# Appendix D: Environmental

Checklist D1: Guide for Environmental Review

Checklist D2: Guide for In-Depth Environmental Monitoring

Checklist D3: Guide for Review of Historic Preservation and Archeology

Checklist D4: Guide for Review of Floodplains and Wetlands

Checklist D5: Guide for Review of Coastal Zone Management

Checklist D6: Guide for Review of Endangered Species

Checklist D7: Guide for Review of Noise

Checklist D8: Guide for Review of Air Quality

Checklist D9: Guide for Review of Aquifers

Checklist D10: Guide for Review of Water Quality

Checklist D11: Guide for Review of Site Hazards

Checklist D12: Guide for Review of Environmental Justice

## Checklist D1: Guide for Environmental Review

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. However, findings made using the questions in this Checklist must be based upon consultation with the REO/FEO with jurisdiction over the Monitored Entity being monitored. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist is designed to assess environmental performance of Monitored Entities for activities funded under Community Development Block Grant Disaster Recovery (CDBG-DR) program.

**Questions:**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Does the Monitored Entity engage in large complex projects that require full environmental assessments, for example, new construction, large scale rehabilitation of residential or commercial structures, re-use of industrial structures and properties for non-industrial uses? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Does a review of the Monitored Entity’s Request for Release of Funds (RROF) raise any concerns, such as:   * an RROF processed after a project has begun; and/or * in cross-checking between the Monitored Entity’s Disaster Recovery Grant Reporting (DRGR) and the related CDBG-DR Action Plan, projects that are underway for which no RROF has been processed? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is there evidence that the staff person(s) designated by the Monitored Entity lacks knowledge or training on environmental review requirements for the CDBG-DR programs? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is there any evidence that the Monitored Entity has spent or obligated grant funds prior to receipt of the Form HUD-7015.16, “Authority to Use Funds?” | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

5.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a. For the time period reviewed, has the Grantee received any objections raising non-compliance issues about the Monitored Entity? | | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | | |
|  | | |
| b. If the answer to “a” above is “yes,” were the objections addressed by the Monitored Entity after the Grantee forwarded them? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | | |
| **Describe Basis for Conclusion:** | | |
|  | | |

6.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| a. Has the Monitored Entity been monitored by the Grantee or CPD during the last twelve months? (If yes, indicate the date(s) below.) | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |
| b. If the answer to “a” above is “yes,” did the Grantee or CPD Reviewer conducting the monitoring review Environmental Review Records (ERRs) and conclude that the Monitored Entity is conducting environmental processing and environmental reviews for projects included in CDBG-DR the Action Plan? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

## Checklist D2: Guide for In-Depth Environmental Monitoring

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist provides guidance for the Reviewer to conduct in-depth environmental review monitoring. The Checklist is to be used to evaluate the overall content of the Environmental Review Record pursuant to the regulatory requirements of Section 58.38. It therefore is to be completed only once during monitoring. The CDBG-DR Action Plan and the Monitored Entity’s drawdowns provide the primary source for the selected activity or projects. In answering the Checklist questions, the Reviewer should select projects with the greatest complexity. Findings of noncompliance are to be made following the requirements of Section 58.77(d).

**Questions:**

1.

|  |
| --- |
| Briefly describe the Monitored Entity’s system for carrying out its environmental review responsibilities (e.g., including conditions such as staff changes that could impact its ability to carry out its environmental responsibilities). |
| **Describe Basis for Conclusion:** |
|  |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| For the project records reviewed, were there separate Environmental Review Records (ERRs) for each project?  [24 CFR 58.38] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Do the ERRs reviewed contain project descriptions, including geographic boundaries (where applicable) and reference all activities included as part of the overall project?  [24 CFR 58.38] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Do the ERRs reviewed contain written determinations in those cases in which the Monitored Entity or its recipientsclaim that activities/projects are “categorically excluded" or "exempt?”  [24 CFR 58.34(b) or 24 CFR 58.35(d)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

5.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Do the ERRs reviewed contain Findings of No Significant Impact (FONSI)?  [24 CFR 58.38] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

6.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Do the ERRs reviewed contain copies of the published “Notice of Intent to Request Release ofFunds” (NOI/RROF) or combined Notices of FONSI and NOI/RROFs?  [24 CFR 58.38] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

7.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Do the ERRs reviewed contain copies of Form HUD-7015.15, “Request for Release of Funds and Certification?”  [24 CFR 58.38] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Do the ERRs reviewed contain the Form HUD-7015.16, “Authority to Use Grant Funds,” signed and dated by HUD, or an equivalent letter issued by HUD, indicating that 15 days were allowed for objections? [24 CFR 58.38] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

8.

9.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| For the records reviewed, do the Monitored Entity 's records show that no grant funds were obligated or spent [other than for activities under 24 CFR 58.22(f), 24 CFR 58.34, or 24 CFR 58.35(b)] prior to receipt of the Form HUD-7015.16, “Authority to Use Grant Funds” or equivalent?  [24 CFR 58.22] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

10.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| For the records reviewed, do the Monitored Entity’s records show that no physical development activities began prior to receipt of the Form HUD-7015.16, “Authority to Use Grant Funds” or equivalent?  [24 CFR 58.22] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

11.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| For the activity/project records reviewed, were the NOI/RROFs disseminated and/or published before the certification was signed by the Monitored Entity?  [24 CFR 58.43, 24 CFR 58.45, and 24 CFR 58.70] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

12.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a. For the time period reviewed, had the Grantee received any objections raising non-compliance issues about the Monitored Entity? | | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | | |
|  | | |
| b. If the answer to “a” above is “yes,” did the Monitored Entityaddress any stated objections?  [24 CFR 58.75] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | | |
| **Describe Basis for Conclusion:** | | |
|  | | |

13.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Do the ERRs reviewed contain documentation to support that applicable Federal laws and authorities listed at 24 CFR 58.5 and 24 CFR 58.6 have been specifically addressed and recognized authoritative sources used to support conclusions?  [24 CFR 58.38] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

14.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If mitigating measures were required for projects/activities during the time period reviewed, were the measures included in the ERRs as part of the actions pertaining to the environmental review?  [24 CFR 58.38] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

15.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Where projects were located in floodplains or, if new construction, in wetlands, do the ERRs contain evidence of compliance with:   * Section 2(a) of Executive Order 11988 on floodplain management; and * Sections 2 and 5 of Executive Order 11990 on the protection of wetlands (if new construction)? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

16.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a. Where projects were located in floodplains or, if new construction, in wetlands, do the ERRs contain evidence that the Monitored Entity complied with HUD regulations in 24 CFR Part 55 or equivalent public notice and decision-making procedures under Executive Order 11990? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | | |
| **Describe Basis for Conclusion:** | | |
|  | | |
| b. Where projects were located in floodplains or, if new construction, in wetlands, is there evidence that the Monitored Entity considered all practicable alternatives to locating projects in floodplains or wetlands? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | | |
| **Describe Basis for Conclusion:** | | |
|  | | |
| c. Where projects were located in floodplains or wetlands, does the Monitored Entity have copies of any published “Notice Providing Opportunity for Early Public Review” in accordance with 24 CFR 55.20(a) or Executive Order 11990? | | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | | |
| **Describe Basis for Conclusion:** | | | |
|  | | | |

17.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Does this review indicate any need for follow-up monitoring or technical assistance? If yes, briefly describe the need(s) below. | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

## Checklist D3: Guide for Review of Historic Preservation and Archeology

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist is designed for the Reviewer to conduct in-depth monitoring of the Monitored Entity’s compliance with the requirements governing historic preservation and archeology [24 CFR 58.5(a)]. A selected sample of project files comprising the Environmental Review Record (ERR) provides the basis for assessing and documenting compliance.

**Questions**:

1.

|  |  |
| --- | --- |
| Of the Environmental Review Records (ERRs) reviewed, did they document that: | |
| a. historic properties were considered in the Environmental Review? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| b. information checks were made with the National Register and the State Historic Preservation Officer/Tribal Historic Preservation Officer (SHPO/THPO) and/or other appropriate sources?  [36 CFR 800.4] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Have all projects or activities categorically excluded from NEPA reviews been the subject of a historic property evaluation and information check, when required?  [36 CFR 800.3 and 36 CFR 800.4] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |
| --- | --- |
| For projects where historic properties were found to be present, do the ERRs include: | |
| a. documentation of consultation with the SHPO/THPO/any Indian tribe organization that attaches religious or cultural significance to the identified properties concerning the application of Criteria for Eligibility for the National Register of Historic Places?  [36 CFR 60.4, 36 CFR 800.4(c) and 36 CFR 800.11] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| 1. if the Monitored Entity and SHPO/THPO/any Indian tribe organization that attaches religious or cultural significance to the identified properties agreed on findings of eligibility, documentation of the findings?   [36 CFR 800.4(c)(2) and 36 CFR 800.11] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| c. if the Monitored Entity and the SHPO/THPO/any Indian tribe organization that attaches religious or cultural significance to the identified properties disagreed on eligibility, copies of requests made to the Keeper of the National Register (DOI) for Determinations of Eligibility?  [36 CFR Part 63 and 36 CFR 800.4(c)(2)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| 1. if the Monitored Entity and SHPO/THPO/ACHP agreed on both findings of eligibility and that the undertakings will have no effect on historic properties, documentation of the Determinations of No Historic Properties Affected?   [36 CFR 800.4(d)(1) and 36 CFR 800.11] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| 1. if the Monitored Entity and the SHPO/THPO/other consulting parties agreed on findings of eligibility and agreed on findings of no adverse effect on historic properties, documentation of the Determinations of No Adverse Effect?   [36 CFR 800.5(d)(1) and 36 CFR 800.11] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| 1. if the Monitored Entity and the SHPO/THPO/other consulting parties agreed on findings of effect and determined the effects to be adverse, documentation of notification to the Advisory Council and determinations of Advisory Council participation?   [36 CFR 800.6(a)(1)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If there are findings of adverse effect on historic properties on, or eligible for, the National Register, do the ERRs contain executed Memoranda of Agreement or Programmatic Agreements (MOA/PA)?  [36 CFR 800.6(b) and 36 CFR 800.14(b)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

5.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Where the Monitored Entity and the SHPO/THPO/Tribes/other consulting parties could not agree on MOA/PA, was the ACHP notified so that it could consider the matters?  [36 CFR 800.6(b)(1)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

6.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If the MOA/PA provided for measures to avoid, mitigate, or minimize adverse effects on historic properties, did the Monitored Entity proceed in accordance with the MOA/PA?  [36 CFR 800.6(c) and 36 CFR 800.14(b)(2)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

7.

|  |  |
| --- | --- |
| In an effort to determine whether the Monitored Entity needs assistance or guidance on historic preservation (HP) issues, does the Monitored Entity have outstanding requests from: | |
| a. SHPO/THPO/Tribes/other consulting parties to undertake surveys? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| b. SHPO/THPO/Tribes/other consulting parties or ACHP to request final determinations of eligibility from the Keeper of the National Register (DOI)? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| 1. ACHP or other consulting parties for additional information in order to comment? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |

8.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Does the Monitored Entity have outstanding objections, complaints, or litigation on HP grounds? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

9.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is a member of the Monitored Entity’s staff designated to handle all HP matters, including communication with local, State, and Federal HP authorities? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

## Checklist D4: Guide for Review of Floodplains and Wetlands

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist is designed to evaluate the Monitored Entity’s compliance with requirements governing floodplains and wetlands. One Checklist is to be completed for each project or activity selected to be monitored where floodplains or wetlands were a review concern. Note that wetlands requirements in this Checklist apply only to new construction.

**Questions:**

1.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Did the Monitored Entity determine whether the proposed action selected for monitoring was located in a wetland and/or the 100-year floodplain (500-year floodplain for “critical actions”) or whether the action had the potential to measurably affect, or be measurably affected by, a floodplain or wetland?  [24 CFR 58.5(b)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Does the Environmental Review Record (ERR) indicate whether required alternatives were evaluated, including:   * alternative sites outside the floodplain or wetlands? * alternative actions which serve the same purpose, but which have less adverse impact? * alternative of no action?   [24 CFR 55.27] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Did the analysis of each alternative consider the necessary factors, where relevant, including:   * natural environment (topography, habitat, hazards, etc.); * social concerns (aesthetics, historic and cultural values, land use patterns, etc.); * economic aspects (costs or space, construction, services, and relocation); and * legal constraints (deeds, leases, etc.)? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| For wetlands projects, did the analysis consider the necessary factors relevant to the project's effect on:   * the survival and quality of the wetlands; * public health, safety, and welfare; * maintenance of natural systems; and * other uses of wetlands? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

5.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Did the analysis demonstrate that the location of the project on the floodplain (or, in the case of new construction, wetland) site was the only practical alternative?  [Executive Order 11988, Sec.2(a)(2) and Executive Order 11990, Sec.2(a)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

6.

|  |  |
| --- | --- |
| Did the Monitored Entity design or modify the selected project so as to: | |
| a. minimize harm to, or within, the floodplain;  [24 CFR 55.20(e)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| b. minimize the destruction, loss or degradation of wetlands;  [Executive Order 11990, Secs.1(a) and 2(a)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| c. restore and preserve natural and beneficial floodplain values;  [24 CFR 55.20(e)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| d. preserve and enhance natural and beneficial wetland values;  [Executive Order 11990, Sec.1(a)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| e. comply with the standards of the National Flood Insurance Program? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

7.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If applicable to the project, has the Monitored Entity complied with the Coastal Barrier Resources Act?  [24 CFR 58.6] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

## Checklist D5: Guide for Review of Coastal Zone Management

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist is designed to evaluate the Monitored Entity’s compliance with coastal zone management requirements for projects selected for monitoring. One Checklist is to be completed for each project or activity monitored.

**Questions:**

1.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is the project site located within the coastal zone, as defined in an approved State Coastal Zone Management (CZM) Plan? (If the answer is “No,” stop here.) | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Has the Monitored Entity secured a written statement from the State CZM agency indicating that the proposed activity is consistent with the approved State CZM Plan? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| a. If the State CZM agency indicated that the proposed activity was inconsistent with its Plan, did the Monitored Entity negotiate with the State CZM agency? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |
| b. If the answer to “a” above is “Yes,” is there documentation showing that the Monitored Entity included a statement of resolution and/or approval of the formerly inconsistent activity in its file? (If yes, stop here.) | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If there is an unresolved inconsistency, was the selected project dropped, and/or acceptable project substituted? (If “Yes,” stop here.) | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

5.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If the activity was found to be inconsistent and the Monitored Entity was not able to resolve the inconsistency with the State CZM agency, is there documentation that the Monitored Entity has determined not to fund or approve the proposed project?  [15 CFR 930.97] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

## Checklist D6: Guide for Review of Endangered Species

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist is designed to evaluate the Monitored Entity’s compliance with requirements governing endangered and threatened wildlife and plants. The Federal list of endangered and threatened wildlife and plants is published jointly by the Department of Interior (Fish and Wildlife Service) and the Department of Commerce (National Marine Fisheries Service) and is available online at: **http://endangered.fws.gov/wildlife.html**. The Reviewer is responsible for examining the list to determine whether the HUD-assisted project selected for monitoring was likely to affect any listed or proposed endangered or threatened species or critical habitat. If so, then the Monitored Entity must comply with Section 7 of the Endangered Species Act, which mandates consultation [See the Endangered Species Act of 1973 [16 U.S.C. 1531 et seq., as amended, particularly Section 7 (16 U.S.C. 1536]**.** Also see 24 CFR 58.5(e)].

**Questions**

1.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is there documentation (or reference notes citing information sources) that the  project site or proposed project action is likely to affect any listed (endangered  or threatened) species or habitat? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is there documentation (e.g., reference notes citing information sources) that the project site or proposed project actions are not likely to affect any listed (endangered or threatened) species or habitat? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Did the Monitored Entity determine that a Biological Assessment might be  Merited?  **NOTE:** Any project qualifying as a major construction activity, i.e., a construction project or other undertaking with similar physical impacts, that is a major Federally assisted action significantly affecting the quality of the human environment under NEPA requires a biological assessment. | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If the answer to “3” above is “yes,” is there evidence (e.g., conversation notations or letter) that the Monitored Entity contacted the National Marine Fisheries Service (NMFS) and/or Fish and Wildlife Service (FWS) for a “second opinion” and requested species lists and other information helpful to conducting a Biological Assessment as appropriate? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

5.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is there correspondence from FWS or NMFS that a “Formal Consultation” is required?  **NOTE:** A “Formal Consultation” is initiated following the receipt of necessary information regarding the action, listed species and/or critical habitat. FWS or NMFS sends a letter acknowledging receipt of information. This initiates the consultation process. | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

6.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If the Monitored Entity determined that the action may affect listed species or critical habitat, has the Monitored Entity initiated and concluded the formal consultation process with FWS or NWS?  [50 CFR 402.14] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

7.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If either the FWS or NMFS has issued a “jeopardy” Biological Opinion, has the Monitored Entity determined whether or not to follow the conditions or alternatives set out in the opinion and notified FWS or NMFS of its final decision on the action?  [50 CFR 402.15] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

## Checklist D7: Guide for Review of Noise

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist is designed to evaluate the Monitored Entity’s compliance with requirements governing noise. One Checklist is to be completed for each activity reviewed.

**Questions:**

1.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is the site selected for monitoring located in the vicinity of major traffic arteries, rail lines, airports, or other noise generators? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Did the proposed activity(ies) lead to the establishment of noise-sensitive uses on the site? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Does the Environmental Review Record (ERR) indicate that the Monitored Entity considered noise impact?  [24 CFR 51.101(a)(2)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Does the review cover noise sources as specified in 24 CFR 51.103?  [24 CFR 51.103] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

5.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Did the Monitored Entity apply the HUD noise standards at 24 CFR Part 51, Subpart B, in the review process? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

6.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Did the Monitored Entity use a methodology compatible with HUD policyfor assessing noise levels? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

7.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If the site is in violation of the HUD noise standards, did the Monitored Entity addressdeviations from the standards?  [24 CFR 51.101(a)(2)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

8.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If noise levels at the selected site exceed HUD standards, have appropriate mitigating measures been proposed, and EISs prepared where required, or waivers requested, and are these documented in the ERR?  [24 CFR 51.104] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

9.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If the answer to question “8” is “yes,” is there a process to ensure that the measures are implemented? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

## Checklist D8: Guide for Review of Air Quality

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist is designed to evaluate the Monitored Entity’s compliance with requirements governing air quality for selected sites [see 24 CFR 58.5(g)]. One Checklist is to be completed for each activity or project reviewed.

**Questions:**

1.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Has the State designated the area as a "non-attainment" area? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Has a conformity determination been made as required by the statute (except where the SIP or EPA regulations provide an exception from this requirement)? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Are the air pollution data, either supported by existing information in the Monitored Entity’s jurisdiction or recorded by area monitoring stations, included in the project’s Environmental Review Record (ERR) and compared with the National and State Ambient Air Quality Standards? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Does the ERR contain information on the project’s impact on air quality, including deteriorating effects such as added traffic, added incineration etc.? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

5.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Does the ERR document that the quality of air at the project site has been given appropriate consideration? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

6.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If air quality has been identified as a problem, have mitigating measures been applied? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

## Checklist D9: Guide for Review of Aquifers

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist is designed to evaluate the Monitored Entity’s compliance with requirements governing aquifers [see 24 CFR 58.5(d)].

**Questions:**

1.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Within this Monitored Entity’s jurisdiction, has the Environmental Protection Agency (EPA) designated an aquifer as a sole or principal source of drinking water for the area under Section 1424(e) of the Safe Drinking Water Act? (If the answer is “no,” stop here.) | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If the answer to question “1” above is “yes,” has a HUD-EPA Memorandum of Understanding pursuant to Section 1424(e) been executed? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| a. Have any special review requirements been placed on the project(s) selected for monitoring pursuant to HUD-EPA agreement? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |
| b. If the answer to “a” above is “yes,” briefly list or describe the requirements below. | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |
| c. If the answer to “a” above is “yes,” have these requirements been complied with? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Does the Monitored Entity have requirements to accomplish recharge by:   * retention ponds; * the protection of open space; * prohibition of discharge; * adoption of a 208 Wastewater Management Plan; or * other methods to protect the aquifer? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

## Checklist D10: Guide for Review of Water Quality

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist is designed to evaluate the Monitored Entity’s consideration of water quality issues. One Checklist is to be completed for each project or activity selected to be reviewed.

**Questions:**

1.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is the project assured of a supply of potable water that meets state standards? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Will the project itself cause, or substantially contribute to, off-site water pollution by storm water run-off, leaching of chemicals or other pollutants? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is there evidence that the Monitored Entity does not adequately identify and analyze water quality concerns? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If mitigating measures are required as part of the project, has the Monitored Entity followed through to implement these measures? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

## Checklist D11: Guide for Review of Site Hazards

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist is designed to evaluate the Monitored Entity’s analysis of site hazards and compliance with site hazard requirements. One Checklist is to be completed for each project or activity selected to be monitored.

**Questions:**

1.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Has the Monitored Entity undertaken a sufficient analysis for the selected project or activity where the following natural hazards might apply:   * geologic faults, * landslides, * avalanches, * volcanic disturbances, * subsidence, * beach erosion, * very high tides, and/or * shifting river channels? | |  | | --- | |  |  |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If any of the natural hazards listed in question “1” above are present, have the identified conditions been analyzed and documented in the Environmental Review Record (ERR)? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| If hazardous conditions have been identified by the Monitored Entity, have mitigating measures been taken for the identified hazard(s)? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |
| --- | --- |
| For appropriate projects, has the Monitored Entity used an ASTM Phase I study to determine the following: | |
| * separation from hazardous operations that handle conventional fuels or chemicals of an explosive or flammable nature?   [24 CFR Part 51, Subpart C] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| * location in airport runway clear zones and clear zones or accidental potential zones at military airfields?   [24 CFR Part 51, Subpart D] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| * compliance with HUD policy that a property be free from hazardous materials, contamination, toxic chemicals and gases, and radioactive substances where a hazard could affect the health and safety of occupants or conflict with intended utilization of the property?   [24 CFR 58.5(i)(2)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

5.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| In the case of sites for multifamily housing or non-residential property, has the Monitored Entity evaluated prior uses of the property and other evidence of contamination on or near the site using current techniques by qualified professionals?  [24 CFR 58.5(i)(2)] | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

6.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is the location of the site subject to hazards from power generator and distribution facilities, particularly extra-high voltage transmission lines? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

7.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Does the project itself by design remove a hazard or substantially reduce the possibility of an occurrence of a hazard? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

## Checklist D12: Guide for Review of Environmental Justice

|  |  |
| --- | --- |
| Name of Monitored Entity: |  |
| Project ID: |  |
| Name of Project: |  |
| Name of Reviewer: |  |
| Date Completed: |  |

**NOTE:** All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, the Reviewer must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements but are included to assist the reviewer in understanding the Monitored Entity's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

**Instructions:** This Checklist is designed to evaluate the Monitored Entity’s compliance with environmental justice policies. Environmental justice, embodied in Executive Order 12898, is a guiding principle in decision-making that the grantee/HUD uses to address disproportionately high and adverse human health or environmental effects on minority communities and low-income populations [see 24 CFR 58.5(j)].

**Questions:**

1.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Are project sites subject to any of the following man-made hazards: explosions, conflagration, air pollution of toxic intensity from chemical processing storage or transmissions of chemicals, hazardous industrial operations, slag piles, landfills, dumps, major highways, train tracks, traffic overload, or any other industrial-commercial operations which produce high levels of pollution? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

2.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Are any assisted sites in the immediate proximity of power-generating stations, waste transfer stations, distribution facilities, or operations that produce foul odors? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

3.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Are any of the assisted sites adjacent to, or in the proximity of, potentially hazardous or contaminated sites? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

4.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is there evidence that minority and low-income populations, including populations that principally rely on consumption of fish and wildlife for subsistence (as identified in the Executive Order 12898), have been identified near HUD-assisted projects? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

5.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Has the Monitored Entity attempted to identify all facilities in the vicinity of the affected population that might have negative and disproportionate environmental impact? | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |

6.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Is there information or evidence that indicates a disparate impact analysis has been completed? (For example, an analysis was completed that determined the health or environment of an affected population had been disproportionately and adversely affected as a result of harmful land uses.) | |  |  |  | | --- | --- | --- | |  |  |  | | **Yes** | **No** | **N/A** | |
| **Describe Basis for Conclusion:** | |
|  | |