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

Project Information

Project Name: CoSR-Canal-Pump-Sts
HEROS Number: 900000010197176
Responsible Entity (RE): MARIN COUNTY, CIVIC CENTER SAN RAFAEL CA, 94903
State / Local Identifier: City of San Rafael
RE Preparer: Molly Kron
Certifying Officer: Matthew Hymel

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): Sicular Environmental Consulting
Point of Contact: Daniel Sicular

Project Location: 400 Canal Street, Kerner Boulevard, San Rafael, CA 94901

Additional Location Information:
400 Canal Pump Station Location: APN 008-020-02, 400 Canal St, city-owned property
Kerner Pump Station Location: APN 009-021-06, north of 3774 Kerner Blvd, city-owned property

Direct Comments to: Submit written comments to Housing and Federal Grants Division, County of Marin, Community Development Agency, via E-mail at federalgrants@marincounty.org.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: The Canal Area Pump Station Improvement Project consists of improvements to two pump stations located within the Canal area of the City of San Rafael: 400 Canal Pump Station and Kerner Pump Station. The
mission of the City of San Rafael Public Works Department is to ensure San Rafael's infrastructure meets the needs of the City through careful management of major improvements and the maintenance of the City's assets. These pump stations represent two of the five pump stations that serve the drainage system for the Canal area; therefore, the beneficiaries are all the residences and businesses east of the 580/101 freeway and south of the canal within the City of San Rafael. Based on census tract information, the Canal area population is 80% Hispanic, with minorities of Caucasians and Asians. More than 80% of the people who live in this area are considered moderate, low, very low, and extremely low-income persons. Completion of the Canal Area Pump Station Improvement Project will help ensure that this community is continuing to receive flood protection from the drainage system in this area. The project consists of replacing the standby generators at the two pump stations. The generators, which were installed in 1984, have reached the end of their useful life. One is inoperable. Both will be replaced with new generators that meet current emission standards. Other proposed work includes replacement of the electrical transfer switches and replacement of a corroded trash grate at the 400 Canal St. pump station. The existing pumps and other equipment are in good condition and will not be replaced.

Maps, photographs, and other documentation of project location and description:
- Pump Station Information.pdf
- Kerner - Site Inspection.pdf
- 400 Canal Site Inspection.pdf

Level of Environmental Review Determination:
Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:

<table>
<thead>
<tr>
<th>Determination</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>✔️</td>
<td>This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain “Authority to Use Grant Funds” (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR</td>
</tr>
<tr>
<td></td>
<td>This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).</td>
</tr>
</tbody>
</table>

Approval Documents:
- CoSR Pump Stations CEST ERR SIGNED.pdf
- proof ad 6656584.pdf
- CoSR Pump Stations 7015 SIGNED.pdf
Funding Information

<table>
<thead>
<tr>
<th>Grant / Project Identification Number</th>
<th>HUD Program</th>
<th>Program Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD5031-CoSR Pu</td>
<td>Community Planning and Development (CPD)</td>
<td>Community Development Block Grants (CDBG) (Entitlement)</td>
</tr>
</tbody>
</table>

Estimated Total HUD Funded, Assisted or Insured Amount: $250,000.00

Estimated Total Project Cost: $450,000.00

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

<table>
<thead>
<tr>
<th>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6</th>
<th>Are formal compliance steps or mitigation required?</th>
<th>Compliance determination (See Appendix A for source determinations)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D</td>
<td>☐ Yes ☑ No</td>
<td>The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The closest airport is the San Rafael Airport, which is approximately 3.4 miles north-northwest of the nearer of the two pump stations. The project is in compliance with Airport Hazards requirements.</td>
</tr>
<tr>
<td>Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</td>
<td>☐ Yes ☑ No</td>
<td>This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.</td>
</tr>
<tr>
<td>Flood Insurance</td>
<td>☐ Yes ☑ No</td>
<td>The structure or insurable property is</td>
</tr>
</tbody>
</table>
Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must 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 must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements. See evidence of flood insurance in the ERR.

<table>
<thead>
<tr>
<th>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Air Quality</strong></td>
</tr>
<tr>
<td>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</td>
</tr>
<tr>
<td><strong>Coastal Zone Management Act</strong></td>
</tr>
<tr>
<td>Coastal Zone Management Act, sections 307(c) &amp; (d)</td>
</tr>
<tr>
<td><strong>Contamination and Toxic Substances</strong></td>
</tr>
<tr>
<td><strong>Endangered Species Act</strong></td>
</tr>
<tr>
<td><strong>Explosive and Flammable Hazards</strong></td>
</tr>
<tr>
<td><strong>Farmlands Protection</strong></td>
</tr>
<tr>
<td><strong>Floodplain Management</strong></td>
</tr>
<tr>
<td><strong>Historic Preservation</strong></td>
</tr>
<tr>
<td><strong>Noise Abatement and Control</strong></td>
</tr>
</tbody>
</table>
Mitigation Measures and Conditions [40 CFR 1505.2(c)]:
Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

<table>
<thead>
<tr>
<th>Law, Authority, or Factor</th>
<th>Mitigation Measure or Condition</th>
<th>Comments on Completed Measures</th>
<th>Mitigation Plan</th>
<th>Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flood Insurance</td>
<td>For loans, loan insurance or guarantees, the amount of flood insurance coverage must 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-N/A.</td>
<td></td>
<td>No mitigation required. The City maintains flood insurance that covers the</td>
<td></td>
</tr>
</tbody>
</table>

Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements.

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.

This project is not within proximity of a NWSRS river. There are no NWSRS rivers in Marin County. The project is in compliance with the Wild and Scenic Rivers Act.

No adverse environmental impacts were identified in the project’s total environmental review. The project is in compliance with Executive Order 12898.
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 must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less.

<table>
<thead>
<tr>
<th>Project Mitigation Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>No mitigation is required.</td>
</tr>
</tbody>
</table>

Supporting documentation on completed measures
APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

<table>
<thead>
<tr>
<th>General policy</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is HUD’s policy to apply standards to prevent incompatible development around civil airports and military airfields.</td>
<td></td>
<td>24 CFR Part 51 Subpart D</td>
</tr>
</tbody>
</table>

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 closest airport is the San Rafael Airport, which is approximately 3.4 miles north-northwest of the nearer of the two pump stations. The project is in compliance with Airport Hazards requirements.

Supporting documentation

Distance to Airports.jpg

Are formal compliance steps or mitigation required?

Yes

☑ No
Coastal Barrier Resources

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)</td>
<td></td>
</tr>
</tbody>
</table>

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.

**Screen Summary**

**Compliance Determination**

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

**Supporting documentation**

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

- Yes
- ✔ No
Flood Insurance

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)</td>
<td>24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).</td>
</tr>
</tbody>
</table>

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

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

   ✓ Yes

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

   [FIRMETTE_Kerner.pdf](FIRMETTE_Kerner.pdf)
   [FIRMETTE_400 Canal.pdf](FIRMETTE_400 Canal.pdf)

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

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

   No

   ✓ Yes

3. **Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?**

   ✓ Yes, the community is participating in the National Flood Insurance Program.

   Based on the response, the review is in compliance with this section.
Flood insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost or the maximum coverage limit, whichever is less.

Document and upload 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 below.

Yes, less than one year has passed since FEMA notification of Special Flood Hazards.
No. The community is not participating, or its participation has been suspended.

**Screen Summary**

**Compliance Determination**
The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must 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 must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements. See evidence of flood insurance in the ERR.

**Supporting documentation**
2122LloydsBinderofInsurance-Flood.pdf
2122CJPRMAAPIPBinderofInsu-Flood.pdf

**Are formal compliance steps or mitigation required?**
- Yes
- ✓ No
Air Quality

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))</td>
<td>40 CFR Parts 6, 51 and 93</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))</td>
<td>15 CFR Part 930</td>
</tr>
</tbody>
</table>

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 two project sites are not within the jurisdiction of the Bay Conservation and Development Commission (BCDC). The BCDC has authority under Section 307 of the federal Coastal Zone Management Act (CZMA)(16 U.S.C. section 1456) over federal activities and development projects and non-federal projects that require a federal permit or license or are supported by federal funding and that are within the jurisdictional area of the BCDC, which includes the Bay itself and land within 100 feet of the Bayshore). The project site is not within BCDC jurisdiction. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

Marin Co Coastal Zone Map.pdf

Are formal compliance steps or mitigation required?

   Yes

   ✓ No
Contamination and Toxic Substances

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td></td>
<td>24 CFR 58.5(i)(2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>24 CFR 50.3(i)</td>
</tr>
</tbody>
</table>

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:
NEPAssist and California Water Board's GeoTracker databases were queried for contaminated sites (Brownfield, TSCA, Superfund, Toxic Release Inventory, Air Emissions) within a 1-mile radius of each of the two pump stations. Neither pump station site was listed as a contaminated site in either database. NEPAssist returned three Air Emissions facilities within the search area, the closest about .3 miles away from the nearer pump station. There are also numerous RCRA Hazardous Waste facilities within the search area, but none closer than about 500 feet. Similarly, the Geotracker results included numerous facilities, but none in close proximity to either pump station. As the project does not include any residences, there is no potential for exposure of residents to toxic, hazardous, or radiotactive substances. See search results in the ERR. A site inspection was completed by City of San Rafael staff and no RECs were identified.

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

**Compliance Determination**

Site contamination was evaluated as follows: database searches and site inspection. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.

**Supporting documentation**

- RCRA Facilities - Kerner.pdf
- NepAssist Report - Kerner Blvd.pdf
- Kerner - Site Inspection(1).pdf
- Air Emission Facilities.pdf
- 400 Canal Site Inspection(1).pdf
- 400 Canal RCRA Facilities.pdf
- 400 Canal NEPAssist report.pdf
- 400 Canal - Geotracker results.pdf
- 400 Canal - Air Emission Facilities.pdf

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

- Yes

- No
Endangered Species

<table>
<thead>
<tr>
<th>General requirements</th>
<th>ESA Legislation</th>
<th>Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure</td>
<td>The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); particularly section</td>
<td>50 CFR Part 402</td>
</tr>
<tr>
<td>that actions they authorize, fund, or carry out shall not jeopardize the continued</td>
<td>7 (16 USC 1536).</td>
<td></td>
</tr>
<tr>
<td>existence of federally listed plants and animals or result in the adverse modification</td>
<td></td>
<td></td>
</tr>
<tr>
<td>or destruction of designated critical habitat. Where their actions may affect</td>
<td></td>
<td></td>
</tr>
<tr>
<td>resources protected by the ESA, agencies must consult with the Fish and Wildlife</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Services”).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Does the project involve any activities that have the potential to affect species or habitats?

✓ No, the project will have No Effect due to the nature of the activities involved in the project.

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings. Based on the response, the review is in compliance with this section.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office.

Yes, the activities involved in the project have the potential to affect species and/or habitats.

Screen Summary

Compliance Determination
This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No
Explosive and Flammable Hazards

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.</td>
<td>N/A</td>
<td>24 CFR Part 51 Subpart C</td>
</tr>
</tbody>
</table>

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

   ✓ No
   
   Yes

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

   ✓ No

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

Yes

Screen Summary

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

Supporting documentation

Are formal compliance steps or mitigation required?

   ✓ No
Farmlands Protection

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
</table>

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

<table>
<thead>
<tr>
<th>General Requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Executive Order 11988</td>
<td>24 CFR 55</td>
</tr>
</tbody>
</table>

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:
   - FIRMETTE_Kerner.pdf
   - FIRMETTE_400 Canal.pdf

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

Does your project occur in a floodplain?
   - No
   ✓ 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.
Pump stations are designed to operate under flood conditions.

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. The 5-Step Process has been completed; see the ERR.

**Supporting documentation**

- [FIRMETTE_Kerner(1).pdf](FIRMETTE_Kerner(1).pdf)
- [FIRMETTE_400 Canal(1).pdf](FIRMETTE_400 Canal(1).pdf)
- [SR Pump Stations Rehab -5-Step Process for Floodplain.docx](SR_Pump_Stations_Rehab-5-Step_Process_for_Floodplain.docx)

Are formal compliance steps or mitigation required?

- Yes
- ✓ No
Historic Preservation

<table>
<thead>
<tr>
<th>General requirements</th>
<th>Legislation</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
<td>Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)</td>
<td>36 CFR 800 “Protection of Historic Properties” <a href="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">Link</a></td>
</tr>
</tbody>
</table>

**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:
The When to Consult with Tribes checklist was completed for both sites, and was used to
determine that tribal consultation is not required. SHPO was consulted.

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

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

Yes
No

Step 2 – Identify and Evaluate Historic Properties

1. Define the Area of Potential Effect (APE), either by entering the address(es) or
uploading a map depicting the APE below:
The APE consists of the two city-owned parcels upon which the pump stations
are located, 400 Canal St. and Kerner Blvd (APN 009-021-06, north of 3774
Kerner Blvd).

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.

<table>
<thead>
<tr>
<th>Address / Location / District</th>
<th>National Register Status</th>
<th>SHPO Concurrence</th>
<th>Sensitive Information</th>
</tr>
</thead>
</table>

Additional Notes:

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

Yes
✓  No

Step 3 – Assess Effects of the Project on Historic Properties

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

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

✓ No Historic Properties Affected

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

Document reason for finding:
✓ No historic properties present.

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

No Adverse Effect

Adverse Effect

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

Supporting documentation

HUD202111201005
MarinCoSanRafael400CanalStCanalAreaPumpStationImprovementsProject_211221.pdf
When to Consult Tribes - Kerner.pdf
CityofSanRafaelPumpStations_SHPOLtr_12-2021-signed.pdf
SHPO response letter.pdf
When to Consult Tribes - 400 Canal.pdf

Are formal compliance steps or mitigation required?
✓ Yes
✓ No
Noise Abatement and Control

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</thead>
<tbody>
<tr>
<td>HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.</td>
<td>Noise Control Act of 1972</td>
<td>Title 24 CFR 51 Subpart B</td>
</tr>
<tr>
<td></td>
<td>General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields”</td>
<td></td>
</tr>
</tbody>
</table>

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

- New construction for residential use
- Rehabilitation of an existing residential property
- A research demonstration project which does not result in new construction or reconstruction
- An interstate land sales registration
- Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster
  - ✓ None of the above

**Screen Summary**

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

**Supporting documentation**

Are formal compliance steps or mitigation required?
- Yes
- ✓ No
### Sole Source Aquifers

<table>
<thead>
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</thead>
<tbody>
<tr>
<td>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.</td>
<td>Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)</td>
<td>40 CFR Part 149</td>
</tr>
</tbody>
</table>

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

   ✔ Yes

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

   No

**Screen Summary**

**Compliance Determination**

Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements.

**Supporting documentation**

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

   Yes

   ✔ No
Wetlands Protection

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<tbody>
<tr>
<td>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.</td>
<td>Executive Order 11990</td>
<td>24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.</td>
</tr>
</tbody>
</table>

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.

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

Are formal compliance steps or mitigation required?

Yes

✔ No
Wild and Scenic Rivers Act

<table>
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<tr>
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<tbody>
<tr>
<td>wild, scenic and recreational rivers designated as components or potential components</td>
<td>(b) and (c) (16 U.S.C. 1278(b) and (c))</td>
<td></td>
</tr>
<tr>
<td>of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>or development.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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. There are no NWSRS rivers in Marin County. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

Marin - WSRs and SSAs map.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No
**Environmental Justice**

<table>
<thead>
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</thead>
<tbody>
<tr>
<td>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.</td>
<td>Executive Order 12898</td>
<td></td>
</tr>
</tbody>
</table>

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