

EXHIBIT 2-M

MONTANA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM CONSOLIDATED ENVIRONMENTAL ASSESSMENT FORM

INTRODUCTION

The following form is for the use of Community Development Block Grant (CDBG) recipients who must prepare an Environmental Assessment (EA) as required by HUD Environmental Review procedures for the CDBG program (24 CFR 58.36). Satisfactory completion of this form will meet the requirements of the federal Housing and Community Development Act as well as the national Environmental Policy Act (NEPA).

CDBG recipients must also demonstrate compliance with the environmental requirements of the other related federal environmental laws and regulations listed in the HUD Statutory Checklist (24 CFR 58.5). For this reason, the Statutory Checklist requirements have been combined into this single consolidated form. An index of the applicable federal statutes and regulations is found at the end of this form. Where noted, the numbers that appear to the right of the environmental subject areas listed in the checklist correspond to the listing of statutes found in the index.

The requirements of the Montana Environmental Policy Act (MEPA) and the uniform State administrative rules adopted pursuant to the Act have also been integrated into the consolidated form.

PROJECT IDENTIFICATION

Recipient:

(City, Town, or County)

Chief Elected Official:

Environmental Certifying Officer:

CDBG Contract #:

Project Name:

(Example: Lonesome Dove Water Distribution System)

Person Preparing this
Environmental Assessment:

Phone Number:

Instructions for Completing this Form

The following instructions should be presented and evaluated in a level of detail which is appropriate to the following considerations:

- (a) the complexity of the proposed action;
- (b) the environmental sensitivity of the area affected by the proposed action;
- (c) the degree of uncertainty that the proposed action will have a significant impact on the quality of the human environment;
- (d) the need for and complexity of mitigation required to avoid significant environmental impacts.

In all cases, the CDBG grant recipient should reference and attach additional narrative providing the specific information requested or documentation supporting the evaluation of the impact of the proposed project or activity as it relates to each environmental subject area. The narrative should also note, where applicable, the source of the evaluation, including date of contact, page reference to pertinent source documents, and the name and title or persons contacted, along with the name of the specific organization or agency.

Environmental information and assistance in preparing an environmental assessment can be obtained from a wide variety of sources. Possible sources of information include existing plans and studies, knowledgeable local residents and officials such as the county sanitarian, city or county planning board or department, local officials with the U.S. Soil and Conservation Service (SCS) or local conservation district, as well as local representatives of the State Fish, Wildlife & Parks Department, to list just a few examples. Grant recipients may also contact the State and federal agencies listed in **Exhibit 2-O** for information and assistance.

The Department of Commerce Community Development Bureau maintains copies of environmental assessments prepared on previous projects that may be useful to grant recipients, as well as full copies of applicable federal and State environmental statutes and related information. Copies of the HUD publication, *Environmental Review Guide for Community Development Block Grant (CDBG) Programs*, can be requested from the CDBG program specialist assigned to your project.

EVALUATION OF ENVIRONMENTAL IMPACT

Provide the information requested below and attach additional narrative as appropriate.

1. Describe the proposed action or activity, including construction and end-product (attach maps and graphics as necessary).
2. Describe the project site and surrounding area(s), including existing site use and environmental conditions (attach map as applicable).
3. Describe the benefits and purpose of the proposed action.
4. Describe all sources of project funding:

5. Describe any project plans or studies which are relevant to the project.
6. Proposed implementation schedule.
7. Compliance with any applicable local plans, ordinances, or regulations.

Project is in Compliance

	Yes	No	Not Applicable
Local Comprehensive (Growth Management) Plans including housing, land use and public facilities elements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Local zoning ordinances or land use regulations, such as permit systems or soil conservation district requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Evaluation of impact, including cumulative and secondary impacts, on the **Physical Environment:**
Please complete the following checklist. Attach narrative containing more detailed analysis of topics and impacts that are potentially significant.

Key Letter: **N** - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/ Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- PHYSICAL ENVIRONMENT	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
_____	Soil Suitability, Topographic and/or Geologic Constraints	
	HUD Environmental Criteria--24 CFR Part 51:	
_____	51(b) Noise--Suitable Separation Between Housing & Other Noise Sensitive Activities & Major Noise Sources (Aircraft, Highways & Railroads) ^{8*}	
_____	51(c) Hazardous Facilities--Acceptable Separation Distance from Explosive and Flammable Hazards (Chemical/ Petrochemical Storage Tanks & Facilities-- ex., Natural Gas Storage Facilities & Propane Storage Tanks) ^{7*}	
_____	51(d) Airport Runway Clear Zones-- Avoidance of Incompatible Land Use in Airport Runway Clear Zones ^{7*}	
_____	EPA Hazardous Waste Sites, or Other Hazards or Nuisances Not Covered Above	
_____	Lead-based Paint ¹³	
_____	Asbestos ¹⁴	
_____	Effects of Project on Surrounding Air Quality or Any Effects of Existing Air Quality on Project ^{1*}	
_____	Groundwater Resources & Aquifer ^{a 10*}	
_____	Surface Water/Water Quality, Quantity & Distribution ^{10.*}	
_____	Floodplains & Floodplain Management ^{5*}	

*See index at end of form.

^aIncluding Sole Source Aquifer. Contact DOC for further information regarding Missoula-area projects.

Key Letter: **N** - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/ Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- PHYSICAL ENVIRONMENT	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
_____	Wetlands Protection ^{11*}	
_____	Agricultural Lands, Production, & Farmland Protection ^{3*}	
_____	Vegetation & Wildlife Species & Habitats, Including Fish ^{4*}	
_____	Unique, Endangered, Fragile, or Limited Environmental Resources, Including Endangered Species ^{2*}	
_____	Unique Natural Features	
_____	Access to and Quality of Recreational & Wilderness Activities, and Public Lands, Including Federally Designated Wild & Scenic Rivers ^{12*}	

9. Evaluation of impact, including cumulative and secondary impacts, on the **Human Population** in the area to be affected by the proposed action:

Please complete the following checklist. Attach narrative containing more detailed analysis of topics and impacts that are potentially significant.

Key Letter: **N** - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- HUMAN POPULATION	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.

Key Letter: N - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- HUMAN POPULATION	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
_____	Visual Quality--Coherence, Diversity, Compatible Use, and Scale Aesthetics	
_____	Historic Properties, Cultural, and Archaeological Resources ⁶ *	
_____	Changes in Demographic (Population) Characteristics	
_____	Environmental Justice ¹³ *	
_____	General Housing Conditions--Quality & Quantity	
_____	Displacement or Relocating of Businesses or Residents	
_____	Human Health	
_____	Local Employment & Income Patterns--Quantity and Distribution of Employment	
_____	Local and State Tax Base & Revenues	
_____	Educational Facilities	
_____	Commercial and Industrial Facilities, Production & Activity	
_____	Health Care	

Key Letter: N - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- HUMAN POPULATION	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
_____	Social Services	
_____	Social Structures & Mores (Standards of Social Conduct/Social Conventions)	
_____	Land Use Compatibility	
_____	Energy Consumption	
_____	Solid Waste Disposal ⁹ *	
_____	Waste Water--Sewage System	
_____	Storm Water	
_____	Community Water Supply	
_____	Public Safety: Police	
_____	Fire	
_____	Emergency Medical	
_____	Parks, Playgrounds, & Open Space	
_____	Cultural Facilities, Cultural Uniqueness, &	

Key Letter: N - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- HUMAN POPULATION Diversity	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
_____	Transportation--Air, Rail & Auto (Including Local Traffic)	
_____	Consistency with Other State Statutes or Local Ordinances, Resolutions, or Plans (<i>to be added by local community</i>)	

10. Describe and analyze reasonable alternatives to the proposed activity whenever alternatives are reasonably available and prudent to consider, and discuss how the alternatives could be implemented, if applicable.

11. Where applicable, list and evaluate mitigation actions, stipulations, and other controls which will be enforced by the local government or another governmental agency.

12. Is the proposed project in compliance with all applicable Federal, State, and local laws and regulations?
 Yes No

LEVEL OF CLEARANCE FINDING:

Based on the foregoing environmental review, it is concluded that:

[] FINDING: A request to the Montana Department of Commerce for release of funds for the within project **is not** an action significantly affecting the quality of the human environment, and no EIS is required. A Finding of No Significant Impact (FONSI) can be made.

OR

[] FINDING: A request to the Montana Department of Commerce for release of funds for the within project **is** an action significantly affecting the quality of the human environment, and an EIS is required.

Finding Executed by:

Name (Typewritten):

Title: Environmental Certifying Officer

Signature:

Date:

INDEX OF APPLICABLE FEDERAL STATUTES AND REGULATIONS INCLUDED IN THE CHECKLIST

1. Air Quality

- a. Clean Air Act (42 U.S.C. 7401 et seq.) as amended; particularly section 17(c) and (d) (42 U.S.C. 7506(c) and (d)).
- b. Determining Conformity of Federal Actions to State or Federal Implementation Plans (Environmental Protection Agency-- 40 CFR parts 6, 51, and 93).

2. Endangered Species

- a. The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) as amended; particularly section 7 (16 U.S.C. 1536).

3. Farmlands

- a. Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) particularly sections 1540(b) and 1541 (7 U.S.C. 4201(b) and 4202).
- b. Farmland Protection Policy (U.S. Department of Agriculture 7 CFR Part 658).

4. Fish and Wildlife

- a. Fish and Wildlife Coordination Act (16 U.S.C. 661-666c).

5. Floodplain

- a. Executive Order 11988, Floodplain Management, May 24 1977 (42 FR 26951, 3 CFR, 1977 Comp., as interpreted in HUD regulations at 24 CFR Part 55.
- b. Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001-4128).
- c. National Flood Insurance Program (44 CFR 59-79).

6. Historic Properties

- a. The National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 et seq.), particularly sections 106 and 110 (16 U.S.C. 470 and 470h-2), except as provided in §58.17 for Section 17 projects.
- b. Executive Order 11593 - Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921), 3 CFR 1971-1975 Comp., particularly section 2(c).
- c. 36 CFR Part 800 with respect to HUD programs other than Urban Development Grants (UDAG)

- d. The Reservoir Salvage Act of 1960 as amended by the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469 et seq.), particularly section 3 (16 U.S.C 469a-1).

7. Man-made Hazards

- a. Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature, 24 CFR Part 51, Subpart C, (49 FR 5103, 2/10/84).
- b. HUD Notice 79-33, Policy Guidance to Address the Problems Posed by Toxic Chemicals and Radioactive Materials, 9/10/79.
- c. Siting of HUD Assisted Projects in Runway Clear Zones at Civil Airports and Clear Zones and Accident Potential Zones at Military Airfields, 24 CFR Part 51, Subpart D (49 FR 880, 1/6/84)

8. Noise

- a. Noise Abatement and Control, 24 CFR Part 51, Subpart B, (44 FR 40861, 7/12/79, as amended at 61 FR 13333, 3/26/96).

9. Solid Waste Disposal

- a. Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901-6987).
- b. U.S. Environmental Protection Agency (EPA) Implementing Regulations 40 CFR Parts 240-265.

10. Water Quality

- a. Federal Water Pollution Control Act, as amended (33 U.S.C. 1251-1376).
- b. The Safe Drinking Water Act of 1974, as amended (42 U.S.C. 69-01-6978, 300f-300j-10).
- c. U.S. Environmental Protection Agency (EPA) Implementing Regulations 40 CFR Parts 100-149.
- d. Missoula, Montana Sole Source Aquifer, in accordance with Section 1424 (e) of the Safe Drinking Water Act, 42 U.S.C. Section 300h-3 (1982).

11. Wetlands

- a. Executive Order 11990, Protection of Wetlands, May 24, 1977 (42 FR 26961), 3 CFR, 1977 Comp., particularly sections 2 and 5; and Applicable State Legislation or Regulations.

12. Wild and Scenic Rivers

- a. Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et. seq.) as amended, particularly section 7(b) and (c), (16 U.S.C. 1278 (b) and (c)).

Note: *In Montana, this act applies to the North Fork of the Flathead River from the Canadian border downstream to its confluence with the Middle Fork; the Middle Fork from its headwaters to its confluence with the South Fork; and the South Fork from its origin to Hungry Horse Reservoir; and, the Missouri River consisting of the segment from Fort Benton, one hundred and forty-nine miles downstream to Fred Robinson Bridge.*

13. Environmental Justice

- a. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994 (59 FR 7629), 3 CFR, 1994 Comp. P. 859. (24 CFR Part 58.5, April 30, 1996)

14. Lead-based Paint

HUD Lead-based Paint Standards (24 CFR Part 35) and Sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act that appear within Title X of the Housing and Community Development Act of 1992.

15. Asbestos

OSHA's asbestos standard (29 CFR 1926.1101) and EPA asbestos sections of NESHAP (National Emission Standard for Hazardous Air Pollutants), administered by Montana Department of Environmental Quality's Asbestos Control Program.