



**U.S. Department of Housing and Urban
Development**

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

espanol.hud.gov

Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5 Pursuant to 24 CFR 58.35(a)

Project Information

Project Name: Anderson Valley Affordable Housing Initiative

Responsible Entity: County of Mendocino

Grant Recipient (if different than Responsible Entity): Anderson Valley Health Center

State/Local Identifier:

Preparer: Roy Hastings, MPPA – R.L. Hastings & Associates, LLC

Certifying Officer Name and Title:

Grant Recipient (if different than Responsible Entity): N/A

Consultant (if applicable):

Direct Comments to:

Project Location: 12,400 & 12,420 Anderson Valley Way

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

Acquisition of an existing 5-unit multifamily property in order to preserve affordable housing in the area for approximately 20 residents at 200% of the poverty level or below. The funds to be used to remove a lien on the property and turn ownership over to the Anderson Valley Health Center. Four of the units at the new apartment complex have been reserved for individuals at 200% of poverty level or below and farm workers that work in our local agricultural businesses. One of the units is used as a property manager's unit and the three apartments will be rented at or below market rate.

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:
24 CFR 58.35(a)(5) Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.

Funding Information

| Grant Number | HUD Program | Funding Amount |
|---------------------|---------------------------------|-----------------------|
| B-22-CP-CA-0103 | Community Project Funding (CPF) | \$400,000 |
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Estimated Total HUD Funded Amount: \$400,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$923,045

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

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6 | Are formal compliance steps or mitigation required? | Compliance determinations |
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| STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6 | | |
| Airport Hazards 24 CFR Part 51 Subpart D | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | <p><i>The project is not within an FAA-designated civilian airport Runway Clear Zone (RCZ), or within a military airfield Clear Zone (CZ) or Accident Potential Zone (APZ), therefore no disclosure is required.</i></p> <ul style="list-style-type: none"> - Only those airports designated by the FAA as "commercial civil airports" which are part of the National Plan of Integrated Airports, are subject to HUD regulation 24 CFR 51D. - The nearest civilian airport to the project site is Boonville Airport with the end of the nearest runway located approximately 3,395' south of the site. The project site is outside of the runway clear zone (runway protection zone) for the airport. - There are no military airfields within 15 miles of the project site. The nearest military airfield is Travis AFB in Fairfield, approximately 94 miles south of the project site. - The project is in compliance with 24 CFR Part 51 Subpart D and noticing is not required. <p>- See Attachment A: Airport Hazards</p> |
| Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | <p><i>There are no Coastal Barrier Resources in California.</i></p> <p>- See Attachment B: Coastal Barrier Resources</p> |

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| <p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p><i>The project does not involve property acquisition, land management, construction or improvement within a 100-year floodplain (Zones A or V) identified by FEMA maps.</i></p> <p>- According to FIRM map 06045C1644F dated 6.2.11, the project site is located in Zone X “Area of Minimal Flood Hazard.” Therefore, the project does not involve property within a 100-year floodplain and no mitigation is required.</p> <p>- Flood insurance is available but is not required.</p> <p>- See Attachment C: Floodplain Management</p> |
| <p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5</p> | | |
| <p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p><i>The project site is located in an area with no Federal criteria pollutants classified as “Nonattainment.”</i></p> <p>- Per the EPA Greenbook, Mendocino County has no Federal criteria pollutants classified as Nonattainment.</p> <p>- <i>Verified by EPA Greenbook “Currently Designated Nonattainment Areas for all Criteria Pollutants downloaded 10.5.23 from https://www3.epa.gov/airquality/greenbook/ancl.html #CALIFORNIA</i></p> <p>- See Attachment D: Clean Air</p> |
| <p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p><i>This project is not located in the coastal zone and therefore does not involve the placement, erection or removal of materials, nor increase the intensity of use in the coastal zone.</i></p> <p>- The project site is located approximately 15 miles east of the Coastal Zone per attached California Coastal Commission maps.</p> <p>- See Attachment E: CZM</p> |
| <p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p> | <p>Yes No</p> <p><input type="checkbox"/> <input type="checkbox"/></p> | <p><i>The project does not involve new development for habitation and no toxic substances will be used during rehab activities or ongoing operations other than standard substances used during these activities such as fuels to power equipment.</i></p> <p>- NEPAassist indicates that there are no Superfund (NPL), Brownfields (ACRES), Toxic Release Inventory (TRI) or Toxic Substances Control Act (TSCA) sites in proximity to the project site.</p> <p>- No contaminated sites were identified and the project is in compliance with this Factor.</p> |

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| | | - See Attach F: Contamination & Toxic Substances |
| <p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The project does not involve activities that have the potential to affect endangered species or habitats.</p> <p>- The project is an acquisition only project – the acquisition of the property with no exterior work.</p> |
| <p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The project does not include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion.</p> <p>The project is the acquisition of a 5-unit multifamily property and will continue as such with no change in size or use.</p> |
| <p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The project does not include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use.</p> <p>- The project is the acquisition of an existing 5-unit multifamily apartment.</p> |
| <p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p> | <p>Yes No</p> <p><input type="checkbox"/> <input type="checkbox"/></p> | <p>The project does not involve property acquisition, land management, construction or improvement within a 100-year floodplain (Zones A or V) identified by FEMA maps.</p> <p>- According to FIRM map 06045C1644F dated 6.2.11, the project site is located in Zone X “Area of Minimal Flood Hazard.” Therefore, the project does not involve property within a 100-year floodplain and no mitigation is required.</p> <p>- See Attachment C: Floodplain Management</p> |
| <p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>Per 36 CFR 800(a)(1), the project has no potential to cause effects. The County has no further obligations under Section 106 or 36 CFR Part 800.</p> <p>- The undertaking is a type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties were present.</p> <p>- An “effect” means alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register.</p> <p>- The project consists solely of the acquisition of an existing 5-unit multifamily apartment complex with no rehabilitation work or exterior work.</p> |

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| | | <p>- The National Register of Historic Places (NRHP) indicates that there is one (1) NRHP-registered historic properties within one mile of the project: the Con School is located approximately 0.2 miles north of the project site.</p> <p>- See Attach G: Historic Preservation</p> |
| <p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p><i>The project does not involve the development of noise sensitive uses. The project does not involve new construction for residential use or rehabilitation of an existing residential property.</i></p> <p>- The project is the acquisition only of a 5-unit multifamily apartment complex with no rehabilitation.</p> <p>- Although a HUD Noise Assessment Guidelines (NAG) study is not required as the project does not include any construction or rehabilitation, the HUD DNL Calculator was used to calculate noise levels since the project site is located 600' from Highway 128.</p> <p>- When applicable, HUD noise guidelines require exterior noise levels of no greater than 65 dBA without mitigation being required, and interior noise levels of 45 dBA. HUD requires that a noise assessment be performed on residential projects whenever a project is located within 3,000' of an active railroad line and/or 1,000' feet of an arterial roadway.</p> <p>- The nearest railroad line is several miles east of the project site.</p> <p>- Based on traffic counts taken from the 2020 CalTrans Truck-AADT counts the noise level was calculated to be 52 dBA DNL.</p> <p>- The project site is located approximately 3395' north of the end of the runway of Boonville Airport but this is a small local airport with infrequent flights of small propellor planes.</p> <p>- See Attachment H: Noise Abatement</p> |
| <p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p><i>The project is not located within an area designated by the EPA as being supported by a sole source aquifer.</i></p> <p>Verified by sole source aquifer map downloaded 10.11.23 from: https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b</p> |

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| | | - See Attachment I: Sole Source Aquifers |
| Wetlands Protection Executive Order 11990, particularly sections 2 and 5 | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | <i>The project does not involve new construction within a wetland(s) habitat. There are wetlands to the west adjacent to the project site that will not be affected by the project.</i> - The project is an acquisition only project and will include no construction or other work outside of the structure. <i>Verified by: Wetlands Map downloaded from https://fws.gov/wetlands on 10.11.23.</i> - See Attachment J: Wetlands Protection |
| Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c) | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | <i>The project is not within one mile of a listed section of a Wild and Scenic River.</i> - The project site is approximately 29 miles from the nearest listed Wild and Scenic River—the Eel River. <i>Verified by the Wild and Scenic Rivers list downloaded 10.11.23 from https://www.rivers.gov/california.php</i> - See Attachment K: W&S Rivers Act |
| ENVIRONMENTAL JUSTICE | | |
| Environmental Justice Executive Order 12898 | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | <i>No adverse environmental impacts were identified in any of the other compliance review Factors of this project's environmental review.</i> - The project is an acquisition of an existing 5-unit multifamily apartment complex that will be converted to serving lower income households - The project will have no adverse impact on low-income, minority, or other population groups and will benefit lower income population groups by providing additional affordable housing in an area with few affordable housing units. |

Field Inspection (Date and completed by): None

Summary of Findings and Conclusions:

The County has determined that the project as proposed will have no adverse effects on the environment and will be beneficial for low-income households residing in the project area.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below 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 |
|---------------------------|--------------------|
| None | |
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Determination:

- This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at §58.5. **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project; OR
- This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain “Authority to Use Grant Funds”** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
- This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature: _____ Date: _____

Name/Title/Organization: _____

Responsible Entity Agency Official Signature:

_____ Date: _____

Name/Title: _____

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).