**Tiered Environment Review**

**for Activity/Project that is**

**Categorically Excluded Subject to Section 58.5**

**Pursuant to 24 CFR 58.35(a)**

# Project Information

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| **Project Name:** | 2020-UDP-Lead-Hazard-Control-Program |

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| **HEROS Number:**  | 900000010171475 |

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| **Responsible Entity (RE):**  | LINCOLN, 555 S 10th St Lincoln NE, 68508 |

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| **State / Local Identifier:**  |  |

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| **RE Preparer:**  | Kurt J Elder |

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| **Certifying Officer:** | Dan Marvin |

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| **Grant Recipient (if different than Responsible Entity):** |  |

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| **Point of Contact:**  |  |

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| **Consultant (if applicable):** |  |

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| **Point of Contact:**  |  |

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| **Project Location:** | Lincoln, NE  |

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| **Additional Location Information:** |
| N/A |

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| **Direct Comments to:** | kelder@lincoln.ne.gov |

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| **Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:** |
| Grant: NEL HD0444-20 As Lincoln's housing stock in established neighborhoods continue to age, the issues of Elevated Blood Levels (EBLLs) continues to increase among children under the age 6-years old. This project 'Lincoln Lead Hazards Control Program' will provide on average $12,977 in lead and abatement remediation per housing unit for a total of 165 housing units (i.e. total of $3M) located within neighborhoods with the highest number of housing built prior to 1979 and with the highest number of identified EBLLs among children under the age 6. The Healthy Homes Supplemental, a companion grant will provide an additional $6,154 per housing unit (i.e. a total of $400K) on average to address other identified hazards within the targeted homes such as mold, ventilation, and lead pipes. A match of $489,434 is also provided. We will enroll and assist both single-family and multifamily homes Maximum support will be less than 50% of the structure/unit value This tier 1 review will be good for five years Target areas: City of Lincoln and Census Tracts: 20.02, 20.01, 21.00, 17.00, 7.00, 8.00, 4.00, 2.02, 2.01, 9.00, 18.00, 23.00, 27.01, 22.00, 16.00 found in Lancaster county Nebraska The priority for projects can be found in our internal documentation The program will partner UDD and LLCHD with over 12 community-based organizations and will utilize the services of qualified lead abatement consultants and contractors. Urban Development will maintain/support a web-page that identifies which homes were addressed as a 'Lead-Safe Housing Registry' aka Lead Safe.  |

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

[City of Lincoln.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000011338689)

[HUD Lead Grant map 081220.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869379)

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| **Approximate size of the project area:**  | more than 1 square mile |

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| **Length of time covered by this review:**  | 5 Years |

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| **Maximum number of dwelling units or lots addressed by this tiered review:**  |
| 165 |

#### Level of Environmental Review Determination:

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| Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: |
| 58.35(a)(4) |

**Determination:**

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|  | Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR  |
| ✓ | There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST. |

**Approval Documents:**

[Lead Paint Grant Tier 1 ERR Publication 051022.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000011339915)

[Lead Paint Grant Tier 1 ERR Publication.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010873831)

[RROF - Proof of Publication.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010884316)

[AUGF NELHD0444-20 Lincoln 02-21-2021\_mm.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010905166)

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| **7015.15 certified by Certifying Officer on:** | 2/5/2021 |

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| **7015.16 certified by Authorizing Officer on:** | 3/2/2021 |

**Funding Information**

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| **Grant Number** | **HUD Program**  | **Program Name** |
| NEL HD0444-20 | Healthy Homes and Lead Hazard Control |   |

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| **Estimated Total HUD Funded Amount:**  | $3,400,000.00 |

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| **Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** | $3,889,434.00 |

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

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| **Compliance Factors**: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6 | Was compliance achieved at the broad level of review? | Describe here compliance determinations made at the broad level and source documentation. |
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6** |
| Airport Hazards | 🗹 Yes 🞎 No | As determined by 24CFR Part 51 Subpart D This project work is for minor remediation does not include new construction or reconstruction, nor the sale or purchase of property, 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. Therefore this project is in compliance. |
| Coastal Barrier Resources Act  | 🗹 Yes 🞎 No | This project it is located in Nebraska which does not have any Coastal Barrier Resources. This project complies with the Costal Barrier Resources Act of 1982. |
| Flood Insurance | 🞎 Yes 🗹 No |   |
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5** |
| Air Quality | 🗹 Yes 🞎 No | The Lead Hazard Reduction (i.e. Lincoln Healthy Homes Initiative) work does not include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities or five or more dwelling units. All projects will be in existing occupied residences and there will be no increased exposure to air quality. |
| Coastal Zone Management Act | 🗹 Yes 🞎 No | The Lead Hazard Reduction (i.e. Lincoln Healthy Homes Initiative) Program is located in Lancaster County, NE. The program is not located in a Coastal Zone Management Area. |
| Contamination and Toxic Substances | 🞎 Yes 🗹 No |   |
| Endangered Species Act | 🗹 Yes 🞎 No | The project area does not interfere or take place in any critical habitat locations. The scope of work is to complete lead hazard reduction work to existing occupied residential units. |
| Explosive and Flammable Hazards | 🗹 Yes 🞎 No | The Lead Hazard Reduction (i.e. Lincoln Healthy Homes Initiative) program will be to complete minor interior and exterior remediation to reduce lead paint and healthy home hazards. The work does not include the development, construction, rehabilitation that would increase density or conversion. |
| Farmlands Protection | 🗹 Yes 🞎 No | The City of Lincoln is located in an urbanized area. There will be no impact to farmland or significant agricultural soils. |
| Floodplain Management | 🗹 Yes 🞎 No | The cumulative investment will not equal or exceeds 50% of the structure market value before the improvement or repair. Additionally, we are not increasing units.  |
| Historic Preservation | 🞎 Yes 🗹 No |   |
| Noise Abatement and Control | 🗹 Yes 🞎 No | The Lead Hazard Reduction (i.e. Lincoln Healthy Homes Initiative) Program will not result in any new construction, conversion, major rehabilitation or acquisition of undeveloped land. It is therefore in compliance with Noise Abatement and Control without site-specific noise analysis. In addition, the project remediation may result in noise attenuation due to the replacement of doors, windows. |
| Sole Source Aquifers | 🗹 Yes 🞎 No | The Lead Hazard Reduction program will consist of minor interior and exterior remediation and will result in no new construction or conversion activities. |
| Wetlands Protection | 🗹 Yes 🞎 No | Project activities do not involve the acquisition of undeveloped land, change in land use, or new construction and therefore is in compliance. |
| Wild and Scenic Rivers Act | 🗹 Yes 🞎 No | The City of Lincoln is not located near a Wild and Scenic river nor near a river on the National Rivers Inventory and is therefore in compliance. |
| **ENVIRONMENTAL JUSTICE** |
| Environmental Justice | 🞎 Yes 🗹 No |   |

**Supporting documentation**

[Air Quality-Status of Designated Areas.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869383)

[Coastal Barrier Resources.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869382)

[Coastal Zone Management(1).pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869397)

[Coastal Zone Management Worksheet.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869396)

[Urban Development Dept\_City of Lincoln\_ngpc comments.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869395)

[Endangered Species Act Worksheet.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869394)

[Endangered Species - LBP.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869393)

[Farmlands Protection(1).pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869391)

[Farmlands Protection Worksheet.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869390)

[Floodplain Management Worksheet - Excepted v2.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010886447)

[Section 106 Tribal Consult Updated.docx](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869824)

[Sole Source Aquifers.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869386)

[Wetlands Protection Worksheet.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869385)

[Wild and Scenic Rivers-Nebraska.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869384)

[Airport Hazards(1).pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869381)

[Airport Hazards Worksheet.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869380)

[Explosive and Flammable Facilities Worksheet.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869392)

[Noise Abatement and Control Worksheet.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000010869387)

**Written Strategies**

The following strategies provide the policy, standard, or process to be followed in the site-specific review for each law, authority, and factor that will require completion of a site-specific review.

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| **1** |  | Flood Insurance |
|  | Flood zones will be addressed at the project level. Using FEMA.gov, we will review each project to determine if the unit is located in a Special Flood Hazard Area and a FIRMette will be created. Projects located within a determined flood hazard will be approved with the condition that owner has obtained and agrees to maintain flood insurance under the National Flood Insurance Program. A copy of the flood insurance policy declaration will be kept on file in the Urban Development office and uploaded into HEROS.  |
| **2** |  | Contamination and Toxic Substances |
|  | All projects will be reviewed for contamination and toxic substances during a Tier 2 site specific review. A site visit will be conducted to determine if there is any visible signs of contamination or toxic substances on or near the project site. Area will be documented with photos. EPA NEPAssist and GIS databases will be accessed for all records within a one-mile radius of the project location for in the regulatory non-compliant status. A review will be conducted of the nature of all facilities deemed in non-compliant and it's potential for contamination of the project site. If pathways of contamination exist from the non-compliant facility, the project will be denied grant funds. The site specific reviews will be approved with identified Lead Paint Hazards on site. These hazards will be identified and reported by a Lead Inspection/Risk Assessment completed by each property. Lead Paint hazards will be mitigated and retested for clearance at project completion.  |
| **3** |  | Historic Preservation |
|  | Historic Preservation compliance will be achieved at the project level. All proposed actions and rehabilitations as part of this project will comply with Section 106 of the National Historic Preservation Act and other federal historic preservation regulations. This includes buildings that are listed or eligible for listing on the National Register, either individually, or as part of a National Register listed or eligible historic district. The proposed actions to historic buildings will comply with the Secretary of the Interior Standards for Rehabilitation of Historic Buildings. This site specific review will be completed by the City of Lincoln UDD staff. All projects that cannot be resolved at the staff level will be forwarded to city historic planner for review. |
| **4** |  | Environmental Justice |
|  | Compliance with all laws and authorities as well as a determination of no adverse environmental impacts is required for Environmental Justice. The projects serve populations that are protected under this Executive Order. |

**Supporting documentation**

**APPENDIX A: Site Specific Reviews**

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| **1** | **Site-Specific Review Name:**  | Tier II - 1435 B Street |
| **Site Address:**  | 1435 B St, Lincoln, NE, 68502 |
| **Completed Site-Specific or Second Tier Review:** | [Tier II - 1435 B Street.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000011221010) |
| **2** | **Site-Specific Review Name:**  | Tier II - 2901 Sumner Street |
| **Site Address:**  | 2901 Sumner St, Lincoln, NE, 68502 |
| **Completed Site-Specific or Second Tier Review:** | [Tier II - 2901 Sumner Street.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000011221015) |
| **3** | **Site-Specific Review Name:**  | Tier II - 614 North 26th Street |
| **Site Address:**  | 614 N 26th St, Lincoln, NE, 68503 |
| **Completed Site-Specific or Second Tier Review:** | [Tier II - 614 N 26th Street.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000011221005) |