Form 2-6 Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: _____

Responsible Entity: _____

Grant Recipient: _____

CDBG No.: _____

Preparer: _____

Certifying Officer Name and Title: _____

Consultant (if applicable): _____

Direct Comments to: _____

Project Location:

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

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

Existing Conditions and Trends [24 CFR 58.40(a)]:

Funding Information

Grant Number	Federal/State/Other Program	Funding Amount

Estimated Total HUD Funded Amount:

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]**:**

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

The Responsible Entity has conducted a review for each of the compliance factors listed below and determined whether the activity affects the resources under consideration or whether formal compliance steps or mitigation is required. All compliance source documentation regarding the necessary reviews or consultation is attached to the Checklist and included in the ERR.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes ☐ No ☐	
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No ☐	
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes ☐ No ☐	
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes ☐ No ☐	
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes ☐ No ☐	
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes ☐ No ☐	
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes ☐ No ☐	
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes ☐ No ☐	
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes ☐ No ☐	
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes ☐ No ☐	
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes ☐ No ☐	

Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes ☐ No ☐	
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes ☐ No ☐	
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes ☐ No ☐	
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes ☐ No ☐	
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes ☐ No ☐	

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] NYSHCR has recorded below the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.
(1) Minor beneficial impact
(2) No impact anticipated
(3) Minor Adverse Impact – May require mitigation
(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design		
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff		
Hazards and Nuisances including Site Safety and Noise		
Energy Consumption		
Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns		
Demographic Character Changes, Displacement		

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities		
Commercial Facilities		
Health Care and Social Services		
Solid Waste Disposal / Recycling		
Waste Water / Sanitary Sewers		
Water Supply		
Public Safety - Police, Fire and Emergency Medical		
Parks, Open Space and Recreation		
Transportation and Accessibility		

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources		
Vegetation, Wildlife		
Other Factors		

Additional Studies Performed:

Field Inspection (Date and completed by)**:**

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]**:**

List of Permits Obtained:

Public Outreach [24 CFR 50.23 & 58.43]**:**

Cumulative Impact Analysis [24 CFR 58.32]**:**

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

No Action Alternative [24 CFR 58.40(e)]:

Summary of Findings and Conclusions:

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

NYSHCR summarizes below 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

Determination:

☐ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: _____ Date: _____

Name/Title/Organization: _____

Certifying Officer Signature: _____ Date: _____

Name/Title: _____

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

ENVIRONMENTAL ASSESSMENT CHECKLIST

For all CDBG projects subject to NEPA procedures, the Environmental Assessment Checklist is a valuable step in that analysis. Completion of this Checklist constitutes a quick yet well-documented review of environmental issues surrounding a specific project or group of projects and a decision as to how to proceed in further analysis.

Purpose

The major purpose of the Checklist is to allow a more detailed analysis to focus on those categories of potentially significant impact. This can avoid a lot of wasted energy in data collection, analysis and report writing for categories which have no potential for significant impact and require no mitigation efforts or ones for which the analyst has already done the work on previous projects. Assuming there is a file of solid environmental information about the community, the Checklist is intended to be filled out in a few hours - no more than a day even for projects with many potential effects. More time may be needed later for thorough analysis where the Checklist review indicates either potential impacts or where insufficient data is readily available. Judgments at this stage should be based upon available data with perhaps the addition of a few well-placed phone calls or a site visit if the area is unfamiliar to the analyst.

Organization

The Environmental Assessment Checklist covers five major impact areas and 34 specific impact categories within those five areas. The five general areas represent categories with related and overlapping issues, shared data sources and similar requirements as to background for analysis. The presentation of a detailed list of 34 impact categories is provided to jog the memory of the reviewer, raise questions and assure that all potential impacts are considered. Note that some impact categories are also included on the Statutory Checklist. A project may be in compliance with the provisions of a specialized law, regulation or Executive Order and still have an impact. For example, a site for a residential use may not be subjected to unacceptable noise levels and, therefore, be in compliance. If, however, the site will be used for an activity which will produce high levels of noise (short or long term), this may have an impact on the surrounding area and should be considered when completing the Environmental Assessment Checklist. If, however, it is determined that the subject has been covered adequately on the Statutory Checklist, this should be noted in the space provided for documentation, and no further analysis is required for that environmental factor.

How to Complete

For each impact category the local environmental analyst is asked to check the appropriate box relating to potential impacts, needed study, and mitigation or modification. In many cases more than one box could or should be checked. In each case a source should be cited which may be a report, phone contact, previous ERR, field observation or general knowledge of the area. Please refer Form 2-6A Environmental Assessment Factors-Guidance.

1. Project Name & CDBG No.
   a. Provide the project name and CDBG Project No, please contact your Community/Economic Developer for clarification

2. Responsible Entity
   a. The local entity undertaking the action and assuming responsibility for the environmental review.

3. Grant Recipient
   a. The local unit of government that has been awarded CDBG funds.

4. State/Local Identifier
   a. New York State
   b. County

5. Preparer
   a. The name of the person preparing the EA.

6. Certifying Officer
   a. Name and Title of the Certifying Officer
      i. Must match with the Designation of Certifying Officer letter

7. Consultant
   a. If applicable, provide the FIRM name and contact person

8. Direct Comments
   a. The individual that all comments related to the EA are directed

9. Project Location
   a. Provide a clear description of the location of the project, including but not limited to street address and number, municipality and County

10. Description of the Proposed Project
   a. Must be consistent with 24 CFR 50.12 & 58.32; 40 CFR1508.25

11. Statement of purpose and Need for the Proposal
   a. Must be consistent with 40 CFR 1508.9 (b)

12. Existing Conditions and Trends
   a. Must be consistent with 24 CFR 58.40(a)

13. Compliance with 24 CRR 50.4, 58.5 and 58.6 Laws and Authorities
   a. Are formal compliance steps or mitigation required?
      i. Select Yes or No
   b. Compliance determination
      i. Provide an explanation, even when selecting No. The OCR will reject any EA that is submitted with Compliance Determination that is *blank* or the response is stated as "*not applicable*".

14. Environmental Assessment Factors
   a. Select the Impact Code
      i. (1) Minor beneficial impact
      ii. (2) No impact anticipated
      iii. (3) Minor adverse impact – may require mitigation
      iv. (4) Significant or potentially significant impact requiring avoidance or modification which may require and Environmental Impact Statement.
   b. Impact Evaluation
      i. Provide an explanation for every category. The OCR will reject any EA that is submitted with Impact Evaluation that is *blank* or the response is stated as "*not applicable*".

15. Additional Studies Performed
   a. Provide appropriate responses in the space provided to the following
      i. Field Inspection
      ii. List of Sources, Agencies and Persons Consulted
      iii. List of permits obtained
      iv. Public Outreach
      v. Cumulative Impact Analysis
      vi. Alternatives
      vii. No Action Alternative
      viii. Summary of Findings and Conclusions

   b. Please note, responses to Additional Studies Performed may be provided on a separate attachment.
      i. The separate attachment must include the CDBG Project number in the footer of each page of the separate attachment.

16. Mitigation Measures and Conditions

a. Please provide responses as appropriate.

17. Determination

a. Based on the conclusions of the environmental assessment, on the last page of the Checklist, the preparer will state his or her finding as to whether or not the request for release of funds for the project will constitute an action significantly affecting the quality of the human environment.

b. Select

i. Finding of No Significant Impact

ii. Finding of Significant Impact

Provide the following

a. Preparer signature
b. Date prepared
c. Name/Title/Organization of preparer
d. Certifying Officer Signature
e. Date Certifying Officer signed
f. Name/Title of Certifying Officer