

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

Project Information

Project Name: 965-Marion-Street

HEROS Number: 900000010416731

Responsible Entity (RE): ST. PAUL, DEPARTMENT OF PED ST. PAUL MN, 55102

RE Preparer: Kady Dadlez

State / Local Identifier:

Certifying Officer: Yasmine Robinson

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable):

Point of Contact:

Project Location: 965 Marion St, Saint Paul, MN 55117

Additional Location Information:
N/A

Direct Comments to:

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

The property at 965 Marion Street is zoned T2 traditional neighborhood and is in the North End neighborhood. The property is currently a vacant lot. The developer will construct a two-story duplex. This duplex will consist of a main level unit with 3 bedrooms and 2 bathrooms; and an upper-level unit also with 3 bedrooms and 2 bathrooms. Both of the units will each be approximately 1,716 square feet. Following completion, the duplex will be sold to an income-eligible buyer at or below 80% of area median income. This will be an owner-occupant of one of the units who will rent out the other unit. This is part of the Inspiring Communities Program. This is a neighborhood of primarily single-family houses. This duplex will replace a single-family house that had been there previously. The project location is completely confined to the 965 Marion parcel. The total project cost is \$828,737.65. Federal funds will not be used for any of the project construction costs. \$25,450.23 of HUD NSP1 was used for the acquisition and/or demolition and/or holding costs previously, along with additional Housing and Redevelopment Authority (HRA) local funds. Subsidy will be contributed to the project from City/HRA. The subsidy will be from local HRA funds and from Minnesota Housing Finance Agency Community Homeownership Impact Fund. This is new construction. See attached site and floor plans and certificate of survey. This environmental review was initiated well after construction on the project began. An environmental review for the acquisition and demolition of the single-family home on the site occurred in 2010. Because no federal funds were involved in the construction of the project, work proceeded on development of the site in 2024. It was later determined that additional environmental review was required for the project. The following determination was provided as the reason additional environmental review is needed in 2024: The property was acquired with NSP funds for the purpose of meeting a housing national objective. Acquisition and demolition are not the completed project, nor do they meet the required national objective. The end use: construction of a housing unit is the project and was the original intent of the acquisition. Because it has taken us over 10 years to achieve this national objective does not change the complete source of funding for these housing projects which includes the acquisition. We are required to do an environmental review for the full project. A CEST level of review for the project was initially conducted. The noise assessment yielded a DNL of 66 dB. Because this falls within the normally unacceptable level, the level of review was elevated to an EA and a STraCAT analysis was conducted to demonstrate whether the materials installed for the wall/window/door components achieve the required sound attenuation.

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

The purpose of the project is to acquire and demolish the single-family dwelling on the property and construct a duplex. Acquisition and demolition occurred in 2010. To fulfill the national objective, the new housing is being constructed in 2024. There is a strong need for affordable ownership housing in the city, particularly for households in this AMI range. As part of the 2040 Housing Policy Plan, the Metropolitan Council identified the number of all households expected to need affordable housing (rental and ownership) in the region and allocated a share of the projected regional affordable housing need to each municipality in the seven-county metropolitan area. The region is projected to need an additional 37,400 housing units affordable to households at 80% of AMI or lower between 2020 and 2030. Saint Paul's affordable

housing allocation of 1,973 units is assigned as follows: 832 units at or below 30% AMI, 128 units at 31-50% AMI, and 1,013 units at 51-80% AMI.

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

The project involves constructing affordable homeownership/rental housing in an area of Saint Paul that is in proximity to existing transit, jobs, and services. This is an infill project in a primarily low-density residential area. There is a need to provide a mix of housing for all income levels and this project will help meet that need. The property is at the northwest corner of Front Street and Marion Street and is currently vacant. There are sidewalks along both street frontages with mature trees and a streetlight in the grass boulevard. There is no vehicle access, no curb cuts, to the site. The project site is three blocks from Rice Street, a major commercial corridor and transit line (Routes 3 and 62, which connect with the Green Line, a fixed-rail transit line that runs between downtown Saint Paul and Downtown Minneapolis, about one mile to the south), and in proximity to the neighborhood node at Rice Street and Lawson Avenue. Rice Street is an existing transit corridor and is being studied for a future bus rapid transit (BRT) line. Route 3 also runs along Western Avenue about 5 blocks to the west. The site is within walking distance of a credit union, food market, shops, restaurants, and a city library. A nearby recreation center is also under construction about five blocks away; it will offer playground equipment, a basketball court, a baseball field, open space. The site is 1 1/4 miles north of Interstate 94 and about 2 miles from the heart of downtown Saint Paul. Ramsey County plans to reconstruct Rice Street beginning in spring of 2025. This site is currently vacant. The benefit of this project will be to provide more additional affordable housing in a location that is adjacent to transit, jobs, and services.

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

[Duplex Design and Floor Plans.pdf](#)

[Certificate of Survey.pdf](#)

[0 965 Marion Street Location 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:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
B-08-MN-27-0002	Other	NSP1	\$25,450.23

Estimated Total HUD Funded, Assisted or Insured Amount: \$25,450.23

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$828,737.65

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	Using our GIS software, we were able to determine that the project site, 965 Marion Street, is not within 2,500 feet of either civilian airport in the Twin Cities. In addition, there are no military airports within 15,000 feet of the project site. The project is compliant with HUD's 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	We utilized the U.S. Fish and Wildlife Service's "Coastal Barrier Resources System Mapper" GIS application to determine whether the project site falls into a CBRS. According to the USFWS, the only CBRS found in Minnesota is the "John H. Chafee CBRS" in Duluth, Minnesota. Since the proposed HUD project is in the city of Saint Paul,

		Minnesota, approximately 160 miles south of the "John H. Chafee CBRs", it can be determined that there will be no effect. Therefore, this project is compliant 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	According to the map generated by FEMA's National Flood Hazard Layer (NFHL) GIS application, it was determined that the project site is in FEMA FIRMette Map Panel Number: 27123C0101G. This panel has been in effect since 6/4/2010 and is labeled as "Zone X (Unshaded)". Since the proposed HUD-Assisted project occurs in an unshaded "Zone X" area, it can be determined that 965 Marion Street is neither in a Special Flood Hazard Area (SFHA) or an area of Moderate Risk. Flood insurance will not be necessary to serve as mitigation. Therefore, the project is compliant with Flood Insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	In the state of Minnesota, the only coastal zone that is protected by the Coastal Zone Management Act (CZMA) is along the coast of Lake Superior. The project occurs in the City of Saint Paul and the proposed project site, 965 Marion Street, is approximately 130 miles away from coastal areas protected in the Minnesota Department of Natural Resources coastal management plan. Therefore, the project is compliant with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	To ensure compliance with the Contamination and Toxic Substances Requirements, we visited the EPA's "NEPAssist" and Minnesota Pollution

		<p>Control Agency's (MPCA) "What's in My Neighborhood" (WIMN) GIS web applications to identify sources of contamination within 1/2 mile of the proposed HUD-assisted project site. No Superfund sites were identified. One brownfield site was identified by NEPAssist but it is about 10 blocks from the project site. 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 exempt from radon consideration. 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>The following species were identified in the IPaC species list generated on August 5, 2024: Northern Long-eared Bat; Tricolored Bat; Whooping Crane; Higgins Eye (pearly mussel), Salamander Mussel, Monarch Butterfly; and Rusty Patched Bumble Bee. Project activities will have no effect on the Northern Long-eared Bat. This determination can be made because project activities do not involve clearing or disturbing suitable habitat, no activity in or near the entrance to cave or mine, nor mining, deep excavation, or underground work within 0.25 miles of a cave or mine, nor construction of wind turbines or demolition or reconstruction of human made structures known to be used by bats. Project activities will have no effect on the Tricolored Bat. This determination can be made because project activities do not involve clearing or disturbing suitable habitat, no activity in or near the entrance to cave or mine, nor mining, deep excavation, or underground work within 0.25 miles of a cave or mine, nor construction of wind turbines or demolition or reconstruction of human</p>

		<p>made structures known to be used by bats. Project activities will have no effect on the Whooping Crane. This determination can be made because the Whooping Crane is designated as a "non-essential" experimental population in Minnesota. Consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. Since proposed project activity will occur on land outside of a National Wildlife Refuge or National Park, we are not required to consult for this species. Project activities will have no effect on the Higgins eye (pearly mussel). This determination can be made because project activities do not involve habitat loss, degradation, or introduction of exotic species including Zebra mussels, which are the major threats to the survival of the Higgins eye mussel. Project activities will have no effect on the Salamander Mussel. This determination can be made because the species, as of September 1st, 2023, has been proposed for listing as an endangered species under the Endangered Species Act of 1973. As a result, this species is not yet protected by the Act. Proposed Critical Habitat for the Salamander Mussel exists in Chisago and Washington County, Minnesota, specifically in the St. Croix River. The proposed project activity will not impact known habitat. Project activities will have no effect on the Rusty Patched Bumble Bee. This determination can be made because project activities do not involve habitat loss, degradation, or introduction of pathogens or exposure to insecticides or fungicides, which are suspected to be the major threats to the species along with non-native and managed bees, the effects of climate</p>
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		<p>change, and small population biology. The Monarch Butterfly is a candidate species and not yet listed or proposed for listing. There are currently no section 7 requirements for candidate species. Project activities will not impact known habitat. Project activities do not involve construction of Communication Towers (radio, television, cellular, and microwave towers), Transmission Lines (power lines or poles, particularly those with uninsulated or unguarded electrical currents), or Wind Turbines. Therefore, there will be no effect on migratory birds. In addition, there are no critical habitats for the listed species within the project area under the USFWS jurisdiction. The project site is in a fully urbanized area and there is no habitat present in the project site for the species on the IPaC list. The proposed project activities will not jeopardize the continued existence of any listed species. Therefore, the project is compliant with Section 7 requirements.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The Minnesota Pollution Control Agency's (MPCA) "What's in My Neighborhood" (WIMN) GIS web application was used to identify aboveground storage tanks within 1 mile of 965 Marion Street. There are two aboveground storage tanks within 1 mile of the subject property. The acceptable separation distances for the tanks were calculated and both are an acceptable distance from the project site. The project is compliant with Explosive and Flammable Hazard requirements. 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.</p>

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.
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 the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.
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	Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. The SHPO memo notes the following: We note that c. 1958 Fire Station No. 22 at 225 Front Ave may be a property of historical interest; however, even if it were eligible for listing in the National Register, it's unlikely to be adversely affected by this project.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A Noise Assessment was conducted, see noise analysis. A normally unacceptable DNL of 66 was calculated for the project; the level of environmental review was elevated to an environmental assessment as a result of this circumstance. A STraCAT analysis was conducted to determine the noise attenuation achieved with the building materials installed for the project. The analysis showed that an STC rating of 34.29 was achieved with the materials installed with the project; an STC rating of 25 was required. The level of noise attenuation required to be achieved was exceeded by the building materials installed in the project. Since the duplex has already been built constructed and the building materials installed during construction are the ones assessed in the STraCAT analysis, an analysis that proved the required noise attenuation is achieved by the building materials installed for the project, there is no need for additional mitigation measures to assure compliance with this item. The

		project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The EPA has an online GIS application called "Sole Source Aquifers" that shows the location of SSA's across the country. The only SSA in the state of Minnesota is encompasses Lake Mille Lacs. The project site, 965 Marion Street, is approximately 80 miles away from the southernmost point of the Mille Lacs SSA. Since the proposed project site is not on a SSA, the project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The proposed project does not require additional evaluation under this section. The proposed duplex is not on land registered in the U.S. Fish and Wildlife Service's geodatabase containing nationally registered wetlands. It will not infringe on non-registered wetlands as well. Therefore, the project is compliant with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	After utilizing our GIS software, we were able to determine that the project site, 965 Marion Street, is not located near any NWSRS. Therefore, the project is compliant the Wild and Scenic Rivers Act.
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	2	The project is consistent with zoning and the city's comprehensive plan. The site of the duplex is in an area identified as an Urban Neighborhood in the Land Use Plan, a chapter of the Saint Paul Comprehensive Plan. The 2040 Comprehensive Plan identifies the site as being in the Neighborhood Node at Rice and Lawson. The Neighborhood Node designation is based on locations planned for higher density. Policy LU-1 of the Land Use Plan encourages transit-supportive density and directing the majority of growth to areas with the highest existing or planned transit capacity. Policy LU-4 calls for investment in measures that minimize displacement in neighborhoods where the proximity to high-frequency transit has increased redevelopment pressure and/or housing costs. Goal 6 of the Housing Plan calls for improved access for affordable housing and Policy H-31 calls for supporting the development of new affordable housing units throughout the city. Policy H-37 calls for encouraging the development of affordable housing in areas well-served by transit and/or in proximity to employment centers. The North End District 6 Plan calls for a diverse choice of housing for residents through their lifetimes. Policy H4 calls for acquiring and rehabilitating housing units, or, in some cases, demolishing housing that cannot be feasibly rehabilitated to enable the construction of new units. The project fits with the zoning of the parcel and adds to the available affordable housing options for the city.	
Soil Suitability / Slope/ Erosion /	2	The project site is flat and has been previously developed for low density	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Drainage and Storm Water Runoff		residential use. The property is served by existing city stormwater sewer.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	The project site is unlikely to be affected by natural hazards, given its geographic location, nor pollution generators like heavy industry, cement plants, or oil refineries as these are not in proximity to the site. Interstate 94 is about 1,200 feet north of the project site. There are no properties with aboveground storage tanks within one mile of the project site. The project itself is not a noise-generating facility, nor will it be affected by nuisances such as gas, smoke, fumes, odors, vibration, glare from lighting from industrial or commercial uses or parking lots, vacant/boarded-up buildings, unsightly land uses, abandoned vehicles, or vermin infestation.	
SOCIOECONOMIC			
Employment and Income Patterns	2	The project will occur on vacant property and will therefore not displace existing workers. The project will provide some temporary employment during construction. The project will create conditions favorable to supporting existing commercial development by adding new residents to the area.	
Demographic Character Changes / Displacement		The project site is located in the North End neighborhood. Demographic information indicates the population is about 70% people of color and 30% white. In terms of income, 30% of households earn less than \$35,000 per year and 19% of households earn more than \$100,000 per year; 50% of households earn between \$35,000 and \$100,000 annually. About 42% of all households are cost burdened. 58% of renter households are cost burdened. The area is moderately well-served by transit. The project will not significantly alter the racial, ethnic, or income segregation of the area's housing, through the addition of two new dwelling units. As noted in the noise section of this review, adverse effects will be mitigated	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		through a 5 dB sound attenuation requirement. Based on this, the project will not have disproportionately high and adverse human health or environmental effects on minority and low-income populations. Demographics for the area are attached.	
Environmental Justice EA Factor	2	A CEST level of review for the project was initially conducted. The noise assessment yielded a DNL of 66 dB. Because this falls within the normally unacceptable level, the level of review was elevated to an EA and a STraCAT analysis was conducted to demonstrate that the planned materials for the wall/window/door components achieve the required sound attenuation. Materials installed with the project achieve the required sound attenuation. Therefore, no further evaluation or mitigation is needed under this section The project is in compliance with Executive Order 12898.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	The proposed duplex will have two dwelling units with a total of six bedrooms so the increase, if any, in school-aged children will be very minimal. Saint Paul Public Schools is seeking to increase enrollment as it has seen a decline in school enrollment in recent years and is in the process of closing and consolidating some schools in response to these trends. Any increase in school-aged children will be a benefit to the area and will not exceed the capacity of existing or planned school facilities. Wellstone Elementary School is three blocks from the project site. Saint Paul is a built city with adequate sidewalks and paths to get children safely to and from school. Busing may be an option for some students, depending upon the school and the distance to the school from the project. See attached information from Walk Score.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Commercial Facilities (Access and Proximity)	2	<p>The project site is within walking distance of a credit union, food markets and delis, shops, and restaurants. The project site is less than half a mile from a city library and community recreation center with recreational amenities and open space. The project site is 1.5 miles north of Interstate 94 and about 2 miles from the heart of downtown Saint Paul. There is adequate and convenient access to retail services. The project will not adversely impact or displace existing retail or commercial services. The project will provide more housing in a location that is in proximity to transit, jobs, and services. For retail services not available within walking distance of the project site, there is adequate public transportation to serve the site. See uploaded information from Walk Score, which includes information on transit.</p>	
Health Care / Social Services (Access and Capacity)	2	<p>The project involves construction of a new duplex. This will bring additional residents to the area and result in a minimal increase in the number of people needing health care services. The potential population rise will not increase the need for area health care services beyond current capacities in the fully urbanized area. There are several hospitals and clinics within a few miles of the project area that are accessible by existing public transportation including Regions Hospital and United Hospital. Existing emergency police and fire services are adequate to serve the project. There is a fire station directly across the street from the project site. Because the project will provide affordable housing, there may be a greater need of social services from this population than the population at large. Like health care services, there are social services within proximity to the site and services accessible by public transportation. Existing services in the fully urbanized area are accessible and adequate to meet the new</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		and increased demand for services generated by the project. See uploaded information from Walk Score.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The project involves construction of a duplex and will be served by municipal trash and recycling services. The project site is in a fully developed urban area with the capacity to handle the types and amount of waste anticipated to be generated by construction and operation of the new duplex. The waste generated by the completed project will not exceed the capacity of the regional waste system.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The existing city sanitary sewer system has the capacity to serve the new duplex. No increase in capacity of the system is anticipated to be needed for the project. The City's storm sewer has adequate capacity as well and is separated from its sanitary sewer.	
Water Supply (Feasibility and Capacity)	2	Estimated daily water use for the project is 1,000 gallons (10 residents x 100 gallons each). Saint Paul Regional Water Services, a municipal water provider, will provide water to the project. There is adequate capacity in the system to serve the project site with safe water. The project will not result in a significant consumption of the community's available water supply nor result in a significant deterioration of water quality.	
Public Safety - Police, Fire and Emergency Medical	2	The project site is about 2 miles from the downtown Saint Paul police station and right across the street from a fire station staffed with emergency response team and ambulance. There is adequate existing capacity for police, fire, and emergency services to serve the new duplex. There is a hydrant right at the northwest corner of Front and Marion. The modest increase in density will result in a modest increase in demand for services. The project will not create a significant burden on police, fire or health care providers in terms of manpower and/or equipment. See uploaded information from Walk Score.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Parks, Open Space and Recreation (Access and Capacity)	2	The project site is two blocks from Roy Wilkins Park that offers playground equipment, walking path, picnic area and benches, and open space. The project site is about 3 blocks from a city library (Rice Street Library). The project site is about 4 blocks from Recreation Center that is currently under construction. The project will not overload existing open space, recreational, or cultural facilities. All facilities are accessible by sidewalk. See uploaded information from Walk Score.	
Transportation and Accessibility (Access and Capacity)	2	The project site is served by safe and adequate public transportation services (existing bus service on Rice Street and Western Avenue). Rice Street service provides access to fixed rail transit options as well. Interstate 94 is about 11/2 miles from the project site. Retail, recreation, and library services are within walking distance of the project site. There is a traffic signal with pedestrian activated signal light to allow safe crossing of Rice Street at Front Street. The project will not cause an adverse impact on the local or regional transportation system or reduce the level of service of roadways. Existing transportation facilities and services are adequate to meet the needs of the project.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	There are no unique or locally important natural features on or near the site, therefore there will be no adverse impacts to unique natural features. The project will increase impervious surface minimally. The project does not involve the use of ground or surface waters or wetlands. No adverse impacts to wetlands are anticipated.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The project involves construction of a duplex in a fully urbanized area and will not adversely affect vegetation or wildlife. No adverse impacts to vegetation or wildlife are anticipated.	
Other Factors 1			

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Other Factors 2			
CLIMATE AND ENERGY			
Climate Change	2	<p>According to the FEMA National Risk Index created for Census Tract 27123031300, uploaded to HEROS, the national risk index is stated as relatively low, with a rating of 36.3. In addition, the expected annual loss is very low, 23.5, the social vulnerability is very high, 94.8, and the community resilience is very high, 93.3. According to the report the natural hazards that may impact the project area include cold waves, heat waves, hail, strong winds, tornados, winter weather, landslides, and wildfires. The duplex units will have central air to provide comfortable living conditions during heatwaves. The project site is in an area with close proximity to public transportation, shops, and services, which will help reduce energy consumed/greenhouse gases for transportation as residents will not have to rely on automobiles for commuting and errands. Use of public transit is a viable option given the proximity to bus, BRT, and LRT options in the area.</p>	
Energy Efficiency	2	<p>The project will follow the Enterprise Green Communities standards; ENERGY STAR Certified Homes certification is required by the Enterprise Green Communities Criteria, as modified by the Minnesota Overlay. The Minnesota Overlay, which is a rigorous standard, is responsive to local conditions and subject to inspection by staff. The project site is in an area with close proximity to public transportation, shops, and services, which will help reduce energy consumed for transportation as residents will not necessarily have to rely on automobiles for commuting and errands.</p>	

Supporting documentation

[FEMA National Risk Index.pdf](#)

[EA Walk Score.pdf](#)

[EA Demographics.pdf](#)

Additional Studies Performed:

STraCAT Analysis was performed.

Field Inspection [Optional]: Date and completed
by:

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

Maryan Abdi, Project Manager, Saint Paul Department of Planning and Economic Development Dalton Outlaw, conducted the STraCAT analysis

List of Permits Obtained:

Public Outreach [24 CFR 58.43]:

[Dissemination List for FONSI Notice.pdf](#)

Cumulative Impact Analysis [24 CFR 58.32]:

The project involves new construction of a duplex for affordable homeownership/rental housing. Cumulative impacts to the environment include the solid waste generated during construction and operation of the new building. New development and increased dwelling units in the area is anticipated and supported by the 2040 Comprehensive Plan because of recent and future transit investments.

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

No alternatives were considered.

No Action Alternative [24 CFR 58.40(e)]

The project involves construction of a new duplex that provides affordable homeownership/rental housing. Saint Paul has a housing shortage in general and an affordable housing shortage in particular. The no action alternative would result in no investment in the property to provide additional affordable housing units. The no action alternative was not chosen because it would have resulted in no additional affordable housing units.

Summary of Findings and Conclusions:

The project involves construction of a new duplex that provides affordable homeownership and rental housing. A normally unacceptable DNL of 66 was identified in the environmental review process. The building materials installed during construction of the project, which have been shown to achieve the required STC rating calculated in the STraCAT analysis, mitigate the noise impact. Because the project has been constructed and the materials installed achieve the required attenuation, no further mitigation is required.

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	Mitigation Plan	Complete
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Project 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

Using our GIS software, we were able to determine that the project site, 965 Marion Street, is not within 2,500 feet of either civilian airport in the Twin Cities. In addition, there are no military airports within 15,000 feet of the project site. The project is compliant with HUD's Airport Hazards Requirements.

Supporting documentation

[1 Proximity to Airports Map.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)	

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Compliance Determination

We utilized the U.S. Fish and Wildlife Service's "Coastal Barrier Resources System Mapper" GIS application to determine whether the project site falls into a CBRS. According to the USFWS, the only CBRS found in Minnesota is the "John H. Chafee CBRS" in Duluth, Minnesota. Since the proposed HUD project is in the city of Saint Paul, Minnesota, approximately 160 miles south of the "John H. Chafee CBRS", it can be determined that there will be no effect. Therefore, this project is compliant with the Coastal Barrier Resources Act.

Supporting documentation

[2 Coastal Barrier Resource System Map.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.

Yes

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

[3 Flood Insurance Map\(1\).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. 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

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

Yes

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

Yes

✓ No

Screen Summary

Compliance Determination

According to the map generated by FEMA's National Flood Hazard Layer (NFHL) GIS application, it was determined that the project site is in FEMA FIRMette Map Panel Number: 27123C0101G. This panel has been in effect since 6/4/2010 and is labeled as "Zone X (Unshaded)". Since the proposed HUD-Assisted project occurs in an unshaded "Zone X" area, it can be determined that 965 Marion Street is neither in a Special Flood Hazard Area (SFHA) or an area of Moderate Risk. Flood insurance will not be necessary to serve as mitigation. Therefore, the project is compliant with Flood Insurance requirements.

Supporting documentation

[3 Flood Insurance Map.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

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

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

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

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

Yes

✓ No

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

Screen Summary

Compliance Determination

In the state of Minnesota, the only coastal zone that is protected by the Coastal Zone Management Act (CZMA) is along the coast of Lake Superior. The project occurs in the City of Saint Paul and the proposed project site, 965 Marion Street, is approximately 130 miles away from coastal areas protected in the Minnesota Department of Natural Resources coastal management plan. Therefore, the project is compliant with the Coastal Zone Management Act.

Supporting documentation

[5 Coastal Zone Management Map.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)
Reference		
https://www.onecpd.info/environmental-review/site-contamination		

1. Were any on-site or nearby toxic, hazardous, or radioactive substances* (excluding radon) 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?)

Provide a map or other documentation of absence or presence of contamination** and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

✓ No

Explain:

See information below.

Yes

Check here if an ASTM Phase I Environmental Site Assessment (ESA) report was utilized. [Note: HUD regulations does not require an ASTM Phase I ESA report for single family homes]

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

** Utilize EPA's Enviromapper, NEPAAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

2. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from

having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

✓ Yes

Explain:

Radon Analysis: To determine compliance with HUD's Radon policy, we used the alternative strategy of reviewing science-based data. The data we reviewed was provided by the Center for Disease Control and Prevention's (CDC) National Environmental Public Health Tracking Network site. According to the site, the Annual Mean Pre-Mitigation Radon Measurement in Tested Buildings from 2010-2020 in Ramsey County was 2.9 pCi/L. This number is below the 4.0 pCi/L that would require mitigation. Therefore, the project is compliant with HUD's Radon policy and Contamination and Toxic Substances requirements.

No

*** Notes:**

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

Screen Summary**Compliance Determination**

To ensure compliance with the Contamination and Toxic Substances Requirements, we visited the EPA's "NEPAssist" and Minnesota Pollution Control Agency's (MPCA) "What's in My Neighborhood" (WIMN) GIS web applications to identify sources of contamination within 1/2 mile of the proposed HUD-assisted project site. No Superfund sites were identified. One brownfield site was identified by NEPAssist but it is about 10 blocks from the project site. 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 exempt from radon consideration. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[6 MPCA WIMN Details.pdf](#)

[6 MPCA Whats in My Neighborhood Map.pdf](#)

[6 NEPAassist Analysis.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.

Document and upload all documents used to make your determination below. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate

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.

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:

See information below.

Screen Summary
Compliance Determination

The following species were identified in the IPaC species list generated on August 5, 2024: Northern Long-eared Bat; Tricolored Bat; Whooping Crane; Higgins Eye (pearly mussel), Salamander Mussel, Monarch Butterfly; and Rusty Patched Bumble Bee. Project activities will have no effect on the Northern Long-eared Bat. This determination can be made because project activities do not involve clearing or disturbing suitable habitat, no activity in or near the entrance to cave or mine, nor mining, deep excavation, or underground work within 0.25 miles of a cave or mine, nor construction of wind turbines or demolition or reconstruction of human made structures known to be used by bats. Project activities will have no effect on the Tricolored Bat. This determination can be made because project activities do not involve clearing or disturbing suitable habitat, no activity in or near the entrance to cave or mine, nor mining, deep excavation, or underground work within 0.25 miles of a cave or mine, nor construction of wind turbines or demolition or reconstruction of human made structures known to be used by bats. Project activities will have no effect on the Whooping Crane. This determination can be made because the Whooping Crane is designated as a "non-essential" experimental population in Minnesota. Consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. Since proposed project activity will occur on land outside of a National Wildlife Refuge or National Park, we are not required to consult for this species. Project activities will have no effect on the Higgins eye (pearly mussel). This determination can be made because project activities do not involve habitat loss, degradation, or introduction of exotic species including Zebra mussels, which are the major threats to the survival of the Higgins eye mussel. Project activities will have no effect on the Salamander Mussel. This determination can be made because the species, as of September 1st, 2023, has been proposed for listing as an endangered species under the Endangered Species Act of 1973. As a result, this species is not yet protected by the Act. Proposed Critical Habitat for the Salamander Mussel exists in Chisago and Washington County, Minnesota, specifically in the St. Croix River. The proposed project activity will not impact known habitat. Project activities will have no effect on the Rusty Patched Bumble Bee. This determination can be made because project activities do not involve habitat loss, degradation, or introduction of pathogens or exposure to insecticides or fungicides, which are suspected to be the major threats to the species along with non-native and managed bees, the effects of climate change, and small population biology. The Monarch Butterfly is a candidate species and not yet listed or proposed for listing. There are currently no section 7 requirements for candidate species. Project activities will not impact known habitat. Project activities do not involve construction of Communication Towers (radio, television, cellular, and microwave towers), Transmission Lines (power lines or poles, particularly those with uninsulated or unguarded electrical currents), or Wind Turbines. Therefore, there will be no effect on migratory birds. In addition, there are no critical habitats for the listed species within the project area under the USFWS jurisdiction. The project site is in a

fully urbanized area and there is no habitat present in the project site for the species on the IPaC list. The proposed project activities will not jeopardize the continued existence of any listed species. Therefore, the project is compliant with Section 7 requirements.

Supporting documentation

[7 Species List IPac.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

Yes

4. Based on the analysis, is the proposed HUD-assisted project located at or beyond the required separation distance from all covered tanks?

Yes

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

No

Screen Summary

Compliance Determination

The Minnesota Pollution Control Agency's (MPCA) "What's in My Neighborhood" (WIMN) GIS web application was used to identify aboveground storage tanks within 1 mile of 965 Marion Street. There are two aboveground storage tanks within 1 mile of the subject property. The acceptable separation distances for the tanks were calculated and both are an acceptable distance from the project site. The project is compliant with Explosive and Flammable Hazard requirements. There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

[8 ASD Calculation for Aboveground Tanks.pdf](#)

[8 Details of Aboveground Storage Tanks within 1 mile.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:

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

Screen Summary

Compliance Determination

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

Supporting documentation

[9 US Census Bureau Urbanized Area Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland projection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance,

or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

No

2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.

Yes

Describe:

No

3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information¹ to determine flood elevation. Include documentation and an explanation of why this is the best available information² for the site. Note that newly constructed and substantially improved³ structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

- ✓ FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

¹ Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

² If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

³ Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary

Compliance Determination

This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.

Supporting documentation

[10 FFRMS Freeboard Value Approach Report.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” https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

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

✓ No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

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

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

See attached memo from the Minnesota State Historic Preservation Office.

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

Screen Summary

Compliance Determination

Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. The SHPO memo notes the following: We note that c. 1958 Fire Station No. 22 at 225 Front Ave may be a property of historical interest; however, even if it were eligible for listing in the National Register, it's unlikely to be adversely affected by this project.

Supporting documentation

[11 When to Consult with Tribes Form.pdf](#)

[11 SHPO No further review required 07232024.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

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

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

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000’ from a major road, 3000’ from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

- ✓ Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Is your project in a largely undeveloped area?

- ✓ No

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Yes

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Document and upload noise analysis, including noise level and data used to complete the analysis below.

6. **HUD strongly encourages mitigation be used to eliminate adverse noise impacts. 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.**

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

A normally unacceptable DNL of 66 was calculated for the project; the level of environmental review was elevated to an environmental assessment as a result of this circumstance. A STraCAT analysis was conducted to determine the noise attenuation achieved with the building materials installed for the project. The analysis showed that an STC rating of 34.29 was achieved with the materials installed with the project; an STC rating of 25 was required. The level of noise attenuation required to be achieved was exceeded by the building materials installed in the project. Since the duplex has already been constructed and the building materials installed during construction are the ones assessed in the STraCAT analysis, an analysis that proved the required noise attenuation is achieved by the building materials installed for the project, there is no need for additional mitigation measures to assure compliance with this item.

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

Screen Summary

Compliance Determination

A Noise Assessment was conducted, see noise analysis. A normally unacceptable DNL of 66 was calculated for the project; the level of environmental review was elevated to an environmental assessment as a result of this circumstance. A STraCAT analysis was conducted to determine the noise attenuation achieved with the building materials installed for the project. The analysis showed that an STC rating of 34.29 was achieved with the materials installed with the project; an STC rating of 25 was required. The level of noise attenuation required to be achieved was exceeded by the building materials installed in the project. Since the duplex has already been built constructed and the building materials installed during construction are the ones assessed in the STraCAT analysis, an analysis that proved the required noise attenuation is achieved by the building materials installed for the project, there is no need for additional mitigation measures to assure compliance with this item. The project is in compliance with HUD's Noise regulation.

Supporting documentation

[12 STraCAT - HUD Exchange.pdf](#)
[12 Roads within 1000 feet.pdf](#)

- [12 Railways within 3000 feet.pdf](#)
- [12 Railway InventoryReport2.PDF](#)
- [12 Railway InventoryReport1.PDF](#)
- [12 Noise Assessment.xlsx](#)
- [12 DNL Calculator.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

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

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

Yes

✓ No

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

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

✓ No

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

Yes

Screen Summary

Compliance Determination

The EPA has an online GIS application called "Sole Source Aquifers" that shows the location of SSA's across the country. The only SSA in the state of Minnesota is encompasses Lake Mille Lacs. The project site, 965 Marion Street, is approximately 80 miles away from the southernmost point of the Mille Lacs SSA. Since the proposed

project site is not on a SSA, the project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[13 Sole Source Aquifer Map.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 proposed project does not require additional evaluation under this section. The proposed duplex is not on land registered in the U.S. Fish and Wildlife Service's geodatabase containing nationally registered wetlands. It will not infringe on non-registered wetlands as well. Therefore, the project is compliant with Executive Order 11990.

Supporting documentation

[14 Proximity to Wetlands.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

After utilizing our GIS software, we were able to determine that the project site, 965 Marion Street, is not located near any NWSRS. Therefore, the project is compliant the Wild and Scenic Rivers Act.

Supporting documentation

[15 Wild and Scenic Rivers.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

Are formal compliance steps or mitigation required?

Yes

No