



**U.S. Department of Housing and Urban
Development**

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

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

**This is a suggested format that may be used by Responsible Entities to document completion of an
Environmental Assessment.**

Project Information

Project Name: INSERT PROJECT NAME

Responsible Entity (RE): CDBG – MUST BE LOCAL GOVERNMENT APPLICANT
HOME – CONTACT COMMERCE STAFF TO DETERMINE

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

Preparer: WHOEVER COMPLETES THE ASSESSMENT

Certifying Officer Name and Title: WHO FROM RE WILL SIGN FINAL DOCUMENT

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable):

Direct Comments to: SHOULD BE RE, PREPARER, OR CONSULTANT

Project Location: STREET ADDRESS OR PARCEL NUMBER/LEGAL DESCRIPTION IF ADDRESS NOT YET ASSIGNED

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

DESCRIBE THE PROJECT IN AS MUCH DETAIL AS POSSIBLE. INCLUDE ALL THE STEPS INVOLVED FROM START TO FINISH. BE SURE TO INCLUDE ALL FEDERALLY-FUNDED ACTIVITIES, AND ANY ASSOCIATED ACTIONS.

IF YOUR PROJECT INVOLVES MULTIPLE ACTIVITIES IN A CONCENTRATED AREA, OR ACTIVITIES IN UNSPECIFIED LOCATIONS, YOU MUST AGGREGATE PROJECT ACTIVITIES. IN PROJECT AGGREGATION, THE RESPONSIBLE ENTITY MUST GROUP TOGETHER AND EVALUATE AS A SINGLE PROJECT ALL OF THE ACTIVITIES THAT ARE RELATED. THEY MAY BE RELATED GEOGRAPHICALLY, FUNCTIONALLY, OR AS LOGICAL PARTS OF A GROUP OF CONTEMPLATED ACTIONS. HUD PROVIDES EXAMPLES AND AN FAQ DOCUMENT ON PROJECT AGGREGATION HERE – [ENVIRONMENTAL REVIEW FAQ: PROJECT AGGREGATION](#)

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

WHAT IS DRIVING THE PROJECT? PROVIDE AS MUCH DETAIL AS POSSIBLE.

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

DESCRIBE IN AS MUCH DETAIL AS POSSIBLE

Funding Information

Grant Number	HUD Program	Funding Amount
	CDBG	AS APPLICABLE
	HOME	AS APPLICABLE
	HTF	AS APPLICABLE

Estimated Total HUD Funded Amount: ANY FEDERAL FUNDING SOURCES

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

TOTAL PROJECT COST

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

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

YOU MUST JUSTIFY EACH THE DETERMINATION IN EACH SECTION AND PROVIDE SUPPORTING DOCUMENTATION. IT IS NOT ENOUGH TO SIMPLY SAY NO MITIGATION OR FORMAL COMPLIANCE IS REQUIRED, IT MUST BE PROVEN. MANY AGENCIES HAVE PROVIDED AN EASY WAY TO OBTAIN THE NECESSARY DOCUMENTATION WHICH HAS BEEN INCLUDED IN EACH SECTION. HUD ALSO HAS PARTNER WORKSHEETS THAT ASK A SERIES OF BASIC QUESTIONS TO HELP YOU REACH A DETERMINATION. PARTNER WORKSHEETS ARE AVAILABLE AT: https://www.hud.gov/program_offices/comm_planning/environment_energy/regulations#relatedlawsandauthorities

ADDITIONAL INFORMATION IS AVAILABLE HERE:

<https://www.hudexchange.info/programs/environmental-review/environmental-assessment/resources/>

IF PROJECT TIMING IS A CONCERN, START WITH THE HISTORIC PRESERVATION SECTION, FOLLOWED BY FLOODPLAIN MANAGMENT. IF NOT CLEARED IMMEDIATELY, THESE SECTIONS CAN BE TIME CONSUMING AND OTHER SECTIONS CAN BE CLEARED DURING THE PROCESS.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input type="checkbox"/>	Provide a map showing distance between the project site and the closest runway. If the project site is within 15,000 feet of military airport or 2,500 feet of civilian airport, determine if the project is in the Runway Clear Zone (RCZ), Runway Protection Zone (RPZ), military airfield Clear Zone (CZ), or Accident Potential Zone (APZ). For most airports, this information can be found at http://www.airnav.com/airports/ , but you may need to contact the airport directly to determine these boundaries. If the project is

		located within any of these zones, it may not be eligible for federal funds.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input type="checkbox"/>	Montana is not subject to these requirements as it has no Coastal Barrier Resource System (CBRS) units. Be sure to explain this and document with a map.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input type="checkbox"/>	Obtain a copy of the FEMA floodplain map here - https://msc.fema.gov/portal/home . If the project is located inside a floodplain, but does not involve mortgage insurance, acquisition, rehabilitation, or new construction of a building, the project is not required to carry flood insurance. If the site is located within a designated flood hazard area, use the HUD Partner Worksheet to determine compliance requirements for all other types of projects.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input type="checkbox"/>	If the project does not involve new construction, residential projects of 5+ units, and projects that change land use to facilitate development of public facilities, it can be assumed that de minimis levels are not exceeded and the project is in compliance. All other projects should use the EPA Green Book system to determine and document the air quality compliance status of the project's county - https://www.epa.gov/green-book/green-book-national-area-and-county-level-multi-pollutant-information . If the project's county is in full attainment status for all criteria pollutants, the project is in compliance with the Clean Air Act. If not, use HUD's Air Quality guidance to estimate the emissions levels for your project. If de minimis levels are exceeded, the project will require mitigation.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input type="checkbox"/>	Montana is not subject to these requirements as it does not have a designated coastal zone. Be sure to explain this and document with a map.

<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input type="checkbox"/></p>	<p>All multifamily residential and non-residential projects are required to complete a Phase 1 ESA, and possibly a Phase II ESA. Single-family residential projects are not required to complete a Phase 1 ESA, but it is strongly recommended. Include a copy of the Phase I and Phase II as applicable to document compliance. You can also contact the EPA Region 8 and DEQ for information on Superfund sites and other potential sources of contamination in the area.</p> <p>Even if the project site does not have any contamination, you must investigate the surrounding properties as well. Be sure to investigate any current or former gas stations, dry cleaners, landfills, junkyards, auto repair shops nearby. If any source of potential or actual contamination is identified, it must be mitigated. Establish a plan to remediate and include this in the environmental assessment.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input type="checkbox"/></p>	<p>No consultation is needed for projects that obviously will not disturb any endangered species or critical habitat, including projects with no ground disturbance and rehabilitation that does not increase the building footprint.</p> <p>Use the US Fish and Wildlife Information for Planning and Consultation (IPaC) website to obtain a list of endangered or threatened species and critical habitat that might be impacted by the project. Include the report generated by IPaC as documentation. If any endangered species or critical habitat are noted, you may need to contact USFWS for further consultation. Access the IPaC website here - https://ipac.ecosphere.fws.gov/</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input type="checkbox"/></p>	<p>This applies to projects involving development, construction, rehab that increases residential density, or conversion. Include a map that shows any above-ground fuel storage tanks within one mile of the project site. This does not include residential</p>

		<p>propane tanks of less than 1,000 gallons that comply with the National Fire Protection Association (NFPA) Code 58, version 2017. The local Fire Marshall can be contacted for information on existing fuel storage tanks and their contents. If any are present, each one will need to be investigated to determine the size, contents, and the Acceptable Separation Distance (ASD). Use the HUD ASD Assessment Tool here - https://www.hudexchange.info/programs/environmental-review/asd-calculator/. Also include a copy of the results for each tank within one mile of the project site.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input type="checkbox"/></p>	<p>Zoning designations for non-agricultural use do not exempt a project from this section. Does your project include any activities, including new construction, acquisition of undeveloped land, or conversion, that could potentially convert one land use to another? If no, the project is in compliance, and you'll need to state this as your explanation. If yes, use the USDA Web Soil Survey to generate a report of any important soil characteristics on the project site (https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm). If the project site includes 'Important Farmland' or 'Farmland of Statewide or Local Importance', further consultation with the USDA NRCS is required.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input type="checkbox"/></p>	<p>Obtain a copy of the FEMA floodplain map here - https://msc.fema.gov/portal/home. Provide a copy of the map to document compliance, noting the Flood Insurance Rate Map (FIRM) number and the date on the map in your explanation. If FEMA has not published a map for the area, use the best available data from the City/County Engineer and Montana DNRC. It may be possible to mitigate some projects within the 100- or 500-year floodplains depending on the situation. If the project is required to go through the 8-step process, it is highly</p>

		recommended that a consultant be acquired to facilitate.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input type="checkbox"/>	<p>Section 106 consultation is required for any project involving ground disturbance, or a building more than 50 years old. Begin by requesting a file search from Montana's State Historic Preservation Office (SHPO). SHPO must be given at least 30 days to respond. Proceed based on the results of the file search. HUD provides template letters to initiate consultation with both SHPO and the applicable Tribes.</p> <p>Tribal consultation can only be initiated by a unit of local government. Tribes must be given at least 30 days to respond. Use HUD's partner worksheet and the When to Consult with Tribes Under Section 106 Checklist to determine when to consult - https://www.hudexchange.info/resource/3770/when-to-consult-with-tribes-under-section-106-checklist/. Use HUD's Tribal Directory Assessment Tool (TDAT) to determine which tribes should be contact - https://egis.hud.gov/TDAT/. Be sure to verify that the tribal contact information is accurate before initiating consultation.</p>
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input type="checkbox"/>	<p>Provide a map that shows the distance between the project site and the closest railroad, major road, and airport. If the project is located within 3,000 feet of a railroad, 1,000 feet of a major road, or 15 miles of an FAA-regulated airport, you will need to complete a noise assessment. General aviation airports with less than 9,000 airport operations each year do not present a noise concern. Use HUD's Day/Night Noise Level (DNL) Calculator and provide a copy of the results to document compliance - https://www.hudexchange.info/programs/environmental-review/dnl-calculator/. You may need to contact MDOT, the airport, and/or the railroad to complete this calculation. A mitigation plan is necessary for any finding over 65 decibels.</p>

Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input type="checkbox"/>	Use the EPA's Sole Source Aquifer map tool to locate any aquifers under the project site - https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b . Include a copy of this map to document compliance.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input type="checkbox"/>	This applies to projects that include new construction, expansion of an existing building footprint, and/or ground disturbance. Use the US Fish and Wildlife National Wetlands Inventory map system to identify any wetlands located on the project site - https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/ . Provide a copy of the results to document compliance. If there are wetlands present, you may be required to consult with the Army Corps of Engineers and complete the 8-step process to mitigate impact to wetlands. It is highly recommended that a consultant be acquired to facilitate the 8-step process.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input type="checkbox"/>	Use the US National Park Service Nationwide Rivers Inventory system to identify any Wild and Scenic Rivers within 1,000 feet of the project site - https://www.nps.gov/subjects/rivers/nationwide-rivers-inventory.htm . Provide a copy of the results to document compliance. If a project is within 1,000 feet, you will either need to prove it will not directly or indirectly alter the characteristics of the river or consult with the managing agency to mitigate any impacts.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input type="checkbox"/>	Document whether there would be a disproportionately high impact to low/moderate-income households. Highlight the benefit of the project to these populations including any relevant demographic data and deed restrictions that will be in place. Use the EPA's EJScreen Tool to provide

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

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

HUD GUIDANCE IS AVAILABLE HERE - <https://www.hudexchange.info/programs/environmental-review/environmental-assessment/>

BE SURE TO ENTER AN IMPACT CODE FOR EACH SECTION, PROVIDE AN EXPLANATION, AND INCLUDE SUPPORTING DOCUMENTATION AS APPLICABLE. THINK OF THIS SECTION IN TERMS OF THE IMPACT ON THE LARGER COMMUNITY, RATHER THAN THE SPECIFIC PROJECT SITE. THERE ARE NO SPECIFIC REQUIREMENTS FOR THIS SECTION, BUT YOU SHOULD JUSTIFY EACH IMPACT CODE.

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design		
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff		
Hazards and Nuisances including Site Safety and Noise		

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns		
Demographic Character Changes, Displacement		
Environmental Justice		

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		

Unique Natural Features, Water Resources		
Vegetation, Wildlife		
Other Factors		

Environmental Assessment Factor	Impact Code	Impact Evaluation
CLIMATE AND ENERGY		
Climate Change Impacts		
Energy Efficiency		

Additional Studies Performed: LIST ANY NOT ALREADY NOTED IN PREVIOUS SECTIONS

Field Inspection (Date and completed by): SHOULD BE COMPLETED BY GRANTEE, SUBRECIPIENT, ENGINEER, OR ARCHITECT. THERE IS NO SPECIFIC FORM REQUIRED FOR THIS.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]: LIST ANY ENTITIES THAT WERE CONTACTED AS PART OF THE REVIEW PROCESS ABOVE

List of Permits Obtained: LIST ANY SPECIAL PLANNING/ZONING PERMITS, ENGINEERING REQUIREMENTS, BUILDING PERMITS, ETC.

Public Outreach [24 CFR 50.23 & 58.43]: INCLUDE DATES AND TIMES OF ANY PUBLIC MEETINGS HELD REGARDING THE PROJECT. CDBG PROJECTS ARE REQUIRED TO HOLD TWO PUBLIC MEETINGS PRIOR TO SUBMITTING THE APPLICATION, BUT THERE IS NO REQUIREMENT FOR OTHER MEETINGS UNTIL THE ENVIRONMENTAL REVIEW IS COMPLETE.

Cumulative Impact Analysis [24 CFR 58.32]:

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9] DISCUSS ANY VIABLE ALTERNATIVES TO THE PROJECT, INCLUDING OTHER LOCATIONS, REDUCING OR EXPANDING THE SCOPE OF WORK, OR NOT PROCEEDING AT ALL.

No Action Alternative [24 CFR 58.40(e)]: EXPLAIN HOW PROCEEDING WITH THE PROJECT AS PLANNED IS THE BEST COURSE OF ACTION TO ACHIEVING THE GOALS OF THE PROJECT.

Summary of Findings and Conclusions: SUMMARIZE THE FINDINGS DISCOVERED AS PART OF THIS REVIEW.

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

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

IF MITIGATION IS REQUIRED FOR ANY SECTION OF THE REVIEW, IDENTIFY THIS AND INCLUDE A MITIGATION PLAN THAT THOROUGHLY ADDRESSES THE IMPACTS IDENTIFIED.

Law, Authority, or Factor	Mitigation Measure

Determination:

☐ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

*CHECK THIS IF THERE ARE NO IMPACTS IDENTIFIED. SUBMIT THE ENVIRONMENTAL ASSESSMENT AND ALL SUPPORTING DOCUMENTATION TO COMMERCE FOR APPROVAL. ONCE APPROVED YOU MAY BEGIN THE FINAL PROCESS TO OBTAIN A RELEASE OF FUNDS LETTER AND AUTHORITY TO USE GRANT FUNDS.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

*CHECK THIS IF THERE ARE IMPACTS IDENTIFIED THAT CANNOT BE MITIGATED. THIS FINDING REQUIRES AN ENVIRONMENTAL IMPACT STATEMENT.

Preparer Signature: _____ Date: _____

Name/Title/Organization: _____

Certifying Officer Signature: _____ Date: _____

Name/Title: _____

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