

Environmental Review

All applications are required to meet HUD's environmental compliance standards, per Federal regulations (24 CFR § 93.301(f)(1) and (f)(2)) as well as all state and local standards. Complete and accurate completion of the forms will help DEHCR prepare the necessary documentation that will legally permit the release of HUD funds. If any questions arise, please contact the DOA Environmental Desk. Put "HTF" and Your Project Name in the subject line to be sure this is received by the correct contact:

DOAEnvironmentalDesk@wisconsin.gov.

In some cases, further technical analysis may be required to determine if mitigation measures are necessary. If further documentation or mitigation tactics are found to be necessary, the applicant may have a predetermined turnaround time to provide them to DEHCR as some features of the environmental review must factor in seasonal and timely considerations.

Resources to Help to Complete these Sections:

The documentation requested will be used to determine the level of review required. Under certain circumstances, consultation with the Wisconsin Historical Society may be required.

Architectural and Historical Review (for projects 50 years and older): The age of the structure should be obtained from local tax assessors' records or a similar source. If the building being renovated is over 50 yrs, contact the DEHCR Environmental Desk for a State Historic Preservation Office (SHPO) review.

COASTAL MANAGEMENT AND COASTAL BARRIER RESOURCES ZONES

- If the project is located in a Coastal Management Zone, it must be determined that the project IS CONSISTENT with the State Coastal Zone Management Plan.
<https://doa.wi.gov/Pages/LocalGovtsGrants/CoastalManagement.aspx>
- If the project is located within a Coastal Barrier Resources System (CBRS) unit, it cannot be funded with HTF funds. <http://www.fws.gov/CBRA/Maps/Mapper.html>

FLOODPLAINS

No construction can take place in a floodway and no critical action construction can take place in a 100-year or 500-year flood plain. Construction and other activities in the 100 year flood plain are to be avoided when practicable. If there are no practicable alternatives to new construction or substantial improvements in the 100-year flood plain, the structure must be elevated at least the base flood elevation (BFE) or flood proofed to one foot above the BFE. Elevated and flood proofed buildings must adhere to National Flood Insurance Program standards.

A copy of the applicable [Flood Insurance Rate Map \(FIRM\)](#) must be attached. See HUD's regulations in (24 CFR § 93.301(f)(1) and (f)(2)) outline HUD's procedures for additional compliance with Executive Order 11988 – Floodplain Management.

WETLANDS PROTECTION/STORM WATER DISCHARGE

24 CFR 93.301 (f)(1) and (f)(2) requires that no draining, dredging, channelizing, filling, diking, impounding, or related grading activities be performed in wetlands. No activities, structures, or facilities funded under HTF funding are to adversely impact a wetland. As primary screening, applicants must verify whether the project is located within wetlands identified on both the [National Wetlands Inventory](#) and the [Wisconsin DNR Wetland Inventory](#). Wetland maps can be created using the mapping tools on both sites. A WDNR wetlands review is conducted for all [WDNR storm water discharge permits](#). The Wisconsin DNR requires developers to obtain this permit and submit erosion control plans if the proposed project will disturb 1/+ acres of land through clearing, grading, excavating, or stockpiling of fill material. Projects located in or affecting wetlands cannot be funded with HTF funds.

ENDANGERED RESOURCES

A copy of the [USFWS Section 7 Species Review letter](#) and the [WDNR Endangered Resources Review](#) must be attached. An environmental review must consider potential impacts of the HUD-assisted project to endangered and threatened species and critical habitats. The review must evaluate potential impacts not only to any listed but also to any proposed endangered or threatened species and critical habitats. [24 CFR 58.5(e) and 24 CFR 50.4 (e)]

AIRPORT ZONES

The project cannot take place within an airport Runway Protection Zone (RPZ) of a civilian airport or the clear zone or Accident Potential Zone (APZ) of a military airfield. Projects should document with a map or letter from the airport that they are not within 15,000 feet of a military airport, 2500 feet of a civilian airport, or are not within a designated APZ or RPZ zone. Projects within these zones cannot be funded by HTF.

FARMLAND PRESERVATION

The project cannot convert unique, prime or significant (state or local) farmland to an urban use. Proof the project site is not currently zoned for agriculture, is in an urban setting or does not contain soils for unique, prime or significant farmland is required.

See <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx> or <https://tigerweb.geo.census.gov/tigerweb/>.

AIR QUALITY STANDARDS

Contact the [WDNR Air Quality staff](#) if a proposed project site is located in the vicinity of a monitoring station where air quality violations have been registered. Additionally, information on [non-attainment zones](#) is available through the DNR, as well.

NOISE ABATEMENT

HUD's noise standards are found in 24 CFR Part 51, Subpart B, [regarding noise abatement and control](#). For proposed new construction in high noise areas, the project must incorporate noise mitigation features. HUD classifies noise levels as either Acceptable (<65 dB - No special approvals and requirements); Normally Unacceptable (>65 dB, but not exceeding 75 dB - Special approvals and requirements); or Unacceptable (>75 dB - Environmental Impact Statement required).

The environmental review record must contain one of the following:

- Document the proposed action is not within 1000 ft. of a major roadway, 3,000 ft. of a railroad, or 15 miles of a military or FAA-regulated civil airfield;
- If within those distances, documentation showing the noise level is *Acceptable* (at or below 65 dB);
- If within those distances, documentation showing that there's an effective noise barrier (i.e., that provides sufficient protection); or
- Documentation showing the noise generated by the noise source(s) is *Normally Unacceptable* (66 – 75 dB) and identifying noise attenuation requirements that will bring the interior noise level to 45 dB and/or exterior noise level to 65 dB.

Use [HUD's DNL Assessment Tool](#) to determine the Day/Night Noise Level (DNL) for a proposed project site. Traffic counts may be obtained from [Wisconsin DOT](#); email traffic.counts@wi.gov for source information to submit. Both sources of information are required.

THERMAL AND MAN-MADE HAZARDS

Phase I (ASTM) report is required for all projects involving projects/facilities with more than 4 housing units. If a Phase I was previously completed for the project, a copy of the Executive Summary including the author, contact information, and date the report was produced must be attached. If the Phase I ESA identifies RECs, a Phase II ESA–ASTM will be required. If the Phase II indicates the presence of hazardous substances or petroleum products above applicable local, state, tribal or federal (LSTF) screening levels, coordination with the relevant LSTF oversight agency will be required to complete the remediation process and obtain a determination that no further action is required.

Safe Separation for Explosive Hazards - The project must be in compliance with the standards for acceptable separation distances, as set forth at 24 CFR part 51, subpart C. The Wisconsin

Department of Agriculture, Trade and Consumer Protection (DATCP) maintains a [searchable list of above-ground and underground](#) storage tanks. If above ground tanks are located within one mile of the project site, each tank's status, based on HUD safe separation guidance must be documented. HUD guidance and the safe separation distance calculator can be found here:

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

Radon Assessment and Mitigation are required for all new construction and rehabilitation projects. A statement outlining the type of assessment that will be completed, type of remediation system to be installed if radon levels test at or above 4.0 pCi/L, and follow up testing plan post mitigation must be submitted by the architect or engineer on the project at the time of environmental review. Details on [HUD requirements](#).

ENERGY EFFICIENCY AND SUSTAINABILITY

HUD requires new construction projects meet or exceed the 2021 IECC and ASHRAE 90.1-2019 or equivalent building standards. Builders or their agents must verify, upon construction completion, that homes are built to meet the 2021 IECC per R105.2.1 through R105.2.5 of R105.2 standards. HUD regulations regarding compliance are located here:

<https://www.hudexchange.info/programs/minimum-energy-standards/> Each section/component of 2021 IECC or ASHRAE 90.1-2019 must show proof of compliance. At time of initial application/Environmental Review completion, Architect or Engineer Certification is required.

SAFE DRINKING WATER

Projects with a potable water system must use only lead-free pipes, solder, and flux. At time of initial application/Environmental Review completion, Architect or Engineer Certification is required

WILD AND SCENIC RIVERS

If the project is located near a Wild and Scenic River, it must be consistent with the River's Management Plan. <https://www.hudexchange.info/programs/environmental-review/wild-and-scenic-rivers/> Document project location and include consistency documentation if appropriate.

SOLE SOURCE AQUIFERS

HTF projects cannot impact sole source aquifers. However, Wisconsin has no sole source aquifers so all projects are in compliance

<https://www.hudexchange.info/programs/environmental-review>