



## Tier II: Site-Specific Environmental Assessment

HUD Grant Number: B-17-DM-78-0001			
<b>VIHFA Submittal Date:</b>		<b>Application Case #:</b>	
<b>Date of Field Inspection:</b>		<b>Date Review Initiated:</b>	
<b>Inspector Name:</b>		<b>Reviewer Name:</b>	
<b>Name of Program:</b> Virgin Islands Housing Finance Authority Homeowner Reconstruction and Rehabilitation Program			
<b>Street Address:</b>			
<b>Subdistrict:</b>		<b>Property ID:</b>	
<b>USVI Island:</b>		<b>Year Built:</b>	
<b>GPS Coordinates (Lat/Long) :</b>		<b>Damage Assessment Date:</b>	
<b>Attachments:</b>			
<b>Project Description:</b>			
<p>The Virgin Islands Housing Finance Authority Homeowner Reconstruction and Rehabilitation Program Tier I: Broad Environmental Review of the proposed CDBG-DR funded action was completed to establish measures for compliance with multiple local and federal environmental regulations including; various Codes of Federal Regulation (CFR), United States Codes (USC), Executive Orders (EO), and United States Virgin Islands’ Rules and Regulations. This document is the Tier II Site -Specific Review for activities eligible under this program, for which funds were released at the Tier I level on <b>DATE</b> for St. Croix, St. Thomas, and St. John in the US Virgin Islands</p>			
<p><input type="checkbox"/> The proposed project involves <b>rehabilitation activities</b> on an existing residential property with the above-listed address which received damage as a result of Hurricanes Irma and/or Maria. Proposed activities would consist of addressing storm-related damage to the residence and bringing the structure to current minimum residential property standards. Activities would be limited to the disturbed area of the previously developed residential site.</p>			
<p><input type="checkbox"/> The proposed project involves <b>demolition and reconstruction</b> of a residential home that has been determined not feasible for rehabilitation as a result of damage from Hurricanes Irma and/or Maria. Proposed demolition and reconstruction activities would address storm-related damage to the residence and bring it to current minimum residential property standards. Reconstruction will comply with all FEMA, NFIP and HUD regulations. Reconstruction will also meet or exceed the 2018 International Residential Code (IRC), 2018 Individual Building Code (IBC) and the American Society of Civil Engineers (ASCE/SEI 7-16 and ASCE 24-14) Standards for Residential Properties.</p>			
<p><input type="checkbox"/> The proposed project involves <b>reconstruction of a demolished</b> residential home that was determined not feasible for rehabilitation as a result of damage from Hurricanes Irma/Maria. Proposed reconstruction activities would address storm-related damage to the residence and bring it to current minimum residential property standards. Reconstruction will comply with all FEMA, NFIP and HUD regulations. Reconstruction will also meet or exceed the 2018 International Residential Code (IRC), 2018 Individual Building Code (IBC) and the American Society of Civil Engineers (ASCE/SEI 7-16 and ASCE 24-14) Standards for Residential Properties.</p>			
<p><input type="checkbox"/> The proposed project involves <b>replacing of a mobile/modular home with a stick structure</b> on an existing residential property with the above-listed address, where the home site received damage as a result of Hurricanes Irma and/ or Maria. Proposed activities would consist of removal of the damaged modular home, if the structure is still present on the property, and replacing the home with a stick structure. The structure will be brought to current minimum residential property standards. Activities would be limited to the disturbed area of the previously developed residential site.</p>			



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## Site-Specific Findings

### STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 AND 58.6

#### Airport Hazards

24 CFR Part 51 Subpart D

**Not applicable. Compliance determined in Tier 1 EA.**

The Airport Clear Zone Map of the nearest airport was obtained from the Virgin Islands Port Authority. The Airport Clear Zone does not extend into any existing residential areas. Therefore, none of the applicants for this program will be located in the Airport Clear Zone as this program involves the reconstruction or rehabilitation of existing homes.

#### Coastal Barrier Resources

Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]

##### 1. Is the project located in a CBRS Unit?

- No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.
- Yes → Continue to Question 2. Federal assistance for most activities may not be used at this location. You must either choose an alternative site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see 16 USC 3505 for exceptions to limitations on expenditures.)

##### 2. Indicate your selected course of action.

- After consultation with the FWS, the project was given approval to continue.  
→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map and documentation of FWA approval.
- Project was not given approval.  
→ Project cannot proceed at this location.

#### Worksheet Summary

##### Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Compliance documentation can be found attached to this Tier II Checklist. Page(s) \_\_\_\_\_

Are formal compliance steps or mitigation required?

- Yes
- No

#### Flood Insurance

Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]

##### 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 → Continue to Worksheet Summary.
- Yes. Continue to Question 2.



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### 2. Provide a FEMA/FIRM map showing the site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

**Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?**

- No → Continue to the Worksheet Summary
- Yes → Continue to Question 3.

### 3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?

- Yes, the community is participating in the National Flood Insurance Program.

For loans, loan insurance or loan guarantees, flood insurance coverage must be continued for the term of the loan. 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 equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. Copy of Flood Insurance Policy will be maintained in the Applicant file.

→ Continue to the Worksheet Summary

- Yes, less than one year has passed since FEMA notification of Special Flood Hazards. If less than one year has passed since notification of Special Flood Hazards, no flood insurance is required.

→ Continue to the Worksheet Summary

- No. The community is not participating, or its participation has been suspended.

Federal assistance may not be used at this location. Cancel the project at this location.

#### Worksheet Summary

##### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

**Compliance documentation can be found attached to this Tier II Checklist. Page(s) \_\_\_\_\_**

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

- Yes
- No

## STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 AND 58.5

### Clean Air Act

Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93

### Not applicable. Compliance determined in Tier 1.

The USVI Department of Planning and Natural Resources (DPNR), Division of Environmental Protection (DEP), Air Pollution Control Program Manager, Verline Marcellin was contacted on September 25, 2019 via standard mail for a "no effect" concurrence letter for the VIHFA CDBG-DR Homeowner Reconstruction and Rehabilitation Program Broad Level Environmental Review.

The proposed project does not include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units. Also, the proposed project complies with the USVI Implementation Plan (SIP) because the activities would not be a significant source of sulfur dioxide or pollutants that contribute to ozone depletion.

Division of Environmental Protection Laws and Requirements:

1. Title V of the Clean Air Act
2. The Virgin Islands Air Pollution Control Act Rules and Regulations (VR&R) (i.e., Title 12, Virgin Islands Code, Chapter 9)
3. The 1995 Rules and Regulations of the Virgin Islands Air Pollution Control Act



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## Coastal Zone Management

Coastal Zone Management Act, sections 307(c) & (d)

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

Yes → Continue to Question 2.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.*

2. Does this project include activities that are subject to state review?

Yes → Continue to Question 3.

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.*

3. Has this project been determined to be consistent with the State Coastal Management Program?

Yes, with mitigation. → Continue to Question 4.

Yes, without mitigation. → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

No, project must be canceled.

Project cannot proceed at this location.

4. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the State Coastal Management Program letter of consistency) and any other documentation used to make your determination.*

### Worksheet Summary

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

**Compliance documentation can be found attached to this Tier II Checklist. Page(s) \_\_\_\_\_**

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

Yes

No

## Contamination and Toxic Substance

24 CFR Part 50.3(i) & 58.5(i)(2)

1. **Evaluate the site for contamination.** Do any of the following apply to the subject property? (1) Property is listed on an EPA Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) List, or equivalent State list; (2) Property is within 3,00 feet of a landfill site, hazardous waste or solid waste cleanup site; (3) Has an underground storage tank (which is not a residential fuel



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tank); (4) Known or suspected to be contaminated by toxic chemicals or radioactive materials; or (5) During site reconnaissance of subject property and visible adjoining properties, inspector has observed potential environmental concerns.

No → Provide a map or other documentation of absence or presence of contamination and explain evaluation of site contamination in the Worksheet Summary. Include Environmental Questionnaire completed by Construction Inspector.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes → Describe the findings, including any recognized environmental conditions (RECs), in Worksheet Summary below. Continue to Question 2.

### 2. Mitigation

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental impacts cannot be mitigated, then HUD assistance may not be used for the project at this site.

#### Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated

→ Project cannot proceed at this location

Yes, adverse environmental impacts can be eliminated through mitigation.

→ Provide all mitigation requirements and documents. Continue to Question 3.

3. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls, or use of institutional controls.

If a remediation plan or clean-up program was necessary, which standard does it follow?

Complete removal

Risk-based correction action (RBCA)

Other

### Worksheet Summary

#### Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Compliance documentation can be found attached to this Tier II Checklist. Page(s) \_\_\_\_\_

Are formal compliance steps or mitigation required?

Yes

No

### Endangered Species

Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402

### Not applicable. Compliance determined in Tier 1.

The January 14, 2013 US Fish and Wildlife Caribbean Ecological Services Field Office, Blanket Clearance Letter for Federally Sponsored Projects, Housing and Urban Development covers activities and projects that typically result in no adverse effects to federally-listed species. If projects comply with the project criteria discussed below, no further consultation with the USFWS is needed.



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### Project Criteria:

1. Rehabilitation of existing occupied single-family homes, and buildings; provided that equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation and that the lighting associated to the new facilities is not visible directly or indirectly from a beach.
2. Demolition of dilapidated single-family homes or buildings; provided that the demolition debris is disposed in certified receiving facilities; equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation.
3. Rebuilding of demolished single-family homes or buildings, provided that the new construction is within the existing footprint of the previous structure and/or within pre-existing grasses or paved areas, and that the lighting associated to the new facilities are not visible directly or indirectly from a beach.

On September 25, 2019, US Fish and Wildlife Services was contacted via standard mail for concurrence on the use of the 2013 Blanket Letter for the purpose of this program. Mr. Felix Lopez responded on October 8, 2019 via email stating that the Virgin Islands Housing Finance Authority could utilize the existing HUD Blanket Letter "as long as it is for rehabilitation or repair of existing structures or replacement of structures on the existing foundation, slab or footprint."

### Explosive and Flammable Hazards

24 CFR Part 51 Subpart C

#### **Not applicable. Compliance determined in Tier 1.**

The proposed project does not involve development, construction, rehabilitation that will increase residential densities, or conversion of land use. Therefore, the review is in compliance with 24 CFR Part 51 Subpart C.

### Farmland Protection

Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 628

#### **Not applicable. Compliance determined in Tier 1.**

The proposed activity does not involve new construction; therefore, all project activities will occur within areas already under Urban Use. The proposed project is in compliance with 7 CFR Part 628.

### Floodplain Management

Executive Order 11988, particularly section 2(a); 24 CFR Part 55

1. Does 24 CFR 55.12(c) exempt this project from compliance with HUD's floodplain management regulations in Part 55?

Yes

Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(7) or (8), provide supporting documentation.

No → Continue to Question 2.

2. Provide a FEMA/FIRM or ABFE map showing this site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs) or Advisory Base Flood Elevations (ABFEs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation and a discussion of why this is the best available information for the site.

#### Does your project occur in a floodplain?

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes

Select the applicable floodplain using the FEMA map or the best available information:

Floodway → Continue to Question 3, Floodways



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- Coastal High Hazard Area (V Zone) → **Continue to Question 4, Coastal High Hazard Areas**
- 500-year floodplain (B Zone or shaded X Zone) → **Continue to Question 5, 500-year Floodplains**
- 100-year floodplain (A Zone) → *The 8-Step Process is required. Continue to Question 6, 8-Step process*

### 3. Floodways

**Is this a functionally dependent use?**

- Yes

The 8-Step Process is required. Work with HUD OEE to determine a way to satisfactorily continue with this project. Provide a completed 8-Step Process, including the early public notice and the final notice from the Tier I review.

→ *Continue to Question 6, 8-Step Process*

- No

Federal assistance may not be used at this location unless a 55.12(c) exception applies. You must either choose an alternate site or cancel the project at this location.

### 4. Coastal High Hazard Area

**Is this a critical action?**

- Yes

Critical actions are prohibited in coastal high hazard areas. Federal assistance may not be used at this location. Unless the action is excepted at 24 CFR 55.12(c), you must either choose an alternative site or cancel the project.

- No

**Does this action include construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?**

- Yes, there is new construction.

New construction is prohibited in V Zones (24 CFR 55.1(c)(3)).

- No, this action concerns only a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster.

This construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction

→ *Continue to Question 6, 8-Step Process*

### 5. 500-year Floodplain

**Is this a critical action?**

- No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*
- Yes → *Continue to Question 6, 8-Step Process*

### 6. 8-Step Process

**Does the 8-Step Process apply? Select one of the following options:**

- 8-Step Process applies

The 8-Step Process, was completed including the early public notice and the final public notice at the Tier I level

→ *Continue to Question 7, Mitigation*

- 5-Step Process is applicable per 55.12(a)(1-3).

Provide documentation of 5-Step Process

Select the applicable citation:

- 55.12(a)(1) HUD actions involving the disposition of HUD-acquired multifamily housing projects or "bulk sales" of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).



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55.12(a)(2) HUD's actions under the National Housing Act (12 USC 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.

55.12(a)(3) HUD's or the recipient's action under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for "substantial improvement" under §55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.

55.12(a)(4) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for "substantial improvement" under §55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.

→ Continue to Question 7, Mitigation

8-Step Process is inapplicable per 55.12(b)(1-4)

Select the applicable citation:

55.12(b)(1) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway or coastal high hazard area.

55.12(b)(2) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for "substantial improvement" under §55.2(b)(10)

55.12(b)(3) HUD actions involving the disposition of individual HUD-acquired, one- to four-family properties.

55.12(b)(4) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR Part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance.

55.12(b)(5) The approval of financial assistance to lease an existing structure located within the floodplain, but only if;

- (i) The structure is located outside the floodway or Coastal High Hazard Area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24);
- (ii) The project is not a critical action; and
- (iii) The entire structure is or will be fully insured or insured to the maximum under the NFIP for at least the term of the lease.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

### 7. Mitigation

**For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

Mitigation and Resilience Measures: Mitigation and resilience measures that will reduce the risk of loss of life and property and increase the ability to shelter in place will be considered eligible activities. These measures can be applied to homes that are structurally sound and meet all requirements. Mitigation activities may include, but are not limited to the following:

- Wet Floodproofing
- Dry Floodproofing
- Construction of a flood barrier
- Incorporation of interior modification/retrofit measures





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Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology
- Planting or restoring native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conservation Service conservation easements or similar easements
- Floodproofing of structures
- Elevating structures including free-boarding above the required base flood elevations
- Other

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

### Worksheet Summary

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Compliance documentation can be found attached to this Tier II Checklist. Page(s) \_\_\_\_\_

Are formal compliance steps or mitigation required?

- Yes
- No

### Historic Preservation

National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800

#### 1. Is Section 106 review required for your project?

- No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (Se the PA Database to find applicable PAs.)

Either provide the PA itself or a link to it here. Mark the applicable exemption or include the text here:

→ Continue to the Worksheet Summary.

- 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)]



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Either provide the memo itself or a link to it here. Explain and justify the other determination here:

→ Continue to the Worksheet Summary

Yes, because the project includes activities with potential to cause effects (direct or indirect). Continue to Step 1.

### The Section 106 Process

After determining the need to do a Section 106 review, initiate consultation with regulatory and other interested parties, identify and evaluate historic properties, assess effects of the project on properties listed on or eligible for the National Register of Historic Places, and resolve any adverse effects through project design modifications or mitigation.

Note that consultation continues through all phases of the review.

Step 1: Initiate consultation

Step 2: Identify and evaluate historic properties

Step 3: Assess effects of the project on historic properties

Step 4: Resolve any adverse effects

### Step 1—Initiate Consultation

The following parties are entitled to participate in Section 106 reviews: Advisory Council on Historic Preservation; State Historic Preservation Officers (SHPOs); federally recognized Indian Tribes/Tribal Historic Preservation Officers (THPOs); Native Hawaiian Organizations (NHOs); local governments; and project grantees. The general public, individuals and organizations with a demonstrated interest in a project may participate as consulting parties at the discretion of the RE or HUD official. Participation varies with the nature and scope of a project. Refer to HUD's website for guidance on consultation, including the required timeframes for response. Consultation should begin early to enable full consideration of preservation options.

Use the When to Consult with Tribes Checklist within Notice CPD-12-006: Process for Tribal Consultation to determine if you should invite tribes to consult on a particular project. Use the Tribal Directory Assessment Tool (TDAT) to identify tribes that may have an interest in the area where the project is located. Note that consultants may not initiate consultation with Tribes.

Select all consulting parties below (check all that apply):

- State Historic Preservation Officer (SHPO)
- Advisory Council on Historic Preservation
- Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

List all tribes that were consulted here and their status of consultation:

Other Consulting Parties

List all consulting parties that were consulted here and their status of consultation:



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Describe the process of selecting consulting parties and initiating consultation here:

Provide all correspondence, notices, and notes (including comments and objections received) and continue to Step 2.

### Step 2—Identify and Evaluate Historic Properties

**Define the Area of Potential Effect (APE), either by entering the address(es) or providing a map depicting the APE.** (Attach an additional page if necessary.)

Gather information about known historic properties in the APE. Historic buildings, districts and archeological sites may have been identified in local, state, and national surveys and registers, local districts, municipal plans, town and county histories, and local history websites. If not already listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register.

Refer to HUD's website for guidance on identifying and evaluating historic properties.

**In the space below, list historic properties identified and evaluated in the APE.**

Every historic property that may be affected by the project should be listed. For each historic property or district, include the National Register status, whether the SHPO has concurred with the finding, and whether information on the site is sensitive. Attach an additional page if necessary.

Provide the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination.

**Was a survey of historic buildings and/or archeological site done as part of the project?**

If the APE contains previously unsurveyed buildings or structures over 50 years old, or there is a likely presence of previously unsurveyed archeological sites, a survey may be necessary. For Archeological surveys, refer to HP Fact Sheet #6, Guidance on Archeological Investigations in HUD Projects.

Yes → Provide survey(s) and report(s) and continue to Step 3.

Additional notes:



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No → Continue to Step 3.

### Step 3—Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect (36 CFR 800.5). Consider direct and indirect effects as applicable as per HUD guidance.

**Choose one of the findings below—No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.**

No Historic Properties Affected

**Document reason for finding:**

No historic properties present. → Provide concurrence(s) or objection(s) and continue to the Worksheet

Historic properties present, but project will have no effect upon them. → Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to (36 CFR 800.4(d)(1) and consult further to try to resolve objection(s).

No Adverse Effect

**Document reason for finding:**

**Does the No Adverse Effect finding contain conditions?**

Yes

**Check all that apply:** (check all that apply)

Avoidance

Modification of project

Other

**Describe conditions here:**

→ Monitor satisfactory implementation of conditions. Provide concurrence(s) or objection(s) and continue to the Worksheet Summary

No → Provide concurrence(s) or objection(s) and continue to the Worksheet Summary.

If consulting parties concur or fail to respond to user's request for concurrence, project is in compliance with this section. No further review is required. If consulting parties object, refer to (36 CFR 800.5(c)(2)) and consult further to try to resolve objection(s).

Adverse Effect

**Document reason for finding:**



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Copy and paste applicable Criteria into text box with summary and justification.  
Criteria of Adverse Effect: 36 CFR 800.5

Notify the Advisory Council on Historic Preservation of the Adverse Effect and provide the documentation outlined in 36 CFR 800.11(e). The Council has 15 days to decide whether to enter the consultation (Not required for projects covered by a Programmatic Agreement).

→ Continue to Step 4

### Step 4—Resolve Adverse Effects

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to HUD guidance and 36 CFR 800.6 and 800.7.

**Were the Adverse Effects resolved?**

Yes

**Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:**

**For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

→ Provide signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA). Continue to the Worksheet Summary.

No

The project must be cancelled unless the “Head of Agency” approves it. Either provide approval from the “Head of Agency” or cancel the project at this location.

**Describe the failure to resolve Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation and “Head of the Agency”:**



## Tier II: Site-Specific Environmental Assessment

Explain in detail the exact conditions or measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ Provide signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA). Continue to the Worksheet Summary

### Worksheet Summary

#### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Compliance documentation can be found attached to this Tier II Checklist. Page(s) \_\_\_\_\_

Are formal compliance steps or mitigation required?

Yes

No

### **Noise Abatement and Control**

Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B

#### **Not applicable. Compliance determined in Tier 1.**

The Homeowner Reconstruction and Rehabilitation Program would result in the same amount of development which existed at pre-disaster. The proposed activities would cause temporary increase in noise levels. Temporary increases in noise levels will be mitigated by complying with local noise ordinance. HUD has determined that noise abatement and control is not applicable to a disaster recovery program which meets the definition under 24 CFR Part 51.101(a)(3) "The policy does not apply to research demonstration projects which do not result in new construction or reconstruction, flood insurance, interstate land sales registration, or any action or emergency assistance under disaster assistance provisions 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.

### **Sole Source Aquifers**

Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149

#### **Not applicable. Compliance determined in Tier 1.**

There are no sole source aquifers located in the United States Virgin Islands as pre-determined by the EPA.

### **Wetland Protection**

Executive Order 11990, particularly sections 2 and 5

#### **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 effect date of the Order.

No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes → Continue to Question 2



## Tier II: Site-Specific Environmental Assessment

### 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. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.

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

→ You must determine that there are no practicable alternatives to wetland development by completing the 8-Step Process.

*Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.*

Continue to Question 3.

### 3. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Which of the following mitigation actions have been or will be taken? Select all that apply:

- Permeable surfaces
- Natural landscape enhancements that maintain or restore natural hydrology through infiltration
- Native plant species
- Bioswales
- Evapotranspiration
- Stormwater capture and reuse
- Green or vegetative roofs with drainage provisions
- Natural Resources Conversation Service conservation easements
- Compensatory mitigation

#### Worksheet Summary

##### **Compliance Determination**

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Compliance documentation can be found attached to this Tier II Checklist. Page(s) \_\_\_\_\_



## Tier II: Site-Specific Environmental Assessment

Are formal compliance steps or mitigation required?

- Yes  
 No

### Wild and Scenic Rivers

Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)

**Not applicable. Compliance determined in Tier 1.**

There are no wild and scenic rivers in the United States Virgin Islands.

### Environmental Justice

Executive Order 12898

**Not applicable. Compliance determined in Tier 1.**

Hurricanes Irma and Maria caused catastrophic damage to the US Virgin Islands. 5,339 households suffered major or severe damage any many families were displaced as a result. This program is intended to assist these families by reconstructing or rehabilitating their homes to make the home livable again.

### Solid Waste Disposal/Recycling

1. Will the construction waste be shipped off island?

- Yes. → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.  
 No. → Continue to Question 2.

2. Explain the proposed method of waste disposal that will be utilized.

→ Continue to the Worksheet Summary below.

### Worksheet Summary

#### Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

Compliance documentation can be found attached to this Tier II Checklist. Page(s) \_\_\_\_\_

Are formal compliance steps or mitigation required?

- Yes  
 No





# Tier II: Site-Specific Environmental Assessment

**Property Address:**

**Finding of this Tier II Site Specific Review**

- The proposed project complies with environmental requirements for funding.
- The proposed project does not comply with environmental requirements for funding because

**Site Specific Review Completed by:**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature:

**Contamination Testing Completed by:**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature:

**Section 106 Review Completed by:**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature:

**Certifying Officer:**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature:



## Tier II: Site-Specific Environmental Assessment

**HUD Grant Number: B-17-DM-78-0001**

<b>Tier II Completion Date:</b>		<b>Application Case #:</b>	
<b>Testing Completion Date:</b>		<b>Review Completion Date:</b>	
<b>Inspector Name:</b>		<b>Reviewer Name:</b>	
<b>Name of Program:</b> Virgin Islands Housing Finance Authority Homeowner Reconstruction and Rehabilitation Program			
<b>Property Address:</b>			
<b>USVI Island:</b>		<b>Census Tract:</b>	
<b>Estate Area:</b>		<b>Lot:</b>	
<b>Target Building Site:</b>		<b>GPS Coordinates (Lat/Long):</b>	

**The following environmental mitigation measures and conditions shall be complied with for the proposed project:**



# Tier II: Site-Specific Environmental Assessment

## Final Worksheet Summary

Utilize this page for any additional Worksheet Summary Information as needed