous uses of the site. Options include site inspections and building and use permit records as well as Sanborn Co. maps show previous land uses which could have left toxic residues, performing a site walk, interviewing property owners or managers and local officials, and analyzing local land use records, permits, and violations. When site conditions indicate that the subject property is contaminated or likely contaminated by toxic substances, hazardous materials or petroleum products, one shall provide an ASTM certified Phase I ESA report, or other studies where applicable. Any hazards that are identified should be evaluated for the potential to affect the health and safety of the occupants and end-users. The environmental review record should contain one of the following: Evidence the site is not contaminated (for multifamily housing projects this includes on site and off site contamination and previous uses of the site); a Phase I Environmental Site Assessment is strongly encouraged for multifamily and non-residential projects; Evidence supporting a determination the hazard will not affect health and safety of the occupants or conflict with the intended use of the site, including any mitigation measures used; Documentation the site has been cleaned up according to EPA or state standards for residential properties, which requires a letter of "No Further Action" (NFA) required from the appropriate state department/agency, or a RAO letter from the LSRP.</p> |
| 4 | Explosive and Flammable Hazards  |

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|   | <p>Regulation. 24 CFR Part 51 Subpart C concerns potential dangers associated with locating HUD-assisted projects near hazardous facilities which store, handle, or process hazardous substances of a flammable or explosive nature. Project sites located too close to facilities handling, storing or processing conventional fuels, hazardous gases or chemicals of an explosive or flammable nature may expose occupants or end-users of a project to the risk of injury in the event of an explosion. Blast overpressure and thermal radiation standards are used as a basis for calculating acceptable separation distances (ASDs) for HUD-assisted projects from specific, stationary hazardous operations which store, handle, or process substances of fire or explosive prone nature. HUD-assisted projects must meet ASDs or else mitigation measures must be undertaken. When considering explosive and flammable facilities in the context of HUD-assisted projects, two lines of inquiry are appropriate: *</p> <p>* Aboveground stationary storage tanks near the project Threshold. City to determine if the project includes development, construction, rehabilitation that will increase residential densities, or conversion. Threshold. Determine if there are there any current or planned stationary aboveground storage containers within one mile of the project site that are: More than 100-gallon capacity, containing common liquid industrial fuels OR; Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels. Threshold. If other thresholds are unmet, determine if the Separation Distance from the project acceptable based on standards in the regulation based upon the HUD guidebook Acceptable Separation Distance. If the separation distance is unacceptable, a barrier is required to mitigate the project or the project should be moved to a different location.</p> <p>* Hazardous facilities included in the project Threshold. Determine if the project includes a hazardous facility (a facility that principally stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries). Threshold. If so, is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present. The environmental review record should include one of the following on aboveground storage tanks: A determination that the project does not include development, construction, rehabilitation that will increase residential densities, or conversion; Evidence that within one mile of the project site there are no current or planned stationary aboveground storage containers of more than 100-gallon capacity containing common liquid industrial fuels or of any capacity containing hazardous liquids or gases that are not common liquid industrial fuels; A determination along with all supporting documentation that the separation distance of such containers from the project is acceptable; Documentation of the existing or planned barrier that would serve as sufficient mitigation, including correspondence with a licensed engineer And the environmental review record should include one of the following on hazardous facilities: A determination that the project does not include a hazardous facility; A determination along with all supporting documentation that the hazardous facility is located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present; Documentation of the existing or planned barrier that would serve as sufficient mitigation, including correspondence with a licensed engineer.</p> |
| 5 | Floodplain Management   |

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|          | <p>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. The Federal Emergency Management Agency (FEMA) designates floodplains. Threshold. Determine whether any of the exceptions at 24 CFR 55.12(c) apply. Threshold. If not, determine if the project is in a floodplain using the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) to make the determination. 100-year floodplain means the floodplain of concern for this part and is the area subject to a one percent or greater chance of flooding in any given year. The area is designated on a Flood Insurance Rate Map (FIRM) under FEMA regulations as Zone A1-30, AE, A, AH, AO, AR, or A99. 500-year floodplain means the minimum floodplain of concern for Critical Actions and is the area subject to inundation from a flood having a 0.2 percent chance of occurring in any given year. The area is designated on a Flood Insurance Rate Map (FIRM) under FEMA regulations as Zone B or a shaded Zone X. Floodway means that portion of the floodplain which is effective in carrying flow, where the flood hazard is generally the greatest, and where water depths and velocities are the highest. The term "floodway" as used here is consistent with "regulatory floodways" as identified by FEMA. Coastal high hazard area means the area subject to high velocity waters, including but not limited to hurricane wave wash or tsunamis. The area is designated on a Flood Insurance Rate Map (FIRM) under FEMA regulations as Zone V1-30, VE, or V. Threshold. Determine If the project is in a 100-year floodplain (A Zone), which will necessitate an 8-Step Process is required unless it is inapplicable per 55.12(b) or a 5-Step Process if applicable per 55.12(a). Threshold. Determine whether the project is in a 500-year floodplain (B Zone or shaded X Zone), the 8-Step Process is required for critical actions unless it is inapplicable per 55.12(b) or the 5-Step Process is applicable per 55.12(a). Threshold. Determine whether the project occurs in a floodway, in which case a federal assistance may not be used at this location unless the project is a functionally dependent use or a 55.12(c) exception applies. The 8-Step Process is required. The environmental review record should contain one of the following: Documentation supporting the determination that an exception at 55.12(c) applies. A FEMA map showing the project is not located in a Special Flood Hazard Area. A FEMA map showing the project is located in a Special Flood Hazard Area along with documentation of the 8-Step Process and required notices. If the 5-Step Process is applicable, provide documentation of the 5-Step Process and indicate the applicable citation. If the 8-Step Process is inapplicable, indicate the applicable citation and document the determination.</p> |
| <b>6</b> | Historic Preservation  |

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|  | <p>Threshold. Initiate consultation per the Section 106 reviews with the State Historic Preservation Officer (SHPOs) and federally recognized Indian tribes using the Tribal Directory Assessment Tool (TDAT). Threshold. Define the Area of Potential Effect (APE) and then identify and evaluate historic properties listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register. Threshold. Assess Effects on Historic Properties applying the Criteria of Adverse Effect (See 36 CFR 800.5). Threshold. Work with consulting parties to try to avoid, minimize or mitigate adverse effects. The Advisory Council on Historic Preservation must be notified and given an opportunity to participate in the consultation (Refer to 36 CFR 800.6 and 800.7). Resolution of adverse effects generally results in a Memorandum of Agreement describing how the adverse effects will be minimized and/or mitigated. If adverse effects cannot be satisfactorily mitigated, the HUD official or Responsible Entity may disapprove a project. The environmental review record should contain documentation on one of these types of findings: No Historic Properties Affected * Letter from SHPO (or THPO on tribal lands*) that concurs with HUD's or the Responsible Entity's determination of "no historic properties affected" * With documentation on 1) the undertaking and the APE (including photographs, maps, and drawings, as necessary), 2) steps taken to identify historic properties, 3) the basis for determining that no historic properties are present or affected, 4) evidence of tribal consultation if required; and 5) copies or summaries of any views provided by consulting parties and the public * If the SHPO has not responded to a properly documented request for concurrence within 30 days of receipt of the request, document the request and lack of response as part of the record. No Adverse Effect * Letter from SHPO (or THPO on tribal lands*) that concurs with HUD'S or the Responsible Entity's finding of "no adverse effect" * With documentation on 1) the undertaking and the APE (including photographs, maps, and drawings, as necessary), 2) steps taken to identify historic properties, 3) affected historic properties (including characteristics qualifying them for the NR), 4) the undertaking's effects on historic properties, 5) why the criteria of adverse effect were not applicable (s.800.5), 6) evidence of tribal consultation if required, and 7) copies or summaries of any views provided by consulting parties and the public * If the SHPO has not responded to a properly documented request for concurrence within 30 days of receipt of the request, document the request and lack of response as part of the record A? Adverse Effect * Notification of adverse effect sent to Advisory Council on Historic Preservation * Letter from SHPO (or THPO on tribal lands*) that concurs with a finding of "adverse effect" * With documentation on 1) the undertaking and the APE (including photographs, maps, and drawings, as necessary), 2) steps taken to identify historic properties, 3) affected historic properties (including characteristics qualifying them for the NR), 4) the undertaking's effects on historic properties, 5) why the criteria of adverse effect are applicable (s. 800.5), 6) evidence of tribal consultation if required, and 7) copies or summaries of any views provided by consulting parties and the public * A Memorandum of Agreement (MOA) or a Programmatic Agreement (PA) signed by the HUD official or Responsible Entity, SHPO/THPO, the Advisory Council on Historic Preservation if participating, and other signatory and concurring parties * If resolution is not reached in an MOA or PA, provide correspondence and comments between the Advisory Council on Historic Preservation and HUD Secretary (for Part 50 projects) or Responsible Entity's chief elected local official (for Part 58 projects).</p> |
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| <b>7</b> | <b>Noise Abatement and Control</b>   |
|          | <p>Regulation. HUD's noise standards are found at 24 CFR Part 51, Subpart B. For proposed new construction in high noise areas, the project must incorporate noise mitigation features. Consideration of noise applies to the acquisition of undeveloped land and existing development as well. All sites whose environmental or community noise exposure exceeds the day night average sound level (DNL) of 65 decibels (dB) are considered noise-impacted areas. For new construction that is proposed in high noise areas, grantees shall incorporate noise attenuation features to the extent required by HUD environmental criteria and standards contained in Subpart B (Noise Abatement and Control) of 24 CFR Part 51. The interior standard is 45dB. Threshold. Determine if there are potential noise generators in the vicinity of the project. Review general location maps and/or conduct a field review to screen for major roadways (within 1,000 feet), railroads (within 3,000 feet), and military or FAA-regulated airfields (with 15 miles) in the vicinity of the project. Threshold. If a noise assessment was performed, determine whether the noise found to be Acceptable, Normally Unacceptable, or Unacceptable. Site acceptability standards are as follows: Acceptable / Not exceeding 65 dB / None Normally Unacceptable / Above 65 dB but not exceeding 75 dB / Environmental assessment and attenuation required for new construction &amp; Attenuation strongly encouraged for major rehabilitation (Note: An environmental impact statement is required if the project site is largely undeveloped or will encourage incompatible development) Unacceptable / Above 75 dB / Environmental impact statement required &amp; Attenuation required for new construction with approval by the Assistant Secretary of CPD or Certifying Officer. The environmental review record should contain one of the following: Documentation the proposed action is not within 1000 feet of a major roadway, 3,000 feet of a railroad, or 15 miles of a military or FAA-regulated civil airfield. If within those distances, documentation showing the noise level is Acceptable (at or below 65 DNL). If within those distances, documentation showing that there's an effective noise barrier (i.e., that provides sufficient protection) Documentation showing the noise generated by the noise source(s) is Normally Unacceptable (66 - 75 DNL) and identifying noise attenuation requirements that will bring the interior noise level to 45 DNL and/or exterior noise level to 65 DNL.</p> |

**Supporting documentation**[ERR Protocols.doc](#)**APPENDIX A: Site Specific Reviews**