



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

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

Project Information

Project Name: MHA-RLP-143-Bryce-Canyon

HEROS Number: 900000010250070

Responsible Entity (RE): MARIN COUNTY, CIVIC CENTER SAN RAFAEL CA, 94903

State / Local Identifier: Marin Housing Authority

RE Preparer: Tamara Taylor

Certifying Officer Matthew Hymel
r:

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): Sicular Environmental Consulting

Point of Contact: Daniel Sicular

Project Location: 2000 Redwood Highway, San Rafael, CA 94903

Additional Location Information:

N/A

Direct Comments to: federalgrants@marincounty.org

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

The Marin Housing Authority plans to fund several repairs to an owner-occupied mobile home located at 143 Bryce Canyon Road in San Rafael, CA. The mobile home is approximately 33 years old and measures 1,200 square feet. The project entails replacement of the roof on the mobile home and garage in addition to exterior siding repairs. There will be no new ground disturbance as a result of this project. The two homeowners are elderly and low-income.

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

[Site Inspection - 143 Bryce.pdf](#)

Level of Environmental Review Determination:

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

58.34(a)(12)

58.35(a)(3)(i)

Determination:

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

Approval Documents:

[MHA RLP 143 Bryce Cayon CEST signed.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
CD4409	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

Estimated Total HUD Funded, Assisted or Insured Amount: \$19,000.00

Estimated Total Project Cost: \$38,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is within 15,000 feet of a military airport or within 2,500 of a civilian airport. However, it is not within an APZ or RPZ/CZ. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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

		<p>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.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p>		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The San Francisco Bay Conservation and Development Commission (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.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>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</p>

		contamination and toxic substances requirements.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a 100-year floodplain. The 5-Step Process is applicable per 55.12(a)(1-4). The 5-Step Process has been completed and therefore the project is in compliance with Executive Order 11988.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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. There are no Sole Source Aquifers in Marin County.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description this project includes no activities that would require further evaluation under this

		section. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. There are no WSR rivers in Marin County. There is one Study River, Olema Creek, but it is several miles west of the project site.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Flood Insurance	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	N/A	Evidence of flood insurance is in the ERR.	

	least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less.			
Floodplain Management	The project will not affect floodplain values, or increase risk to lives or property. Therefore, no mitigation is required.	N/A	The 5-step process was completed. No mitigation measures are required for this section.	

Project Mitigation Plan

No mitigation measures are required.

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

Yes

2. Is your project located within a Runway Projection Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ) ?

Yes, project is in an APZ

Yes, project is an RPZ/CZ

No, project is not within an APZ or RPZ/CZ

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within either zone below.

Screen Summary

Compliance Determination

The project is within 15,000 feet of a military airport or within 2,500 of a civilian airport. However, it is not within an APZ or RPZ/CZ. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[San Rafael Airport Safety Zones Map from SR Airport Rec Facility DEIR.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

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

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

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.

Yes

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

[FIRMETTE 143 bryce canyon - Copy.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. 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.

Supporting documentation

[143 Bryce Canyon insurance.pdf](#)

Are formal compliance steps or mitigation required?

Yes

- ✓ No

Air Quality

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

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

Yes

No

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

Screen Summary

Compliance Determination

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

Supporting documentation

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 San Francisco Bay Conservation and Development Commission (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

[143 Bryce - Distance to Tidewater.docx](#)

Are formal compliance steps or mitigation required?

Yes

MHA-RLP-143-Bryce-
Canyon

San Rafael, CA

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✓ No

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

1. Evaluate the site for contamination. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property?

✓ No

Explain:

This Site Contamination and Toxics review covers three closely located projects, all slated to receive MHA-RLP program loans in 2022: 120, 131, and 143 Bryce Canyon Road, within the Contempo Mobile Home Park in San Rafael. The NEPAssist database was searched for toxic and contaminated sites within a 1.05 - mile radius of centroid of the three sites, to encompass a 1-mile radius of each. No Brownfields, Air Pollution facility, Toxic Substances Control Act, Toxic Release Inventory, or Superfund sites were found within the search radius. The NEPAssist search returned numerous RCRA sites within the search radius, as is typical in an urban area. These are for the most part small quantity and large quantity hazardous waste generators, such as auto repair shops, pharmacies, and back-up generator installations that are registered with the USEPA, and that do not generally pose a threat to the health and safety of nearby residents. The closest RCRA site to any of the three project sites is about .43 miles away. There are no RCRA sites within or adjacent to any of the project sites. The State of California Geotracker database was also searched, with the same search radius. The search included Leaking Underground Storage Tank (LUST) sites, Cleanup Program sites, Military Cleanup sites, DTSC Cleanup and Hazardous Waste sites, Land Disposal sites, and Oil and Gas sites. 28 sites were found within the search radius. The majority are LUST sites with status Completed-Case Closed. There are several sites associated with the former San Francisco Nike Battery 93. SF-93 is a Formerly

Used Defense Site (FUDS) that was established in 1956 as an Antiaircraft Artillery Missile Battalion by the U.S. Army, deactivated in 1971.. Several of the SF-93 sites are still open. However, these sites are all a minimum of 1,000' from any of the three project sites, and across North Fork Gallinas Creek. Therefore, the sites associated with SF 93 appear not to pose a threat to the health and safety of residents of any of the Bryce Canyon Road residents. Several other sites are associated with the former Fairchild Semiconductor facility at 4300 Redwood Highway, about 3,600 feet from the nearest of the three project sites. One of the former Fairchild Sites has status Open-Verification Monitoring-Land Use Restrictions. This site appears not to pose a threat to the health and safety of any of the project residents, because of its status and distance to the project sites. State of California Cortese List resources were also searched. These include: *List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database; *List of Leaking Underground Storage Tank Sites from the State Water Board's GeoTracker database (included in the GeoTracker search described above); *List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit; *List of "active" CDO and CAO from Water Board; *List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC. None of the project sites, nor any surrounding or nearby properties, were found on any of the Cortese lists. In sum, a search of federal and State databases revealed no toxic contamination within or adjacent to the project sites, and none of the sites within a 1-mile search radius appears to pose a threat to the health or safety of residents of the three residences. Site inspections for all three sites were conducted by MHA staff. Dates: 131 Bryce Canyon Road: 8/13/2020 (Carmen Soruco); 120 and 143 Bryce Canyon Road: 3/23/22 (Mike Cutchin). No potential RECs were identified. All search results are included in the ERR.

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

Yes

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

Screen Summary

Compliance Determination

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

Supporting documentation

[Solid Waste sites - Cortese 4-29-22.pdf](#)

[SiteCleanup-CorteseList-CDOCAOList 4-29-22.xlsx](#)

[Hazwaste and Substances Site LIst 4-29-22.xlsx](#)

[Cortese Sec 69962-5-a 4-29-22.pdf](#)

[Site Inspection - 143 Bryce\(1\).pdf](#)

[Screenshot NEPAassist Distance to nearest RCRA Site.png](#)

[Screenshot - GeoTracker.png](#)

[Nike Battery 93 Case Summary-GeoTracker 4-29-22.pdf](#)

[NEPAassist Report.pdf](#)

[Geotracker Sites.xlsx](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

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

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

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

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

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

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

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

Screen Summary

Compliance Determination

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

Supporting documentation

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 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?

Yes

No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

No

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

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

Screen Summary

Compliance Determination

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

Supporting documentation

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:

[FIRMETTE 143 bryce canyon - Copy.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.

The project will not affect floodplain values, or increase risk to lives or property. Therefore, no mitigation is required.

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). The 5-Step Process has been completed and therefore the project is in compliance with Executive Order 11988.

Supporting documentation

[143 BCR- Zillow Estimate 5-3-22.pdf](#)

[131 - 143 Bryce 5-Step Process for Floodplain.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” https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

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).

Threshold (b). Document and upload the memo or explanation/justification of the other determination below:

The project involves rehabilitation of a mobile home. SHPO has directed the RE that mobile homes are not considered historic properties. The When to Consult with Tribes checklist was completed, and indicated that tribal consultation is not required.
Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.

Supporting documentation

[When-to-Consult-with-Tribes-Under-Section-106-Checklist.docx](#)

[SHPO response to understanding.pdf](#)
[SHPO Letter of Understanding 09292018 signed.pdf](#)
[Consulting SHPO Housing Rehab.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

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. 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. There are no Sole Source Aquifers in Marin County.

Supporting documentation

[NEPAssist map - WSAs and SSAs in CA.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

✓ No

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

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 are no WSR rivers in Marin County. There is one Study River, Olema Creek, but it is several miles west of the project site.

Supporting documentation

[Screenshot 2022-02-15 CA WSRs.png](#)

[Screenshot 2022-02-15 Wild Scenic River Studies.png](#)

[Screenshot 2022-02-15 Nationwide Rivers Inventory.png](#)

[NEPAssist map - WSAs and SSAs in CA\(1\).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