

**Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: 2020-CDBG-Sidewalk-Gap-Project

HEROS Number: 900000010190818

Responsible Entity (RE): LAWRENCE, PO Box 708 Lawrence KS, 66044

RE Preparer: Danelle Walters

State / Local Identifier:

Certifying Officer: Bradley R Finkeldei

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 901 Iowa Street, Lawrence, KS 66044

Additional Location Information:

This address is for the Community Mercantile Grocery Store. The project runs along the North and south side of 9th Street from Iowa Street to Centennial Park. This project fills in the sidewalk gaps on both sides of W. 9th St. between Iowa and Centennial Park and reconstructing the ADA ramps at the intersection of 9th and Iowa to align with the

new sidewalks.

Direct Comments to: Danelle Walters, Community Development Manager
City of Lawrence - Community Development Division
1 Riverfront Plaza, Suite 320, Lawrence, KS 66044

dwalters@lawrenceks.org

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

This project includes sidewalk gap infill going west from 9th Street and Iowa Street to Centennial Park, a low-mod area in the city of Lawrence. The project adds sidewalks to both sides of 9th Street west of Iowa where there is currently a gap in the sidewalk network. The south side of 9th along the Community Mercantile property there will be a need to build the sidewalk inside of an existing utility easement. The project also includes reconstruction of curbs to ensure ADA compliance. The project will contain typical sidewalk construction activities, including ground disturbance. The project site is level, so no additional considerations will need to be taken with the staff above and beyond "normal" construction activities. The project will require acquisition of pedestrian easement and reconstruction of curbs at the intersection. Sidewalk gap and ADA-Compliant curbs are listed in the Douglas County Regional Pedestrian Plan (2016) as main goals to achieve a cohesive sidewalk network locally. This location is listed in the maps and charts in that plan as locations of interest for project completion.

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

This project provides sidewalk gap infill along 9th street west of Iowa Street. This area is in a low-moderate income neighborhood and the primary users of this sidewalk network are residents of the immediate neighborhoods to get to the Community Mercantile Grocery Store and adjacent strip mall, and Centennial Park. This project also includes reconstruction of curbs to ensure ADA compliance. According to the 2016 Regional Pedestrian Plan, the City of Lawrence envisions a "more accessible and safer pedestrian environment in the region" and a specific recommendation for Lawrence was to target resources to the sidewalk network and to target resources and projects to non-existing and non-compliant ADA ramps. This project does both of those. The plan focused on safety, equity, health, economy, connectivity, multimodal connections, and land use and design. The below goals align with this particular proposed project in a variety of ways. Safety: Improve safety by reducing the number and severity of crashes through infrastructure design along and across roadways, and by promoting safe driving, walking, and bicycling behaviors through education and enforcement. Equity: Provide accessible pedestrian facilities for all users through public engagement, accessible design, and capital investments. Health: Develop a pedestrian network that promotes active lifestyles and sustains a healthy environment. Economy: Enhance economic vibrancy by creating safe and aesthetically pleasing walking environments with easy connections to commercial centers and front doors of businesses. Connectivity: Plan and build pedestrian infrastructure creating a network to connect neighborhoods to

employment, retail, community services, schools, and recreational & cultural amenities. Multimodal Connections: Develop pedestrian facilities that provide opportunities to access other modes of transportation (transit, bicycling, carpooling, or vanpooling). Land Use and Design: Employ land use planning and site design requirements that encourage pedestrian travel by making local trips easier and more pleasant by foot than by car.

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

A lack of a complete sidewalk network in this area creates issues with neighborhood mobility to access parks, food services, and other merchants in the immediate area. Since this is a gap infill project, there are sidewalks in the area that do not retain connectivity currently. This project helps to complete the mobility expectations of the neighborhood, as well as adding ADA compliant curbs. Without the connectivity in this area, pedestrian safety will continue to be of concern as pedestrians from adjacent neighborhoods will continue to utilize green space and streets for moving between their homes, the park, and the commercial center. The proposed project would provide the following improvements to the transportation network: 1. Improving pedestrian directness to destinations such as nearby schools, parks, commercial centers, residential areas, and transit stops. 2. Improving continuity by constructing missing segments of sidewalks along pedestrian routes. 3. Improving safety by providing separation from vehicles. 4. Improving accessibility by increasing the ease of use through the construction of sidewalk and compliant ADA ramps for people with disabilities.

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

[2020 CDBG Sidewalk Gap Project Map.pdf](#)

Determination:

✓	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:

[Executed Signature page.pdf](#)

7015.15 certified by Certifying Officer

on:

7015.16 certified by Authorizing Officer

on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
B-20MC-20-0005	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

Estimated Total HUD Funded, Assisted or Insured Amount: \$225,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$225,000.00

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

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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>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. According to the U.S. EPA Green Book and NEPAassist, the project site is not located within a nonattainment or maintenance area for any National Ambient Air Quality Standard (NAAQS) criteria air pollutants. The project is in compliance with the Clean Air Act. Attached is a map of the City of Lawrence showing no nonattainment or maintenance areas. Also attached is the EPA Kansas Nonattainment/Maintenance Status for Each County for All Criteria Pollutants (as of March 31, 2021), indicating that Douglas County, KS is not on the list.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>There are no Superfund (NPL), Brownfields (ACRES), Toxic Substances Control Act (TSCA), CERCLIS, CERCLIS NFRAP, RCRA CORRACTS Facilities, RCRA non-CORRACTS TSD Facilities within one mile of the project site. There are no Federal Institutional Control/Engineering Control Registry, or Emergency Response Notification System (ERNS) sites on the property. There is one Toxic Release Inventory (TRI) site within one mile of the project site. The ECHO report for the TRI site is attached and indicates no violations identified in the last 12 quarters. There is one RCRA Generator located near the project site. The ECHO report for the RCRA Generator indicates no violations identified in the last 12 quarters. There</p>

		<p>are 12 identified Leaking Underground Storage Tank (LUST) sites within .5 miles of the project site. Eight of the sites are listed as Status Closed; four sites have the UST listed as Permanently Out of Service and are listed as Status Monitored. There is one Kansas Identified Sites List (ISL) within .5 miles of the project site at the location of a dry cleaner. The site was accepted into the Kansas dry cleaning trust fund and is currently in semi-annual long term monitoring. There are no identified city dumps or solid waste landfills within .5 miles of the project site. There are 27 registered underground storage tanks within 1000 feet of the project site; 16 of the USTs are listed as Permanently Out of Service and 11 are listed as Currently In Use. Attached are NEPAssist Reports, NETRonline Environmental Radius Reports, ECHO Facilities Reports, and KDHE reports for the identified sites. GIS aerial maps were examined from 1937, 1941, 1954, 1976, 1986, 1995, 2000, 2003, 2006, 2009, 2013, 2016, 2018, and 2020. The area surrounding the project site was undeveloped land until the 1966 aerial. Since the attached 1966 aerial, the project site has been in a developed area. 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.</p>
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted. This project is in compliance with the Endangered Species Act without mitigation. US Department of the Interior Fish and Wildlife Service</p>

		(Species List and MA Verification Letter) Consultation Code: 06E21000-2021-SLI-0916 Event Code: 06E21000-2021-E-02029 Kansas FWS Concurrence 2021-CPA-0400 Arial photos of project site Map of project site
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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. NETR Online indicates there are two aboveground storage containers located at a convenience store/service station within 1 mile of the project site, but site review and documents from KDHE Storage Tank Section indicate there are only underground storage tanks at the convenience store/service station.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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. According to NEPAassist, the subject property is located in an urbanized area, and, based on the project description, the project does not include new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use. Attached is a NEPAassist map showing the urbanized areas in Lawrence, KS.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. FEMA Firmette 20045CO159D Eff. 08/05/2010
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is located in an area that was platted in 1955 and has commercial development dating from 1956. The existing structures adjacent to the project site were constructed from 1956 to 1968 and have all had significant

		<p>alterations. The structures adjacent to the project are not currently eligible for individual listing or as a contributing structures to a historic district in the National Register of Historic Places, the Register of Historic Kansas Places, or the Lawrence Register of Historic Places. There are no historic site elements in the project location that are eligible for individual listing or as a contributing object to a historic district. Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.</p>
<p>Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>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.</p>
<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The State of Kansas has no designated Sole Source Aquifers according to EPA, Region 7 Drinking Water/Ground Water Branch, and the APA.gov webpage map for Sole Source Aquifers. Attached is a map indicating that there are no Sole Source Aquifers located in the jurisdiction or state.</p>
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. Map from the US Dept. of Fish and Wildlife is attached showing that there are no wetlands on or near the project site property.</p>
<p>Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. According to the National Wild and Scenic Rivers System, Kansas</p>

		has no designated wild and scenic rivers. There are no current active studies of any river in Kansas. A segment of the Kansas River is listed on the Nationwide Rivers Inventory, but is not within proximity to the project site. The project site is located 1.35 miles from the Kansas River. The project is in compliance with the Wild and Scenic Rivers Act. Attached is information from the National Wild and Scenic Rivers System and a map of the project site showing the proximity to the Kansas River.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 proposed improvements are located along 9th Street between Iowa Street and Centennial Drive. This is a developed area that contains a mix of zonings and land uses. In this area, the south side of 9th Street is zoned CN2, Neighborhood Commercial Center, District. The north side is zoned OS, Open Space, District and CS, Commercial Strip, District. The zoning	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		<p>on the west side of Centennial Drive is RM12 (Multi-Dwelling Residential) District. Finally, the zoning on the east side of Iowa Street is CS (Commercial Strip) District. Given the surrounding zonings, the area consists of residential, commercial, and recreational (city park) land uses. The area is not included in any sector, area, or neighborhood plans. The proposed project would advance the goals of the comprehensive plan for Unincorporated Douglas County & the City of Lawrence, Plan 2040. That plan speaks to enhancing transportation options and choices for improved system performance. The plan also speaks to providing viable transportation alternatives with stronger interconnectivity. The proposed project would also advance the goals of Transportation 2040. The plan states that incorporating alternative means of transportation, particularly bicycle and pedestrian traffic, has the potential to improve the region's transportation system for all users. The plan notes that gaps in existing sidewalk network create barriers for usage and create safety issues. The plan also classifies this section of 9th Street as a collector street and identifies this area as missing sidewalk. It is a priority for Lawrence that sidewalks are installed on both sides of the streets along collector and arterial streets.</p>	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	There is no anticipated impact on soil, slope, erosion, drainage, or storm water runoff because the project side is level in elevation.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	There are no safety hazards on or adjacent to the property. There is no current site-generated noise and the intended use as a sidewalk only generates	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		minimal noise associated with pedestrian activities.	
Energy Consumption/Energy Efficiency	2	Connecting sidewalk networks on the property will use very little energy, There are no additional energy efficiency measures taken with this sort of infrastructure project.	
SOCIOECONOMIC			
Employment and Income Patterns	1	There is potential for enhanced Employment opportunities with this project based on the Commercial Facilities in this area and because of the proximity of the commercial strip mall and grocery store adjacent to this project site. This project could allow for neighborhood residents to have a safe way to access employment and retail opportunities.	
Demographic Character Changes / Displacement	1	This project aligns with the City's Strategic plan outcome of Strong, Welcoming, Neighborhoods. This outcome states that "All people in Lawrence live in safe, functional, and aesthetically unique neighborhoods that provide opportunities to lead healthy lifestyles with access to safe and affordable housing and essential services that help them thrive". (City of Lawrence Strategic Plan 2020)	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	The project is allowing for sidewalk network connectivity. There is no anticipated changes to access and capacity to Educational and Cultural Facilities in this area. This project will not change current transportation routes that would limit access to these facilities.	
Commercial Facilities (Access and Proximity)	1	The project is allowing for sidewalk network connectivity. There is potential for enhanced access and capacity to Commercial Facilities in this area because of the proximity of the commercial strip mall and grocery store adjacent to this project site. This project will not change	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		other current transportation routes that would limit access to these facilities.	
Health Care / Social Services (Access and Capacity)	2	The project is allowing for sidewalk network connectivity. There is no anticipated changes to access and capacity to Health Care and Social Service Facilities in this area. This project will not change current transportation routes that would limit access to these facilities.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	There are no anticipated negative impacts of the project regarding Solid Waste Disposal and Recycling. The project contractor will be required to follow proper disposal and recycling procedures with the construction of the project, and the project will not result in an increased usage of these services.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The project is allowing for sidewalk network connectivity. There is no anticipated changes to Waste Water and Sanitary Sewer functions in this area.	
Water Supply (Feasibility and Capacity)	2	The project is allowing for sidewalk network connectivity. There is no anticipated changes to the Water Supply functions in this area.	
Public Safety - Police, Fire and Emergency Medical	2	The project is allowing for sidewalk network connectivity. There is no anticipated changes to the Public Safety and safety-related functions in this area.	
Parks, Open Space and Recreation (Access and Capacity)	1	The project is allowing for sidewalk network connectivity. There will be enhanced access and capacity to Parks and Recreation spaces adjacent to the project site. This project will not change other current transportation routes that would limit access to other facilities.	
Transportation and Accessibility (Access and Capacity)	1	The project is allowing for sidewalk network connectivity and the installation of ADA compliant ramps at the intersection will increase accessibility for the residents of the adjacent low-mod neighborhoods. Other standing	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		transportation resources will remain unchanged.	
NATURAL FEATURES			
Unique Natural Features /Water Resources		This project is not located near a water resource.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)		There are no factors that will adversely impact endangered species in the project area, and there are no protected species found in the project area. (Environmental Assessment Endangered Species Worksheet)	
Other Factors		NA	

Supporting documentation

Additional Studies Performed:

Regional Pedestrian Plan - 2016 Regional Pedestrian Plan - 2016 Appendices Regional Pedestrian Plan - 2016 Lawrence Priority Missing Sidewalks

- [RPP-LawrencePriorityRoutesMissingSidewalk.pdf](#)
- [RPP - Appendices.pdf](#)
- [Regional Pedestrian Plan 2016.pdf](#)

Field Inspection [Optional]: Date and completed by:

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

Becky Pepper, Planning Manager, City of Lawrence Planning and Development Services - Matt Bond, Storm Water Engineer, City of Lawrence Municipal Services and Operations - Dustin Smith, Project Manager, City of Lawrence Municipal Services and Operations - Lynne Braddock Zollner, Historic Resources Administrator, City of Lawrence - City of Lawrence GIS Interactive Mapping tool - US Department of the Interior Fish and Wildlife - "A Natural Areas Inventory of Douglas County in Northeast Kansas", 2016, Kansas Biological Survey - Kansas Historical Society See individual Related Laws and Authorities for additional references.

List of Permits Obtained:

The permits required for this project will be a Right of Way permit from the City for work in the Right of Way and a Kansas Department Of Transportation application for highway access for work on the state highway, or Iowa Street.

Public Outreach [24 CFR 58.43]:

The FONSI will be published in the Lawrence Journal World to open the public comment period. There were no additional public meetings that were held as this was part of a larger pedestrian study that had public input initially.

Cumulative Impact Analysis [24 CFR 58.32]:

The subject property has been identified as one that is in need of sidewalk gap infill but has not been completed to date. The area is surrounded by low-mod income neighborhoods that will use the sidewalk network to gain access to commercial properties, dining, recreation, and a grocery store. Additionally, this project will bring the intersection up to ADA code and will additionally provide access to a neighborhood park. The newly-connected sidewalks will provide connectivity of this area well into the future.

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

Based on the nature of the project (sidewalk gap and ADA curb cuts) there are not any feasible alternatives available. The sidewalk gap analysis is part of an overall city strategy for gap infill and these projects are matched with eligible funding based on use and location. With no foreseen adverse impacts to the environment, no additional items were discussed in relation to this project.

No Action Alternative [24 CFR 58.40(e)]

Without providing sidewalk gap infill in this area, the residents of adjacent neighborhoods that depend on the sidewalk network to go to and from the commercial spaces and the park will have to continue using the grass area where the gap currently exists, or they will utilize the street, which itself presents a dangerous situation. The gap infill also allows for use by those in wheelchairs or those that require other mobility accommodations. Filling in the sidewalk gaps in the connectivity network is a critical safety function.

Summary of Findings and Conclusions:

The proposed project would provide the following improvements to the transportation network: 1. Improving pedestrian directness to destinations such as nearby schools, parks, commercial centers, residential areas, and transit stops. 2. Improving continuity by constructing missing segments of sidewalks along pedestrian routes. 3. Improving safety by providing separation from vehicles. 4. Improving accessibility by increasing the

ease of use through the construction of sidewalk and compliant ADA ramps for people with disabilities. This Environmental assessment has found no adverse environmental impacts for this project.

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

Summarized below are all 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.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
--	--	---	-----------------

Mitigation Plan

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

[Airport Hazards Compliance Packet.pdf](#)

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

[Coastal Barrier Resources Worksheet Packet.pdf](#)

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

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.

Supporting documentation

[Flood Insurance Packet.pdf](#)

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. According to the U.S. EPA Green Book and NEPAAssist, the project site is not located within a nonattainment or maintenance area for any National Ambient Air Quality Standard (NAAQS) criteria air pollutants. The project is in compliance with the Clean Air Act.

Attached is a map of the City of Lawrence showing no nonattainment or maintenance areas. Also attached is the EPA Kansas Nonattainment/Maintenance Status for Each County for All Criteria Pollutants (as of March 31, 2021), indicating that Douglas County, KS is not on the list.

Supporting documentation

[Air Quality Packet.pdf](#)

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

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Screen Summary

Compliance Determination

This project is located in a state that does not participate in the Coastal Zone Management Program. Therefore, this project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[Coastal Zone Management Worksheet Packet.pdf](#)

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

Explain:

There are no Superfund (NPL), Brownfields (ACRES), Toxic Substances Control Act (TSCA), CERCLIS, CERCLIS NFRAP, RCRA CORRACTS Facilities, RCRA non-CORRACTS TSD Facilities within one mile of the project site. There are no Federal Institutional Control/Engineering Control Registry, or Emergency Response Notification System (ERNS) sites on the property. There is one Toxic Release Inventory (TRI) site within one mile of the project site. The ECHO report for the TRI site is attached and indicates no violations identified in the last 12 quarters. There is one RCRA Generator located near the project site. The ECHO report for the RCRA Generator indicates no violations identified in the last 12 quarters. There are 12 identified Leaking Underground Storage Tank (LUST) sites within .5 miles of the project site. Eight of the sites are listed as Status Closed; four sites have the UST listed as Permanently Out of Service and are listed as Status

Monitored. There is one Kansas Identified Sites List (ISL) within .5 miles of the project site at the location of a dry cleaner. The site was accepted into the Kansas dry cleaning trust fund and is currently in semi-annual long term monitoring. There are no identified city dumps or solid waste landfills within .5 miles of the project site. There are 27 registered underground storage tanks within 1000 feet of the project site; 16 of the USTs are listed as Permanently Out of Service and 11 are listed as Currently In Use. Attached are NEPAssist Reports, NETRonline Environmental Radius Reports, ECHO Facilities Reports, and KDHE reports for the identified sites. GIS aerial maps were examined from 1937, 1941, 1954, 1976, 1986, 1995, 2000, 2003, 2006, 2009, 2013, 2016, 2018, and 2020. The area surrounding the project site was undeveloped land until the 1966 aerial. Since the attached 1966 aerial, the project site has been in a developed area.

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

Yes

Screen Summary

Compliance Determination

There are no Superfund (NPL), Brownfields (ACRES), Toxic Substances Control Act (TSCA), CERCLIS, CERCLIS NFRAP, RCRA CORRACTS Facilities, RCRA non-CORRACTS TSD Facilities within one mile of the project site. There are no Federal Institutional Control/Engineering Control Registry, or Emergency Response Notification System (ERNS) sites on the property. There is one Toxic Release Inventory (TRI) site within one mile of the project site. The ECHO report for the TRI site is attached and indicates no violations identified in the last 12 quarters. There is one RCRA Generator located near the project site. The ECHO report for the RCRA Generator indicates no violations identified in the last 12 quarters. There are 12 identified Leaking Underground Storage Tank (LUST) sites within .5 miles of the project site. Eight of the sites are listed as Status Closed; four sites have the UST listed as Permanently Out of Service and are listed as Status Monitored. There is one Kansas Identified Sites List (ISL) within .5 miles of the project site at the location of a dry cleaner. The site was accepted into the Kansas dry cleaning trust fund and is currently in semi-annual long term monitoring. There are no identified city dumps or solid waste landfills within .5 miles of the project site. There are 27 registered underground storage tanks within 1000 feet of the project site; 16 of the USTs are listed as Permanently Out of Service and 11 are listed as Currently In Use. Attached are NEPAssist Reports, NETRonline Environmental Radius Reports, ECHO Facilities Reports, and KDHE reports for the identified sites. GIS aerial maps were

examined from 1937, 1941, 1954, 1976, 1986, 1995, 2000, 2003, 2006, 2009, 2013, 2016, 2018, and 2020. The area surrounding the project site was undeveloped land until the 1966 aerial. Since the attached 1966 aerial, the project site has been in a developed area. 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

[Site Contamination packet.pdf](#)

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 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species 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

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

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

- ✓ May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

- ✓ Yes, the Service(s) concurred with the finding.

Based on the response, the review is in compliance with this section. Document and upload the following below:

- (1) A biological evaluation or equivalent document
- (2) Concurrence(s) from FWS and/or NMFS
- (3) Any other documentation of informal consultation

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

No, the Service(s) did not concur with the finding.

6. 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. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

Mitigation as follows will be implemented:

✓ No mitigation is necessary.

Explain why mitigation will not be made here:

There are no factors that will adversely impact endangered species in the project area, and there are no protected species found in the project area.

Screen Summary

Compliance Determination

This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted. This project is in compliance with the Endangered Species Act without mitigation. US Department of the Interior Fish and Wildlife Service (Species List and MA Verification Letter) Consultation Code: 06E21000-2021-SLI-0916 Event Code: 06E21000-2021-E-02029 Kansas FWS Concurrence 2021-CPA-0400 Arial photos of project site Map of project site

Supporting documentation

[Endangered-Species-Act-Worksheet.pdf](#)

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. NETR Online indicates there are two aboveground storage containers located at a convenience store/service station within 1 mile of the project site, but site review and documents from KDHE Storage Tank Section indicate there are only underground storage tanks at the convenience store/service station.

Supporting documentation

[Explosive and Flammable Facilities packet.pdf](#)

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

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:

According to NEPAassist, the subject property is located in an urbanized area, and, based on the project description, the project does not include new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use.

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. According to NEPAassist, the subject property is located in an urbanized area, and, based on the project description, the project does not include new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use. Attached is a NEPAassist map showing the urbanized areas in Lawrence, KS.

Supporting documentation

[Farmlands-Protection Packet.pdf](#)

Are formal compliance steps or mitigation required?

2020-CDBG-Sidewalk-Gap-
Project

Lawrence, KS

900000010190818

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

2. Upload a FEMA/FIRM map showing the site here:

[Firmette 20045CO159D.pdf](#)

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.

Does your project occur in a floodplain?

No

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

Yes

Screen Summary

Compliance Determination

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. FEMA Firmette 20045CO159D Eff. 08/05/2010

Supporting documentation

[Floodplain Management Packet.pdf](#)

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" http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html

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).

Step 1 – Initiate Consultation

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

- ✓ State Historic Preservation Offer (SHPO) Completed

- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

- ✓ Absentee-Shawnee Tribe of Indians of Oklahoma Completed
- ✓ Cheyenne and Arapaho Tribes, Oklahoma Completed
- ✓ Delaware Nation, Oklahoma Completed
- ✓ Delaware Tribe of Indians Completed
- ✓ Eastern Shawnee Tribe of Oklahoma Completed
- ✓ Little Traverse Bay Band of Odawa Indians, MI Completed
- ✓ Osage Nation Completed
- ✓ Prairie Band Potawatomi Nation Completed
- ✓ Seneca-Cayuga Nation Completed
- ✓ Wichita and Affiliated Tribes Completed

Other Consulting Parties

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

Staff consulted the TDAT listing and sent THPO letters to all interested parties listed there. Letters were emailed to all contacts listed on May 17, 2021. Staff submitted the SHPO consultation request on June 3, 2021 through the Kansas Historical Society webpage as required. The SHPO concurred with the City's review on June 23, 2021.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Step 2 – Identify and Evaluate Historic Properties

1. **Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

The area of the project is the sidewalks and curbs at 9th and Iowa, on both sides of the street, from Iowa to Centennial.

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

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

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
-------------------------------	--------------------------	------------------	-----------------------

Additional Notes:

The project is located in an area that was platted in 1955 and has commercial development dating from 1956. The existing structures adjacent to the project site were constructed from 1956 to 1968 and have all had significant alterations. The structures adjacent to the project are not currently eligible for individual listing or as a contributing structures to a historic district in the National Register of Historic Places, the Register of Historic Kansas Places, or the Lawrence Register of Historic Places. There are no historic site elements in the project location that are eligible for individual listing or as a contributing object to a historic district.

2. Was a survey of historic buildings and/or archeological sites done as part of the project?

Yes

✓ No

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 guidance on direct and indirect effects.

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

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

The project is located in an area that was platted in 1955 and has commercial development dating from 1956. The existing structures adjacent to the project site were constructed from 1956 to 1968 and have all had significant alterations. The structures adjacent to the project are not currently eligible for individual listing or as a contributing structures to a historic district in the National Register of Historic Places, the Register of Historic Kansas Places, or the Lawrence Register of Historic Places. There are no historic site elements in the project location that are eligible for individual listing or as a contributing object to a historic district. Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[HEROS Packet - Historic Preservation.pdf](#)

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

[Noise-Abatement-and-Control-EA-Worksheet.pdf](#)

Are formal compliance steps or mitigation required?

2020-CDBG-Sidewalk-Gap-
Project

Lawrence, KS

900000010190818

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. The State of Kansas has no designated Sole Source Aquifers according to EPA, Region 7 Drinking Water/Ground Water Branch, and the APA.gov webpage map for Sole Source Aquifers. Attached is a map indicating that

there are no Sole Source Aquifers located in the jurisdiction or state.

Supporting documentation

[Sole Source Aquifers Worksheet Packet.pdf](#)

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. Map from the US Dept. of Fish and Wildlife is attached showing that there are no wetlands on or near the project site property.

Supporting documentation

[Wetlands Protection Packet.pdf](#)

[Wetlands Map 9th and Iowa.pdf](#)

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. According to the National Wild and Scenic Rivers System, Kansas has no designated wild and scenic rivers. There are no current active studies of any river in Kansas. A segment of the Kansas River is listed on the Nationwide Rivers Inventory, but is not within proximity to the project site. The project site is located 1.35 miles from the Kansas River. The project is in compliance with the Wild and Scenic Rivers Act. Attached is information from the National Wild and Scenic Rivers System and a map of the project site showing the proximity to the Kansas River.

Supporting documentation

[Wild and Scenic Rivers packet.pdf](#)

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

[Environmental-Justice-Worksheet.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No