U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
www.hud.gov/states/shared/working/r10/environment/alaska

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

Project Information

Project Name: #1 Fueling Station

Responsible Entity: City of King Cove

Grant Recipient (city/borough): City of King Cove

State/Local Identifier:

Preparer: Amber Jusefowytsch, City of King Cove

Certifying Officer Name and Title: Warren Wilson, Mayor

Co-applicant: None

Consultant (if applicable): Gray Stassel Engineering, Inc.

Direct Comments to: Steven J. Stassel, P.E. 907-244-0155, steve@gse.engineering

Project Location: Tract 5, King Cove Small Boat Harbor, Plat 2021-8, Aleutian Islands Recording District

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

Construct #1 diesel fueling infrastructure, co-located with the existing City retail sales gasoline facility, to supply the community's heating fuel needs and for aircraft fuel.

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

The Peter Pan Seafoods plant closed in 2024 and eliminated the City's #1 diesel heating fuel source.

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

King Cove is a remote community on the Alaska Peninsula. Historically, the community's primary #1 diesel fuel storage and handling infrastructure was privately owned and operated by Peter Pan Seafoods. The seafood plant ceased operations in 2024 and the plant no longer provides #1 diesel to the community. As a result, King Cove must establish independent, community-controlled infrastructure capable of receiving, storing, and distributing #1 diesel for heating and aircraft use. The proposed project will establish City-controlled #1 diesel storage and handling infrastructure, co-located with the City's retail gasoline facility, necessary to maintain a reliable local supply of #1 fuel.

The proposed project is located within King Cove's existing developed waterfront and harbor area, and is situated on the King Cove Small Boat Harbor training dike, an artificial landform constructed as part of the original harbor development in 1973–1974. The training dike was created by placement of substantial fill into the waters of King Cove. The surrounding area has been used for harbor, transportation, utility, fuel, and other waterfront activities for approximately five decades and has undergone development and modification since its original construction, including expansion during the 1990s and early 2000s.

Existing land-use trends within the project area are characterized by continued harbor, transportation, utility, fuel-storage, commercial fishing and related community infrastructure uses. The training dike and surrounding waterfront area are expected to remain developed and in active use. There is no foreseeable trend toward conversion to an undeveloped or natural condition. The fish plant's closure eliminated services upon which the community had historically relied, including #1 diesel fuel storage and handling. Consequently, King Cove has been required to assume greater responsibility for maintaining essential fuel services independent of the former fish plant. The city constsructed a gasoline station in 2020 with CARES Act funds when the fish plant closed to non-employees during COVID. This #1 fueling station will be sited near the gasoline station.

In the absence of the proposed project, King Cove would remain without adequate #1 diesel fuel storage and handling facilities required to meet the needs of the community, with increased vulnerability to disruptions in fuel delivery, storage, and availability. The foreseeable trend is toward continued community responsibility for essential fuel infrastructure. The proposed project responds directly to that changed condition by establishing permanent City-controlled infrastructure, co-located with the City's existing retail gasoline facility at an existing developed waterfront area. It would not introduce a new type or intensity of land use into an undeveloped area; rather, it would maintain an established fuel-related function while transferring that essential function to infrastructure under City control.

Funding Information

Grant Number	HUD Program	Funding Amount
##-CDBG-##	CDBG	$562,500

Estimated Total HUD Funded Amount: $562,500

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]**:** $730,000

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. For guidance on laws and authorities go to:
https://www.hud.gov/states/shared/working/r10/environment

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
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes ☐ No ☒	*The King Cove airport is more than 4 miles northeast of the project location. As such, this project is in compliance with 24 CFR Part 51 Subpart D.* *(Refer to Attachment 1).*
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No ☒	*The State of Alaska does not have a Coastal Zone Management Plan. Projects are not subject to this requirement.*
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes ☐ No ☒	*The Federal Emergency Management Agency (FEMA) National Flood Hazard Layer (NFHL) tool has not published flood hazard maps for the project location or the greater King Cove area, and the City of King Cove does not participate in the National Insurance Flood Program. (FEMA. 2021. FEMA's National Flood Hazard Layer Viewer. Accessed at https://hazardsfema. maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd.)*
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes ☐ No ☒	*The project site is not a designated non-attainment area. King Cove is not listed on Alaska Department of Environmental Conservation's Rural Dust Survey list of communities reporting people are highly affected by dust. There are no topographical or meteorological conditions to hinder the dispersal of air emissions. (EPA Green Book. 2022. Alaska Nonattainment/Maintenance Status for Each County*

		by Year for All Criteria Pollutants. Accessed at https://www3.epa.gov/airquality/greenbook/anayo_ak.html.)
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes ☐ No ☒	*The State of Alaska does not have a Coastal Zone Management Plan. Projects are not subject to this requirement.*
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes ☐ No ☒	*There is no known contamination or toxic substances at the proposed project site.*
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes ☐ No ☒	*The USFWS Species List (Attachment 2) identifies the Steller's Eider as Threatened. The proposed project will not affect Steller's Eiders or Critical Habitat Areas.*
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes ☐ No ☒	*The proposed project is classified as a hazardous facility subject to HUDs ASD requirements. The proposed project site complies with ASD setbacks for both people and buildings. There are no residences or areas where people may congregate within 1141 feet of the proposed project. The Harbor House is the only building located within the 242 foot building ASD, but the Harbor House is an integral component of the fuel facility and is where the fuel attendant and facility retail sales equipment is located, refer to Attachment 3.*
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes ☐ No ☒	*No unique, prime, or statewide important farmlands have been designated in Alaska and therefore, no impacts to important farmland would occur as a result of the proposed project. (USDA NRCS Alaska. 2015. Soil of Local Importance. Accessed at https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1267629.pdf).*
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes ☐ No ☒	*The Federal Emergency Management Agency has not published flood maps for the King Cove area. King Cove is also an unmapped area within the State of Alaska's Alaska Department of Commerce, Community, and Economic Development Planning and Land Management's Risk MAP studies. (DCRA 2020).* *According to the Communities of the Aleutians East Borough (AEB) Multi-Jurisdictional Multi-Hazards Mitigation Plan (2010), King Cove has a low probability of flooding (AEB. 2010. Communities of the AEB Multi-Jurisdictional Multi-Hazards Mitigation Plan. Accessed at https://www.commerce.alaska.gov/dcra/admin/Download/GetFile/?documentUID=5e34ab0b-803f-4fcc-9481-aa07c7f1a732&isPdf=true). Refer to Attach 4.*

Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes ☐ No ☒	*The proposed project site is an existing gasoline storage and handling facility constructed in 2020. It is located on fill material placed in the waters of King Cove as part of the small boat harbor development, and is not subject to Alaska SHPO review.*
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes ☐ No ☒	*The proposed project is located at the existing gasoline station and will not create or be exposed to a high noise level.*
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes ☐ No ☒	*The State of Alaska does not have any Sole Source Aquifers. Projects are not subject to this requirement.*
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes ☐ No ☒	*The proposed project site is a gravel-filled area created as part of the community small boat harbor and waterfront development. There are no wetlands at the project site.*
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes ☐ No ☒	*According to the National Parks Service's Wild and Scenic River website, there are no wild or scenic rivers near the project area. (National Wild and Scenic Rivers System. Wild and Scenic Rivers Interactive Mapper. Accessed at https://nps.maps.arcgis.com/apps/View/index.html?appid=ff42a57d0aae43c49a88daee0e353142).*
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes ☐ No ☒	*The proposed project will benefit all residents by providing a local source for residents to obtain #1 diesel heating fuel for their homes, as well as aircraft fuel for small piston planes. The project provides economic development opportunities and public service in King Cove.*

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list 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
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	*The proposed project is co-located with the existing community gas station, which is located at the small boat harbor.*
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	*The project site is a level, gravel-filled area adjacent to the small boat harbor and City deep water dock, created as part of the city waterfront development.*
Hazards and Nuisances including Site Safety and Noise	2	*The project is located within an industrial area (fishing boat harbor) and gas station. Facility operations will not create noise. The project will conform to the International Fire Code and National Electric Code requirements for fuel facilities.*
Energy Consumption	2	*The project will consume minimal energy. Fuel transfer pumps (s) will be fractional horsepower and will only operate during fuel transfer operations. Area/Security lighting will be energy efficient LED lighting.*

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	*The project will create temporary construction jobs for 2 to 4 people. Long term operation will be provided by existing city employees.*
Demographic Character Changes, Displacement	2	*The project will not cause any demographic character changes or displacement.*

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	*The project is not located near educational or cultural facilities.*
Commercial Facilities	1	*The project will provide #1 diesel heating fuel as well as aviation fuel for local piston aircraft that serve King Cove.*
Health Care and Social Services	2	*The project will not affect health care or social services.*
Solid Waste Disposal / Recycling	2	*The project will create minimal construction waste, which will be disposed of in the City's permitted landfill. Ongoing operations will not create waste.*
Waste Water / Sanitary Sewers	2	*The project will have no effect on either waste water or sanitary sewers.*
Water Supply	2	*The project does not have a water supply, and will not affect the City's potable water system.*
Public Safety - Police, Fire and Emergency Medical	2	*The project is co-located with the City's existing gas station, where City police regularly perform drive-by inspections. It is also monitored by closed circuit web cameras and is readily accessible to fire and emergency personnel. The pump facilities are open only during harbor house business hours and are locked and secured at all other times.*
Parks, Open Space and Recreation	2	*There are no parks, open space or recreation facilities at or near the project site.*
Transportation and Accessibility	2	*The site is accessible by road and will have negligible affect on local traffic patterns.*

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	*There are no unique natural features at the project site. The project site is located next to the existing gas station, which is located adjacent to King Cove Bay.*
Vegetation, Wildlife	2	*The site is a gravel-filled pad with no vegetation or wildlife, other than seabirds or the occasional fox.*
Other Factors	2	*None*

Additional Studies Performed: Refer to attached March 17, 2025 Scoping Report, Attachment 5

Field Inspection (Date and completed by)**:** Steven Stassel, P.E., conducted a site inspection of the existing gas station and proposed #1 diesel fuel project on October 2, 2024. Additional review was recently performed via aerial imagery and local photos.

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

List of Permits Obtained:

No permits have been obtained yet for the project. The completed facility design will be submitted to the State of Alaska Department of Public Safety Fire Prevention for plan review for conformance with the International Fire Code and State of Alaska safety requirements.

Public Outreach [24 CFR 50.23 & 58.43]**:**

City of King Cove held a Public Hearing on March 20, 2025. There were no negative comments

Cumulative Impact Analysis [24 CFR 58.32]**:**

The proposed project will add #1 diesel fuel storage and dispensing to an existing gasoline storage and dispensing facility, which is located in the industrial, harbor area of the community. The storage and dispensing facility is not part of a larger proposed or contemplated action. No activities requiring aggregation under 24 CFR 58.32 have been identified; therefore, there is no analysis required under this section.

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

The alternative is for the City of King Cove to not supply #1 diesel fuel to its residents for residential space heating, or aircraft fuel for aircraft that travel to King Cove.

No Action Alternative [24 CFR 58.40(e)]:

The No Action Alternative is not viable, as residents rely on #1 heating fuel to heat their homes, and visiting aircraft need fuel to travel.

Summary of Findings and Conclusions:

The proposed project will add #1 diesel fuel storage and dispensing to an existing gasoline storage and dispensing facility. The project is needed to provide a reliable local supply of #1 diesel fuel for residential space heating and for aircraft serving the community.

Under the No Action Alternative, the proposed diesel fuel storage and dispensing improvements would not be constructed. This alternative would not meet the purpose and need of the project. Without the project, a reliable local supply of #1 diesel fuel would not be available for residential heating or for visiting aircraft. The No Action Alternative is therefore not considered a reasonable alternative.

The proposed action makes use of an existing fuel storage and dispensing site and represents a limited expansion of an established use. No additional geographically or functionally related actions requiring aggregation under 24 CFR 58.32 have been identified. Based on the environmental review, no significant adverse environmental impacts are anticipated from the proposed action.

The proposed action is therefore the preferred alternative because it meets the identified community need while utilizing an existing developed fuel facility and avoiding the impacts associated with development of a new fuel facility at an undeveloped location.

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.

No mitigation measures or conditions are required as a result of this environmental review.

Law, Authority, or Factor	Mitigation Measure
Not Applicable	

Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: _____Date:_____

Name/Title/Organization: _____

_____

Certifying Officer 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).

Airport Hazards (1 of 2)

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
References		
https://www.hudexchange.info/environmental-review/airport-hazards		

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. Continue to the Worksheet Summary below.* Refer to attached Google Earth Map

   ☐Yes → *Continue to Question 2.*

2. **Is your project located within a Runway Potential Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?**

   ☐Yes, project is in an APZ → *Continue to Question 3.*

   ☐Yes, project is an RPZ/CZ → *Project cannot proceed at this location.*

   ☐No, project is not within an APZ or RPZ/CZ

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.*

3. **Is the project in conformance with DOD guidelines for APZ?**

   ☐Yes, project is consistent with DOD guidelines without further action.

   Explain how you determined that the project is consistent:

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

   ☐No, the project cannot be brought into conformance with DOD guidelines and has not been approved. → *Project cannot proceed at this location.*

   ☐Project is not consistent with DOD guidelines, but it has been approved by Certifying Officer or HUD Approving Official.

   Explain approval process:

Airport Hazards continued (2 of 2)

If mitigation measures have been or will be taken, explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

Worksheet Summary

Compliance Determination

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

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

The King Cove airport is 24,500 feet northeast of the project site, located over the horizon on the opposite side of the mountains from project site.

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)	
References		
https://www.hudexchange.info/environmental-review/coastal-barrier-resources		

Projects located in the following states must complete this form.

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

1. Is the project located in a CBRS Unit?

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

The State of Alaska does not have a Coastal Zone Management Plan. Projects are not subject to this requirement.

Worksheet Summary

Compliance Determination

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

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

The State of Alaska does not have a Coastal Zone Management Plan. Projects are not subject to this requirement.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Flood Insurance (1 of 2)

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).
Reference		
https://www.hudexchange.info/programs/environmental-review/flood-insurance/		

1. **Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

   ☒No. This project does not require flood insurance or is excepted from flood insurance. → *Continue to the Worksheet Summary.*

   ☐Yes → *Continue to Question 2.*

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

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

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

   ☐No → *Continue to the Worksheet Summary.*

   ☐Yes → *Continue to Question 3.*

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

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

   For loans, loan insurance or loan guarantees, flood insurance coverage must be continued for the term of the loan. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less

   Provide a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.

   → *Continue to the Worksheet Summary.*

   ☐Yes, less than one year has passed since FEMA notification of Special Flood Hazards.

   If less than one year has passed since notification of Special Flood Hazards, no flood Insurance is required.

→ *Continue to the Worksheet Summary.*

Flood Insurance continued (2 of 2)

☐No. The community is not participating, or its participation has been suspended.
Federal assistance may not be used at this location. Cancel the project at this location.

Worksheet Summary

Compliance Determination

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

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

The project does not include a mobile home, building or insurable personal property.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Clean Air Quality (1 of 2)

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
Reference		
https://www.hudexchange.info/environmental-review/air-quality		

Scope of Work

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

   → *Continue to Question 2.*

   ☒ No

   Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Air Quality Attainment Status of Project's County or Air Quality Management District

2. **Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**
   Follow the link below to determine compliance status of project county or air quality management district:
   https://www.epa.gov/green-book/

   ☐ No, project's county or air quality management district is in attainment status for all criteria pollutants

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

   ☐ Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants.

   Describe the findings:

Clean Air Quality continued (2 of 2)

→ *Continue to Question 3.*

3. **Determine the <u>estimated emissions levels of your project for each of those criteria pollutants</u> that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis or threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?**

   ☐ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Explain how you determined that the project would not exceed de minimis or threshold emissions.*

   ☐ Yes, the project exceeds *de minimis* emissions levels or screening levels.

   → *Continue to Question 4. Explain how you determined that the project would not exceed de minimis or threshold emissions in the Worksheet Summary.*

4. **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.**

<u>Worksheet Summary</u>

Compliance Determination

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

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

The proposed project is an expansion of an existing fuel storage and handling facility, and does not include new construction or conversion of land.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Coastal Zone Management Act (1 of 2)

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
References		
https://www.hudexchange.info/programs/environmental-review/coastal-zone-management/		

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samona	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

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

   ☐Yes → *Continue to Question 2.*

   ☒No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.* Not Applicable – there is no Coastal Zone Management Plan program in Alaska.

The State of Alaska does not have a Coastal Zone Management Plan. Projects are not subject to this requirement.

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

   ☐Yes → *Continue to Question 3.*

   ☒No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.* Not Applicable – there is no Coastal Zone Management Plan program in Alaska.

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

   ☐Yes, with mitigation. → *Continue to Question 4.*

   Not Applicable

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

Coastal Zone Management Act (2 of 2)

☐No, project must be canceled.

Project cannot proceed at this location.

Worksheet Summary

Compliance Determination

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

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

The State of Alaska does not have a Coastal Zone Management Plan. Projects are not subject to this requirement.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Contamination and Toxic Substances (1 of 2)

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.hudexchange.info/programs/environmental-review/site-contamination		

1. **Evaluate the site for contamination. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property?**
   Provide a map or other documentation of absence or presence of contamination[1] and explain evaluation of site contamination in the Worksheet below.

   ☒ No

   Explain:

   The proposed project site is a gravel-fill area constructed as part of the King Cove waterfront development. The existing gasoline fuel storage and handling facility was constructed in 2020/21. There have been no reported fuel spills at the project site.

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

   ☐ Yes

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

   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]

[1] Utilize EPA's Enviromapper and 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.

Contamination and Toxic Substances continued (2 of 2)

2. **Mitigation**

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

   Can adverse environmental impacts be mitigated?

   ☐ Adverse environmental impacts cannot feasibly be mitigated

   → Project cannot proceed at this location.

   ☐ Yes, adverse environmental impacts can be eliminated through mitigation.

   → *Provide all mitigation requirements*[2] *and documents. Continue to Question 3.*

3. **Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls**[3]**, or use of institutional controls**[4]**.**

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

   ☐ Complete removal

   ☐ Risk-based corrective action (RBCA)

   ☐ Other

   → *Continue to the Worksheet Summary.*

Worksheet Summary

Compliance Determination

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

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

The proposed project site is a gravel-fill area constructed as part of the King Cove waterfront development. The existing gasoline fuel storage and handling facility was constructed in 2020/21. There have been no reported fuel spills at the project site.

Are formal compliance steps or mitigation required?

☐ Yes ☒ No

[2] Mitigation requirements include all clean-up actions required by applicable federal, state, tribal, or local law. Additionally, provide, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

[3] Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, without limitation, caps, covers, dikes, trenches, leachate collection systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, without limitation, slurry walls and ground water pumping systems.

[4] Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

Endangered Species Act (1 of 3)

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 *et seq*.); particularly section 7 (16 USC 1536).	50 CFR Part 402
References		
https://www.hudexchange.info/programs/environmental-review/endangered-species/		

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.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

☒No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, Refer to USFWS Species List.

Explain your determination:

The attached USFWS Species List identifies the Steller's Eider as Threatened. The expansion of the existing gasoline facility to include #1 fuel will not affect Steller's Eiders.

→ *Based on the response, the review is in compliance with this section**. Continue to the Worksheet Summary below. Provide any documents used to make your determination**.*

☐Yes, the activities involved in the project have the potential to affect species and/or habitats. → *Continue to Question 2.*

2. **Are federally listed species or designated critical habitats present in the action area?**

Obtain a list of protected species from the Services. This information is available on the FWS Website or you may contact your local FWS and/or NMFS offices directly.

☐No, the project will have No Effect due to the absence of federally listed species and designated critical habitat.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.*

☒Yes, there are federally listed species or designated critical habitats present in the action area. → *Continue to Question 3.*

Endangered Species Act continued (2 of 3)

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.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.* ***Provide any documents used to make your determination****. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.* Refer to attached USFWS Species List

☐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.

→ *Continue to Question 4, Informal Consultation.*

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

→ *Continue to Question 5, Formal Consultation.*

4. Informal Consultation is required

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

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

☐Yes, the Service(s) concurred with the finding.

→ *Based on the response, the review is in compliance with this section. Continue to Question 6 and provide the following:*

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

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

☐No, the Service(s) did not concur with the finding. → *Continue to Question 5.*

5. Formal consultation is required

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

→ *Once consultation is complete, the review is in compliance with this section. Continue to Question 6 and provide the following:*

(1) A biological assessment, evaluation, or equivalent document
(2) Biological opinion(s) issued by FWS and/or NMFS
(3) Any other documentation of formal consultation

Endangered Species Act continued (3 of 3)

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

☐Mitigation as follows will be implemented:

☒No mitigation is necessary.

Explain why mitigation will not be made here:

The proposed project site does not include Critical Habitat. The expansion of the existing gasoline facility to include #1 fuel will not affect Steller's Eiders.

Worksheet Summary

Compliance Determination

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

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

The proposed project site does not include Critical Habitat. The expansion of the existing gasoline facility to include #1 fuel will not affect Steller's Eiders.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Explosive and Flammable Hazards (1 of 3)

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
Reference		
https://www.hudexchange.info/programs/environmental-review/explosive-and-flammable-facilities/		

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

   → *Continue to Question 2.*

   ☒ Yes

   Explain:

   The proposed project will add #1 diesel fuel to the existing gasoline facility.

   → *Go directly to Question 5.*

2. **Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?**

   ☐ No

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

   ☐ Yes

   → *Continue to Question 3.*

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 <u>NOT</u> covered under the regulation include:**
   - **Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR**
   - **Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.**

   If all containers within the search area fit the above criteria, answer "no." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "yes."

   ☐ No

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.*

   ☐ Yes

   → *Continue to Question 4.*

Explosive and Flammable Hazards continued (2 of 3)

4. **Visit HUD's website to identify the appropriate tank or tanks to assess and to calculate the required separation distance using the electronic assessment tool. To document this step in the analysis, please attach the following supporting documents to this screen:**
   - **Map identifying the tank selected for assessment, and showing the distance from the tank to the proposed HUD-assisted project site; and**
   - **Electronic assessment tool calculation of the required separation distance.**

   Based on the analysis, is the proposed HUD-assisted project site 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. Continue to the Worksheet Summary below.*

   ☐ No

   → *Go directly to Question 6.*

5. **Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?**
   Please visit HUD's website for information on calculating Acceptable Separation Distance.

   ☒ Yes

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.*

   ☐ No

   → *Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.*
   Continue to Question 6.

6. **For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Mitigation measures may include both natural and manmade barriers, modification of the project design, burial or removal of the hazard, or other engineered solutions. Describe selected mitigation measures, including the timeline for implementation, and attach an implementation plan. If negative effects cannot be mitigated, cancel the project at this location.**
   Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

Not Applicable

Explosive and Flammable Hazards continued (3 of 3)

Worksheet Summary

Compliance Determination

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

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

The proposed project is classified as a hazardous facility subject to HUDs ASD requirements. The proposed project site complies with ASD setbacks for both people and buildings. There are no residences or areas where people may congregate within 1141 feet of the proposed project. The Harbor House is the only building located within the 242 foot building ASD, but the Harbor House is an integral component of the existing fuel facility where the fuel attendant and retail sales equipment is located. The Harbor House is a metal-sided building, rather than wood-sided residential construction, and is oriented longitudinally to the proposed facility. The end of the building nearest the proposed facility is a shop area with a steel mandoor and steel garage door. Refer to attached ASD calculations, site plan and photo.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Farmlands Protection (1 of 2)

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
Reference		
https://www.hudexchange.info/programs/environmental-review/farmlands-protection/		

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 → *Continue to Question 2.*

   ☒No

   Explain how you determined that agricultural land would not be converted:

   The proposed project site is a developed waterfront area adjacent to the City boat harbors. There is no agricultural land in King Cove.

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.* Not Applicable

2. **Does "important farmland," including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?**

   You may use the links below to determine important farmland occurs on the project site:

   - Utilize USDA Natural Resources Conservation Service's (NRCS) Web Soil Survey http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm
   - Check with your city or county's planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
   - Contact NRCS at the local USDA service center http://offices.sc.egov.usda.gov/locator/app?agency=nrcs or your NRCS state soil scientist http://soils.usda.gov/contact/state_offices/ for assistance

   ☒No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

   ☐Yes → *Continue to Question 3.*

3. **Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.**

Farmlands Protection continued (2 of 2)

- Complete form **AD-1006**, "Farmland Conversion Impact Rating" and contact the state soil scientist before sending it to the local NRCS District Conservationist.
  (NOTE: for corridor type projects, use instead form **NRCS-CPA-106**, "Farmland Conversion Impact Rating for Corridor Type Projects)
- Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

Document your conclusion:

☐Project will proceed with mitigation.

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

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

☐Project will proceed without mitigation.

Explain why mitigation will not be made here:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Worksheet Summary

Compliance Determination

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

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

There is no farmland in King Cove, Alaska

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Floodplain Management (1 of 5)

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55
Reference		
https://www.hudexchange.info/programs/environmental-review/floodplain-management/		

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

   ☐ Yes

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

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

   ☒ No → *Continue to Question 2.*

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

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

   Does your project occur in a floodplain?

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

   ☐ Yes

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

   ☐ Floodway → *Continue to Question 3, Floodways*

   ☐ Coastal High Hazard Area (V Zone) → *Continue to Question 4, Coastal High Hazard Areas*

   ☐ 500-year floodplain (B Zone or shaded X Zone) → *Continue to Question 5, 500-year Floodplains*

   ☐ 100-year floodplain (A Zone) → *The 8-Step Process is required. Continue to Question 6, 8-Step Process*

Floodplain Management continued (2 of 5)

3. **Floodways**

Is this a functionally dependent use?

☐ Yes

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

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

☐ No

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

4. **Coastal High Hazard Area**

Is this a critical action?

☐ Yes

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

☐ No

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

☐ Yes, there is new construction.

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

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

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

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

5. **500-year Floodplain**

Is this a critical action?

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

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

Floodplain Management continued (3 of 5)

6. 8-Step Process.

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

☐ 8-Step Process applies.

Provide a completed 8-Step Process, including the early public notice and the final notice.

→ *Continue to Question 7, Mitigation*

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

Provide documentation of 5-Step Process.

Select the applicable citation:

- ☐ *55.12(a)(1)* HUD actions involving the disposition of HUD-acquired multifamily housing projects or "bulk sales" of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).
- ☐ *55.12(a)(2)* HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.
- ☐ *55.12(a)(3)* HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10), and the footprint of the structure and paved areas is not significantly increased.
- ☐ *55.12(a)(4)* HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10) and that the footprint of the structure and paved areas is not significantly increased.

→ *Continue to Question 7, Mitigation*

Floodplain Management continued (4 of 5)

☐ 8-Step Process is inapplicable per 55.12(b)(1-4).
Select the applicable citation:

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

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

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

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

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

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

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

Floodplain Management continued (5 of 5)

7. **Mitigation**

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

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

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

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

Worksheet Summary

Compliance Determination

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

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

The Corps of Engineers, Alaska Community Flood Hazard Data, June 2000 states: "No known flooding" in King Cove.

Are formal compliance steps or mitigation required?

- ☐ Yes
- ☒ No

Historic Preservation (1 of 6)

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"
References		
https://www.hudexchange.info/environmental-review/historic-preservation		

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

→ *Continue to the Worksheet Summary.*

☒ No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].
Either provide the memo itself or a link to it here. Explain and justify the other determination here:

The King Cove small boat harbor was constructed in 1973-74. The project area consists of fill placed offshore into the waters of King Cove to create the harbor training dike, and was further expanded/filled in 1993 to construct the City's Deep Water Dock. The proposed project is an expansion of the existing City gasoline retails sales fuel system. Site excavations will be limited to approximately 12" to construct concrete strip footings for tank foundations.

→ ***Continue to the Worksheet Summary.***

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

Historic Preservation continued (2 of 6)

The Section 106 Process

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

Note that consultation continues through all phases of the review.

Step 1: Initiate consultation

Step 2: Identify and evaluate historic properties

Step 3: Assess effects of the project on historic properties

Step 4: Resolve any adverse effects

Step 1 - Initiate Consultation

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

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

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

☐State Historic Preservation Officer (SHPO)

☐Advisory Council on Historic Preservation

☐Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native

☐Hawaiian Organizations (NHOs)

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

☐Other Consulting Parties

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

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

Historic Preservation continued (3 of 6)

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

Step 2 - Identify and Evaluate Historic Properties

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

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

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

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

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

☐ Yes → *Provide survey(s) and report(s) and continue to Step 3.*
Additional notes:

☐ No → *Continue to Step 3.*

Historic Preservation continued (4 of 6)

Step 3 - Assess Effects of the Project on Historic Properties

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

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

☐ No Historic Properties Affected

Document reason for finding:

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

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

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

☐ No Adverse Effect

Document reason for finding:

Does the No Adverse Effect finding contain conditions?

☐ Yes

Check all that apply: (check all that apply)

☐ Avoidance

☐ Modification of project

☐ Other

Describe conditions here:

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

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

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

Historic Preservation continued (5 of 6)

☐ Adverse Effect

Document reason for finding:

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

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

→ *Continue to Step 4.*

Step 4 - Resolve Adverse Effects

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

Were the Adverse Effects resolved?

☐ Yes

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

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

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

☐ No

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

Historic Preservation continued (6 of 6)

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

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

→ *Provide correspondence, comments, documentation of decision, and "Head of Agency" approval. Continue to the Worksheet Summary.*

Worksheet Summary

Compliance Determination

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

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

The project area is located on the existing King Cove Small Boat Harbor training dike, which was constructed in 1973–1974. An EIS was prepared for the Small Boat Harbor project by the Corps of Engineers. The training dike was constructed by placing fill into the waters of King Cove. Subsequent harbor development and construction of the City Deep Water Dock in 1993 resulted in additional disturbance of the dike surface. Proposed project-related excavations will be limited to less than 12 inches below the existing ground surface and will occur entirely within previously placed artificial fill. Accordingly, there is virtually no potential for the proposed ground disturbance to encounter or affect archaeological deposits.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Noise – Abatement – and – Control (1 of 4)

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
References		
https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control/		

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.
→ *Continue to Question 2.*

☐ Rehabilitation of an existing residential property
NOTE: For major or substantial rehabilitation in Normally Unacceptable zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. For major rehabilitation in Unacceptable zones, HUD strongly encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.
→ *Continue to Question 2.*

☐ A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

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

☒ None of the above

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

Noise – Abatement – and – Control continued (2 of 4)

2. **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.

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.*

   ☐ Noise generators were found within the threshold distances.

   → *Continue to Question 3.*

3. **Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:**

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

   Indicate noise level here: ☐

   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.*

   ☐ 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))

   Indicate noise level here: ☐

   <u>If project is rehabilitation:</u>

   → *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis.*

   <u>If project is new construction:</u>

   Is the project in a largely undeveloped area[5]?

   ☐ No

[5] A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses and does not have water and sewer capacity to serve the project.

→ *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.*

☐ Yes

→*Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS-level review.*

Noise – Abatement – and – Control continued (3 of 4)

☐ Unacceptable: (Above 75 decibels)

Indicate noise level here: ☐

If project is rehabilitation:

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels. Consider converting this property to a non-residential use compatible with high noise levels.

→ *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.*

If project is new construction:

Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:

☐ Convert to an EIS

→ *Provide noise analysis, including noise level and data used to complete the analysis.*

Continue to Question 4.

☐ Provide waiver

→ *Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.*

Continue to Question 4.

4. **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:

→ *Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures. Continue to the Worksheet Summary.*

Noise – Abatement – and – Control continued (4 of 4)

☐ No mitigation is necessary.

Explain why mitigation will not be made here:

→ *Continue to the Worksheet Summary.*

Worksheet Summary

Compliance Determination

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

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

The proposed project area is located on the King Cove waterfront, between the small and large commercial fishing boat harbors. Noise will be created during construction activities, but noise levels will be commensurate with typical road-type construction activities. Noise from ongoing facility operations will be less than the noise created from fishing boats entering and exiting the harbor.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Sole Source Aquifers (1 of 2)

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
Reference		
https://www.hudexchange.info/programs/environmental-review/sole-source-aquifers/		

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

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

   ☒No → *Continue to Question 2.*

2. **Is the project located on a sole source aquifer (SSA)[6]?**

   ☒No → *Based on the response, the review is in compliance with this section.* ***Continue to the Worksheet Summary below.*** *Provide documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area.*

   ☐Yes → *Continue to Question 3.*

3. **Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?**

   Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

   ☐Yes → *Provide the MOU or agreement as part of your supporting documentation. Continue to Question 4.*

   ☐No → *Continue to Question 5.*

4. **Does your MOU or working agreement exclude your project from further review?**

   ☐Yes → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

   ☐No → *Continue to Question 5.*

[6] 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.

Sole Source Aquifers continued (2 of 2)

5. **Will the proposed project contaminate the aquifer and create a significant hazard to public health?**

   Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

   ☐No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination*.

   ☐Yes → *Work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. <u>If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied.</u> Continue to Question 6.*

6. **In order to continue with the project, any threat must be mitigated, and all mitigation must be approved by the EPA. Explain in detail the proposed measures that can be implemented to mitigate for the impact or effect, including the timeline for implementation.**

   → *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

<u>Worksheet Summary</u>

Compliance Determination

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

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

There are no Sole Source Aquifers in Alaska

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Wetlands (1 of 2)

General requirements	Legislation	Regulation
Executive Order 11990 discourages that 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.
References		
https://www.hudexchange.info/programs/environmental-review/wetlands-protection/		

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 → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*
   ☐ Yes → *Continue to Question 2.*

2. **Will the new construction or other ground disturbance impact an on- or off-site wetland?**
   The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.
   ☐ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.
   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*
   ☐ Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.
   →*You must determine that there are no practicable alternatives to wetlands development by completing the 8-Step Process.*
   Provide a completed 8-Step Process as well as all documents used to make your determination, including a map. Be sure to include the early public notice and the final notice with your documentation.

   Continue to Question 3.

Wetlands continued (2 of 2)

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

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

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

Worksheet Summary

Compliance Determination

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

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

The project area is located on the existing King Cove Small Boat Harbor training dike, which was constructed by placing fill into the waters of King Cove. There are no wetlands in the proposed project area.

Are formal compliance steps or mitigation required?

- ☐ Yes
- ☒ No

Wild and Scenic Rivers (1 of 2)

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
References		
https://www.hudexchange.info/programs/environmental-review/wild-and-scenic-rivers/		

1. **Is your project within proximity of a NWSRS river as defined below?**
   Wild & Scenic Rivers: These rivers or river segments have been designated by Congress or by states (with the concurrence of the Secretary of the Interior) as wild, scenic, or recreational
   Study Rivers: These rivers or river segments are being studied as a potential component of the Wild & Scenic River system.
   Nationwide Rivers Inventory (NRI): The National Park Service has compiled and maintains the NRI, a register of river segments that potentially qualify as national wild, scenic, or recreational river areas
   ☒ No
   → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map identifying the project site and its surrounding area or a list of rivers in your region in the Screen Summary at the conclusion of this screen.*
   ☐ Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.
   → *Continue to Question 2.*

2. **Could the project do *any* of the following?**
   - Have a direct and adverse effect within Wild and Scenic River Boundaries,
   - Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
   - Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.
   - Consultation with the appropriate federal/state/local/tribal Managing Agency(s) is required, pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

Wild and Scenic Rivers continued (2 of 2)

Note: Concurrence may be assumed if the Managing Agency does not respond within 30 days; however, you are still obligated to avoid or mitigate adverse effects on the rivers identified in the NWSRS

☐ No, the Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

☐ Yes, the Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *Continue to Question 3.*

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

→ *Continue to the Worksheet Summary below. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

Worksheet Summary

Compliance Determination

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

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

There are no Wild and Scenic Rivers located at or near the proposed project area.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Environmental Justice (1 of 2)

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	
References		
https://www.hudexchange.info/programs/environmental-review/environmental-justice/		

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 → *Continue to Question 2.*

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

2. **Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?**

   ☐Yes

   Explain:

   → *Continue to Question 3. Provide any supporting documentation.*

   ☐No

   Explain:

   → *Continue to the Worksheet Summary and provide any supporting documentation.*

3. **All adverse impacts should be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

   ☐Mitigation as follows will be implemented:

   → *Continue to Question 4.*

Environmental Justice continued (2 of 2)

☐No mitigation is necessary.

Explain why mitigation will not be made here:

→ *Continue to Question 4.*

4. **Describe how the affected low-income or minority community was engaged or meaningfully involved in the decision on what mitigation actions, if any, will be taken.**

→ *Continue to the Worksheet Summary and provide any supporting documentation.*

Worksheet Summary

Compliance Determination

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

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

The proposed project will provide a much needed local source of #1 heating fuel for heating King Cove homes. It will also provide aircraft fuel for the planes that fly to King Cove to transport residents and visitors. The project provides positive benefits to all people of King Cove, including low-income and the minority community.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No