

Environmental Assessment Worksheet

Grantee	Maumee Valley East Region (Henry County)
Grant Number	B-C-20-1BF-1 (CDBG) B-C-20-1BF-2(HOME)
Activity Name	Private Rehabilitation, Rental Repair, Home Repair, New Construction
Activity Location	Henry County, Fulton County, City of Napoleon & City of Wauseon
Activity Description:	
The Maumee Valley East Region has received CHIP funding to serve multiple low-moderate-income households in the region. Specifically, the program will complete the following.	
Owner Rehabilitation: 17 units	Rental Home Repair: 4 units
Owner Home Repair: 15 units	Tenant Based Rental Assistance: 0 units
New Construction: 1 unit	
Determination:	
<input checked="" type="checkbox"/> Finding of No Significant Impact (FONSI), whereby the Responsible Entity may proceed to Dissemination and publication of the FONSI, per regulations found at 24 CFR Section 58.43(a).	
<input type="checkbox"/> Finding of Significant Impact, whereby the Responsible Entity must proceed to develop an Environmental Impact Statement (EIS) in compliance with 24 CFR Part 58, Subparts F or G.	
Preparer Name: Austin Serna, Planner	
Signature _____	Date: 9/18/2020

List of Attachments

<input checked="" type="checkbox"/> Location Map
<input type="checkbox"/> Site Photographs
<input type="checkbox"/> Copies of other Environmental Analyses (if applicable) List: <input type="text"/>
<input type="checkbox"/> Other Relevant Correspondence and Notifications (if applicable) List: <input type="text"/>
<input checked="" type="checkbox"/> Statutory Checklist Supporting Documentation
<input checked="" type="checkbox"/> Environmental Assessment Checklist Supporting Documentation
<input checked="" type="checkbox"/> Combined Notice: Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOI/RROF) Date: <input type="text"/>
<input checked="" type="checkbox"/> Request for Release of Funds (RROF) Date: <input type="text"/>
<input type="checkbox"/> Release of Funds (ROF) Date: <input type="text"/>
<input type="checkbox"/> Additional Documentation Describe: <input type="text"/>

Statutory Checklist Instructions:

For each of the environmental laws and authorities listed below, determine the level of compliance required and provide a narrative explanation and list of supporting documentation. **The narrative must explain decision-making and compliance procedures.** Attach all supporting documentation to this worksheet.

Statutory Checklist

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Compliance Required?	Explanation and List of Compliance Documentation
Historic Preservation Resources: State Historic Preservation Office HUD Historic Preservation	No	<p>In accordance with Henry County's Memorandum of Agreement with the State of Ohio Historic Preservation Office and the U.S. Advisory Council on Historic Preservation, the Historic Preservation Officer will review all applicable projects to ensure compliance with the National Historic Preservation Act's Section 106, the Archeological and Historic Preservation Act, and EO 11593.</p> <p>Henry County's complete review documentation of each project will be located at the offices of the Maumee Valley Planning Organization (MVPO). Coordination with the Ohio Historic Preservation Office has been done and a letter from their agency will be attached with this checklist.</p>
Floodplain Management Resources: Floodplain Maps Floodplain Administrators HUD Floodplain Management	No	<p>Each specific project location will be reviewed to determine if the project is within a Special Flood Hazard Area (SFHA). For those projects in a SFHA, Henry County will ensure that the project complies with EO 11988. For those projects that do not comply the EO 11988 process will be implemented. Our office will follow all guidelines administered by the Department of Housing and Urban Development Floodplain Management.</p>
Wetland Protection Resources: NRCS Web Soil Survey National Wetlands Inventory Ohio EPA Division of Surface Water US Army Corps of Engineers Regulatory (Permits) HUD Wetlands Protection	No	<p>Most sites have previously been developed and should have no impact on wetlands. Only one new site will be constructed on. However, once selected each project location will consider wetlands in close proximity to the site. Wetland maps will be on file at MVPO for each specific project site.</p>

Statutory Checklist

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Compliance Required?	Explanation and List of Compliance Documentation
Coastal Zone Management Resources: Ohio Office of Coastal Management Ohio Coastal Atlas Map Viewer HUD Coastal Zone Management	No	Henry County is not located in a designated coastal zone in the State of Ohio. A map from the Ohio Department of Natural Resources- Office of Coastal Management will be attached.
Sole Source Aquifers Resources: Ohio EPA Sole Source Aquifers in Ohio HUD Sole Source Aquifers	No	There are no sole source aquifers in the region that will be impacted by the activities. A map from Sole Source Aquifers will be attached.
Endangered Species Resources: US Fish & Wildlife Service Section 7 information Endangered Species in Ohio Ohio Natural Heritage Database HUD Endangered Species	No	Most sites have been previously developed and are unlikely to affect endangered or threatened species or Critical Habitats listed periodically under Section 4 of the Endangered Species Act of 1973. If Henry County makes such finding, the County will consult with the Department of Interior. The County will ensure that all provisions of the Endangered Species Act of 1973 will be observed. One new project will be constructed on. The project will adhere to any endangered species associated with Henry County. Coordination with the Ohio Department of Natural Resources has been done. A list of endangered species in Henry County will be attached to this packet.
Wild and Scenic Rivers Resources: ODNR Scenic Rivers HUD Wild and Scenic Rivers	No	The Maumee River is the only scenic river in Henry County. This environmental assessment and each specific project location will have approximate location to the scenic river to show the distance. All project sites will abide by The Department of Housing and Urban Development's Wild and Scenic Rivers guidelines.
Air Quality Resources: Ohio EPA Asbestos Program Ohio EPA Notification of Demolition and Renovation HUD Air Quality	No	<p>The projects funded in the CHIP program will not require an installation permit, operating permit, or indirect source permit under local pllution control agency rules.</p> <p>All projects will be required to conform to the Ohio EPA's Notification of Demolition and Renovation requirements (i.e. Federal NESHAP regulations). Projects should not impact the Clean Air Act, as amended, 1970 and 1977; EO 11738. A Ohio EPA Air Quality Map will be attached with this checklist.</p>

Statutory Checklist

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Compliance Required?	Explanation and List of Compliance Documentation
		Henry County is in compliance with the National Ambient Air Quality Standards.
Farmland Protection Resources: NRCS Farmland Protection Policy Act HUD Farmlands Protection	No	The activities proposed for this grant will be located in developed areas. Only one new construction site will be developed. This new site will follow all guidelines by the Department of Housing and Urban Development Guidelines on Farmlands Protection. However, no farmland will be disturbed during the completion of the activities.
Noise Abatement and Control Resources: HUD Noise Abatement and Control HUD Noise Guidebook HUD Day/Night Noise Level Electronic Assessment Tool HUD Sound Transmission Classification Assessment Tool ODOT Traffic Count Data Ohio Airport Information Airport Master Records and Reports PUCO/ORDC Railroad Information System Federal Railroad Administration Query by Location tool	No	For those projects that are located in an environment with "normally unacceptable" noise levels, Henry County will ensure that the building construction design will sufficiently mitigate the exterior noise levels so that the interior decibel level is within the acceptable HUD noise standards. If mitigation cannot be achieved, the Region will not approve the project at that site. For those projects located in an area of "unacceptable" noise levels (above 75 dB) the region will not approve the project.
Airport Clear Zones and Accident Potential Zones Resources: Ohio Airport Information HUD Airport Hazards Airport Master Records and Reports	No	The activities proposed in this grant will have no impact on the Henry County airports nor is it anticipated that the airport will have an impact on the completion of these activities. The Henry county airport sits right outside the city of Napoleon, which is the county seat.
Explosive and Flammable Operations Resources: HUD Explosive and Flammable Facilities US EPA NEPA Assist US EPA Envirofacts HUD Choosing an Environmentally Safe Site	No	To be determined during site specific review. If any are present or seen, the guidelines from the Department of Housing and Urban Development will be followed.

Statutory Checklist

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Compliance Required?	Explanation and List of Compliance Documentation
Acceptable Separation Distance Calculator Acceptable Separation Distance Guidebook		
Site Contamination Resources: HUD Site Contamination US EPA NEPAassist US EPA Envirofacts Ohio Tank Tracking & Environmental Regulations HUD Choosing an Environmentally Safe Site	No	To be determined during site specific review. If a site contamination is to occur, the Department of Housing and Urban Development guidelines will be followed.
Environmental Justice Resources: HUD Environmental Justice US EPA Environmental Justice US EPA EJSCREEN	No	Activities in this grant will benefit qualified LMI persons through the assistance provided to the housing units. In addition Henry County will benefit from the assistance given to LMI persons whom may otherwise not be able to maintain their homes. This assistance provided to individual housing units may assist in maintaining a higher quality of life in the neighborhoods where the units are located.

Environmental Assessment Checklist Instructions:

Evaluate the significance of the effects of the proposed activity on the character, features, and resources of the project area. Provide a narrative explanation and list of supporting documentation. **The narrative must explain decision-making and compliance procedures.** Attach all supporting documentation to this worksheet. For technical assistance, see HUD's [Environmental Assessment Factors Guidance](#).

Environmental Assessment Checklist

Land Development		
Impact Category	Impact Code	Explanation and List of Source Documentation
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	No Impact Anticipated	The expenditure of CHIP monies for these projects promotes the goals of creating affordable housing as identified in the Ohio Comprehensive Plan
Soil Suitability / Slope / Erosion / Drainage / Storm Water Runoff	No Impact Anticipated	The Region is relatively flat and few sites exist where slope is a salient factor. Where projects are located on steep slopes and the potential for slope failure or slope stability and runoff problems exist, Henry County will review the project and determine whether either the site is acceptable or mitigation of problems through construction techniques is required.
Hazards and Nuisances Including Site Safety and Noise	Potentially Beneficial	Contractors working on CHIP-funded projects will be required to maintain site safety and acceptable noise levels for workers and the public in conformance with OSHA requirements. Household hazards and nuisances in the residential units assisted will be mitigated.
Energy Consumption	Potentially Beneficial	Energy efficient building practices and materials mandated by the Ohio Residential Rehabilitation Standards (including the requirement for Energy Star rated products) will result in a reduction in energy consumption.

Environmental Assessment Checklist

Socioeconomic		
Impact Category	Impact Code	Explanation and List of Source Documentation
Employment and Income Patterns	Potentially Beneficial	Temporary jobs will be created in the construction fields as a result of the projects funded under the CHIP program.
Demographic Character Changes, Displacement	Potentially Beneficial	The construction and rehabilitation of residential units currently in need of repair will have a positive impact on the neighborhoods involved.

Community Facilities and Services		
Impact Category	Impact Code	Explanation and List of Source Documentation
Educational and Cultural Facilities	No Impact Anticipated	Due to the size of the CHIP program, projects should not increase the need for additional schools. Existing cultural facilities will be accessible to residents assisted.
Commercial Facilities	No Impact Anticipated	Existing commercial facilities will be accessible to residents assisted.
Health Care and Social Services	No Impact Anticipated	No impact is anticipated on the availability or accessibility of health care and social services in the county.
Solid Waste Disposal / Recycling	No Impact Anticipated	The solid waste generated at each project site should be accommodated by the County's existing landfill.
Waste Water / Sanitary Sewers	No Impact Anticipated	All waste water will be transmitted through the local municipal sanitary sewer infrastructure or an adequate waste water facility.
Water Supply	No Impact Anticipated	Water supply will be provided by local municipal water or be a course in conformance with the rules set forth by the authority having jurisdiction.

Environmental Assessment Checklist

Community Facilities and Services		
Impact Category	Impact Code	Explanation and List of Source Documentation
Public Safety – Police, Fire and Emergency Medical	No Impact Anticipated	Any of the proposed countywide projects will have adequate access to police, fire, and emergency medical services.
Parks, Open Space and Recreation	No Impact Anticipated	There are none anticipated
Transportation and Accessibility	No Impact Anticipated	There are none anticipated

Natural Features		
Impact Category	Impact Code	Explanation and List of Source Documentation
Unique Natural Features, Water Resources	No Impact Anticipated	There should be no impact as most sites have had previous construction activities. Only one new construction site will be added. Guidelines will be followed in accordance with any natural features and water resources on the new construction site for that property.
Vegetation and Wildlife	No Impact Anticipated	The County will review projects to determine if they will disrupt and alter habitats. Where applicable, project plans may require modification.
Other Factors	No Impact Anticipated	There are no other factors that will be impacted by the activities

24 CFR Section 58.6 Requirements

Airport Runway Clear Zones and Clear Zones Notification*[24 C.F.R. Part 51.303(a)(3)]*

Does the project involve the sale or acquisition of property located within a Civil Airport Runway Clear Zone or a Military Airfield Clear Zone?

☒ No. **Attach Source Document:**

(Project complies with 24 CFR 51.303(a)(3).)

☐ Yes. **Notice must be provided to buyer.** The notice must advise the buyer that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information. (for a sample notice, see the [HUD Exchange](#)) **(attach a copy of the signed notice)**

Coastal Barrier Resources Act*[Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3501)]*

Is the project located in a [coastal barrier resource area](#)?

☒ No. **Cite or attach Source Document.**

(Proceed with project.)

☐ Yes. Federal assistance may not be used in such an area.

Flood Disaster Protection Act**[Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001-4128)]*

Does the project involve acquisition, construction or rehabilitation of structures located in a FEMA-identified Special Flood Hazard Area?

☒ No. **Attach copy of [Flood Insurance Rate Map](#) (FIRM)**

☐ Yes. **Attach copy of [Flood Insurance Rate Map](#) (FIRM)**

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

☐ Yes. Flood Insurance under the National Flood Insurance Program must be obtained. If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to the maximum allowable coverage, whichever is less). **(Attach a copy of the flood insurance policy declaration)**

☐ No. **Federal assistance may not be used in the Special Flood Hazard Area.**

**Per 24 CFR 58.6(a)(3), this requirement does not apply to State-administered CDBG, HOME, and ESG programs.*

Statement of Process and Status of Environmental Analysis

Instructions:

Provide a brief description of the administrative procedures associated with the construction and presentation of the environmental review record (ERR). List the Responsible Entity, Certifying Officer, the physical location of the ERR, the dates and comment periods associated with any public notices, and contact information for the submission of comments regarding the ERR.

Maumee Valley Planning Organization (MVPO) will be the entity responsible for completing the ERR. This record will be kept with the other grant records and files for this program. The certifying officer is Glenn A. Miller, President of the Henry County Commissioners. The FONSI to Request Release of Funds will be published in the Northwest Signal after coordination with OHPO and other state and federal agencies are completed for this project. After the FONSI has been published in the newspaper and the proper public comment period has been fulfilled, the state will review the FONSI and allow another comment period before awarding the release of funds. The dates for this process will be marked on page two of this checklist.

Description of the Site and Environmental Context

Instructions:

Determine existing conditions and describe the character, features, and resources of the project area and its surroundings. Identify the trends that are likely to continue in the absence of the project.

This program is a county-wide program. The program itself will address housing units, both privately owned and rental units. The goal is to assist as many LMI households as possible, maintaining various systems (electrical, plumbing, HVAC, structural) and exterior needs (roofs, windows, siding).

The proposed CHIP program will have a minimal environmental impact while providing emergency assistance to LMI properties that might otherwise become sources of abandonment and blight in the community. The CHIP program provides the funding mechanism for the County to implement a rehabilitation program to address issues now and in the future.

Analysis of Alternatives

Instructions:

Examine alternatives to the project, including the alternative of no action.

The only apparent alternative would be to do nothing. This approach would fail to assist existing neighborhoods that have been affected by homeowners with a lack funds to maintain their individual properties. This does not allow for community maintenance or growth. In addition, the condition of the housing stock in the county will deteriorate, causing property values to decline and contributing to abandonment and blight.

The proposed CHIP program will have a minimal environmental impact while providing much-needed emergency assistance to existing households that might otherwise become a liability to their communities.

Analysis of Impacts and Mitigation Actions

Instructions:

Summarize and evaluate all potential environmental impacts, whether beneficial or adverse, and the conditions that would change as a result of the project. Describe measures to eliminate, minimize, or mitigate adverse environmental impacts.

This program does not promote development in or the destruction of wetlands or coastal zones. Air and water quality do not change from what presently exists as a result of the proposed activity. Endangered species, farmlands, and wild and scenic rivers will not be affected. Activities will not violate environmental justice E.O. 12898.

This program will have no adverse effect on community plans or ordinances, the use of utilities or other public services, or the quality of the environment. These activities involve the rehabilitation of existing housing and a new construction build. This type of activity is consistent with the Ohio Comprehensive Plan and will revitalize neighborhoods that have been negatively impacted by the lack of funds required to maintain properties. The demands for educational, commercial, health care and other services would essentially remain unchanged.

Individual site-specific reviews, to be conducted at a later date for each selected site, will consider the following issues: Historic Preservation, Noise Abatement & Control, Floodplain Management, Explosive and Flammable Operations, Hazardous Materials, Toxic Chemicals and Radioactive Materials and Runway Clear Zones. The Department of Housing and Urban Development guidelines for each of the listed above will be attached with this Tier 1 packet.

The established threshold of projects of less than 30 units will have no adverse effect on the use of utilities or other public services or the quality of the environment. The program involves development in an area where the existing infrastructure is present and can accommodate such uses with the exception of one new construction which will follow all rules and guidelines before ground is broken.

Adverse environmental impacts are not anticipated. If a situation arises where it is necessary, the appropriate local, state and/or federal offices will be contacted. Henry County will address these issues if they arise.

Monitoring and Enforcement Procedures**Instructions:**

Describe any post-review monitoring or enforcement procedures associated with environmental mitigation actions.

No environmental mitigation actions are anticipated to be necessary. If there is a need for mitigation, this will be handled by Henry County and the necessary jurisdictions, be it state, federal or local.

List of Sources, Agencies, and Persons Consulted

[illegible]

List of Site Visits and Important Meetings

[illegible]

Participants in the Review

[illegible]

Floodplain Management

Introduction

Executive Order 11988 - Floodplain Management requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. The Federal Emergency Management Agency (FEMA) designates floodplains as geographic zones subject to varying levels of flood risk. Each zone reflects the severity or type of potential flooding in the area. The **FEMA Map Service Center** (<https://msc.fema.gov/portal>) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs) or Flood Hazard Boundary Map.

HUD's regulations in 24 CFR Part 55 outline HUD's procedures for complying with EO 11988. Part 55 applies to all HUD actions that could be harmed or cause harm if located in a floodplain, including but not limited to proposed acquisition, construction, demolition, improvement, disposition, and financing actions under any HUD program. The purpose of Part 55 is not in most cases to prohibit actions in a floodplain, but to provide the method for HUD projects to comply with EO 11988 and avoid unnecessary impacts.

Terminology and Basic Requirements

Special Flood Hazard Areas (SFHAs) are areas designated by FEMA as having a heightened risk of flooding.

100-Year Floodplains (or 1 Percent Annual Chance Floodplains) are areas near lakes, rivers, streams, or other bodies of water with at least a 1% chance of flood occurrence in any given year. HUD projects within a 100-Year Floodplain must complete the **8-Step Decisionmaking Process** (<https://www.hudexchange.info/resource/3190/floodplain-management-8-step-decision-making-process/>) to determine whether there are practicable alternatives to locating the project in the floodplain, unless an exception in section 55.12 applies.

A Regulatory Floodway comprises the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. This is the segment of the floodplain that will generally carry flow of flood waters during a flood and is typically the area of greatest risk to structures in the floodplain. HUD financial assistance is prohibited in floodways unless an exception in section 55.12(c) applies or the project is a functionally dependent use (e.g. dams, marinas, and port facilities) or a floodplain function restoration activity.

Coastal High Hazard Areas (or V Zones) are areas along the coasts subject to inundation by the 1% annual chance flood event with additional hazards associated with storm or tidal induced waves... Because of the increased risks associated with V Zones, Part 55 prohibits critical actions and new construction in these areas unless an exception in section 55.12(c) applies or the project is a functionally dependent use, and otherwise requires the action to be designed for location in a Coastal High Hazard Area.

Non-Special Flood Hazard Areas are areas with moderate-to-low risk of flooding; however, it is important to remember that floods still occur frequently in these areas. One in four NFIP claims occur outside of SFHAs.

500-Year Floodplains (or .2 Percent Annual Chance Floodplains) are areas with at least a .2% chance of flood occurrence in any given year. HUD requires critical actions (e.g. hospitals, nursing homes, police stations, fire stations, and roadways providing sole egress from flood-prone areas) to comply with Part 55 when they are located in the 500-year floodplain.

detailed information on the different types of floodplains, see FEMA Flood Zones (<https://www.fema.gov/flood-zones>).

Complying with 24 CFR Part 55

HUD has prepared flow charts illustrating how to comply with Part 55 for non-critical actions (<https://www.hudexchange.info/resource/5648/part-55-floodplain-management-compliance-noncritical-actions/>) and critical actions (<https://www.hudexchange.info/resource/5649/part-55-floodplain-management-compliance-critical-actions/>).

Step 1: Determine whether any of the exceptions at 55.12(c) apply.

Under 55.12(c), certain projects are exempt from Part 55. The projects are not required to complete the 8-Step Process, and they may be able to proceed despite the presence of a floodway or coastal high hazard area.

Activities listed in 55.12(c) include floodplain restoration, minor amendments to previously approved actions, sites where FEMA has issued a final Letter of Map Revision or final Letter of Map Amendment, actions that are Categorically Excluded Not Subject to 50.4 or 58.5, and sites where the "incidental floodplain exception" applies.

The incidental floodplain exception may exempt a project from Part 55 where only a small portion of the project site contains a floodplain. It is important to note that the *entire* floodplain must be incidental, meaning that this exception does not apply if any buildings or improvements exist within the SFHA. Projects may be exempted under the incidental floodplain exception if:

1. No new or existing buildings or improvements occupy or modify the 100-year floodplain, floodway, coastal high hazard area, or – for critical actions – the 500-year floodplain
2. Provisions are made for site drainage that will not adversely affect any wetland, AND
3. A permanent covenant is placed on the property's continued use to preserve the floodplain.

For a visual representation of the incidental floodplain exception, see *Incidental Floodplain Exception, Illustrated* (<https://www.hudexchange.info/resource/5650/incidental-floodplain-exception/>).

Step 2: Determine whether the project site contains a floodplain.

If the project is not exempt under section 55.12(c), use a FEMA Flood Insurance Rate Map (FIRM) to determine whether the project is in or near a floodplain. In most areas, Flood Insurance Rate Maps (FIRMs) are available online through the FEMA Map Service Center (<https://msc.fema.gov/portal/advanceSearch>). When FEMA provides Advisory Base Flood Elevations (ABFE) or preliminary FIRMs and studies, HUD or the responsible entity must use the latest of these sources unless the ABFE or preliminary FIRM allow a lower Base Flood Elevation (BFE) than the current FIRM and FIS. Where available, FEMA maps indicate floodplains as follows:

- *100-year floodplains* are designated as Zone A1–30, AE, A, AH, AO, AR, or A99.
- *500-year floodplains* are designated as Zone B or a shaded Zone X.
- *Floodways* are designated as Zone AE hatched.
- *Coastal high hazard areas* are designated on a Flood Insurance Rate Map (FIRM) under FEMA regulations as Zone V1–30, VE, or V.

For projects in areas not mapped by the FEMA, use the **best available information** to determine floodplain information. Include in your documentation a discussion of why this is the best available information for the site. Sources which merit investigation include the files and/or studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas.

For more information on finding best available information, see *Floodplain Maps for HUD Projects* (<https://www.hudexchange.info/resource/5834/floodplain-maps-for-hud-projects/>).

Step 3: Determine if the 8-Step Process is required.

Under section 55.12, certain actions must comply with Part 55 but are not required to complete the full 8-Step Process.

required to provide public notice or consider alternatives, but must complete the other steps in the 8-Step Process. These include disposition of properties, purchase and refinance of existing multifamily housing or healthcare facilities, and minor improvements to multifamily housing and nonresidential structures.

- Section 55.12(b) lists project types that must comply with the basic restrictions in Part 55 (i.e. the prohibitions on projects in floodways and critical actions in coastal high hazard areas) but which are not required to complete the 5- or 8-Step Processes. These include acquisition and refinance of existing single family properties, minor improvements to single family properties, and leasing.

If the project occurs in a 100-year floodplain (A Zone), an 8-Step Process is required unless it is inapplicable per 55.12(b) or the **5-Step Process** is applicable per 55.12(a).

If the project occurs in a 500-year floodplain (B Zone or shaded X Zone), the 8-Step Process is required for critical actions unless it is inapplicable per 55.12(b) or the **5-Step Process** is applicable per 55.12(a).

If the project occurs in a floodway, federal assistance may not be used at this location unless the project is a functionally dependent use or floodplain function restoration activity or a 55.12(c) exception applies. If it is a functionally dependent use or restoration activity, the 8-Step Process is required.

If the project occurs in a Coastal High Hazard Area (V Zone), federal assistance may not be used at this location if the project is a critical action. For all other actions, financial assistance is prohibited unless the activity is an existing structure, an improvement of an existing structure or reconstruction following a disaster in accordance with 24 CFR 55.1(c)(3)(i). Refer to 55.1(c)(3)(i) and (ii) for construction requirements for projects permitted in coastal high hazard areas. An 8 Step Process must be performed unless an exception applies.

Step 4: Complete the 8-Step Process and identify mitigation requirements.

Review Section 55.20 and the resources on this page for information on completing the 8-Step Process. Note that although Part 55 does not contain elevation requirements for non-critical actions, projects involving new construction and substantial improvements (as defined in 55.2(b)(10)) must be elevated or, for nonresidential structures, floodproofed to the base flood elevation of the floodplain in order to get flood insurance from FEMA.

If the project involves new construction or substantial improvement (as defined in 24 CFR 55.2(b)(10), NFIP regulations require that the affected structure(s) be elevated to the base flood elevation. State or local law or program policy may require additional elevation (or "freeboard") beyond the minimum elevation requirements set by FEMA.

Compliance and Documentation

The environmental review record should contain **one** of the following:

- Documentation supporting the determination that an exception at 55.12(c) applies.
- A FEMA map showing the project is not located in a Special Flood Hazard Area.
- A FEMA map showing the project is located in a Special Flood Hazard Area and an applicable citation to 55.12(b) demonstrating that the 8-Step Process is not required.
- A FEMA map showing the project is located in a Special Flood Hazard Area, documentation that the 5-Step Process was completed, and the applicable citation to 55.12(a).
- A FEMA map showing the project is located in a Special Flood Hazard Area along with documentation of the 8-Step Process and required notices.

View Floodplain Management - Worksheet (/resources/documents/Floodplain-Management-Worksheet.docx).

View Floodplain Management - Partner Worksheet (/resources/documents/Floodplain-Management-Partner-Worksheet.docx).

Floodplain Management 8 Step Decision Making Process

(<https://www.hudexchange.info/resource/3190/floodplain-management-8-step-decision-making-process/>)

Adoption of Flood Insurance Rate Maps by Participating Communities (<https://www.fema.gov/media-library/assets/documents/30451>)

A FEMA guide to the process of making official Flood Insurance Rate Maps.

FEMA Floodplain Management Publications (<https://www.fema.gov/national-flood-insurance-program-publications>)

FEMA's library of guidance documents relating to floodplain management.

National Flood Insurance Program (NFIP) Website (<https://www.fema.gov/national-flood-insurance-program>)

The official site of FEMA's National Flood Insurance Program.

FEMA Map Service Center Flood Insurance Rate Maps (FIRMs) (<https://msc.fema.gov/portal>)

These FEMA maps show flood insurance rate data and are used for the implementation of Executive Order 11988- Floodplain Management.

Flood Map Changes Viewer (FMCV) (<https://fema.maps.arcgis.com/apps/webappviewer/index.html?id=e7a7dc3ebd7f4ad39bb8e485bb64ce44>)

The FMCV provides a single location to access flood hazard dates at the current, preliminary, and pending stages.

Federal Emergency Management Association (FEMA) Floodplain Management Requirements: A Study Guide and Desk Reference for Local Officials (<http://www.fema.gov/library/viewRecord.do?id=2165>)

This guide provides information to local officials responsible for administering local floodplain management regulations.

Methods to Minimize Impacts and Restore and Preserve Floodplains

EPA Green Infrastructure: Managing Wet Weather (<https://www.epa.gov/green-infrastructure/green-infrastructure-municipal-handbook>)

Green infrastructure is an approach that communities can choose to maintain healthy waters, provide multiple environmental benefits and support sustainable communities.

EPA National Menu of Stormwater Best Management Practices (<https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#edu>)

EPA examples and factsheets on stormwater management practices, which can be used to minimize floodplain impacts.

EPA Stormwater Management Low Impact Development Strategies (<https://www.epa.gov/nps/urban-runoff-low-impact-development>)

This section contains technical and regulatory information about the National Pollutant Discharge Elimination System's stormwater program.

Natural and Beneficial Functions of Floodplains (http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_14217.pdf)

A report to Congress that documents floodplain functions and means to preserve and restore these functions.

Other Materials and Sources

The Association of State Floodplain Managers is an organization of professionals involved in floodplain management, flood hazard mitigation, the National Flood Insurance Program, and flood preparedness, warning and recovery.

National Association of Flood and Stormwater Management Agencies (<http://www.nafsma.org/>)

The National Association of Flood & Stormwater Management Agencies (NAFSMA) is an organization of public agencies whose function is the protection of lives, property and economic activity from the adverse impacts of storm and flood waters.

National Hazard Mitigation Association (<http://nhma.info/>)

The Natural Hazards Mitigation Association (NHMA) is an organization of professionals involved in natural hazard mitigation.

Natural Resources Conservation Service (NRCS) Floodplain Conservation Easement

(<http://www.nrcs.usda.gov/programs/ewp/floodplain/index.html>)

NRCS offers voluntary easement programs to landowners. These easements can be used to address floodplain preservation and impact minimization.

Smartgrowth for Coastal and Waterfront Communities

(http://coastalsmartgrowth.noaa.gov/smartgrowth_fullreport.pdf)

A guide to Smartgrowth principles that is tailored for waterfront communities.

NAFSMA Guidance for Stormwater Management Funding

(https://www.epa.gov/sites/production/files/2015-10/documents/guidance-manual-version-2x-2_0.pdf)

The guidance includes procedural, legal, and financial considerations in developing viable funding approaches for stormwater management.

List of NFIP Participating Communities (<https://www.fema.gov/national-flood-insurance-program-community-status-book>)

A list of communities that are currently participating in the National Flood Insurance Program compiled by FEMA.

NOAA Digital Coast GIS Planning Tools (<https://coast.noaa.gov/digitalcoast/>)

A NOAA website developed to address the needs of its users by providing a simplified way to access data relevant to the coast, as well as the tools and methods to turn these data into useful information.

Floodplain Management Bulletin: Historic Structures

(http://www.nj.gov/dep/hpo/Index_HomePage_images_links/FEMA/FEMA%20historic_structures.pdf)

A FEMA guide on how the NFIP treats historic structures and mitigation measures that may be taken to protect historic structures from floods.

Executive Order and Regulations

Executive Order 11988 - Floodplain Management (<http://www.fema.gov/environmental-planning-and-historic-preservation-program/executive-order-11988-floodplain-management>)

24 CFR Part 55 - Floodplain Management and Protection of Wetlands (<http://www.ecfr.gov/cgi-bin/text-idx?SID=5e9a37bc2b8b17b93d582e9d64a3d4b1&node=24:1.1.1.32&rgn=div5>)

78 FR 68719 - Floodplain Management and Protection of Wetlands (<https://www.federalregister.gov/articles/2013/11/15/2013-27427/floodplain-management-and-protection-of-wetlands>): On 11/15/2013, HUD published a new rule on the regulations governing the protection of wetlands and floodplains. With respect to wetlands, the rule codifies existing procedures for Executive Order 11990, Protection of Wetlands. 24 CFR Part 55 previously did not cover wetlands protection.

Resources

Part 55: Floodplain Management and Wetlands Protection Webinar (<https://www.hudexchange.info/trainings/courses/24-cfr-part-55-floodplain-management-and-wetlands-protection-rules-webinar/>)

WISER: Water Elements Online Module (<https://www.hudexchange.info/trainings/wiser/>)

FEMA Map Service Center Flood Insurance Rate Maps (FIRMs) (<https://msc.fema.gov/portal/search>)

Flood Map Changes Viewer (FMCV) (<https://fema.maps.arcgis.com/apps/webappviewer/index.html?id=e7a7dc3ebd7f4ad39bb8e485bb64ce44>)

Floodplain Management Guidelines (/resource/3189/floodplain-management-guidelines-for-implementing-eo-11988)

8 Step Process (/resource/3190/floodplain-management-8-step-decision-making-process/)

Sample Floodplain and Wetland Notices - English and Spanish (/resource/3191/early-notice-and-public-review-of-a-proposed-activity-floodplain/)

Model Covenant (<http://portal.hud.gov/hudportal/documents/huddoc?id=RestrictvCovFldplWtld.doc>)

View Additional Resources

Federal Related Laws and Authorities

Air Quality (/environmental-review/air-quality)

Airport Hazards (/environmental-review/airport-hazards)

Coastal Barrier Resources (/environmental-review/coastal-barrier-resources)

Coastal Zone Management (/environmental-review/coastal-zone-management)

Environmental Justice (/environmental-review/environmental-justice)

Endangered Species (/environmental-review/endangered-species)

Explosive and Flammable Facilities (/environmental-review/explosive-and-flammable-facilities)

Farmlands Protection (/environmental-review/farmlands-protection)

Flood Insurance (/environmental-review/flood-insurance)

Floodplain Management (/environmental-review/floodplain-management)

Historic Preservation (/environmental-review/historic-preservation)

Noise Abatement and Control (/environmental-review/noise-abatement-and-control)

Site Contamination (/environmental-review/site-contamination)

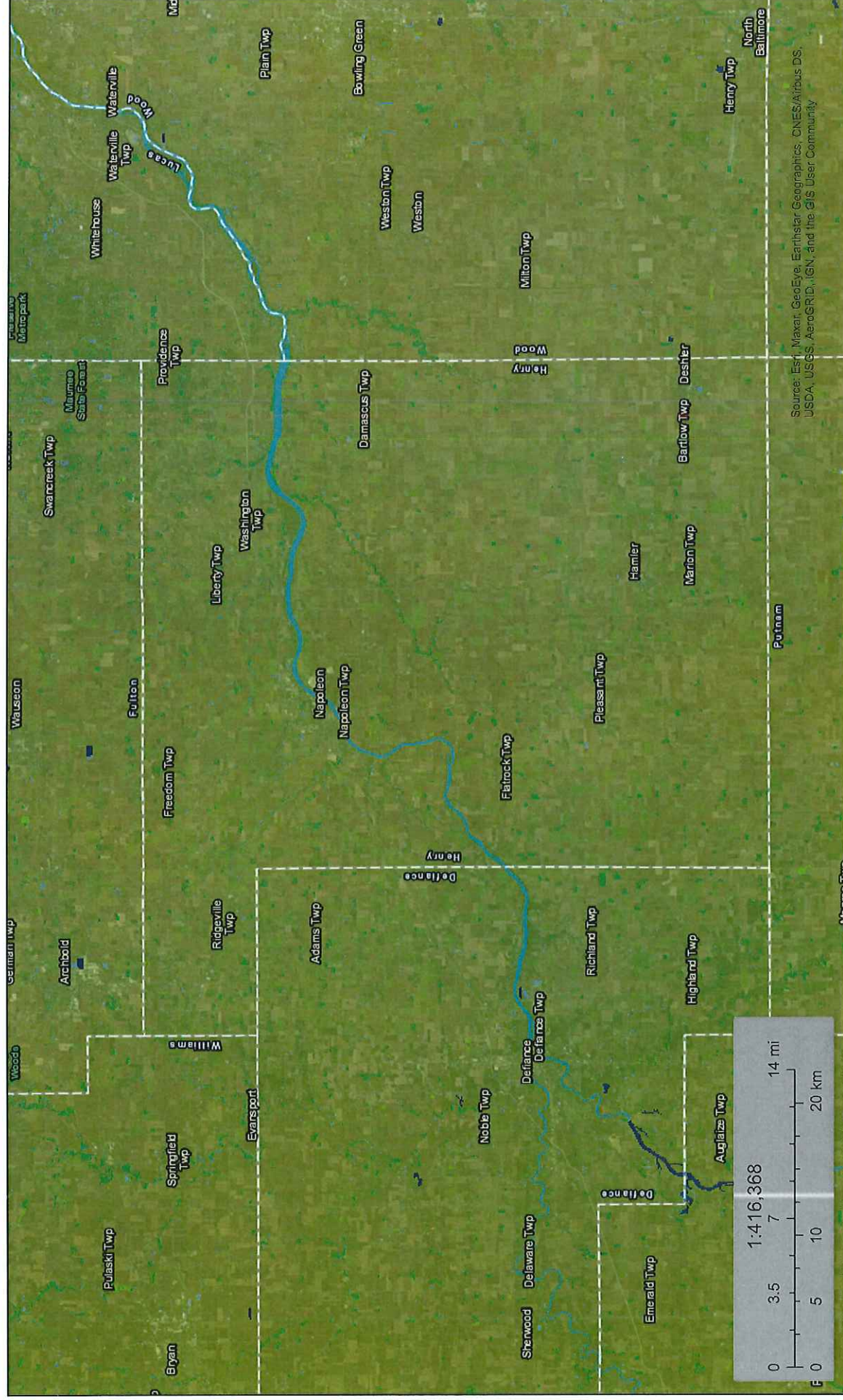
Sole Source Aquifers (/environmental-review/sole-source-aquifers)



U.S. Fish and Wildlife Service

National Wetlands Inventory

Henry County, Ohio



September 2, 2020

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Wild and Scenic Rivers

Introduction

The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287) 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). The National Wild and Scenic Rivers System (NWSRS) was created by Congress in 1968 (Public Law 90-542; 16 U.S.C. 1271 et seq., as amended) to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The Act is notable for safeguarding the special character of these rivers, while also recognizing the potential for their appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection.

Each river or river segment in the National Wild and Scenic Rivers System is administered with the goal of protecting and enhancing the values that caused it to be eligible for inclusion in the system. Designated rivers need not include the entire river and may include tributaries.

Four primary federal agencies are charged with protection and managing our wild and scenic rivers: the National Park Service, Bureau of Land Management, U.S. Forest Service and U.S. Fish and Wildlife Service. Each river segment is administered by generally one of these federal agencies and/or a state agency and, in some cases, a tribe or in coordination with local government. Boundaries for protected rivers generally extend one-quarter mile from either bank in the lower 48 states and one-half mile on rivers outside national parks in Alaska in order to protect river-related values.

HUD-assisted activities are subject to the requirements of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.). The environmental review must evaluate the potential to impact any listed Wild and Scenic River when the assisted project is within proximity to a listed natural resource (24 CFR 58.5(f) (https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title24/24cfr58_main_02.tpl) or 24 CFR 50.4(f) (<https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=1948aa60e0ceb1e3b501f985b9315c79&r=PART&n=24y1.1.1.1.29>)).

HUD Guidance

Is your project within proximity of a NWSRS river as defined below?

Wild and Scenic Rivers. (<http://www.rivers.gov/map.php>) These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic or recreational.

Study Rivers. (<http://www.rivers.gov/study.php>) These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.

Nationwide Rivers Inventory (NRI). (<http://www.nps.gov/ncrc/programs/rtca/nri/>) The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic or recreational river areas.

If so, is your project a water resources project? A water resources project is a federally assisted project that could affect the free-flowing condition of a wild and scenic river. Examples include dams, water diversion projects, bridges, roadway construction or reconstruction, boat ramps, and activities that require a Section 404 permit from the Army Corps of Engineers.

- Have a direct and adverse effect within wild and scenic river boundaries
- Invade the area or unreasonably diminish the river outside wild and scenic river boundaries
- Have an adverse effect on the natural, cultural, and/or recreational values of an NRI segment

Consultation with the appropriate federal, state, local, and/or tribal Managing Agency is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a wild and scenic river or a study river and, if so, to determine the appropriate avoidance or mitigation measures. The Managing Agency for a particular river segment generally is the National Park Service, the Bureau of Land Management, U.S. Forest Service, or U.S. Fish and Wildlife Service; for some river segments, a state agency, tribe, or a local government may also be a Managing Agency. For rivers listed in the NRI, the National Park Service (NPS) is the point of contact. Under Section 5 of the Act, the NPS can provide recommendations that the Responsible Entity must take into account in protecting the listed river segment.

Compliance and Documentation

The environmental review record should contain **one** of the following:

- Evidence the proposed action is not within proximity to a designated Wild, Scenic, or Recreational River
- Documentation that contact was made with the Federal (or state) agency that has administrative responsibility for management of the river and that the proposed action will not affect river designation or is not inconsistent with the management and land use plan for the designated river area

View Wild and Scenic Rivers - Worksheet (</resources/documents/Wild-and-Scenic-Rivers-Worksheet.docx>).

View Wild and Scenic Rivers - Partner Worksheet (</resources/documents/Wild-Scenic-Rivers-Partner-Worksheet.docx>).

Related Resources

Wild and Scenic Rivers Act: Section 7 (<https://www.rivers.gov/documents/section-7.pdf>)

A technical report that includes appendices on how to document evaluation of impacts in the environmental review.

Protecting Our Natural Resources Webinar (</trainings/courses/protecting-our-natural-resources-complying-with-the-wild-and-scenic-rivers-act-farmland-protection-policy-act-and-endangered-species-act-webinar/>)

This webinar, held September 5, 2012, provides an overview of three laws concerning the protection of natural resources: the Wild and Scenic Rivers Act, Farmland Protection Policy Act, and Endangered Species Act. This webinar outlines the compliance steps in a way that has been tailored towards HUD projects for all three laws.

Statute

16 U.S.C. 1271 et seq. (<http://www.gpo.gov/fdsys/search/pagedetails.action?collectionCode=USCODE&searchPath=Title+16%2FCHAPTER+28&granuleId=USCODE-2012-title16-chap28-sec1271&packageId=USCODE-2012-title16&oldPath=Title+16%2FChapter+28%2FSec.+1271&fromPageDetails=true&collapse=true&ycord=3300>)

Resources

WISER: Wild and Scenic Rivers Online Module (<https://www.hudexchange.info/trainings/wiser/>)

National Wild and Scenic Rivers System Lists

National Wild and Scenic Rivers System Website (<http://www.rivers.gov/rivers/>)

Designated Rivers (<http://www.rivers.gov/map.php>)

Nationwide Rivers Inventory (NRI) (<http://www.nps.gov/ncrc/programs/rtca/nri/>)

[View Additional Resources](#)

Federal Related Laws and Authorities

[Air Quality \(/environmental-review/air-quality\)](#)

[Airport Hazards \(/environmental-review/airport-hazards\)](#)

[Coastal Barrier Resources \(/environmental-review/coastal-barrier-resources\)](#)

[Coastal Zone Management \(/environmental-review/coastal-zone-management\)](#)

[Environmental Justice \(/environmental-review/environmental-justice\)](#)

[Endangered Species \(/environmental-review/endangered-species\)](#)

[Explosive and Flammable Facilities \(/environmental-review/explosive-and-flammable-facilities\)](#)

[Farmlands Protection \(/environmental-review/farmlands-protection\)](#)

[Flood Insurance \(/environmental-review/flood-insurance\)](#)

[Floodplain Management \(/environmental-review/floodplain-management\)](#)

[Historic Preservation \(/environmental-review/historic-preservation\)](#)

[Noise Abatement and Control \(/environmental-review/noise-abatement-and-control\)](#)

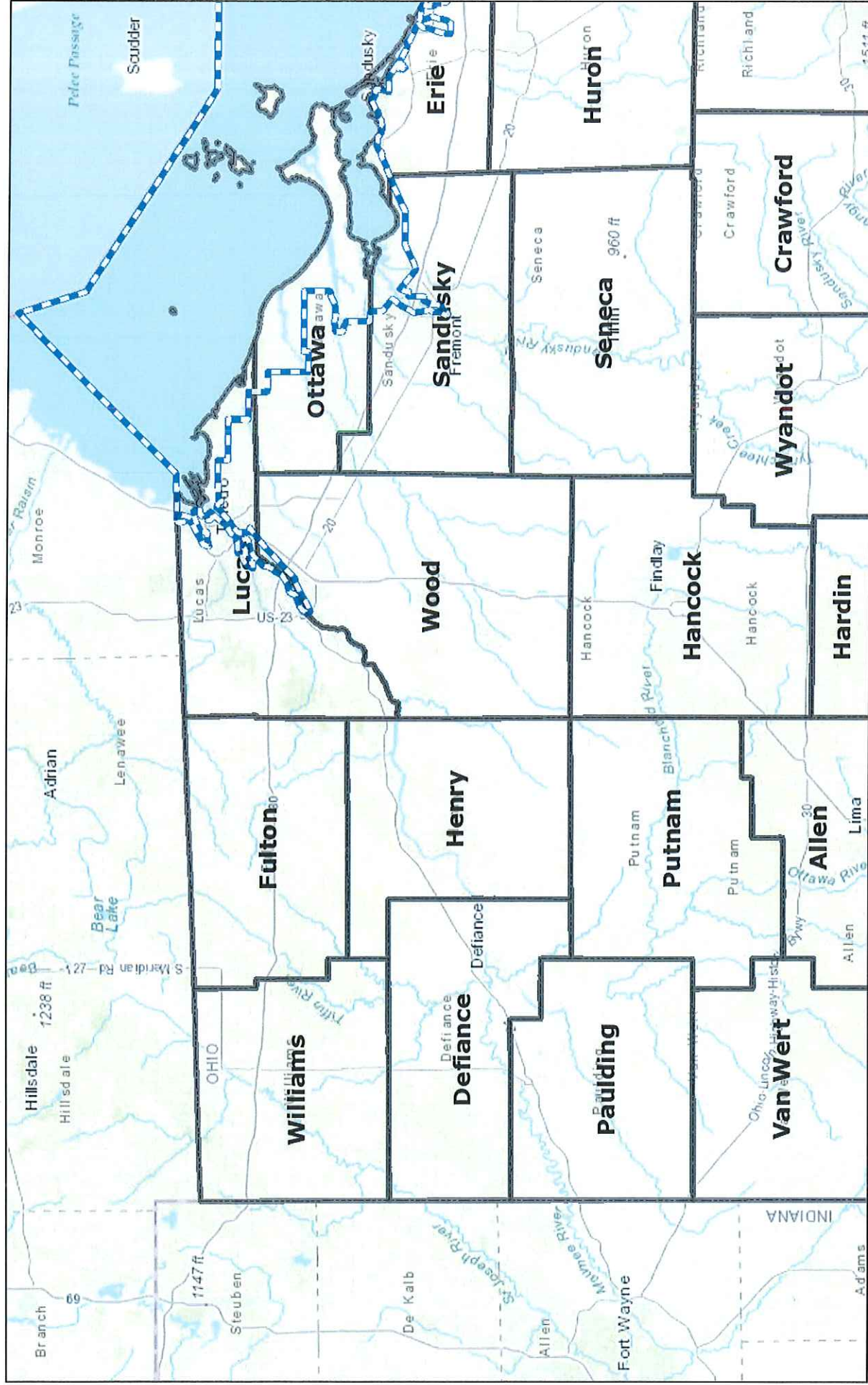
[Site Contamination \(/environmental-review/site-contamination\)](#)

[Sole Source Aquifers \(/environmental-review/sole-source-aquifers\)](#)

[Wetlands Protection \(/environmental-review/wetlands-protection\)](#)

[Wild and Scenic Rivers \(/environmental-review/wild-and-scenic-rivers\)](#)

Ohio Coastal Atlas Map Viewer: Henry county, Ohio



September 1, 2020

1:1,155,581

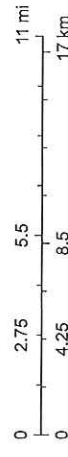
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

Sole Source Aquifer Map: Henry County



9/1/2020, 4:02:51 PM

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Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



ODNR Division of STATE PARKS & WATERCRAFT

Custom Search



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Scenic Rivers › Program › Map of Ohio's Scenic Rivers › Map of Scenic Rivers

Map of Scenic Rivers in Ohio

Rivers with "Scenic" Designation

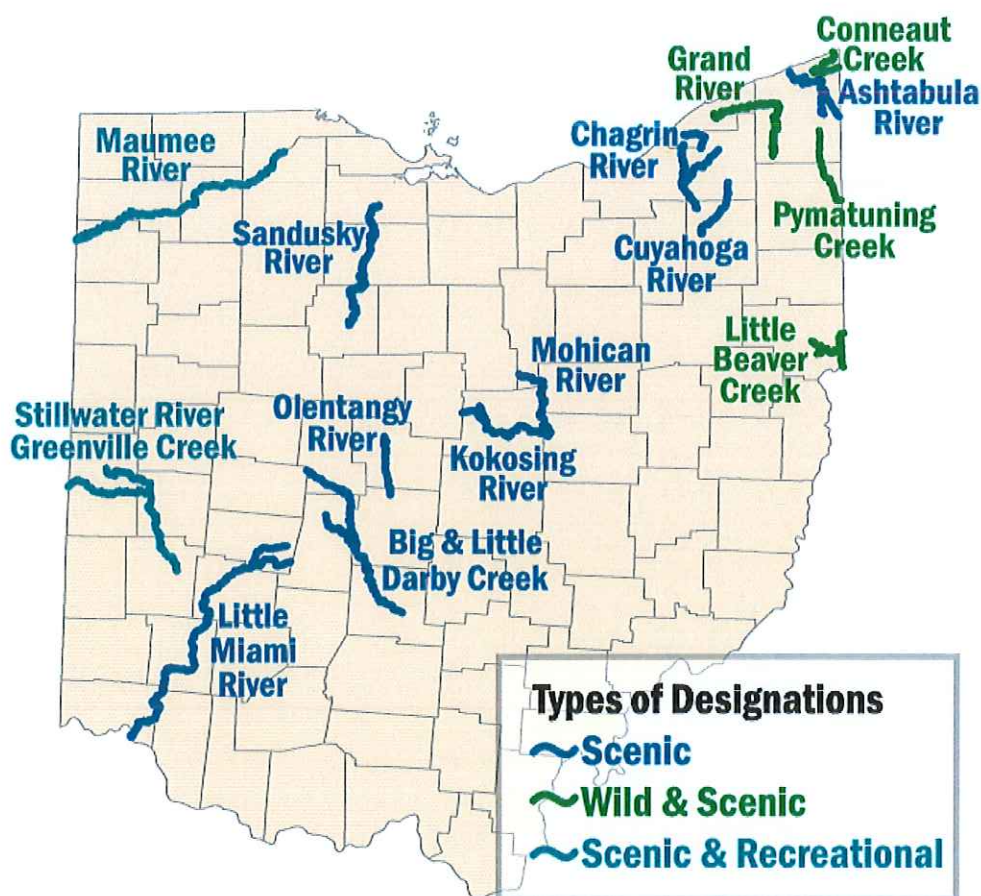
Ashtabula
Chagrin
Big & Little Darby
Kokosing
Little Miami
Mohican
Olentangy
Sandusky
Upper Cuyahoga

Rivers Designated as "Wild & Scenic"

Conneaut
Grand
Little Beaver
Pymatuning

Rivers with "Scenic & Recreational" Designation

Maumee
Stillwater/Greenville



LIST OF SCENIC RIVERS

Select a River ▼

SCENIC RIVERS MENU

Stream Quality

Stream Life

Designation

Project Reviews

[Scenic Rivers
Contacts](#)

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preserve Ohio's
Scenic Rivers
Details ›


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USFWS Midwest

Midwest Ecological Services

Contact Us

Ohio Federally-Listed Threatened, Endangered, Proposed, and Candidate Species' County Distribution

[Download PDF of this page](#)

[Download Formatted State List \(no counties\) PDF](#)

For more information about threatened and endangered species in Ohio, contact the [U.S. Fish & Wildlife Service office at 4625 Morse Road, Suite 104, Columbus, Ohio 43230 \(614-416-8993\)](#)

Bald Eagle

Bald eagles are no longer protected under the federal Endangered Species Act and Section 7 consultation with the U.S. Fish and Wildlife Service is no longer necessary. However, bald eagles remain protected under the [Bald and Golden Eagle Protection Act](#). To help landowners, land managers, and others meet the intent of the Bald and Golden Eagle Protection Act, [guidelines on how to avoid disturbing nesting bald eagles are available](#).

List revised August 8, 2017

Species	Status	Counties	Habitat
Mammals			
Indiana bat (<i>Myotis sodalis</i>)	Endangered	All counties in Ohio	Hibernacula = Caves and mines; Maternity and foraging habitat = small stream corridors with well developed riparian woods; upland forests
Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Statewide	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During late spring and summer roosts and forages in upland forests.
Birds			
Kirtland's warbler (<i>Dendroica kirtlandii</i>)	Endangered	Ashtabula, Cuyahoga, Erie, Lake, Lorain, Lucas, Ottawa, Sandusky	Kirtland's warblers are known to migrate along the Lake Erie shoreline through Ohio in late April-May and late August-early October.
Piping plover (<i>Charadrius melodus</i>)	Endangered	Ashtabula, Cuyahoga, Erie, Lake, Lorain, Lucas, Ottawa, Sandusky	Beaches along shorelines of the Great Lakes
		Erie, Lake	

Piping plover (<i>Charadrius melodus</i>)	Critical Habitat Designated		
Red Knot (Rufa) <i>Calidris canutus rufa</i>	Threatened	Ashtabula, Cuyahoga, Erie, Lake, Lorain, Lucas, Ottawa, and Sandusky	Present in Ohio during spring and fall migration
Reptiles			
Lake Erie water snake (<i>Nerodia sipedon insularum</i>)	Delisted August 2011	Erie, Ottawa	Shorelines of islands in western Lake Erie
Copperbelly water snake (<i>Nerodia erythrogaster neglecta</i>)	Threatened	Defiance, Hardin, Williams	Wooded and permanently wet areas such as oxbows, sloughs, brushy ditches and floodplain woods
Eastern massasauga (<i>Sistrurus catenatus</i>)	Threatened	Ashtabula, Butler, Champaign, Clark, Clinton, Columbiana, Crawford, Erie, Fairfield, Fayette, Greene, Hardin, Holmes, Huron, Lake, Licking, Logan, Lucas, Mahoning, Marion, Montgomery, Ottawa, Perry, Portage, Preble, Richland, Sandusky, Stark, Summit, Trumbull, Warren, Wayne, Wyandot	
Fish			
Scioto madtom (<i>Noturus trautmani</i>)	Endangered	Franklin, Madison, Pickaway, Union	Stream riffles of moderate flow over sandy gravel bottom
Mussels			
Clubshell (<i>Pleurobema clava</i>)	Endangered	Ashtabula, Coshocton, Defiance, Franklin, Greene, Hancock, Hardin, Madison, Pickaway, Pike, Ross, Scioto, Trumbull, Union, Williams	Found in coarse sand and gravel areas of runs and riffles within streams and small rivers
Fanshell (<i>Cyprogenia stegaria</i>) (= <i>C. irrorata</i>)	Endangered	Adams, Athens, Brown, Clermont, Coshocton, Gallia, Hamilton, Lawrence, Meigs, Morgan, Muskingum, Scioto, Washington	Found in areas of packed sand and gravel at locations in a good current
Northern riffleshell (<i>Epioblasma torulosa rangiana</i>)	Endangered	Defiance, Franklin, Madison, Pickaway, Pike, Ross, Scioto, Union, Williams	Large streams and small rivers in firm sand of riffle areas; also occurs in Lake Erie
Pink mucket pearlymussel (<i>Lampsilis abrupta</i>)	Endangered	Adams, Athens, Brown, Clermont, Gallia, Hamilton, Lawrence, Meigs, Morgan, Scioto, Washington	The lower Ohio River and its larger tributaries
Purple cat's paw pearlymussel (<i>Epioblasma obliquata obliquata</i>)	Endangered	Coshocton	Gravel riffles of medium to large rivers
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i>	Threatened	Coshocton, Delaware, Franklin, Madison, Muskingum, Pickaway, Union, and Williams	Fish Creek, Ohio River, Muskingum River, Walhonding River, Big Darby Creek, Little Darby Creek
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i>	Critical Habitat	Coshocton, Madison, Union, and Williams Maps of critical habitat in Ohio	Fish Creek, Little Darby Creek, and Walhonding River
	Endangered		

Rayed bean (<i>Villosa fabalis</i>)		¹ Adams, Brown, Butler, Clark, Clermont, Coshocton, Darke, Defiance, Delaware, Franklin, Fulton, Greene, Hamilton, Hancock, Hardin, Logan, Lucas, Madison, Marion, Miami, Montgomery, Pickaway, Pike, Ross, Scioto, Shelby, Union, Warren, Williams Wyandot	Smaller, headwater creeks, but they are sometimes found in large rivers, and Lake Erie
Sheepnose (<i>Plethobasus cyphus</i>)	Endangered	Adams, Athens, Brown, Clermont, Coshocton, Gallia, Hamilton, Lawrence, Meigs, Morgan, Muskingum, Scioto, Washington	Shallow areas in larger rivers and streams
Snuffbox (<i>Epioblasma triquetra</i>)	Endangered	Adams, Ashtabula, Athens, Brown, Clermont, Coshocton, Delaware, Franklin, Gallia, Greene, Hamilton, Lake, Lawrence, Madison, Meigs, Miami, Montgomery, Morgan, Muskingum, Pickaway, Ross, Scioto, Union, Washington	Small to medium-sized creeks in areas with a swift current and some larger rivers, and Lake Erie
White cat's paw pearlymussel (<i>Epioblasma obliquata perobliqua</i>)	Endangered	Defiance, Williams	Firm sand or gravel riffles in small streams and medium to large rivers
Insects			
American burying beetle (<i>Nicrophorus americanus</i>)	Endangered	Athens, Hocking, Morgan, Perry, Vinton	
Mitchell's satyr (<i>Neonympha mitchellii mitchellii</i>)	Endangered	Portage	Fens; wetlands characterized by calcareous soils which are fed by carbonate-rich water from seeps and springs
Karner blue butterfly (<i>Lycaeides melissa samuelis</i>)	Endangered	Lucas	Pine barrens and oak savannas on sandy soils and containing wild lupines (<i>Lupinus perennis</i>), the only known food plant of the larvae
Plants			
Eastern prairie fringed orchid (<i>Platanthera leucophaea</i>)	Threatened	Clark, Holmes, Lucas, Ottawa, Sandusky, Wayne	Mesic to wet prairies and meadows
Lakeside daisy (<i>Hymenoxys herbacea</i>) (Formerly <i>H. acaulis</i> var. <i>glabra</i>)	Threatened	Erie, Ottawa	Dry rocky prairies; limestone rock surfaces including outcrops and quarries
Northern monkshood (<i>Aconitum noveboracense</i>)	Threatened	Hocking, Portage, Summit	Cool, moist, shaded cliff faces or talus slopes in wooded ravines, near water seeps
Running buffalo clover (<i>Trifolium stoloniferum</i>)	Endangered	Adams, Athens, Belmont, Brown, Butler, Clermont, Delaware, Fairfield, Franklin, Galia, Highland, Hamilton, Hocking, Jackson, Lawrence, Meigs, Pickaway, Pike, Ross, Scioto, Vinton, Warren	Disturbed bottomland meadows; disturbed sites that have shade during part of each day

Virginia spiraea (<i>Spirea virginiana</i>)	Threatened	Scioto	Stream banks and floodplains
Small whorled pogonia (<i>Isotria medeoloides</i>)	Threatened	Hocking, Scioto	Dry woodland; upland sites in mixed forests (second or third growth stage)

¹Rational for addition of counties for rayed bean: These counties have been included for the rayed bean based upon current and historical occurrence data. Since 2004, three extant rayed bean populations have been discovered in Ohio streams. Two of these three populations were thought to be extirpated prior to the discoveries and the third population was not known from historical data. Therefore, we feel it is prudent to make our list of counties where the rayed bean may be present reflective of a conservative approach to section 7 consultation under the Endangered Species Act. The rayed bean should be considered potential present in any county on our list where suitable habitat occurs.

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[Candidate Conservation](#)

[Listing](#)

[Recovery](#)

[Section 7 Consultation](#)

[Permits](#)

[Habitat Conservation Plans](#)

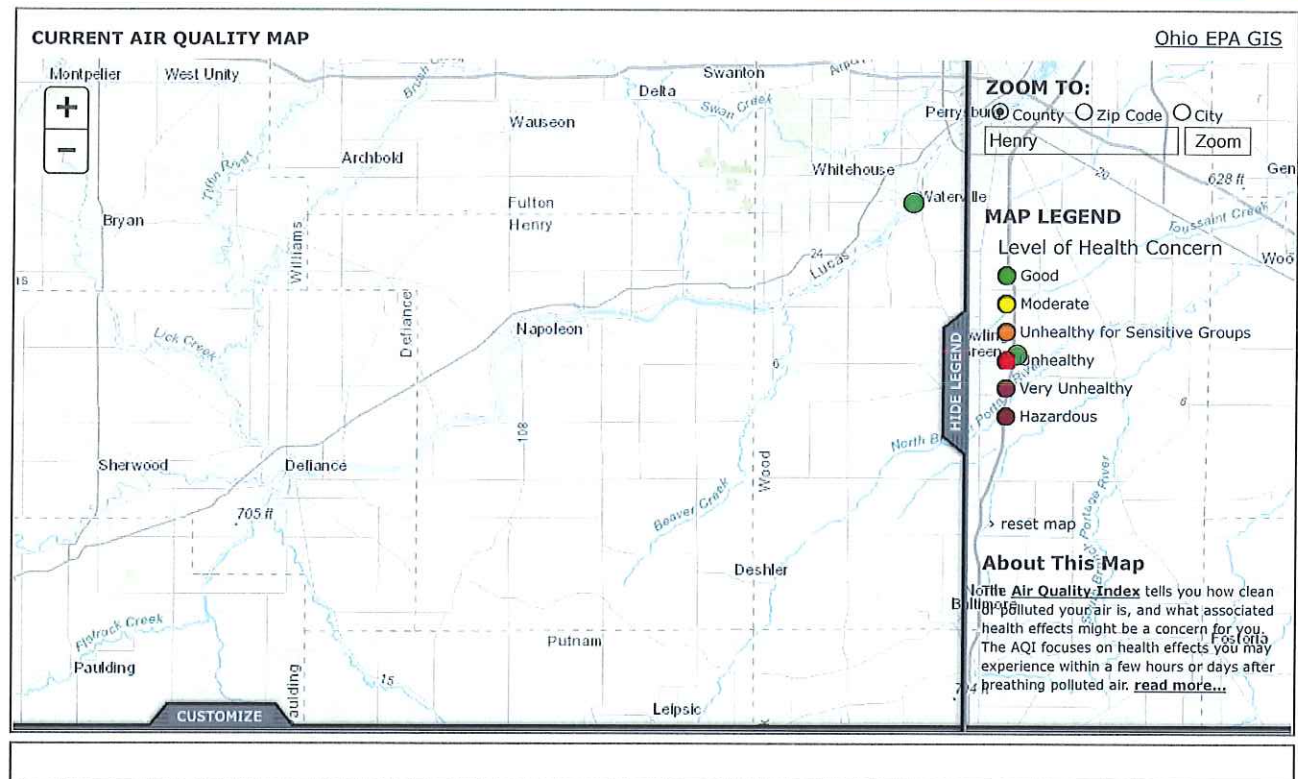
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[Endangered Species Act](#)

[Glossary](#)

Listed Plants and Animals

[Featured Species](#)



Ohio Environmental Protection Agency Divisions and Offices

Air Pollution Control	District Offices	Environmental Education	Environmental Services	Public Interest Center
Compliance Assistance and Pollution Prevention	Drinking and Ground Waters	Environmental and Financial Assistance	Fiscal Administration	Special Investigations
Director's Office	Employee Services	Environmental Response and Revitalization	Legal Services	Surface Water
			Materials and Waste Management	Report Environmental EMERGENCIES 800-282-9378

Airport Hazards

Introduction

Some types of development are incompatible for locations in the immediate vicinity of airports and airfields. Potential aircraft accident problems pose a hazard to end users of these development projects. If the proposed project is located near an airport or in the immediate area of the landing and approach zones, additional information is necessary to determine whether this issue is a concern and if so, how to mitigate it.

It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields. See 24 CFR 51, Subpart D (<http://www.gpo.gov/fdsys/search/pagedetails.action?st=24+CFR+Part+51&granuleId=CFR-2013-title24-vol1-part51-subpartD&packageId=CFR-2013-title24-vol1&browsePath=Title+24%2FSubtitle+A%2FPart+51%2FSubpart+D&collapse=true&fromBrowse=true>). The policies do not apply to research or demonstration projects which do not result in new construction or reconstruction, to interstate land sales registration, or to any action or emergency assistance which is provided to save lives, protect property, protect public health and safety, or remove debris and wreckage.

HUD Guidance

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?**
2. **If so, is your project located within an Accident Potential Zone (APZ) or Runway Protection Zone/Clear Zone (RPZ/CZ)?**

Accident Potential Zone (APZ)

Does your project involve any of the following: new construction; substantial rehabilitation; acquisition of undeveloped land; activities that would significantly prolong the physical or economic life of existing facilities or change the use of the facility to a use that is not consistent with the recommendations of the Department of Defense (DOD)'s Land Use Compatibility Guidelines; activities that would significantly increase the density or number of people at the site; or activities that would introduce explosive, flammable, or toxic materials to the area?

If so, is the project in conformance with DOD guidelines (<http://www.gpo.gov/fdsys/pkg/CFR-2011-title32-vol2/pdf/CFR-2011-title32-vol2-sec256-8.pdf>)?

Runway Protection Zone/Clear Zone (RPZ/CZ)

Will this project involve any facilities that will be frequently used or occupied by people?

If so, were written assurances from the airport operator obtained?

If this project involves the acquisition or sale of an existing property that will be frequently used or occupied by people, you must provide written notice to the prospective buyer to inform them of the potential hazards from airplane accidents as well as the potential for the property to be purchased as

Prospective Buyers (/resource/2758/notice-prospective-buyers-properties-in-runway-clear-zones/).)

The written notice should inform the prospective property buyer of: (i) the potential hazards from airplane accidents, which are more likely to occur within clear zones than in other areas around the airport/airfield; and (ii) the potential acquisition by airport or airfield operators, who may wish to purchase the property at some point in the future as part of a clear zone acquisition program.

HUD assistance may not be used at this location if project involves new construction, substantial rehabilitation, acquisition of undeveloped land, or activities that would significantly prolong the physical or economic life of existing facilities that will be frequently used or occupied by people.

Compliance and Documentation

The environmental review record should contain **one** of the following:

- Documentation that the rule is not applicable to the proposed project (i.e., acquisition of an existing building, "minor" rehabilitation, or emergency action)
- A map showing the site is not within 15,000 feet of a military airport or within 2,500 feet of a civilian airport
- If within 15,000 feet of a military airport, a map showing the site is not within a designated APZ or a letter from the airport operator stating so
- If within 2,500 feet of a civilian airport, a map showing the site is not within a designated RPZ/CZ or a letter from the airport operator stating so
- If the site is in a designated APZ, documentation of consistency with DOD Land Use Compatibility Guidelines
- If the site is in a designated RPZ/CZ and the project does not involve any facilities that will be frequently used or occupied by people, and a determination of such and a written assurance from the airport operator that there are no plans to purchase the land as part of a RPZ/CZ program
- If the site is in a designated RPZ/CZ and the project involves the acquisition or sale of an existing property that will be frequently used or occupied by people, a copy of the notice to prospective buyers signed by the prospective buyer

[View Airport Hazards - Worksheet \(/resources/documents/Airport-Hazards-Worksheet.docx\).](#)

[View Airport Hazards - Partner Worksheet \(/resources/documents/Airport-Hazards-Partner-Worksheet.docx\).](#)

[View Airport Runway Clear Zones - Partner Worksheet \(/resources/documents/Airport-Runway-Clear-Zones-Partner-Worksheet.docx\).](#)

Regulations

24 CFR 51, Subpart D (<http://www.gpo.gov/fdsys/search/pagedetails.action?st=24+CFR+Part+51&granuleId=CFR-2013-title24-vol1-part51-subpartD&packageId=CFR-2013-title24-vol1&browsePath=Title+24%2FSubtitle+A%2FPart+51%2FSubpart+D&collapse=true&fromBrowse=true>)

Resources

WISER: Airport Hazards Online Module (<https://www.hudexchange.info/trainings/wiser/>)

Notice to Prospective Buyers of Properties Located in Runway Clear Zones and Clear Zones (</resource/2758/notice-prospective-buyers-properties-in-runway-clear-zones/>)

Fact Sheet: Siting HUD-Assisted Projects in Accident Potential Zones (</resource/3295/siting-hud-assisted-projects-in-accident-potential-zones/>)

FAA Advisory Circular on Runway Protection Zones (RPZs) (http://www.faa.gov/documentLibrary/media/Advisory_Circular/150_5300_13_chg18_consolidated.pdf)

DOD Land Use Compatibility Guidelines (<http://www.gpo.gov/fdsys/pkg/CFR-2011-title32-vol2/pdf/CFR-2011-title32-vol2-sec256-8.pdf>)

Federal Related Laws and Authorities

Air Quality (</environmental-review/air-quality>)

Airport Hazards (</environmental-review/airport-hazards>)

Coastal Barrier Resources (</environmental-review/coastal-barrier-resources>)

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Farmlands Protection (</environmental-review/farmlands-protection>)

Flood Insurance (</environmental-review/flood-insurance>)

Floodplain Management (</environmental-review/floodplain-management>)

Historic Preservation (</environmental-review/historic-preservation>)

Noise Abatement and Control (</environmental-review/noise-abatement-and-control>)

Site Contamination (</environmental-review/site-contamination>)

Sole Source Aquifers (</environmental-review/sole-source-aquifers>)

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Wild and Scenic Rivers (</environmental-review/wild-and-scenic-rivers>)

Farmlands Protection

Introduction

The importance of farmlands to the national and local economy requires the consideration of the impact of activities on land adjacent to prime or unique farmlands. The purpose of the Farmland Protection Policy Act (7 U.S.C. 4201 et seq, implementing regulations 7 CFR Part 658, of the Agriculture and Food Act of 1981, as amended) is to minimize the effect of Federal programs on the unnecessary and irreversible conversion of farmland to nonagricultural uses.

The Act does not apply to projects already in or committed to urban development or those that could otherwise not convert farmland to non-agricultural uses. However, land that meets the definition of prime or unique farmlands or is determined to be of statewide or local significance (with concurrence by the U.S. Secretary of Agriculture) is subject to the Act. In some states agricultural lands are protected from development by agricultural districting, zoning provisions, or special tax districts.

HUD Guidance

Does your project include any activities, including new construction, acquisition of undeveloped land, or conversion, that could potentially convert one land use to another? Federal projects are subject to FPPA requirements if they may irreversibly convert farmland to a non-agricultural use. A finding of compliance with the requirements of the Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) must be made for assisted new construction activities, the acquisition of undeveloped land, and conversion projects.

If so, does your project meet one of the following exemptions?

- Construction limited to on-farm structures needed for farm operations
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land used for water storage
- Project on land already in or committed to urban development (7 CFR 658.2(a) (<http://www.gpo.gov/fdsys/pkg/CFR-2010-title7-vol6/pdf/CFR-2010-title7-vol6-sec658-2.pdf>))

Farmland subject to FPPA requirements does not have to be currently used for cropland. USDA/NRCS regulations contained at 7 CFR Part 658.2 define "committed to urban development" as land with a density of 30 structures per 40-acre area; lands identified as "urbanized area" (UA) on the Census Bureau Map or as urban area mapped with a "tint overprint" on USGS topographical maps; or as "urban-built-up" on the USDA Important Farmland Maps. Note that land "zoned" for development, i.e. non-agricultural use, does not exempt a project from compliance with the FPPA.

If not, does "Important Farmland," including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the FPPA occur on the project site?

Important Farmland includes prime farmland, unique farmland, and/or land of statewide or local importance. (7 CFR 658.2(a) (<http://www.gpo.gov/fdsys/pkg/CFR-2010-title7-vol6/pdf/CFR-2010-title7-vol6-sec658-2.pdf>)).

- "Prime farmland" is land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion, as determined by the Secretary of Agriculture. Prime farmland includes land that possesses the above characteristics but is being used currently to produce livestock and timber. It does not include land already in or committed to urban development or water storage.
- "Unique farmland" is land other than prime farmland that is used for production of specific high-value food and fiber crops, as determined by the Secretary. It has the special combination of soil quality, location, growing season, and moisture supply needed to economically produce sustained high quality or high yields of specific crops when treated and managed according to acceptable farming methods. Examples of such crops include citrus, tree nuts, olives, cranberries, fruits, and vegetables.
- Farmland of statewide or local importance has been determined by the appropriate State or unit of local government agency or agencies to be significant.

Use the following resources to determine whether Important Farmland is present:

- USDA Natural Resources Conservation Service's (NRCS) Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>)
- Check with your city or county's planning department and ask them to document if the project is on land regulated by the FPPA (note that zoning Important Farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center (<http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS state soil scientist (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/contact/states/>) for assistance

impacts to Important Farmland.

Complete form AD-1006, "Farmland Conversion Impact Rating (http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf)" and contact the state soil scientist before sending it to the local NRCS District Conservationist. Preparers of HUD environmental review records must complete Parts I, III, VI, and VII of form AD-1006. NRCS will complete Parts II, IV, and V of the form. Part VII combined scores over 160 points require the evaluation of at least one alternative project site. NRCS has 45 days to make a determination. NRCS will return form AD-1006 to you. Corridor projects that go over several tracts, such as railroads, utility lines, highways, etc, require completion of form NRCS-CPA-106 (http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf).

Environmental review record preparers must follow the steps below to complete the farmland conversion impact rating process:

1. HUD/RE must complete Parts I and III of Form AD-1006 and submit it to the local NRCS District Conservationist.
2. NRCS will complete Parts II, IV, and V within 45 calendar days.
3. HUD/RE must complete Parts VI and VII and evaluate the final point scoring.
4. HUD/RE must return a copy of Form 1006 to the NRCS State Soil Scientist or designee and inform them of your determination. Work with NRCS to minimize the impact of the project on the protected farmland.
5. HUD/RE must include the completed form in the ERR documentation.

Compliance and Documentation

The environmental review record should contain **one** of the following:

- A determination that the project does not include any activities, including new construction, acquisition of undeveloped land, or conversion, that could potentially convert one land use to another
- Evidence that the exemption applies, including all applicable maps
- Evidence supporting the determination that "Important Farmland," including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the FPPA does not occur on the project site
- Documentation of all correspondence with NRCS, including the completed AD-1006 and a description of the consideration of alternatives and means to avoid impacts to Important Farmland

View Farmlands Protection - Worksheet (</resources/documents/Farmlands-Protection-Worksheet.docx>).

View Farmlands - Partner Worksheet (</resources/documents/Farmlands-Partner-Worksheet.docx>).

Statute and Regulations

7 U.S.C. 4201 et seq
(<http://www.gpo.gov/fdsys/search/pagede?st=7+USC+4201&granuleId=USCODE-2012-title7-chap73-sec4201&packageId=USCODE-2012-title7>)

7 CFR Part 658
(<http://www.gpo.gov/fdsys/search/pagede?collectionCode=CFR&searchPath=Title+7%2013-title7-vol6-part658&packageId=CFR-2013-title7-vol6&oldPath=Title+7%2FSubtitle+B%2FCh>)

Resources

WISER: Farmlands Online Module
(<https://www.hudexchange.info/trainings/>)

USDA National Resources Conservation Service Website
(<http://www.nrcs.usda.gov/wps/portal/nrcs>)

USDA Farmland Protection Policy Act Website
([http://www.nrcs.usda.gov/wps/portal/nrcs:ss=16&navtype=SUBNAVIGATION&cid=nrcs](http://www.nrcs.usda.gov/wps/portal/nrcs/ss=16&navtype=SUBNAVIGATION&cid=nrcs))

USDA Natural Resources Conservation Service's (NRCS) Web Soil Survey
(<http://websoilsurvey.nrcs.usda.gov/app/H>)

Refer to NEPAAssist for Soil Data
(<https://nepassisttool.epa.gov/nepassist/n>)

Form AD-1006: Farmland Conversion Impact Rating
(http://www.nrcs.usda.gov/Internet/FSE_D)

Protecting Our Natural Resources Webinar
(<https://www.hudexchange.info/trainings/our-natural-resources-complying-with-the-wild-and-scenic-rivers-act-farmland-protection-policy-act-and-endangered-species-act-webinar1/>)

Farmlands Protection FAQs
(<https://www.hudexchange.info/environmental-review/faqs#?topic=Farmlands%20Protection&id=A3AECFA24-7FA0-1ECBDDF97E8661B9>)

Federal Related Laws and Authorities

Air Quality
([environmental-review/air-quality](https://www.hudexchange.info/environmental-review/air-quality))

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Coastal Barrier Resources
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Noise Abatement and Control

Introduction

HUD's noise standards may be found in 24 CFR Part 51, Subpart B. For proposed new construction in high noise areas, the project must incorporate noise mitigation features. Consideration of noise applies to the acquisition of undeveloped land and existing development as well.

All sites whose environmental or community noise exposure exceeds the day night average sound level (DNL) of 65 decibels (dB) are considered noise-impacted areas. For new construction that is proposed in high noise areas, grantees shall incorporate noise attenuation features to the extent required by HUD environmental criteria and standards contained in Subpart B (Noise Abatement and Control) of 24 CFR Part 51. The interior standard is 45dB.

The "Normally Unacceptable" noise zone includes community noise levels from above 65 decibels to 75 decibels. Approvals in this noise zone require a minimum of 5 dB additional sound attenuation for buildings having noise-sensitive uses if the day-night average sound level is greater than 65 dB but does not exceed 70 dB, or a minimum of 10 decibels of additional sound attenuation if the day-night average sound level is greater than 70 dB but does not exceed 75 dB.

Locations with day-night average noise levels above 75 dB have "Unacceptable" noise exposure. For new construction, noise attenuation measures in these locations require the approval of the Assistant Secretary for Community Planning and Development (for projects reviewed under Part 50) or the Responsible Entity's Certifying Officer (for projects reviewed under Part 58). The acceptance of such locations normally requires an environmental impact statement.

In "Unacceptable" noise zones, HUD strongly encourages conversion of noise-exposed sites to land uses compatible with the high noise levels.

HUD Guidance

Are there potential noise generators in the vicinity of the project? Review general location maps and/or conduct a field review to screen for major roadways (within 1,000 feet), railroads (within 3,000 feet), and military or FAA-regulated airfields (with 15 miles) in the vicinity of the project.

If a noise assessment was performed, was the noise found to be Acceptable, Normally Unacceptable, or Unacceptable?

Site Acceptability Standards

Noise Zone	Day-Night Average Sound Level (in Decibels)	Special Approvals and Requirements
Acceptable	Not exceeding 65 dB	None
Normally Unacceptable	Above 65 dB but not exceeding 75 dB	<ul style="list-style-type: none">• Environmental assessment and attenuation required for new construction• Attenuation strongly encouraged for major rehabilitation <p>Note: An environmental impact statement is required if the project site is largely undeveloped or will encourage incompatible development.</p>
Unacceptable	Above 75 dB	<ul style="list-style-type: none">• Environmental impact statement required• Attenuation required for new construction with approval by the Assistant Secretary of CPD or Certifying Officer

Compliance and Documentation

The environmental review record should contain one of the following:

railroad, or 15 miles of a military or FAA-regulated civil airfield

- If within those distances, documentation showing the noise level is *Acceptable* (at or below 65 DNL)
- If within those distances, documentation showing that there's an effective noise barrier (i.e., that provides sufficient protection)
- Documentation showing the noise generated by the noise source(s) is *Normally Unacceptable* (66 – 75 DNL) and identifying noise attenuation requirements that will bring the interior noise level to 45 DNL and/or exterior noise level to 65 DNL

[View Noise Abatement and Control \(CEST\) - Worksheet \(/resources/documents/Noise-Abatement-and-Control-CEST-Worksheet.docx\).](#)

[View Noise Abatement and Control \(EA\) - Worksheet \(/resources/documents/Noise-Abatement-and-Control-EA-Worksheet.docx\).](#)

[View Noise \(CEST\) - Partner Worksheet \(/resources/documents/Noise-CEST-Partner-Worksheet.docx\).](#)

[View Noise \(EA\) - Partner Worksheet \(/resources/documents/Noise-EA-Partner-Worksheet.docx\).](#)

The Noise Guidebook has been prepared to serve as the basic reference document for all who are responsible for implementing the Department's noise policy. It brings together training and guidance to complete HUD noise assessments.

Day/Night Noise Level Electronic Assessment Tool (DNL Calculator)
(<https://www.hudexchange.info/programs/environmental-review/daynight-noise-level-electronic-assessment-tool/>)

The Office of Environmental and Energy (OEE) has developed an electronic assessment tool that calculates the Day/Night Noise Level (DNL) site exposure. This is a web-based application of the existing Noise Assessment Guidelines (NAG). It is the basic noise assessment tool; most assessments start here. The DNL Calculator calculates noise from road and railway activity levels. It then combines the noise with airport projections and incorporates the effects of loud, impulsive sound for a site exposure at any Noise Assessment Location. The user-friendly DNL Calculator can document compliance or aid in site planning.

Barrier Performance Module (<https://www.hudexchange.info/programs/environmental-review/bpm-calculator/>)

The Barrier Performance Module (BPM) is an automated version of the noise barrier evaluation worksheets and charts in the Noise Guidebook. It reports the amount of noise to be reduced by a particular design and is linked to the DNL Calculator. The output of the DNL Calculator is used as the input to the BPM, but it can also be used stand-alone.

Sound Transmission Classification Assessment Tool (<https://www.hudexchange.info/stracat/>)

The Sound Transmission Classification Assessment Tool (STraCAT) is a web-based application that automates and streamlines the completion of HUD's Figure 19 in The Noise Guidebook. That is the form that reports the noise mitigation performance of wall systems.

FAA Noise Map Archive: Airport Noise Exposure Maps
(https://www.faa.gov/airports/environmental/airport_noise/noise_exposure_maps/)

This Federal Aviation Administration (FAA) site includes links to noise contour maps for many U.S. airports.

Fact Sheet: Recommended Environmental Review Record Documentation to Support an Environmental Impact Statement Waiver for Projects in Unacceptable Noise Conditions
(<https://www.hudexchange.info/resource/3305/recommended-err-documentation-to-support-an-eis-waiver/>)

This fact sheet provides the recommended environmental review record documentation to support an environmental impact statement waiver for projects in unacceptable noise conditions.

Fact Sheet: Public Art and Noise Mitigation (<https://www.hudexchange.info/resource/5784/fact-sheet-public-art-and-noise-mitigation/>)

This fact sheet provides guidance on integrating public art into noise mitigation projects to make noise mitigation an amenity that is visually interesting and culturally relevant to the residential community.

HUD Memo: Application of §51.104 to Land Use Conversions
(<https://www.hudexchange.info/resource/5343/hud-memo-application-of-51-104-to-land-use-conversions/>)

This memorandum clarifies existing policy on rehabilitation of existing buildings that changes the original land use. New land uses resulting from rehabilitation may be considered new noise-sensitive uses as if they were new construction. If those new uses are in Unacceptably noise-exposed areas (external noise greater than 75 decibels), an Environmental Impact Statement is required. For more information, contact your Field or Regional Environmental Officer.

FHWA Barrier Design Guidelines
(https://www.fhwa.dot.gov/environment/noise/noise_barriers/design_construction/)

This Federal Highway Administration (FHWA) resource addresses design requirements for a highway noise barrier that fits with its surroundings and performs its intended acoustical and structural functions at reasonable life-cycle cost; and a state-of-the-art reference of common concepts, designs, materials, and installation techniques for the professional highway engineer, the noise barrier designer, and the non-professional community participant.

Federal Railroad Administration Railroad Operations Data Sources
(<https://www.hudexchange.info/resource/6027/federal-railroad-administration-railroad-operations-data-sources/>)

The Federal Railroad Administration (FRA) resources help obtain rail traffic data.

WISER: Noise Abatement and Control Online Module
(<https://www.hudexchange.info/trainings/wiser/>)

Web-Based Instructional System for Environmental Review (WISER) provides interactive training on HUD environmental review factors including noise abatement.

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Regulations

24 CFR Part 51, Subpart B
(<http://www.gpo.gov/fdsys/search/pagede?na=&se=&sm=&flr=&ercode=&dateBrowse=2013-title24-vol1-part51-subpartB&packagId=CFR-2013-title24-vol1&browsePath=Title+24%2FSubtitle+A%2FPart+51+Subpart+B>)

Resources

WISER: Noise Abatement and Control Online Module
(<https://www.hudexchange.info/trainings/wiser-noise-abatement-and-control-online-module/>)

HUD Noise Guidebook
(<https://www.hudexchange.info/resource/10000-noise-guidebook/>)

Day/Night Noise Level Electronic Assessment Tool (DNL Calculator)
(<https://www.hudexchange.info/programs/review/daynight-noise-level-electronic-assessment-tool/>)

Barrier Performance Module
(<https://www.hudexchange.info/programs/review/bpm-calculator/>)

Sound Transmission Classification Assessment Tool
(<https://www.hudexchange.info/stracat/>)

FAA Noise Map Archive
(<http://www.faa.gov/airports/environment/airport-noise-exposure-maps/>)

Federal Railroad Administration Railroad Operations Data Sources
(<https://www.hudexchange.info/resource/10000-railroad-administration-railroad-operations-data-sources/>): Railroad Operational Data

[View Additional Resources](#)

Federal Related Laws and Authorities

Air Quality
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Airport Hazards
(</environmental-review/airport-hazards>)

Coastal Barrier Resources
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Coastal Zone Management
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Explosive and Flammable Facilities

Introduction

There are inherent potential dangers associated with locating HUD-assisted projects near hazardous facilities which store, handle, or process hazardous substances of a flammable or explosive nature. Project sites located too close to facilities handling, storing or processing conventional fuels, hazardous gases or chemicals of an explosive or flammable nature may expose occupants or end-users of a project to the risk of injury in the event of an explosion.

To address this risk, regulations at 24 CFR Part 51 Subpart C require HUD-assisted projects to be separated from these facilities by a distance that is based on the contents and volume of the aboveground storage tank, or to implement mitigation measures.

HUD Guidance

When considering explosive and flammable facilities in the context of HUD-assisted projects, two lines of inquiry are appropriate:

1. Aboveground stationary storage tanks near the project

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

If so, within one mile of the project site, are there any current *or planned* stationary aboveground storage containers:

- Of more than 100 gallon capacity, containing common liquid industrial fuels OR
- Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?

For a list of common industrial fuels, consult Appendix I of the Regulation and HUD's guidebook **Acceptable Separation Distance** (<https://www.hudexchange.info/resource/2762/acceptable-separation-distance-guidebook/>). Sources of information on tank capacity and contents include, but are not limited to, direct observation, the property/facility owner/operator, the local Fire Department, and the local Emergency Planning Committee.

If such aboveground tanks are present, do any of the following exceptions apply?

The following categories of containers are not covered by 24 CFR Part 51 Subpart C requirements, in spite of the fact that they store or handle covered gases or liquids:

- Underground storage containers, mobile conveyances (tank trucks, barges, railroad tank cars), and pipelines, such as high pressure natural gas transmission pipelines or liquid petroleum pipelines
- Aboveground storage tanks that are part of a one to four unit single-family FHA-insured property
- Aboveground storage tanks containing liquified petroleum gas ("LPG" or propane) when they are 1,000 gallons or less in volume and comply with the National Fire Protection Association (NFPA) Code 58, in a version no earlier than 2017 (NFPA 58 (2017)). Further guidance on the exclusion for LPG and propane is provided in the **Fact Sheet: Final Propane Rule - 24 CFR Part 51 Subpart C** (<https://www.hudexchange.info/resource/5983/fact-sheet-final-propane-rule-24-cfr-part-51-subpart-c/>).

Is the Separation Distance from the project acceptable based on standards in the regulation?

For proposed development activities in proximity to aboveground storage tanks (ASTs) that are not excluded by the exceptions listed, the Acceptable Separation Distance (ASD) can be calculated based on the volume of the container, the contents, and whether or not the container is diked. If there are multiple such tanks to consider, use the **Fact Sheet: Determining Which Tanks to Evaluate for ASD**

(<https://www.hudexchange.info/resource/6028/fact-sheet-determining-which-tanks-to-evaluate-for-acceptable-separation-distance/>). Once the volume of the container (gallons), dike dimensions, and phase of state of the product (liquid or gas) are known, the ASD can be calculated using the **electronic calculator** (<https://www.hudexchange.info/programs/environmental-review/asd-calculator/>).

The ASD is measured from the center of the assessed container to the perimeter of the proposed HUD-assisted project site. If the ASD is not met, mitigation is required, or another site must be considered. Mitigation options are discussed in the HUD guidebook **Acceptable Separation Distance** (<https://www.hudexchange.info/resource/2762/acceptable-separation-distance-guidebook/>).

If the separation distance is not acceptable, mitigation is required. Otherwise, the project should be moved to a different location. A technical evaluation by a licensed engineer must be conducted to determine whether an existing barrier (natural or man-made) is sufficient mitigation or to design a barrier. For more guidance on barriers and mitigation, contact Nelson Rivera, a licensed engineer at HUD, at nelson.a.rivera@hud.gov (mailto:nelson.a.rivera@hud.gov) or 202-402-4455.

2. Hazardous facilities included in the project

Does the proposed HUD-assisted project include a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

If so, is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present? See earlier guidance on calculating the ASD.

Compliance and Documentation

The environmental review record should include:

One of the following on aboveground storage tanks in proximity to the proposed HUD-assisted project site:

increase residential densities, or conversion

- Evidence that within one mile of the project site there are no current or planned stationary aboveground storage containers except:
 - Containers less than 100-gallons capacity containing common liquid industrial fuels
 - Containers that are 1,000 gallons or less water volume capacity and in compliance with NFPA 58 (2017)
- For all other containers within the search distance, a determination along with all supporting documentation that the separation distance of such containers from the project is acceptable
- Documentation of mitigation verified by a licensed engineer

AND one of the following on hazardous facilities that are proposed for development using HUD assistance:

- A determination along with all supporting documentation that the hazardous facility is located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present
- Documentation of the existing or planned barrier that would serve as sufficient mitigation, including correspondence with a licensed engineer

View Explosive and Flammable Facilities - Worksheet (</resources/documents/Explosive-and-Flammable-Facilities-Worksheet.docx>).

View Explosives - Partner Worksheet (</resources/documents/Explosives-Partner-Worksheet.docx>).

Regulations

24 CFR Part 51, Subpart C (<http://www.gpo.gov/fdsys/search/pagedetails.action?st=24+CFR+Part+51&granuleId=CFR-2013-title24-vol1-part51-subpartC&packageId=CFR-2013-title24-vol1&browsePath=Title+24%2FSubtitle+A%2FPart+51%2FSubpart+C&collapse=true&fromBrowse=true>)

Resources

Tools

Acceptable Separation Distance Electronic Assessment Tool
(<https://www.hudexchange.info/environmental-review/asd-calculator/>)

Guides and Training Manuals

Determining Which Tanks to Evaluate for Acceptable Separation Distance Fact Sheet
(</resource/6028/fact-sheet-determining-which-tanks-to-evaluate-for-acceptable-separation-distance/>)

Final Propane Rule - 24 CFR Part 51 Subpart C Fact Sheet (</resource/5983/fact-sheet-final-propane-rule-24-cfr-part-51-subpart-c/>)

Acceptable Separation Distance Guidebook (</resource/2762/acceptable-separation-distance-guidebook/>)

Acceptable Separation Distance Flow Chart (</resource/2767/acceptable-separation-distance-flow-chart/>)

Acceptable Separation Distance Mitigation Options Flow Chart (</resource/2768/acceptable-separation-distance-mitigation-options-flow-chart/>)

Barrier Design Guidance for HUD Assisted Projects Near Hazardous Facilities (</resource/2763/barrier-design-guidance-for-hud-assisted-projects-near-hazardous-facil/>)

Webinars and Virtual Trainings

OEE Updates to HUD's ASD Requirements for Propane Tanks Webinar
(<https://www.hudexchange.info/trainings/courses/oee-updates-to-hud-s-asd-requirements-for-propane-tanks-webinar/>)

WISER: Explosive and Flammable Materials Online Module
(<https://www.hudexchange.info/trainings/wiser/>)

24 CFR Part 51 Subpart C Mitigation Training Module - Slides (</training-events/courses/24-cfr-51-part-c-mitigation-training-slides/>)

Acceptable Separation Distance Training Webinar (</training-events/courses/acceptable-separation-distance-asd-training/>)

Federal Related Laws and Authorities

Air Quality (</environmental-review/air-quality>)

Airport Hazards (</environmental-review/airport-hazards>)

Coastal Barrier Resources (</environmental-review/coastal-barrier-resources>)

[Environmental Justice \(/environmental-review/environmental-justice\)](/environmental-review/environmental-justice)

[Endangered Species \(/environmental-review/endangered-species\)](/environmental-review/endangered-species)

[Explosive and Flammable Facilities \(/environmental-review/explosive-and-flammable-facilities\)](/environmental-review/explosive-and-flammable-facilities)

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Site Contamination

Introduction

It is HUD policy, as described in 24 CFR Part 50.3(i) and 24 CFR 58.5(i)(2), that:

1. All property proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.
2. Environmental review of multifamily and non-residential properties shall include evaluation of previous uses of the site and other evidence of contamination on or near the site, to assure that occupants of proposed sites are not adversely affected by the hazards.
3. Particular attention should be given to any proposed site on or in the general proximity of such areas as dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous wastes.
4. The responsible entity shall use current techniques by qualified professionals to undertake investigations determined necessary

It is therefore essential that responsible entities, potential grant applicants, and other HUD program participants become familiar with the potential environmental issues involving property before leasing, optioning, and/or acquiring the property. Unknowing individuals or parties that acquire contaminated property with good intentions could face liability for clean-up costs under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), third party lawsuits, and costly delays in implementing the project.

HUD Guidance

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?

Sites known or suspected to be contaminated by toxic chemicals or radioactive materials include but are not limited to sites: (i) listed on an EPA Superfund National Priorities or CERCLA List, or equivalent State list; (ii) located within 3,000 feet of a toxic or solid waste landfill site; or (iii) with an underground storage tank. For any of these conditions, the grantee must provide an ASTM Phase I report.

Accelerated Processing) Guide to comply with toxics and site contamination. Non-FHA projects should identify the potential for hazardous substances or materials that may affect the health and safety of the users of the property as follows:

- Review databases maintained by U.S. EPA and state, local, and tribal environmental quality departments or agencies to screen for potential *on-site* and *off-site* facilities that could pose health and safety problems and toxic clean-up sites that are presently under analysis or remediation.
- Investigate previous uses of the site. Site inspections and building and use permit records as well as Sanborn Co. maps show previous land uses which could have left toxic residues. Other methods of evaluation include performing a site walk, interviewing property owners or managers and local officials, and analyzing local land use records, permits, and violations.
- When site conditions indicate that the subject property is contaminated or likely contaminated by toxic substances, hazardous materials or petroleum products, one shall provide an ASTM certified Phase I ESA report, or other studies where applicable. Any hazards that are identified should be evaluated for the potential to affect the health and safety of the occupants and end-users. Contact your local HUD field environmental officer for further technical assistance in this regard.

Can adverse environmental impacts be mitigated?

Use mitigation to prevent the hazard from affecting the health and safety or project occupants, or remediate the contaminated property and work with the appropriate state agency.

Compliance and Documentation

For non-FHA-insured programs, the environmental review record should contain **one** of the following:

Evidence the site is not contaminated (for multifamily housing projects this includes on site and off site contamination and previous uses of the site); a Phase I Environmental Site Assessment is strongly encouraged for multifamily and non-residential projects

Evidence supporting a determination the hazard will not affect health and safety of the occupants or conflict with the intended use of the site, including any mitigation measures used

Documentation the site has been cleaned up according to EPA or state standards for residential properties, which requires a letter of "No Further Action" (NFA) required from the appropriate state department/agency, or a RAO letter from the LSRP

View Site Contamination (Single Family) - Worksheet (/resources/documents/Site-Contamination-Single-Family-Worksheet.docx).

View Site Contamination (Multi-Family) - Worksheet (/resources/documents/Site-Contamination-Multi-Family-Worksheet.docx).

Single-Partner-Worksheet.docx).

View Site Contamination (Multi-Family) - Partner Worksheet (/resources/documents/Toxics-Multifamily-Partner-Worksheet.docx).

Related Resources

Guidance and Training Materials

Applicability of ASTM E 1527-13 Phase I ESA Standard for HUD Environmental Reviews (/resource/3702/fact-sheet-applicability-of-astm-e-152713-phase-i-esa-standard-for-hud/)

Choosing an Environmentally Safe Site (/resource/83/choosing-an-environmentally-safe-site/)

Multifamily Accelerated Processing Guide, Chapter 9 (/resource/3226/multifamily-accelerated-processing-guide/)

Using a Phase I Environmental Site Assessment to Document Compliance with HUD Environmental Standards at 24 CFR 58.5(i)(2) or 50.3(i) (/resource/4829/using-a-phase-i-environmental-site-assessment-to-document-compliance-with-hud-environmental-standards-at-24-cfr-585i2-or-503i/)

Tools and Templates

EPA Toxic Releases Inventory Website (<http://www2.epa.gov/toxics-release-inventory-tri-program>)

EPA Envirofacts Data Warehouse (<http://www.epa.gov/enviro/>)

Webinars and Virtual Trainings

Understanding HUD Environmental Reviews: Evaluating Site Contamination for HUD Projects Webinar (/trainings/courses/evaluating-site-contamination-for-hud-projects-webinar/)

Information on Specific Hazards from HUD Programs or other Agencies

HUD's Office of Healthy Homes and Lead Hazard Control Home Page
(http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes)

HUD's Office of Healthy Homes and Lead Hazard Control - Radon
(http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/healthyhomes/radon)

HUD Office of Multifamily Development Radon Policy (/resource/3227/hud-memo-hud-office-of-multifamily-development-radon-policy/)

EPA Training on Radon (http://www.radon.com/radon/radon_EPA.html)

Information on Lead-Based Paint (EPA) (<http://www2.epa.gov/lead>)

Information on Asbestos (EPA) (<http://www2.epa.gov/asbestos>)

Information on Mold (EPA) (<http://www.epa.gov/mold/>)

EPA's Office of Compliance and Enforcement (<https://www.epa.gov/enforcement>)

EPA's Where You Live (<https://www.epa.gov/trinationalanalysis/where-you-live>)

EPA's Office of Pollution Prevention and Toxics Home Page
(<http://www.epa.gov/opptintr/index.html>)

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Regulations

24 CFR Part 50.3(i) (<http://www.gpo.gov/fdsys/granule/CFR-2010-title24-vol1/CFR-2010-title24-vol1-sec50-3/content-detail.html>)

24 CFR 58.5(i)(2) (http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title24/24cfr58_main_02.tpl)

Resources

WISER: Site Contamination Online Module
(<https://www.hudexchange.info/trainings/wiser/>)

EPA Enviromapper (<http://www.epa.gov/emeftdata/em4ef.home>)

EPA NEPAassist (<http://www.epa.gov/compliance/nepa/nepassist-mapping.html>)

[View Additional Resources](#)

Federal Related Laws and Authorities

[Air Quality \(/environmental-review/air-quality\)](#)

[Airport Hazards \(/environmental-review/airport-hazards\)](#)

[Coastal Barrier Resources \(/environmental-review/coastal-barrier-resources\)](#)

[Coastal Zone Management \(/environmental-review/coastal-zone-management\)](#)

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Environmental Justice

Introduction

Environmental justice means ensuring that the environment and human health are protected fairly for all people regardless of race, color, national origin, or income. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations" (2/94) requires certain federal agencies, including HUD, to consider how federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and low-income populations.

Environmental justice is an integral part of HUD's mission. The Department works with multiple stakeholders and other federal agencies in its efforts to assure environmental justice concerns are addressed.

HUD Guidance

Does the project create adverse environmental impacts?

If so, are these adverse environmental impacts disproportionately high for low-income and/or minority communities?

Can the adverse impacts be mitigated? Engage the affected community in meaningful participation about mitigating the impacts or move the project to another community.

Compliance and Documentation

Review land use plans, census information and the U.S. EPA Environmental Justice webpage (EJ View). Consider local government sources such as the health department or school district that may be more current or focused on the neighborhood as their unit of analysis.

The environmental review record should contain **one** of the following:

environmental conditions and evidence that the proposed action will not create an adverse and disproportionate environmental impact or aggravate an existing impact. (Describe how the proposed action will not have a disproportionate adverse impact on minority or low-income populations.)

- Evidence that the project is not in an environmental justice community of concern (demographics, income, etc.) or evidence that the project does not disproportionately affect a low-income or minority population
- If there are adverse effects on low-income or minority populations, documentation that the affected community residents have been meaningfully informed and involved in a participatory planning process to address (remove, minimize, or mitigate) the adverse effect from the project and the resulting changes

View Environmental Justice - Worksheet (/resources/documents/Environmental-Justice-Worksheet.docx).

View Environmental Justice - Partner Worksheet (/resources/documents/Environmental-Justice-Partner-Worksheet.docx).

Executive Order

Executive Order 12898 (<http://www.archives.gov/federal-register/executive-orders/pdf/12898.pdf>)

Resources

WISER: Environmental Justice Online Module
(<https://www.hudexchange.info/trainings/wiser/>)

EPA's Environmental Justice Website (<https://www.epa.gov/environmentaljustice>)

HUD's Environmental Justice Strategy
(<http://portal.hud.gov/hudportal/documents/huddoc?id=envjustice.pdf>)

Environmental Justice at HUD: Why, What, and How Webinar (/training-events/courses/environmental-justice-at-hud-why-what-and-how-webinar/)

EPA's EJScreen (<https://www.epa.gov/ejscreen>)

Memorandum of Understanding on Environmental Justice and Executive Order 12898
(/resource/3294/mou-environmental-justice-and-executive-order-12898/)

Federal Interagency Working Group on Environmental Justice
(<https://www.epa.gov/environmentaljustice/federal-interagency-working-group-environmental-justice-ej-iwg>)

Federal Related Laws and Authorities

Air Quality (/environmental-review/air-quality)

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