**Environmental Assessment**

**Determinations and Compliance Findings**

**for HUD-assisted Projects**

**24 CFR Part 58**

# Project Information

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| **Project Name:** | East-River-Walk |

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| **HEROS Number:** | 900000010377121 |

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| **Responsible Entity (RE):** | KANKAKEE, 165 N Schuyler Ave Kankakee IL, 60901 |

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| **RE Preparer:** | Barbara Brewer-Watson |

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| **State / Local Identifier:** |  |

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| **Certifying Officer:** | Barbara Brewer-Watson |

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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:** | 228 E River St, Kankakee, IL 60901 |

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| **Additional Location Information:** |
| 228 E. River St. - PIN 16-17-05-126-002 240 E. River St. - PIN 16-17-05-126-006 242 E. River St. - PIN 16-17-05-126-004 |

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| **Direct Comments to:** |  |

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| **Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:** |
| The city of Kankakee is building a riverfront park with ADA amenities on approximately 1 acres of publicly owned land adjacent to the river. The park, East River Walk, is phase 1 of a 7 phase riverfront master development plan adopted by the City of Kankakee in 2018. This area is the logical extension of the Downtown area of the City to the River. This project will also connect bike paths and walking paths from the downtown area to the riverfront trailways system. A boat ramp will facilitate portaging around the river. A sidewalk from the ramp just east of Schuyler Avenue will lead to a small performance area and ascend to a food truck court. The East Riverwalk is the first phase into breaking ground on the Kankakee Riverfront Master plan. It will promote physical activity, improve the natural environment, and encourage economic development in a ''Disadvantaged'' community. Based on the 2020 Census the City of Kankakee consists of a largely minority population with 41.39% of the population being Black or African American and 10.63?% being non-white or of another race. It will be connected to the city's public transportation via a bus stop and there will be on-site parking available. A boardwalk ramp will provide universal access between street and river levels. The East Riverwalk will be a good neighbor to the existing multi-family residential property and small businesses across River Street. It will connect the River to the Downtown and encourage economic development in ways that are respectful of the natural environment. It will be a strategic and critical first installment of the Kankakee Riverwalk that will contribute to the momentum established through design and community feedback process. Facility hours of operation will be from dawn-to-dusk throughout the year, dawn-to-10PM in the summer, dock removed in winter (ice). |

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

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| Other key trends indicate that despite the region's natural beauty, Kankakee has struggled historically with its image and economic vitality. Dominated by manufacturing and healthcare jobs, coupled with low per capita income, high unemployment, and slow job growth, Kankakee's ability to grow and thrive has been challenging. A recent upswing in regional employment and the pressure to attract and retain skilled workers has created an overwhelming emphasis on developing a riverfront that improves the quality of life for its residents. Currently there are minimal points of access to Kankakee River for public use. The proposed improvements will provide much needed ADA compliant access down to the Kankakee River’s edge, enhanced recreation access as well as provide emergency access in and out of the river. This project will become an attractive amenity and will be used as a strategy to attract more housing development and business development in Kankakee. |

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

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| Currently this land is vacant and is a challenging piece of land to develop on due to poor soil quality and busy streets. Residents don't have access to the river and this area is challenging to access safe walkable features that give access to services and businesses in downtown Kankakee, which is only four blocks away. Without development this parcel will continue to deteriorate and be a hazard to local residents. |

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

[ERW Parcels.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012010615)

**Determination:**

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| ✓ | Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment |
|  | Finding of Significant Impact |

**Approval Documents:**

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| **7015.15 certified by Certifying Officer on:** |  |

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| **7015.16 certified by Authorizing Officer on:** |  |

**Funding Information**

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| **Grant / Project Identification Number** | **HUD Program** | **Program Name** | **Funding Amount** |
| B-23-CP-IL-0517 | Community Planning and Development (CPD) | Community Project Funding (CPF) Grants | $475,000.00 |

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| **Estimated Total HUD Funded, Assisted or Insured Amount:** | $475,000.00 |

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| **Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** | $3,200,000.00 |

**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 | Are formal compliance steps or mitigation required? | Compliance determination  (See Appendix A for source determinations) |
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6** | | |
| **Airport Hazards** Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D | 🞎 Yes 🗹 No | The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. |
| **Coastal Barrier Resources Act**  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | 🞎 Yes 🗹 No | 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. |
| **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 | 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. The City of Kankakee does have flood insurance and as owner of this property will be covered. The construction for this project includes work in the flood plain and building a foundation wall for the riverfront boardwalk. However, no housing or private structures are within the flood plain portion of this project. The flood plain is marked on the project plans provided as a supporting document to this assessment. |
| **STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5** | | |
| **Air Quality** Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 | 🞎 Yes 🗹 No | The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. |
| **Coastal Zone Management Act** Coastal Zone Management Act, sections 307(c) & (d) | 🞎 Yes 🗹 No | This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. |
| **Contamination and Toxic Substances** 24 CFR 50.3(i) & 58.5(i)(2)] | 🞎 Yes 🗹 No | Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. |
| **Endangered Species Act** Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | 🞎 Yes 🗹 No | This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. |
| **Explosive and Flammable Hazards** Above-Ground Tanks)[24 CFR Part 51 Subpart C | 🞎 Yes 🗹 No | There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. |
| **Farmlands Protection** Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 | 🞎 Yes 🗹 No | This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. |
| **Floodplain Management** Executive Order 11988, particularly section 2(a); 24 CFR Part 55 | 🞎 Yes 🗹 No | The following exception applies, so the project is in compliance with Executive Order 11988: 55.12(c)(3), The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetlands property, but only if:(i) The property is cleared of all existing structures and related improvements;(ii) The property is dedicated for permanent use for flood control, wetlands protection, park land, or open space; and (iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetlands from future development. |
| **Historic Preservation** National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800 | 🞎 Yes 🗹 No | Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. |
| **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 | Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation. |
| **Sole Source Aquifers** Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149 | 🞎 Yes 🗹 No | The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. |
| **Wetlands Protection** Executive Order 11990, particularly sections 2 and 5 | 🞎 Yes 🗹 No | The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. |
| **Wild and Scenic Rivers Act** Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c) | 🞎 Yes 🗹 No | This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. |
| **HUD HOUSING ENVIRONMENTAL STANDARDS** | | |
| **ENVIRONMENTAL JUSTICE** | | |
| **Environmental Justice** Executive Order 12898 | 🞎 Yes 🗹 No | No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. |

**Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]**

**Impact Codes**: An impact code from the following list has been used 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.

| **Environmental Assessment Factor** | **Impact Code** | **Impact Evaluation** | **Mitigation** |
| --- | --- | --- | --- |
| **LAND DEVELOPMENT** | | | |
| Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design | 1 | The subject parcel will be located on three lots approximately 1 acre and is located in a residential neighborhood which allows for park development. The parcel is currently vacant. The proposed development will be proximate to retail stores, restaurants, a regional bike lane, and multiple bus routes with daytime and evening service. In its Comprehensive Plan and Riverfront Master Plan, the City of Kankakee notes the need for open space park within the neighborhoods around the River to improve residents quality of life and attract future residents and visitors to the area. The City is motivated to enhance the downtown arts and entertainment district nearby by adding walking trails and bike lanes to improve walkability and safe access to the river. The development team has proposed a project that is consistent with the City of Kankakee's plans. The project encourages an attractive community amenity that maintains the City's character and creates a new environment that people can use to play, socialize, and participate in sports and leisure near their home, thus building a brighter future for Kankakee. To view the Master Plan please use this link. https://citykankakee-il.gov/perch/resources/20180730-master-plan-report-final.pdf |  |
| Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff | 1 | The proposed project site is located near the southeast corner of East River Street and South Schuyler Avenue in Kankakee, Illinois. The project site is bounded to the north by East River Street, to the east by an apartment development, to the south by the Kankakee River, and to the west by South Schuyler Avenue. The existing site grades generally range from about EL. 600 feet to EL. 612 feet above mean sea level (MSL). The soil is made up of Clayey Sand, sand with gravel, crushed limestone, silty clay, deleterious fill with pieces of cement and brick, and weathered limestone. The surface slopes downward to allow for storm water to move away from the street and neighborhood buildings. | The subject parcel will contribute to the existing stormwater runoff. Designs will need to accommodate the slope of the parcel to account for stormwater and impervious surfaces will need to be considered to assist in natural drainage. Kankakee is also located in an area that does experience bouts of cold and warm weather. The park design will account for these conditions in the design of its foundation to allow for freeze/thaw associated with the changes in soil and pavement, and river temperature. These considerations will factor in current temperature ranges and ranges adjusted for the localized warming Kankakee will likely experience in the next 30-50 years due to climate change. May require some mitigation as indicated in the references for design modifications to accommodate the slope of the parcel to account for stormwater, observations of water issues at nearby properties, and building designs to account for cold/warm weather. Pervious pavers, bioswales, and other green infrastructure will be used where possible to mitigate pluvial flooding and flood plain management. The deleterious soil will be removed during the project and more green infrastructure materials will be utilized to improve the natural environment. |
| Hazards and Nuisances including Site Safety and Site-Generated Noise | 3 | The City of Kankakee has established a local noise ordinance that limits construction hours to between 7:00 AM - 9:00 PM on weekdays and Saturdays and for Sundays written permission is needed. Construction outside of these hours is not permitted. Construction activities have the potential to expose sensitive receptors to noise emissions that are normally unacceptable. Kankakee maintains ordinances to assist with the visual appearance of the town's residential and commercial streets. For more info on City Code please use this link. https://citykankakee-il.gov/perch/resources/ch24-20230907.pdf | The project construction will limit activities to the hours noted within the City's code. The neighboring residents will be provided with advance notice of the construction. Construction vehicles will not block access to the street or access to any of the nearby housing facilities or businesses. They will be parked either in designated spaces made available within the parcel or in public lots located off-site. Garbage and construction debris will be collected regularly and removed appropriately per City code. |
| **SOCIOECONOMIC** | | | |
| Employment and Income Patterns | 1 | The median household income in Kankakee is approximately $42,180, and the per capita income is approximately $22,151. Among those eligible for work, 56.5 percent of the population is in the labor force. The poverty rate for the town is approximately 29 percent. (U.S. 2020 Census) This project will aid in the health and safety of residents. This project will also be economically beneficial to the local business community by attracting more customers and increasing the community's walkability factor. This project will create temporary construction jobs and some maintenance jobs once its is completed. Once complete this development will be actively used to attract more individuals to work and live in Kankakee, thus increasing the local labor force and housing units. | This project will allow access to jobs, transportation, retail, and community services. |
| Demographic Character Changes / Displacement | 2 | As the overall project will have a limited construction timeframe and anticipates the use of local labor, the project would not likely impact the local physical, social, and psychological dimensions of the community. The project would not displace any population as the subject parcel is currently vacant and the project is not anticipated to cause gentrification or significantly alter property values or rents. The project may assist the community by eliminating a vacant lot and providing for an opportunity for socialization and activity to improve health and wellness through the trails and riverfront access this park will bring. |  |
| Environmental Justice EA Factor | 3 | The project is sited near a main, high-traffic road for the City of Kankakee. As a result, project residents may be disproportionately exposed to harmful air pollutants. The Environmental Justice Indexes for Diesel Particulate Matter and Traffic Proximity from U.S. Environmental Protection Agency (EPA's) Environmental Justice Screening and Mapping Tool (EJSCREEN) show exposure at the 80th percentile for the project site. Exposure is not significant enough to require alternative site selection. On-site mitigation can reduce any environmental injustices. (Please see the EJ map included with the supporting documents of this assessment.) The City of Kankakee, the project contractors will work with the Illinois Department of Transportation to ensure public transit will remain accessible during this project and minimal traffic interruptions are experienced. | Engage with community organizations and groups to inquire on potentially overlooked environmental justice concerns. It is important to communicate with parties representing the full diversity of community members. City officials will work with the residents and property managers at the high rise adjacent to this project to ensure they are not experiencing any air pollutants or additional nuisances during construction. |
| **COMMUNITY FACILITIES AND SERVICES** | | | |
| Educational and Cultural Facilities (Access and Capacity) | 2 | This project will not contribute to student population or adversely impact the local school system. This project may be beneficial to the school district and to school aged children for recreational and socialization purposes. |  |
| Commercial Facilities (Access and Proximity) | 1 | The project will be located in an area noted by the City of Kankakee for its potential for both commercial and residential development. Many commercial properties are present within walking distance of the subject parcel, including a grocery store and many retail establishments operate in the arts and entertainment district. Banks and local governmental agencies are located near the center of town, approximately 5-7 blocks from the subject parcel. Local commercial facilities are expected to benefit from an increase of shoppers and greater pedestrian access as the riverfront will attract more visitors to the area. See the EJ map included in the supporting documentation with this submission. |  |
| Health Care / Social Services (Access and Capacity) | 2 | There are a number of health care facilities near the project site and some are affiliated with the region's two hospitals; Ascension St. Mary's and Riverside Healthcare. This project will not impact people's access to these services or any transportation disruptions to access health care facilities. See the EJ map included in the supporting documentation with this submission. |  |
| Solid Waste Disposal and Recycling (Feasibility and Capacity) | 2 | Construction activities will generate solid waste that will need to be managed appropriately to avoid creating a negative impact. During construction, waste and recyclable materials will be hauled off-site as part of the construction contract. Approved facilities will be utilized for this disposal/recycling. |  |
| Waste Water and Sanitary Sewers (Feasibility and Capacity) | 2 | The project will connect to the existing Town of Green wastewater and sewer infrastructure. The project will be completed in compliance with the building code. Connections will utilize new equipment and improvements will be made if within the subject parcel. The project will not overrun existing capacity. |  |
| Water Supply (Feasibility and Capacity) | 2 | The project will connect to existing water supply infrastructure in accordance with state and local building codes. To ensure that the proper standards are met, the project will coordinate with Aqua Illinois. The project does not need additional water supplies or on-site wells. |  |
| Public Safety - Police, Fire and Emergency Medical | 2 | Police, Fire, and Emergency Medical Operations will have no expected impact with the improvements being made at this site. |  |
| Parks, Open Space and Recreation (Access and Capacity) | 1 | This projects focus is on creating a park and open space and increasing recreational opportunities to residents and visitors. Proposed improvements include a picnic shelter, game table, scenic overlook, ADA kayak/canoe launch, and accessible docks/fishing pier. The project will allow boaters to portage around the damn and it will provide universal access to a designated National Water Trail. It will promote physical activity, improve the natural environment, and encourage economic development in a ''Disadvantaged'' community. The Kankakee Park District is a separate governmental body that manages the park in Kankakee. The City owns one park at this time and titled Martin Luther King Park. The City will be managing this park as it is part of a greater riverfront redevelopment project over several years. The City of Kankakee and the Kankakee Park District have created a not for profit entity titled the Currents of Kankakee to eventually become the managing entity of the entire riverfront recreational area as it is developed. Please see the Riverfront Master Plan with this link. https://citykankakee-il.gov/perch/resources/20180730-master-plan-report-final.pdf Please see the Kankakee Park District Map included in supporting documents with this submission. |  |
| Transportation and Accessibility (Access and Capacity) | 2 | Transportation impact will be minimal during construction. The City will coordinate with the local public transportation company and the Illinois Department of Transportation for any potential issue should it arise during construction. |  |
| **NATURAL FEATURES** | | | |
| Unique Natural Features /Water Resources | 3 | In 2016, the National Park Service announced the addition of the Kankakee River to the National Water Trails System. The National Water Trails System is a distinctive national network of exemplary water trails that are cooperatively supported and sustained. The Kankakee River is one of only 21 designated National Water Trail Systems in the United States. The Grand Waterway from Momence to the confluence of the Illinois River is a boater's and paddler's playground through urban and suburban areas, with a long run through Kankakee State Park before meeting the Illinois River near Channahon. Currently, through trips are not advised between Aroma Park just south of the confluence of the Iroquois and Kankakee Rivers and Bird Park in Kankakee due to the hydroelectric dam just west of Schuyler Avenue and the CN Railroad Bridge in downtown Kankakee. Portage around the dam is difficult and requires a mile walk from the boat ramp upstream of the dam to the next launch spot. | This project will not change the natural features of the river. See the wetland study included in the supporting documentation of this submission. |
| Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.) | 3 | Through a wildlife study it was determined that there is a potential of endangered species to exist within this project site. These endangered species are not on the federal list, but are on the State of Illinois list. Tree's and other plant life will be cleared for the construction of this project, but no other vegetation in the surrounding area will be disrupted. Please see the Wildlife study included in the supporting documentation of this submission. | The City is committed to relocating all species if discovered during the project. The City has retained an ecologist to help with any relocation strategies should they be needed during the construction of this project. This project includes a landscape plan that will add tree's and native plants back to the area and will enhance the natural features. |
| Other Factors 1 | 2 | There are no other factors to consider for this project. |  |
| Other Factors 2 | 2 | There are no other factors to consider for this project. |  |
| **CLIMATE AND ENERGY** | | | |
| Climate Change | 3 | By following the direction from the Analysis Techniques section for the Climate Change factor in HUD's eGuide, the City of Kankakee finds climate change will increase the project's future flooding risk due to increased regularity and severity of extreme weather. The project is designed to withstand future flooding events. | With the knowledge of climate impacts from the Impact Evaluation, mitigative actions, such as bioswales, and other green infrastructure, will reduce the likelihood and severity of future flooding events. Developers plan to utilize low-carbon building materials throughout project development. |
| Energy Efficiency | 1 | The parcel is located proximate to transportation, retail, and community services. Existing utility connections are present. It is located in an area noted by the City of Kankakee as one primed for commercial and transit-oriented development. | This parcel will be developed from a vacant lot to a beautiful park that is contributing to the local flora and create access to the Kankakee River. Minimal parking is included in this project as it's focus is on walkability. All lighting will be LED. |

**Supporting documentation**

[Soil ECS - Kankakee East Riverwalk Development.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012127647)

[Kankakee Park District Map.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012127448)

[East River Walk Design and Engineering Plans.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012127447)

[Kankakee Riverwalk Archaeological Survey.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012127375)

[KankakeeRiverwalkWetlandReport.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012127155)

[KankakeeFishMusselSurveyReport.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012127151)

[Environmental Justice Map.jpg](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012126864)

**Additional Studies Performed:**

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| Archaeological Study Fish and Wildlife Study Soil Wetland Study Included in the supporting documents with this submission. |

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| **Field Inspection [Optional]:** Date and completed by: |  |
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**List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:**

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| Tim King, Hitchcock Design Group Neil Piggush, Piggush Engineering, Inc. James Novack, Huff and Huff, a subsidiary of GZA GeoEnvironmental, Inc. Jason Gibbs and Mark Carlson, ECS Midwest, LLC |

**List of Permits Obtained:**

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**Public Outreach [24 CFR 58.43]:**

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| A combined public notice for the proposed project (Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds) will be published in the Daily Journal. Any substantive comments received will be addressed and incorporated into the final environmental assessment document. |

**Cumulative Impact Analysis [24 CFR 58.32]:**

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| The impacts on the environment from this project are minor and will improve the soil quality, enhance the natural landscape, and combat climate change with its materials along the riverfront. |

**Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]**

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**No Action Alternative [24 CFR 58.40(e)]**

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| If no action then this site will remain vacant and eventually the effects of climate change and erosion will negatively impact it. No action will also maintain the slow development opportunities within this disadvantaged community and access to the downtown from this site could remain challenging. |

**Summary of Findings and Conclusions:**

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| After a review of the environmental assessment, it has been determined that the best action is to move forward with the proposed improvements on this site, using the construction methods and ecological strategies that offer minimal impact to the environment. These methods, strategies, and plans address the health and safety posed after completing this assessment. |

**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

Summarized below areall 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.

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| --- | --- | --- | --- | --- |
| **Law, Authority, or Factor** | **Mitigation Measure or Condition** | **Comments on Completed Measures** | **Mitigation Plan** | **Complete** |
| Flood Insurance | For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. | N/A |  |  |
| Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff | The subject parcel will contribute to the existing stormwater runoff. Designs will need to accommodate the slope of the parcel to account for stormwater and impervious surfaces will need to be considered to assist in natural drainage. Kankakee is also located in an area that does experience bouts of cold and warm weather. The park design will account for these conditions in the design of its foundation to allow for freeze/thaw associated with the changes in soil and pavement, and river temperature. These considerations will factor in current temperature ranges and ranges adjusted for the localized warming Kankakee will likely experience in the next 30-50 years due to climate change. May require some mitigation as indicated in the references for design modifications to accommodate the slope of the parcel to account for stormwater, observations of water issues at nearby properties, and building designs to account for cold/warm weather. Pervious pavers, bioswales, and other green infrastructure will be used where possible to mitigate pluvial flooding and flood plain management. The deleterious soil will be removed during the project and more green infrastructure materials will be utilized to improve the natural environment. | N/A |  |  |
| Hazards and Nuisances including Site Safety and Site-Generated Noise | The project construction will limit activities to the hours noted within the City's code. The neighboring residents will be provided with advance notice of the construction. Construction vehicles will not block access to the street or access to any of the nearby housing facilities or businesses. They will be parked either in designated spaces made available within the parcel or in public lots located off-site. Garbage and construction debris will be collected regularly and removed appropriately per City code. | N/A |  |  |
| Employment and Income Patterns | This project will allow access to jobs, transportation, retail, and community services. | N/A |  |  |
| Environmental Justice EA Factor | Engage with community organizations and groups to inquire on potentially overlooked environmental justice concerns. It is important to communicate with parties representing the full diversity of community members. City officials will work with the residents and property managers at the high rise adjacent to this project to ensure they are not experiencing any air pollutants or additional nuisances during construction. | N/A |  |  |
| Unique Natural Features /Water Resources | This project will not change the natural features of the river. See the wetland study included in the supporting documentation of this submission. | N/A |  |  |
| Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.) | The City is committed to relocating all species if discovered during the project. The City has retained an ecologist to help with any relocation strategies should they be needed during the construction of this project. This project includes a landscape plan that will add tree's and native plants back to the area and will enhance the natural features. | N/A |  |  |
| Climate Change | With the knowledge of climate impacts from the Impact Evaluation, mitigative actions, such as utilizing bioswales, and other green infrastructure, will reduce the likelihood and severity of future flooding events. Developers plan to utilize low-carbon building materials throughout project development. | N/A |  |  |
| Energy Efficiency | This parcel will be developed from a vacant lot to a beautiful park that is contributing to the local flora and create access to the Kankakee River. Minimal parking is included in this project as it's focus is on walkability. All lighting will be LED. | N/A |  |  |

**Project Mitigation Plan**

|  |
| --- |
| Wildlife will be monitored and mitigated by Huff and Huff, Inc. The City of Kankakee will ensure to put all other environmental mitigation plans into the construction contract. |

**Supporting documentation on completed measures**

**APPENDIX A: Related Federal Laws and Authorities**

**Airport Hazards**

|  |  |  |
| --- | --- | --- |
| General policy | Legislation | Regulation |
| It is HUD’s policy to apply standards to prevent incompatible development around civil airports and military airfields. |  | 24 CFR Part 51 Subpart D |

**1. To ensure compatible land use development, you must determine your site’s proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?**

|  |  |
| --- | --- |
| ✓ | **No** |

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

|  |  |
| --- | --- |
|  | **Yes** |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. |

**Supporting documentation**

[East River Walk - Airport Hazard Map.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012019233)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Coastal Barrier Resources**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS. | Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501) |  |

**This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.**

**Compliance Determination**

|  |
| --- |
| 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. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Flood Insurance**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained. | Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128) | 24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b). |

**1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

|  |  |
| --- | --- |
| ✓ | No. This project does not require flood insurance or is excepted from flood insurance. |

Based on the response, the review is in compliance with this section.

|  |  |
| --- | --- |
|  | Yes |

**4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| |  |  | | --- | --- | | ✓ | Yes | |  | No | |  |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| 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. The City of Kankakee does have flood insurance and as owner of this property will be covered. The construction for this project includes work in the flood plain and building a foundation wall for the riverfront boardwalk. However, no housing or private structures are within the flood plain portion of this project. The flood plain is marked on the project plans provided as a supporting document to this assessment. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Air Quality**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP. | Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d)) | 40 CFR Parts 6, 51 and 93 |

**1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

|  |  |
| --- | --- |
| ✓ | Yes |
|  | No |

**Air Quality Attainment Status of Project’s County or Air Quality Management District**

**2. Is your project’s air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

|  |  |
| --- | --- |
| ✓ | No, project’s county or air quality management district is in attainment status for all criteria pollutants. |

|  |  |
| --- | --- |
|  | Yes, project’s management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply): |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. |

**Supporting documentation**

[Air Quality.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012021505)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Coastal Zone Management Act**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans. | Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d)) | 15 CFR Part 930 |

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. |

**Supporting documentation**

[Coastal Zone(1).jpg](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012021518)

[Coastal Zone 1.docx](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012021517)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Contamination and Toxic Substances**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulations |
| It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property. |  | 24 CFR 58.5(i)(2)  24 CFR 50.3(i) |

**1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.**

|  |  |
| --- | --- |
|  | American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA) |
|  | ASTM Phase II ESA |
|  | Remediation or clean-up plan |
|  | ASTM Vapor Encroachment Screening |
| ✓ | None of the Above |

**2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

|  |  |
| --- | --- |
| ✓ | No |

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. |

**Supporting documentation**

[East Riverwalk NEPA map.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012121851)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Endangered Species**

|  |  |  |
| --- | --- | --- |
| General requirements | ESA Legislation | Regulations |
| Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”). | The Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq*.); particularly section 7 (16 USC 1536). | 50 CFR Part 402 |

**1. Does the project involve any activities that have the potential to affect specifies or habitats?**

|  |  |
| --- | --- |
|  | No, the project will have No Effect due to the nature of the activities involved in the project. |
|  | No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office |

|  |  |
| --- | --- |
| ✓ | Yes, the activities involved in the project have the potential to affect species and/or habitats. |

**2. Are federally listed species or designated critical habitats present in the action area?**

|  |  |
| --- | --- |
| ✓ | No, the project will have No Effect due to the absence of federally listed species and designated critical habitat |

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Documentation may include letters from the Services, species lists from the Services’ websites, surveys or other documents and analysis showing that there are no species in the action area.

|  |  |
| --- | --- |
|  | Yes, there are federally listed species or designated critical habitats present in the action area. |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Explosive and Flammable Hazards**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards. | N/A | 24 CFR Part 51 Subpart C |

**1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?**

|  |  |
| --- | --- |
| ✓ | No |
|  | Yes |

**2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?**

|  |  |
| --- | --- |
|  | No |

|  |  |
| --- | --- |
| ✓ | Yes |

**3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:**

**• Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR**

**• Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.**

**If all containers within the search area fit the above criteria, answer “No.” For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer “Yes.”**

|  |  |
| --- | --- |
| ✓ | No |

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Farmlands Protection**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes. | Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) | [7 CFR Part 658](http://www.access.gpo.gov/nara/cfr/waisidx_11/7cfr658_11.html) |

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Floodplain Management**

|  |  |  |
| --- | --- | --- |
| General Requirements | Legislation | Regulation |
| Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. | Executive Order 11988 | 24 CFR 55 |

**1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]**

|  |  |
| --- | --- |
| ✓ | 55.12(c)(3) |
|  | 55.12(c)(4) |
|  | 55.12(c)(5) |
|  | 55.12(c)(6) |
|  | 55.12(c)(7) |
|  | 55.12(c)(8) |
|  | 55.12(c)(9) |
|  | 55.12(c)(10) |
|  | 55.12(c)(11) |
|  | None of the above |

Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The following exception applies, so the project is in compliance with Executive Order 11988: 55.12(c)(3), The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetlands property, but only if:(i) The property is cleared of all existing structures and related improvements;(ii) The property is dedicated for permanent use for flood control, wetlands protection, park land, or open space; and (iii) A permanent covenant or comparable restriction is placed on the property's continued use to preserve the floodplain or wetlands from future development. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Historic Preservation**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects | Section 106 of the National Historic Preservation Act  (16 U.S.C. 470f) | 36 CFR 800 “Protection of Historic Properties” <https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf> |

***Threshold***

**Is Section 106 review required for your project?**

|  |  |
| --- | --- |
|  | No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA ). (See the PA Database to find applicable PAs.) |
| ✓ | No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)]. |
|  | Yes, because the project includes activities with potential to cause effects (direct or indirect). |

**Threshold (b). Document and upload the memo or explanation/justification of the other determination below:**

Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. |

**Supporting documentation**

[1904797\_Kankakee Riverwalk Park\_SHPO.pdf](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012121805)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Noise Abatement and Control**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate. | Noise Control Act of 1972  General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields” | Title 24 CFR 51 Subpart B |

**1. What activities does your project involve? Check all that apply:**

|  |  |
| --- | --- |
|  | New construction for residential use |

|  |  |
| --- | --- |
|  | Rehabilitation of an existing residential property |

|  |  |
| --- | --- |
|  | A research demonstration project which does not result in new construction or reconstruction |
|  | An interstate land sales registration |
|  | Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster |
| ✓ | None of the above |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Sole Source Aquifers**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health. | Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349) | 40 CFR Part 149 |

**1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**2. Is the project located on a sole source aquifer (SSA)?**

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

|  |  |
| --- | --- |
| ✓ | No |

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

|  |  |
| --- | --- |
|  | Yes |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. |

**Supporting documentation**

[Sole Source Aquifer.docx](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012021591)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Wetlands Protection**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service’s National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed. | Executive Order 11990 | 24 CFR 55.20 can be used for general guidance regarding the 8 Step Process. |

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building’s footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order**

|  |  |
| --- | --- |
|  | No |
| ✓ | Yes |

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.**

**"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."**

|  |  |
| --- | --- |
| ✓ | No, a wetland will not be impacted in terms of E.O. 11990’s definition of new construction. |

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

|  |  |
| --- | --- |
|  | Yes, there is a wetland that be impacted in terms of E.O. 11990’s definition of new construction. |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Wild and Scenic Rivers Act**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development. | The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c)) | 36 CFR Part 297 |

**1. Is your project within proximity of a NWSRS river?**

|  |  |
| --- | --- |
| ✓ | No |
|  | Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River. |
|  | Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River. |

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. |

**Supporting documentation**

[Wild and Scenic Rivers.docx](https://heros.hud.gov/heros/faces/downloadFile.xhtml?erUploadId=900000012021632)

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

**Environmental Justice**

|  |  |  |
| --- | --- | --- |
| General requirements | Legislation | Regulation |
| Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project. | Executive Order 12898 |  |

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project’s total environmental review?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |

Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

|  |
| --- |
| No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. |

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

|  |  |
| --- | --- |
|  | Yes |
| ✓ | No |