

MHC Review Checklist* **Statutory Checklist (24 CFR 58.5)**

THIS CHECKLIST IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO SERVE AS A GUIDE. MHC RECOMMENDS THAT YOU CONSULT WITH A CERTIFIED ENVIRONMENTAL ENGINEER WHEN COMPLETING ANY ENVIRONMENTAL DOCUMENTS.

General

1. Are all reports, correspondence, etc. less than 5 years of age?
2. Are there maps in the Environmental Review Record (ERR) which clearly indicate the project location?
3. Is the project description complete, thorough, and easy to understand?
4. Does the ERR address direct, indirect, and cumulative impacts throughout?

Historic Preservation (36 CFR 800)

1. Does the ERR include correspondence to the State Historic Preservation Officer (SHPO) seeking compliance?
2. Does the ERR contain a Cultural Resource Survey, if applicable?
3. Has the project received approval from SHPO?
4. Does the ERR include correspondence to the MS Band of Choctaws seeking compliance?
5. Is there correspondence to any other interested tribal parties?
6. Certified mail return receipt or other proof of delivery if no response is received?

Floodplains and Wetlands (24 CFR 55, Executive Order 11988 and Executive Order 11990)

1. Is there a determination if the proposed action is located in a wetland and/or 100-year floodplain (500-year floodplain for a "Critical Action")?
2. Are the most recent FEMA FIRMs included in the ERR and are they clearly marked with the project location?
3. For new construction, is there documentation of area wetlands (i.e., National Wetland Inventory maps, wetland delineation, etc.)?
4. Has the 8 Step Decision Making Process been completed in writing in accordance with 24 CFR 55.20 if the proposed action is located in a wetland and/or 100-year floodplain (500-year floodplain for a "Critical Action")?

5. Does the 8 Step Decision Making Process indicate whether alternatives were evaluated, including: 1) alternative sites outside the floodplain or wetland, 2) alternative actions which serve the same purpose, but which have less adverse impact, 3) alternative of no action?
6. Have the appropriate early and final floodplain/wetland notices been completed as part of the 8 Step Process?
7. Were the appropriate public comment periods observed for the public notices?
8. Are the public notice proofs of publication included in the ERR?
9. Did the Regional Office of FEMA and MDEQ receive copies of the notices requesting comments?

Coastal Zone Management Act (Sections 307(c), (d))

1. Does the ERR document if the project is located in the Coastal Zone Management Area?
2. If it is located in the Coastal Zone Management Area, is there correspondence to the Mississippi Department of Marine Resources in the ERR?
3. Is there a written statement from the Department of Marine Resources indicating that the proposed activity is consistent with the approved Coastal Zone Management Plan?

Sole Source Aquifers (40 CFR 149)

1. Does the ERR document whether or not the project is located in the Southern Hills Regional Aquifer System, Mississippi's only sole source aquifer?
2. If so, has correspondence been sent to the EPA requesting compliance determination?
3. Is there approval from EPA for the proposed action?
4. Certified mail return receipt or other proof of delivery if no response is received?

Endangered Species Act (50 CFR 402)

1. Is there correspondence to the U.S. Fish and Wildlife Service regarding threatened and endangered species?
2. Is there approval from the U.S. Fish and Wildlife Service stating "no effect" or "not likely to adversely effect" threatened and endangered species?
3. Certified mail return receipt or other proof of delivery if no response is received?
4. Is there a threatened and endangered species survey, if applicable?

Wild and Scenic Rivers Act (Sections 7(b), (c))

1. Does the ERR properly document Wild and Scenic Rivers in the project area?
2. Does the ERR include distance from project to Wild and Scenic River?
3. If the project is within one mile of a listed Wild and Scenic River or may affect the natural, free flowing or scenic qualities of the river, has approval been received from the National Park Service?
4. Certified mail return receipt or other proof of delivery if no response is received?

Air Quality (Clean Air Act, Sections 176(c) and (d), and 40 CFR 6, 51, 93)

1. Does the ERR document whether the project area is within an "attainment" or "non-attainment" area?
2. If within a "non-attainment" area, has the MDEQ's Air Toxics Branch been contacted for approval?
3. Does the ERR contain information on the project's impact on air quality, including deteriorating effects such as added traffic, added incineration, etc.?
4. Does the ERR document compliance with projects involving asbestos?

Farmland Protection Policy Act (7 CFR 658)

1. Does the ERR include correspondence to the NRCS's Soil Conservation Service, including a Form AD-1006?
2. Is a Form AD-1006 completed by the NRCS included in the ERR?
3. Certified mail return receipt or other proof of delivery if no response is received?
4. Was the Form AD-1006 used in deciding whether to approve the proposal, including mitigating measures?

Environmental Justice (E.O. 12898)

1. Does the ERR properly document that the project is suitable for its proposed use and will not be impacted by adverse environmental conditions?
2. Does the ERR ensure no disproportionate negative environmental effects on low-income or minority populations?

Noise Abatement and Control (24 CFR 51B)

1. Does the ERR document whether or not the project is within 15 miles of a major airport, 1000 feet of a significant road, 3000 feet of a railroad, or near a artillery range?
2. If any of the above criteria are triggered, does the ERR include a noise assessment compatible with HUD policy?

3. If noise levels at the selected site exceed HUD standards, have appropriate mitigating measures been proposed, and EISs prepared where required, or waivers requested, and are these documented in the ERR?

Toxic/Hazardous/Radioactive Materials, Contamination, Chemicals, or Gases (24 CFR 58.5(i)(2))

1. If the project involves new construction or a change in site ownership, was a Phase I Environmental Site Assessment conducted according to ASTM or AAI standards and included in the ERR?
2. For projects other than new construction or a change in ownership, have current techniques by qualified professionals been conducted in order to determine that the property is free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property?
3. If the project is multifamily housing with five or more dwelling units, or non-residential property, does the ERR include an evaluation of previous uses of the site or other evidence of contamination on or near the site?
4. Does the evaluation conclude that there are no known hazards or contamination?
5. If there are known hazards or contamination, have the proper mitigating measures been identified?

Siting of HUD-Assisted Projects Near Hazardous Operations (24 CFR 51C)

1. Does the ERR document whether or not the project is located within an Acceptable Separation Distance from any above-ground explosive or flammable fuels or chemical containers according to "Siting of HUD-Assisted Projects Near Hazardous Facilities"?
2. If the project is not within an Acceptable Separation Distance of such a hazard, are mitigating measures identified?
3. Has the ERR sufficiently analyzed the presence of any natural hazards?
4. Does the ERR document compliance with projects involving lead-based paint?

Airport Clear Zones and Accident Potential Zones (24 CFR 51D)

1. Does the ERR document that the project is at least 3,000 feet from a civil airport or 2.5 miles from the end of a runway at a military airfield?
2. If an airport is within either of the above-mentioned distances, does the ERR contain proper documentation (i.e., airport map or

documentation from the airport) that the project is not located in the Clear Zone or Accident Potential Zone?

24 CFR 58.6 Compliance

Flood Insurance

1. Are the most recent FEMA FIRMs included in the ERR and are they clearly marked with the project location?
2. Does the ERR state if flood insurance is a requirement for the project (project is located in a FEMA designated special flood hazard area and the community in which the project area is situated is participating in the National Flood Insurance Program)?
3. If it is a requirement, does the ERR state that flood insurance will be obtained?

Airport Clear Zone

1. See compliance steps above in 58.5.
2. If the project is in a Runway Clear Zone, is there a signed statement from the buyer that there is a possibility that the property may be acquired by the airport operator at a later date?

Coastal Barrier Resources Act

1. Does the ERR document that the project is not located in the Coastal Barrier Resources System?

*** This checklist is to be used for guidance purposes only. Additional environmental requirements may be warranted depending on the project location and scope.**