U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

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Tiered Environment Review
for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)

Environmental Review for Continuum of Care Leasing or Rental Assistance Project that is Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)(5)

This CoC Limited Scope Review Format is to be used **only** for project-based leasing or project-based rental assistance activities without any associated repairs, rehabilitation, new construction, or other activities with physical impacts funded under the Continuum of Care (CoC) program.

Project Information

***Project Name:** 2020-CoCRV-Lincoln-Permanent-Housing-Grant-(LPH)
***Responsible Entity:** City of Lincoln

Grant Recipient: Region V Systems - Renee Dozier

State/Local Identifier: Lincoln Ne

***Preparer: Kurt Elder**
***Certifying Officer Name and Title:** Dan Marvin, Director of Urban Development

Consultant (if applicable):

***Project Location:** Lincoln, Ne

Additional Location Information:

Direct Comments to:	In writing: Urban Development Department 555 South 10th Street, Suite 205 Lincoln, NE 68508 by email: urbandev@lincoln.ne.gov

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

Region V Systems will use fund award to lease 12 scattered-site housing units within the Lincoln community. The program will operate as a DedicatedPlus project and priority will be given to chronically homeless families and individuals with disabilities. There will be no physical impacts associated with the use of these funds. No other planned phases are presented or contemplated at this time. Again, no site acquisition is needed as these are free-standing structures.

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

Length of time covered by this review: 1 Year

Maximum number of dwelling units or lots addressed by this tiered review:
50

***Level of Environmental Review Determination:**
Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5, per 24 CFR 58.35(a)(5).

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

*Grant Number	*HUD Program	*Funding Amount
NE135L7D0219000	Continuum of Care (CoC)	212,539

***Estimated Total HUD Funded Amount: 212,539**
***Estimated Total Project Cost** (HUD and non-HUD funds): **241,674**

Compliance with 24 CFR 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 or approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

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 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No X	This project consists only of leasing or rental assistance and is in compliance with the HUD's Airport Hazard regulations without further evaluation.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No X	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

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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 X	Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.
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 X	This project consists only of leasing or rental assistance and is in compliance with the Clean Air Act without further evaluation.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No X	This project consists only of leasing or rental assistance and is in compliance with the Coastal Zone Management Act without further evaluation.
Contamination and Toxic Substances 24 CFR 58.5(i)(2)	Yes No X	Individual housing units will need an additional limited review to be done after Region V finds units that they propose to use for the project.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No X	This project consists only of leasing or rental assistance and is in compliance with the Endangered Species Act without further evaluation.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No X	This project consists only of leasing or rental assistance and is in compliance with HUD's Explosive and Flammable Hazards standards without further evaluation.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No X	This project consists only of leasing or rental assistance and is in compliance with the Farmland Protection Policy Act without further evaluation.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No X	Individual housing units will need an additional limited review to be done after Region V finds units that they propose to use for the project. Proposed projects in the floodway will be rejected and appropriate reviews will be completed if selected units are in building with 5+ units.
Historic Preservation	Yes No X	HUD has determined that leasing and rental assistance with no associated repairs, rehabilitation, or other activities with physical impacts has No Potential to Cause Effects under

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National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800		36 CFR 800.3(a)(1) (see Appendix A). Therefore, this project is in compliance with Section 106 of the National Historic Preservation Act without further obligations.
Noise Abatement and Control 24 CFR Part 51 Subpart B	Yes No X	This project consists only of leasing or rental assistance. HUD's Noise standards do not apply.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No X	This project consists only of leasing or rental assistance and is in compliance with the Safe Drinking Water Act without further evaluation.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5; 24 CFR Part 55 wetlands provisions	Yes No X	This project consists only of leasing or rental assistance without any new construction. Executive Order 11990 and Part 55 wetlands provisions do not apply to projects that do not involve new construction in a wetland.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No X	This project consists only of leasing or rental assistance and is in compliance with the Wild and Scenic Rivers Act without further evaluation.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No X	Environmental justice means ensuring that the environment and human health are protected fairly for all people regardless of race, color, national origin, or income. Individual housing units will need an additional limited review to be done after Region V finds units that they propose to use for the project. Selected site(s) or surrounding neighborhood will not suffer from adverse environmental conditions and evidence that the proposed action will not create an adverse and disproportionate environmental impact or aggravate an existing impact.

Determination:

☐ Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR

X There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

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Mitigation Measures and Conditions

Summarize below all mitigation measures either taken or required as a condition of approval of the project 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.

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.

1		Flood Insurance
		Flood Insurance will be addressed in Tier II reviews as specific sites are identified. A FIRMette map showing the project location will be generated for each property to determine if it is in a Special Flood Hazard Area (SFHA). If a project proceeds in the SFHA, required documentation will include a copy of the flood insurance policy declaration.
2		Contamination and Toxic Substances
		Contamination and Toxic Substances will be addressed in Tier II reviews as specific sites are identified. Federal and State databases will be searched for onsite and nearby environmental concerns - Superfund and Brownfield sites within one mile; toxic releases, hazardous waste and Toxic Substances Control Act within one-half mile. Documentation will include database maps and available ECHO reports for facilities that have been fined or have more than six violations in the previous twelve quarters.
3		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. This will be addressed in Tier II reviews as specific sites are identified.

Preparer Signature:

Date: 12/14/20

Name/Title/Organization:
Kurt Elder / GIS Analyst / City of Lincoln: Urban Development

Responsible Entity Agency Official Signature:

Date: 12/17/20

Name/Title:
Dan Marvin / Director / City of Lincoln: Urban Development

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).

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Appendix A –

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

OFFICE OF THE ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

FEB 20 2014

MEMORANDUM FOR: CPD Division Directors
Regional Environmental Officers

FROM: Danielle Schopp, Director, Office of Environment and Energy, DGE

SUBJECT: Determination that Continuum of Care (CoC) Leasing and Rental Assistance with no associated physical building activities have "No Potential to Cause Effects" under Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800

The U.S. Department of Housing and Urban Development (HUD) has determined that leasing and rental assistance activities in the Continuum of Care (CoC) Program that include no maintenance, repairs, or rehabilitation to the leased or rented properties have "No Potential to Cause Effects," as described in 36 CFR 800.3(a)(1). These leasing and rental assistance activities provide transitional or permanent housing for the homeless in existing scattered site buildings with no associated physical changes to the buildings, and have no potential to cause effects on historic properties, assuming such properties were present. Neither HUD nor the grantees participating in the CoC Program have any further obligations for these projects under Section 106 of the National Historic Preservation Act (Section 106) or 36 CFR Part 800. No consultation with the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), or other interested parties is required.

A copy of this memorandum in the Environmental Review Record for a qualifying individual CoC project will document compliance with Section 106, 36 CFR Part 800, 24 CFR Part 50, and 24 CFR Part 58 regarding historic properties.

Leasing and rental assistance with associated unit or building repairs, rehabilitation, or new construction do not qualify for the treatment described in this memo. Likewise, other types of projects participating in the CoC Program, including repairs, rehabilitation, and new construction, do not qualify for the treatment described in this memo. These activities must be fully reviewed under the Section 106 process, including consultation with a SHPO, THPO and/or tribal authority, interested parties and the public, to aid HUD or the Responsible Entity in making an effect determination.

Please direct any questions regarding this memorandum to Nancy E. Boone, Federal Preservation Officer, at Nancy.E.Boone@hud.gov or 202-402-5718.